

ACTS
OF THE
Second Annual Session
OF THE
One Hundred and Ninety-fourth Legislature
OF THE
STATE OF NEW JERSEY
AND
Twenty-third Under the New Constitution

CHAPTERS 238-471



New Jersey State Library

1971

CHAPTER 238

AN ACT concerning banking and amending R. S. 17:1-8.

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

1. R. S. 17:1-8 is amended to read as follows:

Fees.

- 17:1-8. Fees.

The commissioner shall charge for a license and for all services performed by him the fees provided in this Title, or in lieu thereof or where not so provided, such fees as he shall prescribe by rule or regulation. He shall make quarterly returns to the Director of the Division of Budget and Accounting of all fees and moneys collected by him, and pay the sum so collected into the State Treasury.

2. This act shall take effect immediately.

Approved June 23, 1971.

CHAPTER 239

A SUPPLEMENT to "An act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 1971, and regulating the disbursement thereof," approved June 15, 1970 (P. L. 1970, c. 96).

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

1. The following sum is hereby appropriated out of the General Treasury for the purpose specified:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF PARKS, FORESTRY AND RECREATION
490-103. BUREAU OF FORESTRY

Extraordinary:

Supplemental requirement for fire fighting costs for fiscal year 1970-71	\$75,000
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2. This act shall take effect immediately.

Approved June 23, 1971.

CHAPTER 240

AN Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 1972, and regulating the disbursement thereof.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR 1971-72

Surplus

Estimated balance, July 1, 1971	\$144,281,373
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Major Tax and Fee Revenues

Transfer inheritance tax	\$74,000,000
Railroad taxes—franchise	100,000
Miscellaneous corporation tax—domestic and foreign	144,000,000
Domestic life insurance corporation tax	900,000
Foreign insurance corporation tax	36,600,000
Alcoholic beverage tax	48,000,000
Cigarette tax	123,000,000
Pari-mutuel tax	39,600,000
Motor fuels tax	218,000,000
Motor vehicle fees, et cetera	141,000,000
Motor carriers road tax	5,600,000
Motor vehicle security-responsibility law administration	1,665,395
Public utility surtax	25,000,000
Sales tax	563,000,000
Emergency transportation tax	22,000,000
Lottery	25,000,000
Financial business tax (State share)	2,750,000
Bank stock tax (State share)	8,500,000

Other Tax, License, Fee and Departmental Revenues

Department of Law and Public Safety:	
Bureau of Securities—license fees	441,300
Beverage licenses	1,950,297
Amusement games control fees	73,230

Professional examining boards fees	\$1,160,690
Beauty Culture Control licenses	237,545
Division of State Police—miscellaneous receipts ..	100,000
Division of Motor Vehicles—miscellaneous re- ceipts	1,000
Division of Weights and Measures	85,000
Bus excise tax	322,017
Department of the Treasury:	
Investment earnings	10,000,000
Interest on deposits	1,000,000
Escheats, personal property (14-year law)	100,000
Outdoor advertising permits and fees	130,000
Public utility tax administration	75,000
Pensions and social security administration	2,300,000
Pension contributions from special fund sources ..	5,200,000
Public employers contribution reimbursement ..	2,000,000
Social security contributions from special fund sources	2,000,000
Rutgers, The State University—employer contri- butions reimbursement	1,000,000
Federal aid: Unemployment Benefits Section— Treasury Department	103,015
Health benefits contributions from special fund sources	650,000
Rent of State building space	575,000
Department of State:	
General revenue—fees	3,152,000
Uniform commercial codes—fees	183,000
Commissions	171,000
Office of Athletic Commissioner	24,600
Legalized Games of Chance Control Commission ..	275,000
Department of Banking:	
Examining and other fees	1,562,951
Department of Insurance:	
Examining and other fees	2,196,138
Real Estate Commission	827,825
Department of Agriculture:	
General fees	30,000
Milk Control licenses and fees	241,600
Fertilizer inspection and other fees	93,700

Department of Defense:

Armory rentals	\$40,000
Federal aid: general	62,000
Federal aid: Civil Defense	320,000

Department of Public Utilities:

General revenue—fees	2,289,530
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Department of Health:

General fees	260,230
Rabies Control licenses	178,296
Board of Barber Examiners—licenses and fees ..	160,435

Department of Labor and Industry:

General revenues, licenses, fees, et cetera	688,500
Second Injury Workmen's Compensation insurance tax	126,150
Federal aid: Vocational rehabilitation	10,971,735
Federal aid: Statistical services	44,900

Department of Environmental Protection:

Water Pollution Control fees	10,000
Hunters' and Anglers' licenses	2,337,609
Federal aid: Public Hunting and Fishing Grounds	220,000
Division of Parks, Forestry and Recreation:	
Bureau of Parks	1,143,000
Bureau of Recreation	354
Bureau of Forestry	17,650
Federal aid: forest nursery, farm forestry, forest fires and pest control	281,200
Bureau of Navigation—Motor Boat Numbering Act	381,951
Bureau of Navigation—other fees	302,501
Federal aid: Air Pollution	1,182,431
Federal aid: Water Pollution	312,000
Pilot Commissioners' receipts	22,500
Excess water diversion fees	250,000
Well drillers' licenses and permits	10,000
Delaware and Raritan Canal—rentals and sales ..	515,500
Round Valley—Spruce Run—sale of water	118,296
Shell Fisheries—licenses and fees	127,865
Morris Canal fund receipts	55,000

Department of Education:

Academic certificate fees	\$21,000
Marie H. Katzenbach School for the Deaf—board and fees	13,400
State Board of Examiners—fees	112,000
Miscellaneous licensing fees	11,400
Federal aid: Smith-Hughes, George-Barden funds	200,000

Department of Higher Education:

State Colleges—

Glassboro:

Tuition—regular	1,680,000
Demonstration school	120,000
Miscellaneous	25,000
Auxiliary services income	1,237,700
Summer, extension, field, graduate fees	1,736,000
Other student fees	169,700

Jersey City:

Tuition—regular	1,612,800
Miscellaneous	12,000
Auxiliary services income	113,000
Summer, extension, field, graduate fees	1,324,800
Other student fees	106,392

Newark:

Tuition—regular	1,662,500
Miscellaneous	20,000
Auxiliary services income	250,000
Summer, extension, field, graduate fees	2,016,000
Other student fees	135,000

William Paterson:

Tuition—regular	1,925,000
Auxiliary services income	284,525
Summer, extension, field, graduate fees	1,316,000
Miscellaneous	15,450
Other student fees	143,000

Montclair:

Tuition—regular	2,074,000
Miscellaneous	18,750
Auxiliary services income	1,697,730
Summer, extension, field, graduate fees	1,526,020
Home Economics program (Federal)	15,000
Other student fees	156,500

Trenton:	
Tuition—regular	\$1,820,000
Miscellaneous	15,000
Auxiliary services income	2,141,600
Summer, extension, field, graduate fees	1,571,360
Other student fees	96,600
Ramapo:	
Tuition—regular	280,000
Other student fees	20,000
Richard Stockton:	
Tuition—regular	350,000
Miscellaneous	1,000
Auxiliary services income	100,000
Other student fees	36,000
School of Conservation—tuition and fees	305,711
Agricultural Experiment Station—fees	45,000
Department of Transportation:	
Division of Aeronautics fees	85,000
Miscellaneous receipts	100,000
Department of Institutions and Agencies:	
Board of patients and other income	47,000,000
Adoption law fees	218,000
Division of Mental Retardation	745,000
Federal aid: soldiers' homes	780,000
Federal aid: Bureau of Children's Services	1,215,564
Federal aid: administration of Division of Public Welfare and central office	2,640,000
Federal aid: administration of blind	1,400,000
Federal aid: mental health services	99,630
Federal aid: medical assistance—administration	6,255,000
Federal aid: in lieu of ADC	8,000,000
Department of Community Affairs:	
Division of Housing and Urban Renewal—fees	2,682,125
Division of Local Finance—fees	77,750
Delaware River Joint Toll Bridge Commission:	
Pennsylvania's share	336,251
Rentals and miscellaneous income	1,403
Judiciary:	
Court fees	6,069,500

Unclassified:

Miscellaneous fee increases	\$5,400,000
Miscellaneous revenues	550,000
Total Revenues	\$1,651,595,097

Interfund Transfers

Unclaimed Bank Deposits Escheat Fund	\$75,000
Unclaimed Life Insurance Escheat Fund	75,000
Unclaimed Personal Property Trust Fund	450,000
School Fund income	1,533,800
1837 Surplus Revenue Fund income	34,000
State 1964 Institution Construction Fund	50,000
Outstanding Checks Account	15,000
Motor Vehicle Security-Responsibility Fund	35,000
Unsatisfied Claim and Judgment Fund	507,098
State Water Development Fund	40,000
State Disability Benefits Fund	3,256,904
Interest on deposits (trust funds)	203,050
Unemployment Compensation Auxiliary Fund	800,000
Total Interfund Transfers	\$7,074,852
Net Resources	\$1,802,951,322

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

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 spending agencies and for the several purposes herein specified for the fiscal year ending on June 30, 1972. The appropriations herein made shall be available during said fiscal year and for a period of 1 month thereafter for expenditures applicable to said fiscal year. At the expiration of said 1 month period, all unexpended balances except those specifically held by approved encumbrance requests covering detailed applications received or held by contracts on file as of June 30, 1972 with the Director of the 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 act of the previous year or years.

LEGISLATURE

001-100. *Senate*

Salaries	\$758,334
Senators (40)	(\$403,334)
Members' staff services	(180,000)
Officers and employees	(175,000)
Materials and Supplies	140,575
Services Other Than Personal	211,000
Maintenance of Property:	
Recurring	8,200
Additions and Improvements	3,000
Sub-Total Appropriation	\$1,121,109

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

002-100. *General Assembly*

Salaries	\$1,339,334
Assemblymen (80)	(\$803,334)
Members' staff services	(360,000)
Officers and employees	(176,000)
Materials and Supplies	235,670
Services Other Than Personal	378,900
Maintenance of Property:	
Recurring	9,700
Additions and Improvements	10,000
Sub-Total Appropriation	\$1,973,604

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Legislature	\$3,094,713
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003-100. LAW REVISION AND LEGISLATIVE SERVICES COMMISSION

Salaries	\$671,466
Officers and employees (\$671,466)	
Materials and Supplies	31,150
Services Other Than Personal	57,549
Maintenance of Property:	
Recurring	4,000
Non-Recurring and Replacements	1,000
Extraordinary:	
Aspen Project	10,000
Additions and Improvements	10,000
Total Appropriation, Law Revision and Legislative Services Commission	\$785,165

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

004-100. LEGISLATIVE BUDGET AND FINANCE DIRECTOR

Salaries	\$253,327
Officers and employees (\$253,327)	
Materials and Supplies	3,625
Services Other Than Personal	9,358
Maintenance of Property:	
Recurring	450
Non-Recurring and Replacements	2,500
Additions and Improvements	2,000
Total Appropriation, Legislative Budget and Finance Director	\$271,260

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

005-100. STATE AUDITOR'S DEPARTMENT

Salaries	\$694,230
State Auditor	(\$18,000)
Officers and employees	(676,230)
Materials and Supplies	2,865
Services Other Than Personal	37,877

Maintenance of Property:

Recurring	\$1,750
Non-Recurring and Replacements	1,000
Extraordinary:	
Special professional services	50,000

Total Appropriation, State Auditor's Department	\$787,722
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MISCELLANEOUS LEGISLATIVE COMMISSIONS

010-100. *Intergovernmental Relations Commission*

Salaries	\$600
Officers and employees	(\$600)
Materials and Supplies	180
Services Other Than Personal	7,730
Extraordinary:	
Commitments to Interstate Agencies:	
The Council of State Governments	48,550
Atlantic States Marine Fisheries Commission ..	2,500
National Conference of Commissioners on	
Uniform State Laws	4,300
Education Commission of the States	16,500
National Association of State Budget Officers ..	1,800
National Governor's Conference	11,500
Advisory Commission on Intergovernmental	
Relations	1,000
National Society of State Legislators	2,500
Total Appropriation	\$97,160

013-100. *Commission to Study Autonomous Authorities*

Extraordinary:

Expenses of the Commission	\$15,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

014-100. *Criminal Law Revision Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

017-100. *Property Tax Distribution Study Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

018-100. *State Commission of Investigation*

Extraordinary:

Expenses of the Commission	\$610,541
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

019-100. *Commission on Open Space Policy*

Extraordinary:

Expenses of the Commission	\$10,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

020-100. *Commission to Study Obscenity and Depravity in Public Media*

Extraordinary:

Expenses of the Commission	\$1,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

021-100. *Commission to Study the New Jersey Laws Exempting Real Property From Taxation*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

022-100. *State Rental Housing Study Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

023-100. *Corporation Law Revision Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

024-100. *Insurance Law Revision Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

028-100. *Uniform Consumer Credit Code Study Commission*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

029-100. *Commission to Study the Regulation and
Licensing of Professions and Occupations*

Extraordinary:

Expenses of the Commission	\$5,100
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031-100. *Family Court Study Commission*

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

032-100. *Election Law Revision Commission*

Extraordinary:

Expenses of the Commission	\$25,000
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

033-100. *Permanent Commission on State School Support*

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

039-100. *County and Municipal Government Study Commission*

Extraordinary:

Expenses of the Commission	\$100,000
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

040-100. *State Aid to School Districts Study Commission*

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

047-100. *Rules of Court Review Commission*

Extraordinary:

Expenses of the Commission	\$25,000
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

Total Appropriation, Miscellaneous Legisla- tive Commissions	\$888,801
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080-100. CHIEF EXECUTIVE'S OFFICE

Salaries	\$445,550
Governor	(\$50,000)
Secretary to the Governor	(25,000)
Officers and employees	(370,550)
Materials and Supplies	19,000
Services Other Than Personal	48,337
Maintenance of Property:	
Recurring	1,500
Non-Recurring and Replacements	2,000
Extraordinary:	
For expenditure by the Governor of funds not otherwise appropriated, including official reception on behalf of the State, incidental expenses, and operation of an official residence	35,000
Governor's Annual Art Purchase Award	5,000
State share to match Federal planning grants under the Federal Omnibus Crime Control and Safe Streets Act (Chapter 391, P. L. 1968)	100,000
Total Appropriation, Chief Executive's Office	\$656,387

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

DEPARTMENT OF LAW AND PUBLIC SAFETY

100-100. *Office of the Attorney General*

Salaries	\$208,313
Attorney General	(\$40,000)
Officers and employees	(155,710)
New positions	(12,603)
Materials and Supplies	430
Services Other Than Personal	17,010
Maintenance of Property:	
Recurring	130
Non-Recurring and Replacements	265
Additions and Improvements	215
Total Appropriation, Office of the Attorney General	\$226,363

The unexpended balances as of June 30, 1971 in the accounts Study of Governmental Immunity Laws pursuant to C. 52:17B-4.1 et seq., and Continuing Design and Development of State-wide Law Enforcement Information Network System are hereby appropriated.

None of the funds appropriated for Continuing Design and Development of State-wide Law Enforcement Information Network System shall be expended without Federal matching funds available under the Federal Omnibus Crime Control and Safe Streets Act.

100-400. *Veterans' Loan Authority*

There are hereby appropriated out of the Veterans' Guaranteed Loan Fund established pursuant to C. 38:23-B such sums as may be necessary to pay for the administration thereof.

105-100. *Division of Criminal Justice*

Salaries	\$802,939
New positions	(\$339,584)
Positions established from lump-sum appropriation	(149,188)
Positions transferred from another division	(314,167)
Materials and Supplies	40,600
Services Other Than Personal	86,380
Maintenance of Property:	
Recurring	980
Additions and Improvements	42,158
Total Appropriation, Division of Criminal Justice	\$973,057

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

110-100. *Division of Law*

Salaries	\$2,246,882
Officers and employees	(\$2,010,610)
New positions	(236,272)
Materials and Supplies	67,700
Services Other Than Personal	159,144

Maintenance of Property:	
Recurring	\$3,400
Non-Recurring and Replacements	1,944
Extraordinary:	
Compensation awards	3,000
Additions and Improvements	20,987
Total Appropriation, Division of Law	\$2,503,057

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 unexpended balance, not to exceed \$50,000, as of June 30, 1971 in the Revolving Fund established to provide for expenses in operating C. 48:2-31.1 et seq., together with all receipts, is hereby appropriated for use during 1971-72.

The unexpended balance as of June 30, 1971 in the Revolving Fund established under the New Jersey Anti-Trust Act, C. 56:9-1 et seq., is hereby appropriated.

115-100. *Division on Civil Rights*

Salaries	\$760,127
Officers and employees	(\$760,127)
Materials and Supplies	25,860
Services Other Than Personal	129,029
Maintenance of Property:	
Recurring	2,300
Non-Recurring and Replacements	1,500
Additions and Improvements	2,250
Total Appropriation, Division on Civil Rights	\$921,066

120-100. *Division of State Police*

Salaries	\$20,865,857
Officers and employees	(\$17,206,450)
New positions	(109,315)
Cash in lieu of maintenance	(3,550,092)
Materials and Supplies	1,341,683
Services Other Than Personal	1,140,318
Maintenance of Property:	
Recurring	186,004
Non-Recurring and Replacements	883,383
Extraordinary:	
State share of State Law Enforcement Planning	
Agency projects for which matching Federal	
funds are approved:	
State-wide organized crime intelligence	33,333
Project Alert	50,000
State-wide organized crime investigatory-	
prosecutorial project	71,500
Crime laboratory services	160,000
Compensation awards	88,000
Additions and Improvements	1,055,025
 Total Appropriation, Division of State Police	 \$25,875,103

In addition to the amounts hereinabove specifically appropriated to the Division of State Police, there are appropriated to the respective State departments and agencies such sums as may be received or receivable from any instrumentality or public authority for direct and indirect costs of all State Police services furnished thereto, except as to such costs for which funds have been included in appropriations otherwise made to the respective State departments and agencies as the Director of the Division of Budget and Accounting shall determine; provided, however, that payments from such instrumentalities or authorities for employer contributions to the State Police Retirement System shall not be appropriated and shall be paid into the General State Fund. The portion of the appropriation made to or on behalf

of this Division, which represents General State Funds, shall be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

125-100. *Police Training Commission*

Salaries	\$299,082
Officers and employees	(\$299,082)
Materials and Supplies	10,550
Services Other Than Personal	43,091
Maintenance of Property:	
Recurring	2,850
Non-Recurring and Replacements	2,000
Extraordinary:	
Scholarships, pursuant to C. 52:17B-71.2 et seq.	50,000
Total Appropriation, Police Training Commission	\$407,573

The unexpended balances as of June 30, 1971 in the accounts Scholarships pursuant to C. 52:17B-71.2 et seq. and Local Police Agencies Assistance, Chapter 306, P. L. 1968 are hereby appropriated for the same purposes.

130-100. *Division of Alcoholic Beverage Control*

Salaries	\$1,438,521
Officers and employees	(\$1,438,521)
Materials and Supplies	21,515
Services Other Than Personal	169,018
Maintenance of Property:	
Recurring	4,150
Non-Recurring and Replacements	7,800
Extraordinary:	
Compensation awards	2,500
Additions and Improvements	4,580
Total Appropriation, Division of Alcoholic Beverage Control	\$1,648,084

135-100. *Division of State Medical Examination*

Salaries	\$224,740
Officers and employees	(\$224,740)
Materials and Supplies	31,400
Services Other Than Personal	30,437
Maintenance of Property:	
Recurring	1,950
Additions and Improvements	52,000
Total Appropriation, Division of State Medical Examination	\$340,527

*Division of Motor Vehicles*140-101. *Office of the Director*

Salaries	\$174,597
Officers and employees	(\$174,597)
Materials and Supplies	800
Services Other Than Personal	17,912
Maintenance of Property:	
Recurring	100
Sub-Total Appropriation	\$193,409

140-102. *Safety and Driver Improvement*

Salaries	\$877,220
Officers and employees	(\$877,220)
Materials and Supplies	30,150
Services Other Than Personal	65,604
Maintenance of Property:	
Recurring	950
Non-Recurring and Replacements	1,000
Extraordinary:	
Traffic Safety Education	20,000
Sub-Total Appropriation	\$994,924

140-103. *Bureau of Enforcement*

Salaries	\$2,531,867
Officers and employees	(\$2,457,047)
New positions	(74,820)
Materials and Supplies	58,100

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Services Other Than Personal	\$290,782
Maintenance of Property:	
Recurring	2,000
Non-Recurring and Replacements	2,613
Extraordinary:	
Compensation awards	10,000
Additions and Improvements	31,269
Sub-Total Appropriation	\$2,926,631

140-104. *Bureau of Vehicle Inspection*

Salaries	\$6,201,500
Officers and employees	(\$5,526,500)
Motor Vehicle Examiners' overtime(.....	675,000)
Materials and Supplies	289,550
Services Other Than Personal	160,085
Maintenance of Property:	
Recurring	50,650
Non-Recurring and Replacements	66,437
Extraordinary:	
Improvement of inspection services	500,000
Compensation awards	25,000
Additions and Improvements	50,930
Sub-Total Appropriation	\$7,344,152

140-105. *Licenses and Registrations*

Salaries	\$2,074,677
Officers and employees	(\$2,074,677)
Materials and Supplies	125,650
Services Other Than Personal	732,983
Maintenance of Property:	
Recurring	5,000
Non-Recurring and Replacements	11,000
Extraordinary:	
To establish a unified and integrated driver, owner and vehicle record system	295,000
Additions and Improvements	8,000
Sub-Total Appropriation	\$3,252,310

In addition to the amounts hereinabove 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 C. 39:3-3 and C. 39:10-25.

140-106. <i>Bureau of Insurance Verification</i>	
Salaries	\$387,165
Officers and employees (\$20,270)	
Positions established from lump-sum appropriation (366,895)	
Materials and Supplies	30,000
Services Other Than Personal	66,250
Maintenance of Property:	
Recurring	700
Sub-Total Appropriation	\$484,115
140-107. <i>Bureau of Motor Carriers</i>	
Salaries	\$385,203
Officers and employees (\$385,203)	
Materials and Supplies	20,000
Services Other Than Personal	58,244
Maintenance of Property:	
Recurring	600
Non-Recurring and Replacements	425
Sub-Total Appropriation	\$464,472
140-108. <i>Bureau of Agencies</i>	
Salaries	\$142,031
Officers and employees (\$127,433)	
New positions (14,598)	
Materials and Supplies	496,868
Services Other Than Personal	72,725
Maintenance of Property:	
Recurring	1,000
Additions and Improvements	9,915
Sub-Total Appropriation	\$722,539

140-109. *Electronic Data Processing*

Salaries	\$1,078,200
Officers and employees	(\$1,056,400)
New positions	(21,800)
Materials and Supplies	59,861
Services Other Than Personal	650,933
Maintenance of Property:	
Recurring	103,377
Non-Recurring and Replacements	3,000
Additions and Improvements	3,160
Sub-Total Appropriation	\$1,898,531

140-110. *Administrative Services*

Salaries	\$882,903
Officers and employees	(\$847,213)
New positions	(35,690)
Materials and Supplies	22,300
Services Other Than Personal	31,959
Maintenance of Property:	
Recurring	7,500
Non-Recurring and Replacements	4,195
Sub-Total Appropriation	\$948,857

141-100. *Bureau of Security-Responsibility*

Salaries	\$1,404,475
Officers and employees	(\$1,404,475)
Materials and Supplies	45,000
Services Other Than Personal	209,435
Maintenance of Property:	
Recurring	2,500
Non-Recurring and Replacements	2,590
Additions and Improvements	1,395
Sub-Total Appropriation	\$1,665,395

142-400. *Unsatisfied Claim and Judgment Fund Board*

Salaries	\$457,462
Officers and employees	(\$457,462)
Materials and Supplies	8,050
Services Other Than Personal	40,366
Maintenance of Property:	
Recurring	600
Non-Recurring and Replacements	500
Additions and Improvements	120
Sub-Total Appropriation	\$507,098

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 Board, together with such sums as may be necessary for the payment of costs pursuant to C. 39:6-67, for payment of claims, and for such additional costs as may be required to implement Chapter 323, P. L. 1968; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Division of Motor Vehicles	\$21,402,433
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150-100. *Division of Weights and Measures*

Salaries	\$523,859
Officers and employees	(\$523,859)
Materials and Supplies	17,000
Services Other Than Personal	44,067
Maintenance of Property:	
Recurring	10,300
Non-Recurring and Replacements	10,450
Extraordinary:	
Compensation awards	500
Additions and Improvements	17,442
Total Appropriation, Division of Weights and Measures	\$623,618

155-100. *Division of the New Jersey Racing Commission*

Salaries	\$369,733
Officers and employees	(\$369,733)
Materials and Supplies	7,500
Services Other Than Personal	41,365
Maintenance of Property:	
Recurring	175
Non-Recurring and Replacements	320
Additions and Improvements	320
Total Appropriation, Division of the New Jersey Racing Commission	\$419,413

*Division of Professional Boards*160-100. *Administrative Bureau*

Salaries	\$251,195
Officers and employees	(\$251,195)
Materials and Supplies	6,050
Services Other Than Personal	32,903
Maintenance of Property:	
Recurring	1,100
Sub-Total Appropriation	\$291,248

161-100. *State Board of Public Accountants*

Salaries	\$26,910
Officers and employees	(\$26,910)
Materials and Supplies	1,000
Services Other Than Personal	45,057
Maintenance of Property:	
Recurring	50
Sub-Total Appropriation	\$73,017

162-100. *State Board of Architects*

Salaries	\$41,850
Officers and employees	(\$41,850)
Materials and Supplies	3,525

Services Other Than Personal	17,663
Maintenance of Property:	
Recurring	100
Additions and Improvements	350
Sub-Total Appropriation	<u>\$63,488</u>

163-100. *State Board of Dentistry*

Salaries	\$33,702
Officers and employees	(\$33,702)
Materials and Supplies	1,500
Services Other Than Personal	15,945
Maintenance of Property:	
Recurring	500
Non-Recurring and Replacements	500
Additions and Improvements	500
Sub-Total Appropriation	<u>\$52,647</u>

164-100. *State Board of Mortuary Science*

Salaries	\$30,599
Officers and employees	(\$30,599)
Materials and Supplies	747
Services Other Than Personal	11,652
Maintenance of Property:	
Recurring	212
Sub-Total Appropriation	<u>\$43,210</u>

165-100. *State Board of Professional Engineers and
Land Surveyors*

Salaries	\$51,858
Officers and employees	(\$51,858)
Materials and Supplies	12,550
Services Other Than Personal	34,735
Maintenance of Property:	
Recurring	75
Non-Recurring and Replacements	125

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Additions and Improvements	200
Sub-Total Appropriation	<u>\$99,543</u>

166-100. *State Board of Medical Examiners*

Salaries	\$49,504
Officers and employees (\$49,504)	
Materials and Supplies	5,000
Services Other Than Personal	24,564
Maintenance of Property	100
Sub-Total Appropriation	<u>\$79,168</u>

167-100. *State Board of Nursing*

Salaries	\$173,058
Officers and employees (\$173,058)	
Materials and Supplies	6,600
Services Other Than Personal	78,681
Maintenance of Property:	
Recurring	700
Non-Recurring and Replacements	500
Additions and Improvements	750
Sub-Total Appropriation	<u>\$260,289</u>

168-100. *State Board of Optometrists*

Salaries	\$17,197
Officers and employees (\$17,197)	
Materials and Supplies	250
Services Other Than Personal	5,059
Maintenance of Property:	
Recurring	250
Sub-Total Appropriation	<u>\$22,756</u>

169-100. *State Board of Pharmacy*

Salaries	\$50,499
Officers and employees	(\$50,499)
Materials and Supplies	2,650
Services Other Than Personal	15,655
Maintenance of Property:	
Recurring	300
Sub-Total Appropriation	\$69,104

170-100. *State Board of Veterinary Medical Examiners*

Salaries	\$6,436
Officers and employees	(\$6,436)
Materials and Supplies	200
Services Other Than Personal	2,207
Sub-Total Appropriation	\$8,843

171-100. *State Board of Shorthand Reporting*

Salaries	\$1,700
Officers and employees	(\$1,700)
Materials and Supplies	75
Services Other Than Personal	726
Additions and Improvements	75
Sub-Total Appropriation	\$2,576

172-100. *State Board of Examiners of Ophthalmic Dispensers
and Ophthalmic Technicians*

Salaries	\$8,216
Officers and employees	(\$8,216)
Materials and Supplies	800
Services Other Than Personal	3,036
Maintenance of Property:	
Recurring	60
Sub-Total Appropriation	\$12,112

173-100. *State Board of Beauty Culture Control*

Salaries	\$100,840
Chairman	(\$4,500)
Board members (5 @ \$3,500)	(17,500)
Officers and employees	(78,840)
Materials and Supplies	7,210
Services Other Than Personal	31,598
Maintenance of Property:	
Recurring	500
Non-Recurring and Replacements	600
Additions and Improvements	320
Sub-Total Appropriation	\$141,068

174-100. *State Board of Professional Planners*

Salaries	\$16,536
Officers and employees	(\$16,536)
Materials and Supplies	1,000
Services Other Than Personal	7,189
Additions and Improvements	300
Sub-Total Appropriation	\$25,025

175-100. *State Board of Examiners of Electrical Contractors*

Salaries	\$48,995
Officers and employees	(\$48,995)
Materials and Supplies	2,850
Services Other Than Personal	14,268
Maintenance of Property:	
Recurring	150
Sub-Total Appropriation	\$66,263

176-100. *State Board of Psychological Examiners*

Salaries	\$14,008
Officers and employees	(\$14,008)
Materials and Supplies	1,200
Services Other Than Personal	4,837
Sub-Total Appropriation	\$20,045

177-100. *State Board of Examiners of Master Plumbers*

Salaries	\$41,749
Officers and employees	(\$41,749)
Materials and Supplies	3,027
Services Other Than Personal	15,747
Maintenance of Property:	
Recurring	100
Additions and Improvements	500
Sub-Total Appropriation	\$61,123

178-100. *State Board of Marriage Counselor Examiners*

Salaries	\$2,000
Officers and employees	(\$2,000)
Materials and Supplies	1,000
Services Other Than Personal	3,710
Sub-Total Appropriation	\$6,710
Total Appropriation, Division of Profes- sional Boards	\$1,398,235

The amount 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 amount specifically appropriated to each of said boards are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act; and provided further, 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	\$56,738,529
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DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

Salaries	\$352,133
State Treasurer	(\$40,000)
Officers and employees	(275,502)
New positions	(36,631)
Materials and Supplies	2,850
Services Other Than Personal	35,833
Maintenance of Property:	
Recurring	1,200
Total Appropriation, Administrative	
Division	\$392,016

210-300. *Print Shop*

The Director of the Division of Budget and Accounting is hereby empowered to transfer to the Print Shop from any appropriation made to any department for printing costs which are appropriated or allocated to such departments for their share of costs of the Print Shop.

210-302. *Microfilm Section*

The Director of the Division of Budget and Accounting is hereby empowered to transfer to the Microfilm Section from any appropriation made to any department for microfilming costs appropriated or allocated to such departments for their share of costs of the Microfilm Section.

210-303. *Central Motor Pool*

There are hereby appropriated as a Revolving Fund the receipts derived from services rendered by a central motor pool, together with the unexpended balance of such receipts as of June 30, 1971, for the purpose of operating such a motor pool, including the replacement of motor vehicles and the purchase of additional motor vehicles; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

211-100. *Office of Economic Policy*

Salaries	\$38,309
Officers and employees	(\$20,574)
New positions	(17,735)
Materials and Supplies	8,500
Services Other Than Personal	11,700
Maintenance of Property:	
Recurring	100
Total Appropriation, Office of Economic Policy	\$58,609

212-100. *Office of Employee Relations*

Salaries	\$75,923
Positions established from lump-sum appropriation	(\$75,923)
Materials and Supplies	1,000
Services Other Than Personal	27,400
Total Appropriation, Office of Employee Relations	\$104,323

220-100. *Division of Budget and Accounting*

Salaries	\$1,591,240
Officers and employees	(\$1,484,892)
New positions	(88,349)
Positions established from lump-sum appropriation	(17,999)
Materials and Supplies	62,540
Services Other Than Personal	1,201,508
Maintenance of Property:	
Recurring	6,450
Non-Recurring and Replacements	780
Extraordinary:	
Study of State employment conditions pursuant to C. 52:14-17.50	35,000
To establish a systems management unit	171,759
Additions and Improvements	5,414
Sub-Total Appropriation	\$3,074,691

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.

220-300. *Bureau of Data Processing*

There is hereby appropriated the unexpended balance in the Revolving Fund created pursuant to Chapter 33, P. L. 1966 for the purpose of operating the Bureau of Data Processing established pursuant to Executive Order No. 30, dated November 9, 1966, and, in addition thereto, the receipts derived from charges for services rendered thereby, and from advance savings or acquisition premiums continuing from resale of data processing equipment; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The Director of the Division of Budget and Accounting is hereby empowered to transfer to the Bureau of Data Processing from any appropriation made to any department for data processing costs which are appropriated or allocated to such departments for their share of costs of the Bureau of Data Processing.

Total Appropriation, Division of Budget and Accounting	\$3,074,691
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225-100. *Division of Data Processing and Telecommunications*

Salaries	\$484,132
Officers and employees	(\$66,096)
New positions	(188,397)
Positions established from lump-sum appropriation	(229,639)

Materials and Supplies	19,100
Services Other Than Personal	44,402
Maintenance of Property:	
Recurring	400
Non-Recurring and Replacements	435
Additions and Improvements	2,368
Total Appropriation, Division of Data Processing and Telecommunications	\$550,837

*Division of Purchase and Property**230-100. General*

Salaries	\$3,296,916
Officers and employees	(\$3,266,594)
New positions	(30,322)
Materials and Supplies	778,400
Services Other Than Personal	336,353
Maintenance of Property:	
Recurring	210,450
Non-Recurring and Replacements	122,720
Additions and Improvements	115,989
Sub-Total Appropriation	\$4,860,828

230-300. State Purchase Fund

The unexpended balance in the State Purchase Fund as of June 30, 1971, together with the reimbursements thereto, are hereby appropriated so that an amount not to exceed \$2,000,000 will be maintained in said Fund for the purpose of making payments for purchases pursuant to the purchase act (C. 52:25-13), and for the expenses of handling, storing and transporting purchases so made; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act. Any sum as of June 30, 1972 in excess of \$2,000,000 appropriated herein, shall be transferred by the State Treasurer to the General State Fund.

232-100. *Commodity Distribution*

Salaries	\$110,141
Officers and employees (\$110,141)	
Materials and Supplies	3,000
Services Other Than Personal	334,250
Maintenance of Property:	
Recurring	150
Additions and Improvements	380
Sub-Total Appropriation	\$447,921
<i>Less: Receipts from charges to recipient agencies</i>	<i>- 447,921</i>
Sub-Total Appropriation	

In addition to the amounts hereinabove, receipts from such distribution charges as may be made to recipient agencies and from the sale of containers and salvage of commodities, in accordance with applicable Federal regulations, are hereby appropriated to defray all costs of distribution; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

233, 234-400. *State Cafeterias*

The unexpended balances as of June 30, 1971, together with the receipts obtained from cafeteria operations, are hereby appropriated for the improvement and extension of cafeteria service and facilities pursuant to C. 52:18A-19.6.

Total Appropriation, Division of Purchase and Property	\$4,860,828
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235-100. *Division of Building and Construction*

Salaries	\$739,350
Officers and employees (\$739,350)	
Materials and Supplies	5,600
Services Other Than Personal	35,547
Maintenance of Property:	
Recurring	400
Non-Recurring and Replacements	1,500

Additions and Improvements	7,000
Total Appropriation, Division of Building and Construction	<u>\$789,397</u>

*Division of Taxation**240-115. Director's Office and Administration Activity*

Salaries	\$800,447
Officers and employees (\$800,447)	
Materials and Supplies	19,000
Services Other Than Personal	178,906
Maintenance of Property:	
Recurring	738
Non-Recurring and Replacements	380
Additions and Improvements	751
Sub-Total Appropriation	<u>\$1,000,222</u>

The unexpended balances as of June 30, 1971 in the accounts Control—Motor Fuels Tax pursuant to Chapter 326, P. L. 1970, and Control—Sales Tax pursuant to Chapter 326, P. L. 1970, are hereby appropriated.

240-116. Collection and Enforcement Activity

Salaries	\$4,534,868
Officers and employees (\$4,534,868)	
Materials and Supplies	210,000
Services Other Than Personal	994,785
Maintenance of Property:	
Recurring	8,850
Non-Recurring and Replacements	3,803
Additions and Improvements	5,400
Sub-Total Appropriation	<u>\$5,757,706</u>

240-117. Audit Activity

Salaries	\$6,066,394
Officers and employees (\$6,066,394)	

Materials and Supplies	60,000
Services Other Than Personal	532,500
Maintenance of Property:	
Recurring	5,162
Non-Recurring and Replacements	3,422
Additions and Improvements	4,525
Sub-Total Appropriation	\$6,672,003
Total Appropriation, Division of Taxation ..	\$13,429,931

So much of the receipts derived from the sale of confiscated equipment, materials and supplies under the Cigarette Tax Act as may be necessary for storage and disposal thereof are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

In addition to the sum of \$416,761 included hereinabove for administration of the Emergency Transportation Tax Act, there are hereby appropriated out of the receipts from the Emergency Transportation Tax Act, such sums as may be necessary for additional expenses of collection and enforcement thereof; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

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, as amended and supplemented.

There are hereby appropriated so much of the proceeds of taxes derived from the fire insurance premiums as may be required for payment to the New Jersey Firemen's Home and the New Jersey Firemen's Association, pursuant to C. 54:17-4.

There are hereby appropriated so much of the proceeds derived from the imposition of the Finan-

cial Business Tax as may be required for payment to the local taxing districts and counties, pursuant to C. 54:10B-24.

There are hereby appropriated so much of the proceeds derived from the imposition of the taxes set forth in C. 54:11D-1 as may be required for payment to the local taxing districts, pursuant to C. 54:11D-1 et seq.

250-900. *Division of the State Lottery*

Receipts derived from the sale of Lottery tickets are hereby appropriated for operation of the State Lottery in carrying out the provisions of C. 5:9-1 et seq.; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

260-100. *Division of Tax Appeals*

Salaries	\$222,452
Judges (6 @ \$17,000) (\$102,000)	
Officers and employees (120,452)	
Materials and Supplies	5,535
Services Other Than Personal	47,420
Maintenance of Property:	
Recurring	250
Total Appropriation, Division of Tax Appeals	\$275,657

290-100. *Division of Investment*

Salaries	\$319,473
Officers and employees (\$319,473)	
Material and Supplies	4,600
Services Other Than Personal	43,867
Maintenance of Property:	
Recurring	1,000
Total Appropriation, Division of Investment	\$368,940

There are hereby appropriated, out of receipts derived from the investment of State funds, such sums as may be necessary for custodial costs, mortgage servicing fees, and advertising bank balances as required by C. 52:18-16.1; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

295-100. *Division of Pensions*

Salaries	\$2,097,414
Officers and employees (\$2,097,414)	
Materials and Supplies	65,050
Services Other Than Personal	506,046
Maintenance of Property:	
Recurring	6,000
Non-Recurring and Replacements	5,000
Additions and Improvements	3,000
 Total Appropriation, Division of Pensions .	 \$2,682,510
 Total Appropriation, Department of the Treasury	 \$26,587,739

DEPARTMENT OF STATE

300-100. *Office of Secretary*

Salaries	\$625,575
Secretary of State (\$38,000)	
Officers and employees (558,064)	
New positions (29,511)	
Materials and Supplies	29,750
Services Other Than Personal	81,868
Maintenance of Property:	
Recurring	2,100
Non-Recurring and Replacements	500
 Total Appropriation, Office of Secretary ...	 \$739,793

301-100. *State Council on the Arts*

Salaries	\$22,287
Officers and employees (\$22,287)	
Materials and Supplies	870
Services Other Than Personal	4,852
Maintenance of Property:	
Recurring	50
Extraordinary:	
Cultural Projects	100,000
Contracts with New Jersey Symphony Orchestra	125,000
Contracts with Trenton Symphony Orchestra ...	15,000
Total Appropriation, State Council on the Arts	\$268,059

The unexpended balance as of June 30, 1971 for Cultural Projects is hereby appropriated. None of the sum appropriated for Cultural Projects shall be expended without an equal amount of non-State matching funds.

302-100. *Office of the Athletic Commissioner*

Salaries	\$39,039
Commissioner	(\$7,000)
Officers and employees	(32,039)
Materials and Supplies	225
Services Other Than Personal	3,608
Maintenance of Property:	
Recurring	25
Total Appropriation, Office of the Athletic Commissioner	\$42,897

304-100. *Legalized Games of Chance Control Commission*

Salaries	\$144,836
Officers and employees	(\$144,836)
Materials and Supplies	4,550
Services Other Than Personal	10,882

Maintenance of Property:

Recurring	700
Non-Recurring and Replacements	1,500
Additions and Improvements	300

Total Appropriation, Legalized Games of Chance Control Commission	\$162,768
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306-100. Division of Administrative Procedure

Salaries	\$163,366
Officers and employees	(\$163,366)
Materials and Supplies	30,500
Services Other Than Personal	15,552
Maintenance of Property:	
Recurring	1,000
Additions and Improvements	1,500

Total Appropriation, Division of Adminis- trative Procedure	\$211,918
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The unexpended balance as of June 30, 1971 in this account, in excess of \$100,000, is hereby appropriated.

Fees collected for publications are hereby appropriated for the costs of mailing and publication thereof.

Total Appropriation, Department of State ..	\$1,425,435
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310-100. DEPARTMENT OF CIVIL SERVICE

Salaries	\$2,966,422
President	(\$38,000)
Commissioners (4 @ \$10,500)	(42,000)
Officers and employees	(2,795,200)
New positions	(91,222)
Materials and Supplies	152,648
Services Other Than Personal	474,964
Maintenance of Property:	
Recurring	8,137
Non-Recurring and Replacements	7,472

Extraordinary:

Compensation awards	1,100
Public Service Institute	50,000
Host—Public Personnel Association Regional Convention	2,000
Public Employment Career Development Pro- gram	75,000
Additions and Improvements	12,855

Total Appropriation, Department of Civil Service	<u>\$3,750,598</u>
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320-100. DEPARTMENT OF BANKING

Salaries	\$1,578,330
Commissioner	(\$38,000)
Officers and employees	(1,361,416)
Positions established from lump- sum appropriation	(178,914)
Materials and Supplies	20,435
Services Other Than Personal	179,744
Maintenance of Property:	
Recurring	1,700
Non-Recurring and Replacements	1,270
Extraordinary:	
Compensation awards	2,400
Additions and Improvements	900

Total Appropriation, Department of Banking	<u>\$1,784,779</u>
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325-100. DEPARTMENT OF INSURANCE

Salaries	\$2,014,946
Commissioner	(\$38,000)
Real Estate Commissioners (5 @ \$5,000)	(25,000)
Officers and employees	(1,806,934)
New positions	(20,531)
Positions established from lump- sum appropriation	(124,481)

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Materials and Supplies	50,450
Services Other Than Personal	257,161
Maintenance of Property:	
Recurring	2,965
Non-Recurring and Replacements	4,471
Extraordinary:	
Compensation awards	4,500
Additions and Improvements	3,592
Total Appropriation, Department of Insurance	\$2,338,085

There are hereby appropriated the trust funds of the National Association of Insurance Commissioners pursuant to C. 17:24-13.

330. DEPARTMENT OF AGRICULTURE

41000. *Environmental Management*

41100. Animal and Plant Pest and Disease Control:

Salaries	\$718,643
Officers and employees	(\$718,643)
Materials and Supplies	26,845
Services Other Than Personal	88,705
Maintenance of Property:	
Recurring	1,835
Extraordinary:	
Gypsy moth control by biological means only, pursuant to Chapter 396, P. L. 1968	75,000
Gypsy moth control (not to be used for the purchase and use of any long-lasting (persistent) pesticides like DDT), pursuant to Chapter 191, P. L. 1969	50,000
Sub-Total Appropriation, Animal and Plant Pest and Disease Control	\$961,028

The unexpended balance as of June 30, 1971 in the account Indemnities, pursuant to C. 4:5-93.37 is hereby appropriated.

The unexpended balance as of June 30, 1971, in the account Indemnities, Hog Cholera Eradica-

tion, pursuant to Chapter 394, P. L. 1968 is hereby appropriated.

The unexpended balance as of June 30, 1971, in the account Gypsy Moth Control by biological means only, pursuant to Chapter 396, P. L. 1968 is hereby appropriated.

The unexpended balance as of June 30, 1971, in the account Gypsy Moth Control (not to be used for the purchase and use of any long-lasting (persistent) pesticides like DDT), pursuant to Chapter 191, P. L. 1969 is hereby appropriated.

41200. Resource Development Services:

Salaries	\$213,922
Officers and employees	(\$213,922)
Materials and Supplies	16,615
Services Other Than Personal	56,699
Maintenance of Property:	
Recurring	195
Non-Recurring and Replacements	200
Sub-Total Appropriation, Resource Development Services	\$287,631

The portion of the appropriation made to or on behalf of this Program Sub-Category, which represents General State funds, shall be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

Total Appropriation, Environmental Management	\$1,248,659
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51000. *Development and Regulation of Industry*

51300. Food and Agricultural Trade Regulation:

Salaries	\$717,530
Officers and employees	(\$717,530)
Materials and Supplies	14,982
Services Other Than Personal	50,172
Maintenance of Property:	
Recurring	990

Extraordinary:

Control—Meat inspection pursuant to C. 24:16B-1 et seq.	372,000
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Sub-Total Appropriation, Food and Agri- cultural Trade Regulation	\$1,155,674
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The receipts derived from charges for overtime services rendered to users in the administration of the Meat and Poultry Inspection Act are hereby appropriated for such services.

The unexpended balance as of June 30, 1971 in the Pesticide Monitoring account is hereby appropriated.

The portion of the appropriation made to or on behalf of this Program Sub-Category, which represents General State funds, shall be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

51400. Food and Agricultural Marketing Services :	
Salaries	\$273,471
Officers and employees (\$273,471)	
Materials and Supplies	4,022
Services Other Than Personal	106,853
Maintenance of Property:	
Recurring	175
Sub-Total Appropriation, Food and Agri- cultural Marketing Services	\$384,521

The cost of operating Fruit and Vegetable Inspection shall be paid from inspection fees which shall be derived therefrom.

The unexpended balance as of June 30, 1971 from the operation of Fruit and Vegetable Inspection is hereby appropriated.

The portion of the appropriation made to or on behalf of this Program Sub-Category, which represents General State funds, shall be expended on the several respective matching

bases in proportion to anticipated Federal funds which are received or receivable.

The unexpended balance as of June 30, 1971 of receipts derived, pursuant to the provisions of C. 54:47A-1 (Poultry Products Promotion Council), C. 54:47B-1 (White Potato Industry Promotion Council), C. 54:47C-1 (Asparagus Industry Promotion Council), C. 54:47D-1 (Apple Industry Promotion Council), C. 54:47E-1 (Sweet Potato Commission) and C. 5:5 (New Jersey Horsebreeding and Development Account), together with such receipts received during the fiscal year 1971-72 are hereby appropriated.

Total Appropriation, Development and Regulation of Industry	<u>\$1,540,195</u>
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79000. *Management and General Support*

79100. Department Management and General

Support Services:

Salaries	\$305,639
Secretary	(\$38,000)
Officers and employees	(267,639)
Materials and Supplies	6,828
Services Other Than Personal	60,300
Maintenance of Property:	
Recurring	<u>6,130</u>

Total Appropriation, Management and General Support	<u>\$378,897</u>
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Total Appropriation, Department of Agriculture	<u><u>\$3,167,751</u></u>
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DEPARTMENT OF DEFENSE

340-100. *National Guard*

Salaries	\$2,330,572
Chief of Staff	(\$32,000)
Officers and employees	(2,199,885)
New positions	(36,815)
Positions transferred from another department	(61,872)
Materials and Supplies	416,650
Services Other Than Personal	233,853
Maintenance of Property:	
Recurring	138,000
Non-Recurring and Replacements	171,000
Extraordinary:	
Organization allowance	5,000
Emergency expenses	1,000
Compensation awards	7,500
Additions and Improvements	8,850
Total Appropriation, National Guard	\$3,312,425

The unexpended balances as of June 30, 1971 in the accounts Additional Supplies and Equipment and Emergency Expenses are hereby appropriated for the same purposes.

346-100. *Division of Civil Defense*

Salaries	\$514,458
Officers and employees	(\$514,458)
Materials and Supplies	10,700
Services Other Than Personal	31,741
Maintenance of Property:	
Recurring	1,260
Non-Recurring and Replacements	600
Extraordinary:	
Hammonton Training School	4,000
Emergency Operating Center	4,500
Total Appropriation, Division of Civil Defense	\$567,259

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, civil disturbance, sabotage or disaster.

There are hereby appropriated such sums as may be necessary to carry out the provisions of C. 9-57.1 et seq. from the Special Fund for Civil Defense Volunteers.

Total Appropriation, Department of Defense	\$3,879,684
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DEPARTMENT OF PUBLIC UTILITIES

350-100. *General*

Salaries	\$1,524,804
President	(\$24,000)
Board members (2)	(40,000)
Officers and employees	(1,366,739)
New positions	(47,744)
Positions established from lump-sum appropriation	(46,321)
Materials and Supplies	15,500
Services Other Than Personal	114,200
Maintenance of Property:	
Recurring	1,300
Non-Recurring and Replacements	2,000
Additions and Improvements	16,250
Total Appropriation, General	\$1,674,054

There are hereby appropriated such other sums as may be appropriated on behalf of this Department or as may be applicable thereto as the Director of the Division of Budget and Accounting shall determine in order to comply with the purposes of C. 48:2-59 et seq. or other applicable statutes with respect to assessment of public utilities.

352-100. *New Jersey Public Broadcasting Authority*

Salaries	\$1,090,131
Executive Director	(\$30,000)
Officers and employees	(1,060,131)
Materials and Supplies	118,455
Services Other Than Personal	184,600
Maintenance of Property:	
Recurring	92,000
Non-Recurring and Replacements	1,500
Extraordinary:	
Programing	1,000,000
Additions and Improvements	33,000
Total Appropriation, New Jersey Public Broadcasting Authority	\$2,519,686

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Receipts derived from the leasing of space on transmitter towers are hereby appropriated.

352-101. *Interest on Bonds*

Interest on Public Building Construction Bonds— Chapter 128, P. L. 1968	\$138,350
Total Appropriation, Interest on Bonds	\$138,350
Total Appropriation, Department of Public Utilities	\$4,332,090

360. DEPARTMENT OF HEALTH

21000. *Environmental Health and Consumer Protection*

21100. Environmental Sanitation:	
Salaries	\$61,937
Officers and Employees	(\$61,937)
Materials and Supplies	2,150
Services Other Than Personal	5,800

Extraordinary:

Urban Rodent and Insect Control Program ..	61,425
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Sub-Total Appropriation, Environmental Sanitation	\$131,312
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21200. Consumer Protection:

Salaries	\$232,689
Officers and employees (\$232,689)	
Materials and Supplies	7,100
Services Other Than Personal	23,820

Sub-Total Appropriation, Consumer Protection	\$263,609
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21300. Industrial Health:

Salaries	\$169,412
Officers and employees (\$169,412)	
Materials and Supplies	3,900
Services Other Than Personal	4,400
Maintenance of Property:	
Non-Recurring and Replacements	165

Sub-Total Appropriation, Industrial Health	\$177,877
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21400. Program Support Services:

Salaries	\$21,769
Officers and employees (\$21,769)	
Materials and Supplies	1,125
Services Other Than Personal	140
Maintenance of Property:	
Recurring	200

Sub-Total Appropriation, Program Support Services	\$23,234
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Total Appropriation, Environmental Health and Consumer Protection	\$596,032
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22000. *Personal Health*

22100. Chronic Illness:

Salaries	\$176,905
Officers and employees (\$176,905)	
Materials and Supplies	20,050
Services Other Than Personal	17,405
Maintenance of Property:	
Recurring	100
Extraordinary:	
Public health services by contract:	
Alcoholism	109,000
Cancer	10,000
Arthritis	3,000
Chronic disease	7,500
Chronic Renal	350,000
Diabetes	2,500
Heart disease	21,000
Sub-Total Appropriation, Chronic Illness	\$717,460

The unexpended balance as of June 30, 1971 in the Chronic Renal Disease account is hereby appropriated.

22200. Constructive Health:

Salaries	\$99,226
Officers and employees (\$99,226)	
Materials and Supplies	3,550
Services Other Than Personal	43,832
Maintenance of Property:	
Recurring	75
Sub-Total Appropriation, Constructive Health	\$146,683

Receipts derived from the Phenylketonuria Testing Service are hereby appropriated for expenditure for the maintenance of the service.

22300. Preventable Diseases:

Salaries	\$368,934
Officers and employees (\$368,934)	

Materials and Supplies	210,818
Services Other Than Personal	31,400
Maintenance of Property:	
Recurring	250
Extraordinary:	
Public health services by contract	30,000
Expansion of venereal disease control	120,000
Sub-Total Appropriation, Preventable Diseases	\$761,402
22400. Animal Diseases Transmissible to Man:	
Salaries	\$53,490
Officers and employees (\$53,490)	
Materials and Supplies	57,600
Services Other Than Personal	10,460
Maintenance of Property:	
Recurring	190
Non-Recurring and Replacements	165
Sub-Total Appropriation, Animal Diseases Transmissible to Man	\$121,905
22500. Program Support Services:	
Salaries	\$130,960
Officers and employees (\$130,960)	
Materials and Supplies	2,250
Services Other Than Personal	5,442
Maintenance of Property:	
Recurring	375
Extraordinary:	
Institute for Medical Research, Camden	304,775
Sub-Total Appropriation, Program Support Services	\$443,802
Total Appropriation, Personal Health	\$2,191,252

23000. *Community Health Programs*

23100. Services to Health Agencies:

Salaries	\$195,919
Officers and employees (\$195,919)	
Materials and Supplies	8,000
Services Other Than Personal	4,375
Maintenance of Property:	
Recurring	100
Extraordinary:	
Expansion of clinical laboratory improvement program	50,000
Sub-Total Appropriation, Services to Health Agencies	\$258,394

23200. Development and Improvement of Local Health Services:

Salaries	\$518,842
Officers and employees (\$518,842)	
Materials and Supplies	1,900
Services Other Than Personal	26,545
Extraordinary:	
Emergency medical, hospital and nursing services for migrant workers	35,000
Support of urban health centers	300,000
Family planning services	100,000
Sub-Total Appropriation, Development and Improvement of Local Health Services ...	\$982,287

23300. Narcotic and Drug Abuse Control:

Salaries	\$250,498
Officers and employees (\$83,477)	
Positions established from lump- sum appropriation (60,474)	
New positions (106,547)	
Materials and Supplies	4,975
Services Other Than Personal	13,035

Extraordinary :

Drug addiction treatment—Neuropsychiatric
Institute—

Inpatient services	845,174
Outpatient services	74,900
Drug addiction unit, Marlboro Psychiatric Hospital	150,000
Methadone maintenance program, pursuant to Chapter 126, P. L. 1970	50,000
State share—New Jersey Drug Abuse Agency— Liberty Park	300,000
College of Medicine and Dentistry of New Jer- sey, Newark	80,000
State urine monitoring laboratory	50,000
Chemotherapeutic research	50,000
Evaluation project	50,000
New Jersey State Narcotics Registry, pursuant to Chapter 227, P. L. 1970	50,000
Control of dangerous substances, pursuant to Chapter 226, P. L. 1970	50,000
Regulation of narcotic treatment centers, pur- suant to Chapter 334, P. L. 1970	50,000
Therapeutic Residential School	350,000
Additions and Improvements	8,500

Sub-Total Appropriation, Narcotic and Drug Abuse Control	<u>\$2,427,082</u>
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The unexpended balance in the Division of Nar-
cotic and Drug Abuse Control, as of June 30,
1971, not to exceed \$200,000, is hereby appro-
priated.

23400. Program Support Services:

Salaries	\$143,468
Officers and employees	(\$92,778)
Positions established from lump- sum appropriation	(50,690)
Materials and Supplies	3,450
Services Other Than Personal	4,800

Maintenance of Property:

Recurring	650
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Sub-Total Appropriation, Program Support Services	\$152,368
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Total Appropriation, Community Health Programs	\$3,820,131
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24000. Laboratory Support and Services

24100. Supporting Laboratory Services:

Salaries	\$544,347
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Officers and employees	(\$544,347)
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Materials and Supplies	124,800
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Services Other Than Personal	12,330
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Maintenance of Property:

Recurring	212
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Sub-Total Appropriation, Supporting Laboratory Services	\$681,689
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24200. Program Support Services:

Salaries	\$122,812
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Officers and employees	(\$122,812)
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Materials and Supplies	1,100
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Services Other Than Personal	9,400
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Maintenance of Property:

Recurring	2,400
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Non-Recurring and Replacements	170
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Extraordinary:

Research and development	25,000
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Sub-Total Appropriation, Program Support Services	\$160,882
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Total Appropriation, Laboratory Support and Services	\$842,571
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29000. *Special Programs, Department Management and
General Support Services*

29100. Department Management:

Salaries	\$162,072
Commissioner	(\$38,000)
Officers and employees	(124,072)
Materials and Supplies	2,500
Services Other Than Personal	16,330
Maintenance of Property:	
Recurring	175
Sub-Total Appropriation, Department Management	\$181,077

29200. General Support Services:

Salaries	\$697,333
Officers and employees	(\$697,333)
Materials and Supplies	23,020
Services Other Than Personal	288,153
Maintenance of Property:	
Recurring	2,650
Extraordinary:	
Compensation awards	10,000
Resident public health training for physicians	57,405
Sub-Total Appropriation, General Support Services	\$1,078,561

29300. Special Programs and Services:

Salaries	\$472,181
Secretary-Treasurer	(\$8,925)
Board members (3 @ \$8,400)	(25,200)
Officers and employees	(438,056)
Materials and Supplies	13,950
Services Other Than Personal	23,799
Maintenance of Property:	
Recurring	100
Non-Recurring and Replacements	705

Extraordinary:	
Public health services by contract	7,000
Sub-Total Appropriation, Special Programs and Services	\$517,735
Total Appropriation, Special Programs, Department Management and General Support Services	\$1,777,373
Total Appropriation, Department of Health	<u><u>\$9,227,359</u></u>

The amounts included for Rabies Control in the 22400, 23200 and 24100 Program Sub-Categories are hereby appropriated out of the Rabies Control Trust Fund and the amount remaining therein is appropriated for additional costs of operation; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The portion of the appropriation made to or on behalf of this Department, which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

The unexpended balance as of June 30, 1971 in the Revolving Fund heretofore created for the purpose of printing and reprinting literature, codes and manuals for sale and receipts derived from such sales are hereby appropriated.

380. DEPARTMENT OF LABOR AND INDUSTRY

51000. *Development and Regulation of Industry*

51100. Regulation of Hazards Due to Boilers and Pressure Vessels:

Salaries	\$178,306
Officers and employees	(\$178,306)
Materials and Supplies	10,900
Services Other Than Personal	16,992

Maintenance of Property:	
Recurring	500
Non-Recurring and Replacements	540
Additions and Improvements	1,000

Sub-Total Appropriation, Regulation of Hazards Due to Boilers and Pressure Vessels	\$208,238
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51200. Expansion and Growth of Commerce and Industry:

Salaries	\$161,423
Officers and employees	(\$161,423)
Materials and Supplies	2,786
Services Other Than Personal	43,931
Maintenance of Property:	
Recurring	300
Non-Recurring and Replacements	500
Extraordinary:	
Promotion and economic development pursuant to C. 13:16-1 et seq.	500,000
State office, World Trade Center	100,000
Additions and Improvements	975

Sub-Total Appropriation, Expansion and Growth of Commerce and Industry	\$809,915
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The unexpended balance as of June 30, 1971 in the New Jersey Area Redevelopment Authority account is hereby appropriated.

Of the sum made available in the Promotion and Economic Development account, not more than \$10,000 may be transferred to the Department of Agriculture to prepare a Blueprint for the Future of New Jersey Agriculture.

There are hereby appropriated the unexpended balances as of June 30, 1971 in the Revolving Fund created pursuant to Chapter 63, P. L. 1967 for the purpose of printing and reprinting literature and maps for sale, together with receipts derived from such sales.

Total Appropriation, Development and Regulation of Industry	\$1,018,153
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52000. *Manpower Development and Protection*

52100. Economic and Medical Assistance to Unemployed and Disabled Workers:

381-100. Division of Workmen's Compensation:

Salaries	\$1,984,667
Officers and employees (\$1,825,481)	
New positions (159,186)	
Materials and Supplies	30,575
Services Other Than Personal	112,722
Maintenance of Property:	
Recurring	1,050
Non-Recurring and Replacements	1,500
Additions and Improvements	4,962
Sub-Total Appropriation, Division of Workmen's Compensation	\$2,135,476

381-400. Second Injury Fund:

Salaries	\$84,523
Officers and employees (\$79,999)	
New positions (4,524)	
Materials and Supplies	575
Services Other Than Personal	10,580
Maintenance of Property:	
Recurring	50
Extraordinary:	
Payment from Second Injury Fund to Workmen's Compensation and Administration for services	30,000
Additions and Improvements	422
Sub-Total Appropriation, Second Injury Fund	\$126,150

There are hereby appropriated out of the Second Injury Fund such sums as may be necessary for beneficiary payments and for costs of administration in addition to those included hereinabove; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The amounts included hereinabove for administrative costs are hereby appropriated from the Second Injury Fund notwithstanding the limitation contained in C. 34:15-95.

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 over the sum of \$1,250,000 accumulated as of June 30, 1971, pursuant to C. 34:15-94.

391-400. Disability Insurance Service:

Salaries	\$2,471,160
Officers and employees	(\$2,471,160)
Materials and Supplies	30,600
Services Other Than Personal	322,922
Maintenance of Property:	
Recurring	1,680
Non-Recurring and Replacements	1,281
Extraordinary:	
Compensation awards	1,000
Sub-Total Appropriation, Disability Insurance Service	\$2,828,643

In addition to the amounts hereinabove set forth there are hereby appropriated out of the Temporary Disability Benefits Administration Fund such additional sums as may be required to administer the Disability Insurance Program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

There are hereby appropriated out of the State Disability Benefits Fund such sums as may be necessary to pay disability benefits.

Sub-Total Appropriation, Economic and Medical Assistance to Unemployed and Disabled Workers	\$5,090,269

52200. Manpower Development and Employment Assistance:

384-100. Office of Manpower:

Extraordinary:

Work incentive program	\$800,000
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Sub-Total Appropriation, Office of Manpower	\$800,000
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The unexpended balances as of June 30, 1971 in the accounts Work Incentive Program and State Business Alliance for Training and Employment are hereby appropriated.

The portion of the appropriation made to or on behalf of this account which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

396-100. Rehabilitation Commission:

Salaries	\$2,807,236
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Officers and employees	(\$2,807,236)
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Materials and Supplies	24,500
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Services Other Than Personal	268,704
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Maintenance of Property:

Recurring	3,000
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Non-Recurring and Replacements	1,300
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Extraordinary:

Training grants	11,000
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Diagnostic services	1,280,300
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Research	44,000
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Vocational evaluation work adjustment for disadvantaged	304,384
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Expansion grants	148,500
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Resident and demonstration projects	125,000
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Innovation grants	90,000
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Service to clients	7,650,000
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Sub-Total Appropriation, Rehabilitation Commission	\$12,757,924
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In addition to the appropriation hereinabove, recoveries of the State share of expenditures made in the year ending June 30, 1972, together with those made in prior fiscal years are hereby appropriated.

The portion of the appropriation made to or on behalf of the Rehabilitation Commission, which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

The unexpended balance of State funds as of June 30, 1971 for the Vocational Rehabilitation Section II Program, is hereby appropriated to match Federal support beyond that now anticipated for fiscal year 1971-72.

Sub-Total Appropriation, Manpower Development and Employment Assistance ..	\$13,557,924
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52300. Protection of Employee Health and Safety:	
Salaries	\$1,390,669
Officers and employees	(\$1,390,669)
Materials and Supplies	35,000
Services Other Than Personal	116,697
Maintenance of Property:	
Recurring	700
Additions and Improvements	1,200
Sub-Total Appropriation, Protection of Employee Health and Safety	\$1,544,266

52400. Protection of Workers' Earnings and Working Conditions:	
Salaries	\$871,916
Officers and employees	(\$871,916)
Materials and Supplies	12,000
Services Other Than Personal	79,813

Maintenance of Property:

Recurring	450
Non-Recurring and Replacements	1,000

Sub-Total Appropriation, Protection of
Workers' Earnings and Working Condi-
tions

\$965,179

There are hereby appropriated such sums as may
be necessary for payments out of the Wage and
Hour Trust Fund established pursuant to C.
34:11-34.

There are hereby appropriated such sums as may
be necessary for payments out of the Prevail-
ing Wage Act Trust Fund established pursuant
to C. 34:11-56.

52500. Promotion of Harmony and Stability in
Labor Relations:393-100. Division of Public Employment Rela-
tions:

Salaries	\$247,267
Officers and employees (\$247,267)	
Materials and Supplies	8,500
Services Other Than Personal	85,027
Maintenance of Property:	
Non-Recurring and Replacements	500
Additions and Improvements	1,000

Sub-Total Appropriation, Division of Public
Employment Relations

\$342,294

394-100. State Board of Mediation:

Salaries	\$156,160
Board members (7) (\$9,000)	
Officers and employees (147,160)	
Materials and Supplies	800
Services Other Than Personal	10,419
Maintenance of Property:	
Recurring	100
Non-Recurring and Replacements	486

Sub-Total Appropriation, State Board of Mediation	\$167,965
Sub-Total Appropriation, Promotion of Harmony and Stability in Labor Relations	\$510,259
Total Appropriation, Manpower Develop- ment and Protection	\$21,667,897

53000. *Assistance to the Economically Disadvantaged*53100. Protection of Migrant Workers' Living and
Working Conditions:

Salaries	\$290,164
Officers and employees	(\$290,164)
Materials and Supplies	3,436
Services Other Than Personal	22,262
Maintenance of Property:	
Recurring	100
Additions and Improvements	468
Total Appropriation, Assistance to the Economically Disadvantaged	\$316,430

59000. *Department Management and General Support*59100. Department Management and General Sup-
port Services:

Salaries	\$601,953
Commissioner	(\$38,000)
Officers and employees	(419,283)
Positions transferred from other divisions	(144,670)
Materials and Supplies	19,300
Services Other Than Personal	67,373
Maintenance of Property:	
Recurring	1,805
Non-Recurring and Replacements	1,000
Extraordinary:	
To provide an adequate program for guidance of public employers in employee management	

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relations, pursuant to the provisions of C. 34:13A-1	50,000
Additions and Improvements	871

Total Appropriation, Department Manage- ment and General Support	<u>\$742,302</u>
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The unexpended balances as of June 30, 1971 in the Revolving Fund created pursuant to Chapter 63, P. L. 1967 for the purpose of printing and reprinting literature and maps for sale, together with receipts derived from such sales are hereby appropriated.

Total Appropriation, Department of Labor and Industry	<u><u>\$23,744,782</u></u>
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

410-100. *Office of the Commissioner*

Salaries	\$510,159
Commissioner	(\$38,000)
Officers and employees	(472,159)
Materials and Supplies	9,350
Services Other Than Personal	83,850
Maintenance of Property:	
Recurring	2,850
Extraordinary:	
Payment in lieu of taxes on real property acquired for future water supply facilities pursuant to C. 58:21B-1 et seq.	75,000
Sub-Total Appropriation	<u>\$681,209</u>

410-101. *Interest on Bonds*

Interest on Water Development Bonds, Chapter 35, P. L. 1958	\$1,119,500
Interest on State Recreation and Conservation Land Acquisition Bonds, Chapter 46, P. L. 1961	1,247,200

Interest on Water Conservation Bonds, Chapter 127, P. L. 1969	1,976,744
Sub-Total Appropriation	<u>\$4,343,444</u>

410-109. *South Jersey Port Corporation*

Extraordinary:

To discharge the obligations assumed by the State owing to the creditors and bondholders of the South Jersey Port Commission and to the city of Camden, in accordance with C. 12:11A-1 et seq.	\$1,000,000
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Sub-Total Appropriation	<u>\$1,000,000</u>
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

Total Appropriation, Office of the Com- missioner	<u>\$6,024,653</u>
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*Division of Natural Resources*420-101. *Director's Office*

Salaries	\$39,285
Officers and employees	(\$39,285)
Materials and Supplies	350
Services Other Than Personal	47,740
Maintenance of Property:	
Recurring	50
Sub-Total Appropriation	<u>\$87,425</u>

420-103. *Bureau of Geology*

Salaries	\$208,265
Officers and employees	(\$208,265)
Materials and Supplies	4,900
Services Other Than Personal	14,300

Maintenance of Property:

Recurring	950
Additions and Improvements	400

Sub-Total Appropriation	\$228,815
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420-105. *Bureau of Navigation*

Salaries	\$500,358
Officers and employees	(\$500,358)
Materials and Supplies	53,600
Services Other Than Personal	25,175
Maintenance of Property:	
Recurring	26,400
Extraordinary:	
Expenses of the Natural Resources Council	50,000
Wetlands—Inventory, mapping and administra-	
tion	350,000
Compensation awards	3,000
Additions and Improvements	4,000

Sub-Total Appropriation	\$1,012,533
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The unexpended balances as of June 30, 1971 in the accounts Expenses of the Natural Resource Council and Wetlands—Inventory, Mapping and Administration are hereby appropriated.

Of the sum appropriated for Wetlands—Inventory, Mapping and Administration, a sum not to exceed \$25,000 may be available for administration.

The unexpended balances as of June 30, 1971 in 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 receipts derived from such sales are hereby appropriated.

422-400. *Boat Regulation Commission*

Salaries	\$256,994
Officers and employees	(\$256,994)
Materials and Supplies	30,980
Services Other Than Personal	78,577

Maintenance of Property:

Recurring	15,400
Extraordinary:	
For improvement of Marine Research operations	250,000
Sub-Total Appropriation	<u>\$631,951</u>

The amount hereinabove appropriated shall be payable out of the New Jersey Boat Numbering Act Revolving Fund and any amount remaining therein is hereby appropriated to carry out the provisions of C. 12:7-34.36 et seq.; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

423-400. *Board of New Jersey Pilot Commissioners*

Salaries	\$22,100
Board members (6)	(\$22,100)
Materials and Supplies	100
Services Other Than Personal	300
Sub-Total Appropriation	<u>\$22,500</u>

The amount 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; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Division of Natural Resources	<u>\$1,983,224</u>
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430-100. *Division of Water Policy and Supply*

Salaries	\$539,664
Officers and employees	(\$539,664)
Materials and Supplies	14,400
Services Other Than Personal	30,927

Maintenance of Property:	
Recurring	10,250
Non-Recurring and Replacements	5,600
Extraordinary:	
Office of Rivermaster—State share	18,250
Ground-water exploratory program	150,000
Stream gaging station	67,000
Flood plain zoning and warning service	14,300
Water quality monitoring	25,000
Surface water quality program	5,250
Surface water diversion	11,200
Flood plain control	50,000
Compensation awards	1,000
Total Appropriation, Division of Water Policy and Supply	\$942,841

The unexpended balance as of June 30, 1971 in the account Surface Water Diversion is hereby appropriated.

The unexpended balance as of June 30, 1971 in the account Flood Plain Control is hereby appropriated.

There is hereby appropriated for operation and maintenance of Spruce Run and Round Valley Reservoirs a sum not to exceed \$725,000 out of aggregate revenue produced pursuant to C. 58:22-10 (New Jersey Water Supply Law, 1958); provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Division of Environmental Quality

435-101. *Director's Office*

Salaries	\$150,302
Officers and employees	(\$150,302)
Materials and Supplies	3,700
Services Other Than Personal	12,500
Maintenance of Property:	
Recurring	350

Extraordinary:

Pesticide regulation	35,000
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Sub-Total Appropriation	<u>\$201,852</u>
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430-700. *Water Conservation Bond Fund*

Receipts derived from the rental of property acquired pursuant to the Water Conservation Bond Act are hereby appropriated for payment in lieu of taxes, pursuant to C. 58:21B-1 et seq., and maintenance of such property; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

435-102. *Bureau of Air Pollution Control*

Salaries	\$1,558,320
Officers and employees	(\$942,326)
Positions established in lieu of ap-	
propriated revenue	(615,994)
Materials and Supplies	153,500
Services Other Than Personal	224,238
Maintenance of Property:	
Recurring	5,500
Non-Recurring and Replacements	5,000
Extraordinary:	
Clean Air Scholarship Intern Program pursuant	
to C. 26:2C-24	36,000
Graduate Study Program pursuant to C. 26:2C-25	10,000
Additions and Improvements	155,000
Sub-Total Appropriation	<u>\$2,147,558</u>

The portion of the appropriation made to or on behalf of this Bureau which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

435-103. *Bureau of Solid Waste Management*

Salaries	\$150,792
Officers and employees	(\$65,716)
New positions	(85,076)
Materials and Supplies	2,450
Services Other Than Personal	39,100
Maintenance of Property:	
Recurring	100
Additions and Improvements	400
Sub-Total Appropriation	\$192,842

435-104. *Bureau of Water Pollution Control*

Salaries	\$675,718
Officers and employees	(\$525,996)
Positions established in lieu of ap- propriated revenue	(149,722)
Materials and Supplies	17,900
Services Other Than Personal	72,750
Maintenance of Property:	
Recurring	1,900
Non-Recurring and Replacements	2,500
Extraordinary:	
Water quality monitoring	30,000
Water quality investigation	14,000
Oxygen resource studies	3,000
Sediment pollution studies	2,000
Red tide study (Rutgers)	5,000
Clean Water Scholarship Intern Program pur- suant to C. 26:E-11	36,000
Laboratory services	170,000
Sub-Total Appropriation	\$1,030,768

The portion of the appropriation made to or on behalf of this Bureau which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

435-105. *Bureau of Potable Water*

Salaries:	\$116,862
Officers and employees	(\$107,905)
New positions	(8,957)
Materials and Supplies	830
Services Other Than Personal	9,646
Maintenance of Property:	
Recurring	100
Non-Recurring and Replacements	318
Extraordinary:	
Laboratory services	50,000
Additions and Improvements	200
Sub-Total Appropriation	\$177,956

435-106. *Bureau of Radiation Protection*

Salaries:	\$301,925
Officers and employees	(\$301,925)
Materials and Supplies	9,500
Services Other Than Personal	22,280
Maintenance of Property:	
Recurring	3,600
Additions and Improvements	10,000
Sub-Total Appropriation	\$347,305
Total Appropriation, Division of Environmental Quality	\$4,098,281

*Division of Fish, Game and Shell Fisheries*440-100. *Bureau of Shell Fisheries*

Salaries:	\$398,047
Officers and employees	(\$398,047)
Material and Supplies	16,900
Services Other Than Personal	32,850
Maintenance of Property:	
Recurring	10,600

Extraordinary:

Oyster seed bed monitoring	20,000
Shelling and seeding beds contingent upon an equal sum being provided by the Federal gov- ernment	53,000
Disease Resistant Oyster Program	6,250
Compensation awards	500

Sub-Total Appropriation	\$538,147
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The unexpended balance as of June 30, 1971 in the Shelling and Seeding Beds account is hereby appropriated, together with any Federal funds which may be received; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Out of the sum provided herein for Shelling and Seeding Beds . . . a sum not to exceed \$3,000 may be available, without Federal matching, for the storing and loading of shells as provided for in C. 50:3-20.10 et seq.

450-400. Hunters' and Anglers' License Fund

Salaries	\$1,303,648
Officers and employees	(\$1,303,648)
Materials and Supplies	319,500
Services Other Than Personal	113,817
Maintenance of Property:	
Recurring	33,400
Non-Recurring and Replacements	3,400
Extraordinary:	
Deer management	5,000
Surface water quality program	6,000
Delaware River Basin study	12,500
Compensation awards	3,000
Additions and Improvements	5,000

Sub-Total Appropriation	\$1,805,265
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The amount hereinabove appropriated shall be payable out of the Hunters' and Anglers' License

Fund and any amount remaining therein is hereby appropriated for additional operating costs; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

451-400. *Public Shooting and Fishing Grounds*

Salaries	\$352,678
Officers and employees	(\$352,678)
Materials and Supplies	90,500
Services Other Than Personal	25,006
Maintenance of Property:	
Recurring	26,100
Non-Recurring and Replacements	31,000
Extraordinary:	
Dike maintenance	4,500
Atlantic flyway	2,060
Compensation awards	500
Sub-Total Appropriation	\$532,344

The amount hereinabove appropriated shall be payable out of the Public Shooting and Fishing Grounds Fund and any amount remaining therein is hereby appropriated for additional costs of operation and for 50% of the amounts payable pursuant to C. 54:4-2.1; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Division of Fish, Game, and Shell Fisheries	\$2,875,756
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Division of Parks, Forestry and Recreation

490-101. *Director's Office*

Salaries	\$33,911
Officers and employees	(\$33,911)
Materials and Supplies	650
Services Other Than Personal	114,291

Maintenance of Property:

Recurring	100
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Sub-Total Appropriation	\$148,952
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490-102. *Bureau of Parks*

Salaries	\$2,898,931
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Officers and employees	(\$2,833,915)
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New positions	(10,016)
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Positions transferred from Morris	
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Canal and Banking Company ..	(55,000)
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Materials and Supplies	328,500
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Services Other Than Personal	237,000
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Maintenance of Property:

Recurring	224,500
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Non-Recurring and Replacements	467,000
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Extraordinary:

Maintenance, Old Barracks—Trenton, State share	26,000
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Youth conservation and recreational projects ..	500,000
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Compensation awards	10,000
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Additions and Improvements	135,500
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Sub-Total Appropriation	\$4,827,431
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Receipts in excess of those anticipated from permits, fees, rentals and other revenues of the Bureau of Parks during the fiscal year ending June 30, 1972 in a sum not to exceed \$35,000 are hereby appropriated for emergency operating costs of the Bureau of Parks; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The amount hereinabove appropriated for the operation, maintenance and administration of Morris Canal and Banking properties shall be payable out of the Morris Canal Fund and there shall be refunded to the General State Fund such amounts as are 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.

490-103. *Bureau of Forestry*

Salaries	\$873,260
Officers and employees	(\$873,260)
Materials and Supplies	77,200
Services Other Than Personal	152,735
Maintenance of Property:	
Recurring	25,500
Non-Recurring and Replacements	72,500
Extraordinary:	
Fire fighting costs	130,000
Gypsy moth control—State owned land	50,000
Compensation awards	10,000
Sub-Total Appropriation	<u>\$1,391,195</u>

The unexpended balance as of June 30, 1971 in the account for Fire Fighting Costs is hereby appropriated.

490-104. *Bureau of Recreation*

Salaries	\$79,867
Officers and employees	(\$79,867)
Materials and Supplies	1,200
Services Other Than Personal	3,085
Maintenance of Property:	
Recurring	225
Sub-Total Appropriation	<u>\$84,377</u>
Total Appropriation, Division of Parks, Forestry and Recreation	<u>\$6,451,955</u>

There are hereby appropriated the unexpended balances as of June 30, 1971 in the Revolving Fund created pursuant to Chapter 63, P. L. 1967 for the purchase of merchandise for sale, together with receipts derived from such sales.

Total Appropriation, Department of Environmental Protection	<u><u>\$22,376,710</u></u>
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500. DEPARTMENT OF EDUCATION

31000. *General Assistance for Public and Non-Public Education*31100. General Financial and Technical Assistance
for Public School Systems:

Salaries	\$248,792
Officers and employees (\$248,792)	
Materials and Supplies	4,000
Services Other Than Personal	14,000
Maintenance of Property:	
Recurring	700
Extraordinary:	
Vocational teacher training project	60,000
State share—National Defense Education Act.	175,000
Driver education program	25,800
Additions and Improvements	150

Sub-Total Appropriation, General Financial
and Technical Assistance for Public School
Systems

\$528,442

The unexpended balance as of June 30, 1971 in the
Revolving Fund created pursuant to Chapter
63, P. L. 1967 for the purpose of printing and
reprinting literature for sale and for the
purchase and sale of films, and receipts derived
from such sales are hereby appropriated.

31400. Other General Assistance Programs for
Public Schools:

Salaries	\$1,149,765
Officers and employees (\$1,149,765)	
Materials and Supplies	16,000
Services Other Than Personal	69,900
Maintenance of Property:	
Recurring	2,025
Extraordinary:	
Teacher training project	315,000
Additions and Improvements	1,012

Sub-Total Appropriation, Other General
Assistance Programs for Public Schools ..

\$1,553,702

The balance as of June 30, 1971 in the Drug Abuse Program account is hereby appropriated.

Total Appropriation, General Assistance for Public and Non-Public Education	\$2,082,144
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32000. *Programs for Specific Groups and Limited Purposes*

32100. Programs for the Handicapped:

500-100. Technical Assistance for Staff and Program Development:

Salaries	\$203,113
Officers and employees	(\$203,113)
Materials and Supplies	4,000
Services Other Than Personal	16,200
Maintenance of Property:	
Non-Recurring and Replacements	600
Additions and Improvements	50

Sub-Total Appropriation, Technical Assistance for Staff and Program Development ..	\$223,963
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The operating costs of the Millburn Avenue School for the Deaf shall be payable from tuition charges which are hereby appropriated therefor; provided, however, that the expenditures thereof shall be subject to transfers approved as prescribed in section 3 of this act.

535-100. Marie H. Katzenbach School for the Deaf:

Salaries	\$2,306,526
Officers and employees	(\$2,270,149)
New positions	(13,368)
Food in lieu of cash	(23,009)
Materials and Supplies	231,600
Services Other Than Personal	59,131
Maintenance of Property:	
Recurring	26,600
Non-Recurring and Replacements	76,700

Extraordinary:	
Compensation awards	1,046
Additions and Improvements	33,100
Sub-Total Appropriation, Marie H. Katzenbach School for the Deaf	\$2,734,703
Sub-Total Appropriation, Programs for the Handicapped	\$2,958,666
32200. Programs for the Disadvantaged:	
Salaries	\$38,975
Officers and employees (\$38,975)	
Materials and Supplies	1,000
Services Other Than Personal	3,100
Maintenance of Property:	
Recurring	50
Extraordinary:	
Migrant school program	45,000
Sub-Total Appropriation, Programs for the Disadvantaged	\$88,125
32300. Programs for Early Childhood:	
Salaries	\$18,273
Officers and employees (\$18,273)	
Materials and Supplies	400
Services Other Than Personal	1,900
Maintenance of Property:	
Recurring	60
Sub-Total Appropriation, Programs for Early Childhood	\$20,633
32400. Programs for Adult, Continuing and Manpower Education:	
Salaries	\$41,356
Officers and employees (\$41,356)	
Materials and Supplies	400
Services Other Than Personal	5,000

Maintenance of Property:

Recurring	70
Non-Recurring and Replacements	17,065

Sub-Total Appropriation, Programs for
Adult, Continuing and Manpower Educa-
tion

\$63,891

The unexpended balance as of June 30, 1971, to-
gether with receipts in the fiscal year 1971-72 in
the General Educational Development Test
Program account are hereby appropriated as a
continuing Revolving Fund.

32700. Programs for School Nutrition:

Salaries	\$45,898
Officers and employees	(\$45,898)
Materials and Supplies	180
Services Other Than Personal	8,000

Sub-Total Appropriation, Programs for
School Nutrition

\$54,078

32800. Programs for School and Public Libraries
and Museums:520-100. Division of the State Library, Archives
and History:

Salaries	\$854,192
Officers and employees	(\$854,192)
Materials and Supplies	136,710
Services Other Than Personal	49,866
Maintenance of Property:	
Recurring	774
Extraordinary:	
Microfilm program	5,000
New Jersey Historical Commission	100,000
Improve records storage facilities	180,000
Additions and Improvements	1,000

Sub-Total Appropriation, Division of The
State Library and Archives and History ..

\$1,327,542

The unexpended balance as of June 30, 1971 in the Microfilm Program account is hereby appropriated.

The unexpended balance as of June 30, 1971 in the account New Jersey Historical Commission is hereby appropriated.

The receipts derived from charges made for photocopy services are hereby appropriated.

530-100. Division of the State Museum:

Salaries	\$720,301
Officers and employees	(\$720,301)
Materials and Supplies	54,750
Services Other Than Personal	67,134
Maintenance of Property:	
Recurring	7,000
Non-Recurring and Replacements	5,800
Extraordinary:	
Acquisitions of art and historical objects	30,000
Scientific research	5,000
Additions and Improvements	5,300
Sub-Total Appropriation, Division of the State Museum	\$895,285

The unexpended balance as of June 30, 1971 in the Revolving Fund created pursuant to Chapter 106, P. L. 1959 for the purpose of printing literature and maps for sale and for purchase of merchandise for sale, together with the receipts derived from such sales, are hereby appropriated.

The receipts from charges made for mailing and handling of films and the unexpended balance as of June 30, 1971 in the account Revolving Fund —To Replace Damaged or Lost Films are hereby appropriated as a revolving fund to be used to replace damaged or lost films.

The unexpended balance as of June 30, 1971 in the account New Jersey School of the Arts is hereby appropriated.

Sub-Total Appropriation, Programs for School and Public Libraries and Museum	\$2,222,827
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Total Appropriation, Programs for Specific Groups and Limited Purposes	\$5,408,220
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39000. *Department Planning Management and General Support*

39100. Department Planning and Management:

Salaries	\$665,560
Commissioner	(\$38,000)
Officers and employees	(627,560)
Materials and Supplies	19,000
Services Other Than Personal	100,200
Maintenance of Property:	
Recurring	876
Non-Recurring and Replacements	624
Extraordinary:	
State Board expenses	5,500
Learning Institutes	400,000
Our Schools	25,000
State-wide testing	100,000

Sub-Total Appropriation, Department Plan- ning and Management	\$1,316,760
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39200. General Support:

Salaries	\$541,448
Officers and employees	(\$456,788)
Positions transferred from other programs	(84,660)
Materials and Supplies	8,425
Services Other Than Personal	29,157
Maintenance of Property:	
Recurring	5,000
Extraordinary:	
Development and implementation of manage- ment information system	25,000

Sub-Total Appropriation, General Support	\$609,030
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The receipts derived from the sale of School Law Decisions and other publications and printed materials are hereby appropriated as a Revolving Fund for the purpose of printing and purchasing such publications and materials for resale.

Total Appropriation, Department Planning, Management and General Support	\$1,925,790
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Total Appropriation, Department of Educa- tion	\$9,416,154
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540-100. DEPARTMENT OF HIGHER EDUCATION

39000. *Department Management and General Support*

39100. Department Management:

Salaries	\$583,382
Chancellor	(\$38,000)
Officers and employees	(498,790)
New positions	(46,592)
Materials and Supplies	42,200
Services Other Than Personal	358,262
Maintenance of Property:	
Recurring	2,800
Non-Recurring and Replacements	2,000
Extraordinary:	
Board of Higher Education expenses	3,000
Computer network planning and implementa- tion	183,000
Acquisition of computer for the educa- tional computing center	238,000
To establish a computerized library system	
To create a central library processing center	
Additions and Improvements	2,850

Sub-Total Appropriation, Department Man- agement	\$1,415,494
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The unexpended balance as of June 30, 1971 in the account Computer Network Planning and Implementation is hereby appropriated.

39200. Support Services:

Extraordinary:

Interest on public building construction bonds— Chapter 128, P. L. 1968	\$2,868,752
Interest on State Higher Education bonds— Chapter 10, P. L. 1959	830,410
Interest on State Higher Education construc- tion bonds—Chapter 142, P. L. 1964	1,155,200
Contingency funds—new State colleges	112,500
Sub-Total Appropriation, Support Services	<u>\$4,966,862</u>

33900. Student Aid:

540-104. New Jersey Educational Opportunity Fund:

Extraordinary:

Administrative control	\$208,000
Opportunity grants	9,748,000
Supplementary education program grants	2,880,000
Sub-Total Appropriation, New Jersey Edu- cational Opportunity Fund	<u>\$12,836,000</u>

540-105. State Competitive Scholarships and
Student Loans:

Salaries	554,402
Officers and employees (\$554,402)	
Extraordinary:	
State Competitive Scholarships and Student Loans:	
Scholarships, pursuant to C. 18A:71-4	5,167,253
Incentive grants, pursuant to C. 18A:71-18	1,475,368
Tuition aid grants, pursuant to C. 18:71-41 et seq.	3,384,000
County college graduate scholarships, pur- suant to C. 18A:71-7.2 et seq.	<u>286,400</u>

Sub-Total Appropriation, Competitive Scholarships and Student Loans	\$10,867,423
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Sub-Total Appropriation, Student Aid ...	\$23,703,423
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The unexpended balances as of June 30, 1971 in the accounts of the State Competitive Scholarships and Student Loans are hereby appropriated for Scholarships, pursuant to C. 18A:71-4.

Total Appropriation, Department Management and General Support	\$30,085,779
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33000. *Higher Education Institutional Programs*

550-100. *Glassboro State College*

33100. Instruction:

Salaries	(\$4,656,490)
Officers and employees	(\$4,143,281)
New positions	(513,209)
Materials and Supplies	(92,737)
Services Other Than Personal	(121,313)
Maintenance of Property:	
Recurring	(4,843)
Non-Recurring and Replacements	(16,687)
Extraordinary:	
Demonstration school service	(87,500)
New Jersey Marine Science Consortium	(7,000)
Special Assistance for Transition to Multi-Purpose College:	
Administration	(12,648)
Laboratory and instructional equipment	(75,000)
Development of new degree — major programs	(179,884)
Student services program	(16,114)
Additions and Improvements	(184,818)
Sub-Total Appropriation, Instruction	\$5,455,034

33200. Libraries:

Salaries	(	\$200,623)
Officers and employees	(	\$170,086)
New positions	(	30,537)
Materials and Supplies	(	116,516)
Services Other Than Personal	(	267)
Extraordinary:		
Special Assistance for Transition to Multi-		
Purpose College:		
Library development	(	125,000)
Sub-Total Appropriation, Libraries		<u>\$442,406</u>

33300. Student Services:

Salaries	(	\$463,145)
Officers and employees	(	\$414,904)
New positions	(	48,241)
Materials and Supplies	(	3,171)
Services Other Than Personal	(	4,058)
Maintenance of Property:		
Non-Recurring and Replacements	(	3,769)
Extraordinary:		
Special Assistance for Transition to Multi-		
Purpose College:		
Administration	(	6,324)
Student services program	(	27,346)
Additions and Improvements	(	3,486)
Sub-Total Appropriation, Student Services		<u>\$511,299</u>

33400. Physical Plant Operation and Maintenance:

Salaries	(	\$796,011)
Officers and employees	(	\$735,551)
New positions	(	60,460)
Materials and Supplies	(	148,618)
Services Other Than Personal	(	11,751)

Maintenance of Property:	
Recurring	(59,160)
Non-Recurring and Replacements	(53,998)
Additions and Improvements	(58,262)
Sub-Total Appropriation, Physical Plant Operation and Maintenance	\$1,127,800
33500. Part-Time, Summer and Graduate Programs:	
Extraordinary:	
Part-time, summer and graduate programs ...	(\$1,550,000)
Sub-Total Appropriation, Part-Time, Sum- mer and Graduate Programs	\$1,550,000
33600. Auxiliary Services:	
Extraordinary:	
Auxiliary services	(\$988,793)
Sub-Total Appropriation, Auxiliary Services	\$988,793
33700. Administration and Institutional Services:	
Salaries	(\$620,960)
Officers and employees	(\$620,960)
Materials and Supplies	(35,272)
Services Other Than Personal	(245,242)
Maintenance of Property:	
Recurring	(5,163)
Non-Recurring and Replacements	(3,486)
Extraordinary:	
Special Assistance for Transition to Multi- Purpose College:	
Administration	(58,861)
ADP Development	(37,332)
Additions and Improvements	(7,692)
Sub-Total Appropriation, Administration and Institutional Services	\$1,014,008

33900. Student Aid:

Salaries	(	\$121,638)
Student aides	(	\$121,638)
Extraordinary:		
State share—NDEA student loan fund	(	17,333)
State share—College work-study program	(	30,000)
Sub-Total Appropriation, Student Aid		\$168,971
Total Appropriation, Glassboro State College		\$11,258,311

33000. *Higher Education Institutional Programs*551-100. *Jersey City State College*

33100. Instruction:

Salaries	(	\$4,328,074)
Officers and employees	(	\$4,161,393)
New positions	(	166,681)
Materials and Supplies	(	80,045)
Services Other Than Personal	(	107,094)
Maintenance of Property:		
Recurring	(	7,973)
Non-Recurring and Replacements	(	10,320)
Extraordinary:		
A. Harry Moore School—Operating expenses ..	(	475,000)
New Jersey Marine Science Consortium	(	7,000)
Laboratory and instructional equipment	(	8,293)
Development of new degree—major programs ..	(	139,652)
Additions and Improvements	(	95,028)
Sub-Total Appropriation, Instruction		\$5,258,479

There are hereby appropriated for additional operating expenses of the A. Harry Moore Laboratory School of Jersey City State College all tuition and other receipts from the operation of the School in excess of \$475,000; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

33200. Libraries:

Salaries	(	\$142,030)
Officers and employees	(	\$142,030)
Materials and Supplies	(	109,201)
Services Other Than Personal	(	18,188)
Extraordinary:		
Special Assistance for Transition to Multi-Purpose College:		
Library development	(	125,000)
Laboratory and instructional equipment ...	(	43)
Sub-Total Appropriation, Libraries		<u>\$394,462</u>

33300. Student Services:

Salaries	(	\$320,255)
Officers and employees	(	\$302,664)
New positions	(	17,591)
Materials and Supplies	(	1,200)
Services Other Than Personal	(	30,604)
Extraordinary:		
Special Assistance for Transition to Multi-Purpose College:		
Student services program	(	16,183)
Additions and Improvements	(	709)
Sub-Total Appropriation, Student Services		<u>\$368,951</u>

33400. Physical Plant Operation and Maintenance:

Salaries	(	\$659,104)
Officers and employees	(	\$617,854)
New positions	(	41,250)
Materials and Supplies	(	156,240)
Services Other Than Personal	(	13,233)
Maintenance of Property:		
Recurring	(	56,662)
Non-Recurring and Replacements	(	64,148)

Extraordinary:

Special Assistance for Transition to Multi-Purpose College:

Laboratory and instructional equipment . . .	(	66,664)
Additions and Improvements	(	41,767)

Sub-Total Appropriation, Physical Plant Operation and Maintenance	\$1,057,818
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33500. Part-Time, Summer and Graduate Programs:

Extraordinary:

Part-time, summer and graduate programs . . .	(	\$1,440,000)
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Sub-Total Appropriation, Part-Time, Summer and Graduate Programs	\$1,440,000
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33600. Auxiliary Services:

Extraordinary:

Auxiliary services	(	\$97,017)
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Sub-Total Appropriation, Auxiliary Services	\$97,017
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33700. Administration and Institutional Services:

Salaries	(	\$425,601)
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Officers and employees	(	\$414,039)
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New positions	(	11,562)
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Materials and Supplies	(	30,000)
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Services Other Than Personal	(	172,675)
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Maintenance of Property:

Recurring	(	3,765)
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Non-Recurring and Replacements	(	5,918)
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Extraordinary:

Special Assistance for Transition to Multi-Purpose College:

Administration	(	72,390)
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ADP Development	(	36,028)
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Additions and Improvements	(	7,368)
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Sub-Total Appropriation, Administration and Institutional Services	\$753,745
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33900. Student Aid:

Salaries	(	\$75,000)
Student aides	(	\$75,000)
Extraordinary:		
State share—NDEA student loan fund	(	13,890)
State share—College work-study program ...	(	32,000)
Sub-Total Appropriation, Student Aid		\$120,890
Total Appropriation, Jersey City State College		
		\$9,491,362

33000. *Higher Education Institutional Programs*552-100. *Newark State College*

33100. Instruction:

Salaries	(	\$4,726,244)
Officers and employees	(	\$4,588,132)
New positions	(	138,112)
Materials and Supplies	(	174,543)
Services Other Than Personal	(	124,097)
Maintenance of Property:		
Non-Recurring and Replacements	(	21,281)
Extraordinary:		
New Jersey Marine Science Consortium	(	7,000)
Special Assistance for Transition to Multi-Purpose College:		
Laboratory and instructional equipment....	(	75,000)
Development of new degree—major programs	(	97,446)
Additions and Improvements	(	156,457)
Sub-Total Appropriation, Instruction		\$5,382,068

33200. Libraries:

Salaries	(	\$291,126)
Officers and employees	(	\$291,126)
Materials and Supplies	(	95,422)
Services Other Than Personal	(	500)

Extraordinary:	
Special Assistance for Transition to Multi-Purpose College:	
Library development	(124,901)
Sub-Total Appropriation, Libraries	<u>\$511,949</u>
33300. Student Services:	
Salaries	(\$427,041)
Officers and employees	(\$427,041)
Materials and Supplies	(1,205)
Services Other Than Personal	(5,000)
Sub-Total Appropriation, Student Services.	<u>\$433,246</u>
33400. Physical Plant Operation and Maintenance:	
Salaries	(\$890,737)
Officers and employees	(\$853,619)
New positions	(37,118)
Materials and Supplies	(56,816)
Services Other Than Personal	(18,640)
Maintenance of Property:	
Recurring	(7,680)
Non-Recurring and Replacements	(14,700)
Sub-Total Appropriation, Physical Plant Operation and Maintenance	<u>\$988,573</u>
33500. Part-Time, Summer and Graduate Programs:	
Extraordinary:	
Part-time, summer and graduate programs ...	(\$1,800,000)
Sub-Total Appropriation, Part-Time Summer and Graduate Programs	<u>\$1,800,000</u>
33600. Auxiliary Services:	
Extraordinary:	
Auxiliary services	(\$209,152)
Sub-Total Appropriation, Auxiliary Services	<u>\$209,152</u>

33700. Administration and Institutional Services:

Salaries	(	\$421,974)
Officers and employees	(	\$357,914)
New positions	(	64,060)
Materials and Supplies	(	75,234)
Services Other Than Personal	(	181,515)
Maintenance of Property:		
Recurring	(	54,850)
Non-Recurring and Replacements	(	64,740)
Extraordinary:		
Special Assistance for Transition to Multi-Purpose College:		
Administration	(	77,434)
ADP Development	(	34,690)
Additions and Improvements	(	30,074)
Sub-Total Appropriation, Administration and Institutional Services		\$940,511

33900. Student Aid:

Salaries	(	\$40,000)
Student aides	(	\$40,000)
Extraordinary:		
State share—NDEA student loan fund	(	11,000)
State share—College work-study program ...	(	12,000)
Sub-Total Appropriation, Student Aid		\$63,000
Total Appropriation, Newark State College.		\$10,328,499

33000. *Higher Education Institutional Programs*553-100. *The William Paterson College of New Jersey*

33100. Instruction:

Salaries	(	\$5,303,052)
Officers and employees	(	\$4,980,750)
New positions	(	322,302)
Materials and Supplies	(	124,985)
Services Other Than Personal	(	181,287)

Maintenance of Property:

Recurring	(	2,926)
Non-Recurring and Replacements	(	3,339)

Extraordinary:

New Jersey Marine Science Consortium	(	7,000)
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Special Assistance for Transition to Multi-Purpose College:

Administration	(	26,403)
Laboratory and instructional equipment	(	75,000)
ADP Development	(	35,085)
Development of new degree—major programs	(	160,065)
Demonstration School services	(	83,000)

Additions and Improvements	(	229,386)
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Sub-Total Appropriation, Instruction		\$6,231,528
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33200. Libraries:

Salaries	(	\$210,701)
Officers and employees	(	\$200,332)
New positions	(	10,369)
Materials and Supplies	(	118,732)
Services Other Than Personal	(	2,824)

Extraordinary:

Special Assistance for Transition to Multi-Purpose College:

Library development	(	125,000)
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Additions and Improvements	(	979)
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Sub-Total Appropriation, Libraries		\$458,236
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33300. Student Services:

Salaries	(	\$503,739)
Officers and employees	(	\$407,658)
New positions	(	96,081)
Materials and Supplies	(	2,119)
Services Other Than Personal	(	3,052)
Additions and Improvements	(	7,340)

Sub-Total Appropriation, Student Services		\$516,250
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33400. Physical Plant Operation and Maintenance:

Salaries	(	\$876,570)
Officers and employees	(	\$814,068)
New positions	(	62,502)
Materials and Supplies	(	206,128)
Services Other Than Personal	(	84,823)
Maintenance of Property:		
Recurring	(	43,642)
Non-Recurring and Replacements	(	51,993)
Additions and Improvements	(	22,950)

Sub-Total Appropriation, Physical Plant Operation and Maintenance		\$1,286,106
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33500. Part-Time, Summer and Graduate Programs:

Extraordinary:

Part-time, summer and graduate programs ...	(	\$1,175,000)
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Sub-Total Appropriation, Part-Time, Sum- mer and Graduate, Programs		\$1,175,000
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33600. Auxiliary Services:

Extraordinary:

Auxiliary services	(	\$236,304)
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Sub-Total Appropriation, Auxiliary Ser- vices		\$236,304
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33700. Administration and Institutional Services:

Salaries	(	\$472,340)
Officers and employees	(	\$437,234)
New positions	(	35,106)

Materials and Supplies	(	8,614)
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Services Other Than Personal	(	72,054)
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Maintenance of Property:

Recurring	(	1,932)
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Non-Recurring and Replacements	(	2,203)
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Extraordinary:

Special Assistance for Transition to Multi-Purpose College:

Administration	(	49,357)
Additions and Improvements	(	10,213)
Sub-Total Appropriation, Administration and Institutional Services		\$616,713

33900. Student Aid:

Salaries	(	\$100,000)
Student aides	(	\$100,000)
Services Other Than Personal	(	84)
Extraordinary:		
State share—NDEA student loan fund	(	14,222)
State share—College work-study program ...	(	10,200)
Sub-Total Appropriation, Student Aid		\$124,506
Total Appropriation, The William Paterson College of New Jersey		\$10,644,643

33000. *Higher Education Institutional Programs*554-100. *Montclair State College*

33100. Instruction:

Salaries	(	\$6,042,609)
Officers and employees	(	\$5,656,922)
New positions	(	385,687)
Materials and Supplies	(	148,880)
Services Other Than Personal	(	100,550)
Maintenance of Property:		
Recurring	(	7,529)
Non-Recurring and Replacements	(	19,058)
Extraordinary:		
Closed circuit television	(	20,000)
New Jersey Marine Science Consortium	(	7,000)

Special Assistance for Transition to Multi-Purpose College:	
Laboratory and instructional equipment	(75,000)
Development of new degree—major programs (	155,016)
Additions and Improvements	(167,125)
Sub-Total Appropriation, Instruction	\$6,742,767
33200. Libraries:	
Salaries	(\$257,571)
Officers and employees	(\$257,571)
Materials and Supplies	(122,468)
Services Other Than Personal	(1,760)
Maintenance of Property:	
Recurring	(825)
Extraordinary:	
Special Assistance for Transition to Multi-Purpose College:	
Library development	(125,000)
Additions and Improvements	(1,570)
Sub-Total Appropriation, Libraries	\$509,194
33300. Student Services:	
Salaries	(\$488,609)
Officers and employees	(\$460,559)
New positions	(28,050)
Materials and Supplies	(12,862)
Services Other Than Personal	(2,101)
Maintenance of Property:	
Recurring	(2,493)
Additions and Improvements	(2,245)
Sub-Total Appropriation, Student Services .	\$508,310
33400. Physical Plant Operation and Maintenance:	
Salaries	(\$1,006,164)
Officers and employees	(\$963,743)
New positions	(42,421)

Materials and Supplies	(	181,945)
Services Other Than Personal	(	28,522)
Maintenance of Property:		
Recurring	(	70,274)
Non-Recurring and Replacements	(	79,122)
Additions and Improvements	(	56,235)
Sub-Total Appropriation, Physical Plant Operation and Maintenance		\$1,422,262
33500. Part-Time, Summer and Graduate Programs:		
Extraordinary:		
Part-time, summer and graduate programs ...	(	\$1,362,520)
Sub-Total Appropriation, Part-Time Summer and Graduate Programs		\$1,362,520
33600. Auxiliary Services:		
Extraordinary:		
Auxiliary services	(	\$1,626,815)
Sub-Total Appropriation, Auxiliary Services		\$1,626,815
33700. Administration and Institutional Services:		
Salaries	(	\$582,839)
Officers and employees	(	\$546,754)
New positions	(	36,085)
Materials and Supplies	(	28,044)
Services Other Than Personal	(	273,682)
Maintenance of Property:		
Recurring	(	3,569)
Extraordinary:		
Special Assistance for Transition to Multi- Purpose College:		
Administration	(	75,234)
ADP Development	(	36,607)
Additions and Improvements	(	13,175)
Sub-Total Appropriation, Administration and Institutional Services		\$1,013,150

33900. Student Aid:

Salaries	(	\$110,000)
Student aides	(	\$110,000)
Extraordinary:		
State share—NDEA student loan fund	(	25,000)
State share—College work-study program ...	(	30,000)
Sub-Total Appropriation, Student Aid		\$165,000
Total Appropriation, Montclair State College		\$13,350,018

33000. *Higher Education Institutional Programs*555-100. *Trenton State College*

33100. Instruction:

Salaries	(	\$5,247,244)
Officers and employees	(	\$4,650,720)
New positions	(	596,524)
Materials and Supplies	(	124,765)
Services Other Than Personal	(	161,338)
Maintenance of Property:		
Non-Recurring and Replacements	(	39,542)
Extraordinary:		
New Jersey Marine Science Consortium	(	7,000)
Community affairs program	(	20,000)
Demonstration School service	(	300,000)
Child study and demonstration center	(	100,982)
Special Assistance for Transition to Multi-Purpose College:		
Laboratory and instructional equipment ...	(	75,000)
Development of new degree—major programs	(	151,549)
Additions and Improvements	(	158,307)
Sub-Total Appropriation, Instruction		\$6,385,727

33200. Libraries:

Salaries	(	\$213,257)
Officers and employees	(	\$213,257)

Materials and Supplies	(	137,234)
Extraordinary:		
Special Assistance for Transition to Multi-Purpose College:		
Library development	(	125,000)
Sub-Total Appropriation, Libraries		<u>\$475,491</u>
33300. Student Services:		
Salaries	(	\$543,275)
Officers and employees	(	\$522,355)
New positions	(	20,920)
Materials and Supplies	(	2,511)
Sub-Total Appropriation, Student Services ..		<u>\$545,786</u>
33400. Physical Plant Operation and Maintenance:		
Salaries	(	\$916,311)
Officers and employees	(	\$818,236)
New positions	(	98,075)
Materials and Supplies	(	166,258)
Services Other Than Personal	(	10,112)
Maintenance of Property:		
Recurring	(	63,579)
Non-Recurring and Replacements	(	52,118)
Extraordinary:		
Repayment of advance from bond funds to replace relocatable classroom building	(	120,000)
Additions and Improvements	(	89,331)
Sub-Total Appropriation, Physical Plant Operation and Maintenance		<u>\$1,417,709</u>
33500. Part-Time, Summer and Graduate Programs:		
Extraordinary:		
Part-time, summer and graduate programs ..	(	\$1,403,000)
Sub-Total Appropriation, Part-Time, Summer and Graduate Programs		<u>\$1,403,000</u>

33600. Auxiliary Services:

Extraordinary:

Auxiliary services	(	\$2,034,600)
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Sub-Total Appropriation, Auxiliary Services	\$2,034,600
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33700. Administration and Institutional Services:

Salaries	(	\$399,987)
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Officers and employees	(	\$330,249)
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New positions	(	69,738)
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Materials and Supplies	(	45,655)
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Services Other Than Personal	(	277,750)
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Maintenance of Property:

Recurring	(	1,321)
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Non-Recurring and Replacements	(	9,440)
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Extraordinary:

Special Assistance for Transition to Multi-Purpose College:

Administration	(	76,380)
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ADP Development	(	34,874)
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Additions and Improvements	(	31,112)
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Sub-Total Appropriation, Administration and Institutional Services	\$876,519
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33900. Student Aid:

Salaries	(	\$146,190)
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Student aides	(	\$146,190)
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Extraordinary:

State share—NDEA student loan fund	(	31,500)
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State share—College work-study program ...	(	6,000)
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Sub-Total Appropriation, Student Aid	\$183,690
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Total Appropriation, Trenton State College	\$13,322,522
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33000. *Higher Education Institutional Programs*556-100. *Ramapo College of New Jersey*

33100. Instruction:

Salaries	(	\$753,817)
Officers and employees	(	\$149,554)
New positions	(	579,263)
Early hiring	(	25,000)
Materials and Supplies	(	76,021)
Services Other Than Personal	(	28,000)
Additions and Improvements	(	139,650)
Sub-Total Appropriation, Instruction		<u>\$997,488</u>

33200. Libraries:

Salaries	(	\$133,493)
Officers and employees	(	\$37,585)
New positions	(	95,908)
Materials and Supplies	(	330,500)
Services Other Than Personal	(	1,500)
Maintenance of Property:		
Recurring	(	350)
Non-Recurring and Replacements	(	2,600)
Additions and Improvements	(	66,000)
Sub-Total Appropriation, Libraries		<u>\$534,443</u>

33300. Student Services:

Salaries	(	\$199,933)
Officers and employees	(	\$73,486)
New positions	(	126,447)
Materials and Supplies	(	9,697)
Services Other Than Personal	(	11,500)
Additions and Improvements	(	3,000)
Sub-Total Appropriation, Student Services		<u>\$224,130</u>

33400. Physical Plant Operation and Maintenance:	
Salaries	(\$151,622)
Officers and employees	(\$16,642)
New positions	(134,980)
Materials and Supplies	(61,300)
Services Other Than Personal	(1,250)
Maintenance of Property:	
Recurring	(17,600)
Additions and Improvements	(41,800)
Sub-Total Appropriation, Physical Plant Operation and Maintenance	\$273,572
33600. Auxiliary Services:	
Extraordinary:	
College book store	(\$100,000)
Sub-Total Appropriation, Auxiliary Services	\$100,000
33700. Administration and Institutional Services:	
Salaries	(\$264,516)
Officers and employees	(\$174,855)
New positions	(89,661)
Materials and Supplies	(25,082)
Services Other Than Personal	(137,300)
Maintenance of Property:	
Recurring	(4,000)
Additions and Improvements	(21,000)
Sub-Total Appropriation, Administration and Institutional Services	\$451,898
33900. Student Aid:	
Salaries	(\$20,000)
Student aides	(\$20,000)
Extraordinary:	
State share—NDEA student loan fund	(10,000)
State share—College work-study program	(10,000)
Sub-Total Appropriation, Student Aid	\$40,000

Total Appropriation, Ramapo College of New Jersey	\$2,621,531
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The unexpended balance as of June 30, 1971 in
this account is hereby appropriated.

33000. *Higher Education Institutional Programs*

557-100. *Richard Stockton State College*

33100. Instruction:

Salaries	(	\$768,792)
Officers and employees	(	\$127,722)
New positions	(	616,070)
Early hirings	(	25,000)
Materials and Supplies	(	81,500)
Services Other Than Personal	(	39,850)
Maintenance of Property:		
Recurring	(	2,000)
Extraordinary:		
New Jersey Marine Science Consortium	(	7,000)
Additions and Improvements	(	118,960)
Sub-Total Appropriation, Instruction		\$1,018,102

33200. Libraries:

Salaries	(	\$142,718)
Officers and employees	(	\$74,398)
New positions	(	68,320)
Materials and Supplies	(	337,900)
Services Other Than Personal	(	4,000)
Maintenance of Property:		
Recurring	(	1,500)
Additions and Improvements	(	114,740)
Sub-Total Appropriation, Libraries		\$600,858

33300. Student Services:

Salaries	(	\$123,305)
Officers and employees	(	\$52,746)
New positions	(	70,559)

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Materials and Supplies	(	6,700)	
Services Other Than Personal	(	14,840)	
Additions and Improvements	(	700)	
Sub-Total Appropriation, Student Services		\$145,545	
33400. Physical Plant Operation and Maintenance:			
Salaries	(	\$145,975)	
Officers and employees	(	\$29,984)	
New positions	(	115,991)	
Materials and Supplies	(	92,960)	
Services Other Than Personal	(	2,100)	
Maintenance of Property:			
Recurring	(	27,100)	
Non-Recurring and Replacements	(	3,200)	
Additions and Improvements	(	44,260)	
Sub-Total Appropriation, Physical Plant Operation and Maintenance		\$315,595	
33600. Auxiliary Services:			
Extraordinary:			
College book store	(	\$100,000)	
Sub-Total Appropriation, Auxiliary Services		\$100,000	
33700. Administration and Institutional Services:			
Salaries	(	\$303,395)	
Officers and employees	(	\$203,740)	
New positions	(	99,655)	
Materials and Supplies	(	34,000)	
Services Other Than Personal	(	132,600)	
Maintenance of Property:			
Recurring	(	1,500)	
Additions and Improvements	(	27,100)	
Sub-Total Appropriation, Administration and Institutional Services		\$498,595	

33900. Student Aid:

Salaries	(	\$30,000)
Student aides	(	\$30,000)

Extraordinary:

State share—NDEA student loan fund	(	10,000)
State share—College work-study program ...	(	10,000)

Sub-Total Appropriation, Student Aid	\$50,000
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Total Appropriation, Richard Stockton State College	\$2,728,695
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Sub-Total Appropriation, State Colleges ..	\$73,745,581
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The amounts appropriated to the various State Colleges for Student Aides within the Student Aid Program shall constitute the appropriation to carry out the provisions of C. 18A:64-17; provided, however, that payment for the value of work performed by students may be in cash in lieu of being credited toward the payment of student charges for tuition, room and board.

Receipts in excess of those anticipated from regular tuition and the operation of cafeterias and boarding halls are hereby appropriated.

Receipts at all State Colleges from fees for student service charges and parking fees, together with the balance of such funds as of June 30, 1971, are hereby appropriated.

Funds for the operation of the part-time, summer and graduate programs at all State Colleges are hereby appropriated out of the receipts derived therefrom, and any unexpended balances as of June 30, 1971 in the accounts of said programs are hereby appropriated, together with all receipts in excess of those anticipated therefrom.

So much of the Auxiliary Services Income realized from the several State colleges which is not pledged for the payment of principal and

interest on bonds of this State and which is in excess of sums required for the operation and maintenance of such Auxiliary Services shall be available to equalize charges to students for room and board at State college facilities leased from the New Jersey Educational Facilities Authority, as provided in C. 18A:64-18.

So much herein as may be appropriated for additional costs relating to increased full-time undergraduate enrollment shall be withheld by the Director of the Division of Budget and Accounting to the extent that anticipated full-time undergraduate enrollment is more than 1% greater than the actual full-time undergraduate enrollment.

The unexpended balances as of June 30, 1971 in the accounts Library Development within the Libraries Program Sub-Category in the various State colleges are hereby appropriated for the same purposes.

33000. *Higher Education Institutional Programs*

562-400. *State School of Conservation, Lake Wapalanne*

33500. Extension and Public Service:

Extraordinary:

Operating expenses	(	\$306,000)
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Sub-Total Appropriation, State School of Conservation, Lake Wapalanne	\$306,000
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Of the amount hereinabove appropriated, \$256,000 shall be payable out of receipts derived from the operation of this School and there are hereby appropriated receipts in excess of the amount hereinabove specifically set forth, together with the unexpended balance of such receipts as of June 30, 1971; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

33000. *Higher Education Institutional Programs**Rutgers, The State University*570-100. *General University*

33100. Instruction and Departmental Research:

Salaries	(\$33,770,134)
Officers and employees	(\$28,794,045)
New positions	(3,341,845)
Coadjutant salaries	(1,443,192)
Student wages	(8,300)
Wages of labor	(182,752)
Materials and Supplies	(921,476)
Services Other Than Personal	(2,393,722)
Maintenance of Property:	
Recurring	(131,618)
Non-Recurring and Replacements	(184,124)
Extraordinary:	
Research grants	(200,000)
National Science Foundation Development	
Grant Program	(1,004,825)
Additions and Improvements	(335,188)
Sub-Total Appropriation, Instruction and	
Departmental Research	\$38,941,087

33200. Libraries:

Salaries	(\$2,040,317)
Officers and employees	(\$1,607,460)
New positions	(317,592)
Student wages	(94,710)
Wages of labor	(20,555)
Materials and Supplies	(1,641,823)
Services Other Than Personal	(42,657)
Maintenance of Property:	
Recurring	(3,692)
Non-Recurring and Replacements	(8,370)
Additions and Improvements	(33,570)
Sub-Total Appropriation, Libraries	\$3,770,429

33300. Student Services:

Salaries	(\$2,691,045)
Officers and employees	(\$2,345,998)
New positions	(252,795)
Student wages	(27,301)
Wages of labor	(64,951)
Materials and Supplies	(194,121)
Services Other Than Personal	(218,858)
Maintenance of Property:	
Recurring	(7,967)
Non-Recurring and Replacements	(15,515)
Additions and Improvements	(10,047)
Sub-Total Appropriation, Student Services	<u>\$3,137,553</u>

33400. Physical Plant Operation and Maintenance:

Salaries	(\$4,881,807)
Officers and employees	(\$4,255,943)
New positions	(421,704)
Wages of labor	(204,160)
Materials and Supplies	(2,205,054)
Services Other Than Personal	(1,216,413)
Maintenance of Property:	
Recurring	(1,066,486)
Non-Recurring and Replacements	(353,211)
Extraordinary:	
Major renovations	(100,000)
Additions and Improvements	(145,976)
Sub-Total Appropriation, Physical Plant Operation and Maintenance	<u>\$9,968,947</u>

33500. Extension and Public Service:

Salaries	(\$1,832,021)
Officers and employees	(\$1,442,474)
Coadjutant salaries	(355,724)
Student wages	(788)
Wages of labor	(33,035)
Materials and Supplies	(104,620)
Services Other Than Personal	(216,072)

Maintenance of Property:

Recurring	(	1,694)
Non-Recurring and Replacements	(	2,641)
Additions and Improvements	(	17,183)

Sub-Total Appropriation, Extension and
Public Service

\$2,174,231

33600. Auxiliary Services:

Extraordinary:

Auxiliary services	(	\$16,531,190)
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Sub-Total Appropriation, Auxiliary Services

\$16,531,190

33700. Administration and Institutional Services:

Salaries	(	\$4,849,835)
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Officers and employees (| \$4,660,462) |

New positions (| 61,052) |

Student wages (| 3,251) |

Wages of labor (| 125,070) |

Materials and Supplies	(	363,625)
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Services Other Than Personal	(	1,401,293)
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Maintenance of Property:

Recurring (| 14,947) |

Non-Recurring and Replacements (| 13,040) |

Extraordinary:

Retirement allowances (| 335,000) |

Interest (| 65,550) |

Contingent fund (| 50,000) |

Management improvement (| 200,000) |

Additions and Improvements	(	58,399)
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Sub-Total Appropriation, Administration
and Institutional Services

\$7,351,689

33900. Student Aid:

Salaries	(	\$285,281)
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Officers and employees (| \$285,281) |

Extraordinary:

Graduate and Law School fellowships	(64,000)
Student aid	(853,000)
Federal Work-Study Program	(107,000)

Sub-Total Appropriation, Student Aid	\$1,309,281
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Sub-Total Appropriation, All Operations . . .	\$83,184,407
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Less:

<i>General Services Income</i>	—\$16,583,368
<i>Auxiliary Services Income</i>	— 16,531,190

<i>Total Income Deductions</i>	—\$33,114,558
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Appropriation, Exclusive of Land

Grant Interest	(\$50,075,649)
Land Grant Interest	(5,800)

Total Appropriation, General University . . .	\$50,069,849
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Expenditure of the \$200,000 from the Management Improvement account shall be subject to the approval by the Chancellor of Higher Education and the Director of the Division of Budget and Accounting of a comprehensive plan to be prepared and followed by the University.

33000. *Higher Education Institutional Programs**Rutgers, The State University*571-100. *Douglass College*

33100. Instruction:

Salaries	(\$3,447,202)
Officers and employees	(\$3,076,826)
New positions	(334,012)
Student wages	(250)
Wages of labor	(36,114)
Materials and Supplies	(94,725)
Services Other Than Personal	(41,938)

Maintenance of Property:

Recurring	(	11,314)
Non-Recurring and Replacements	(	15,596)
Additions and Improvements	(	36,543)

Sub-Total Appropriation, Instruction		\$3,647,318
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33200. Libraries:

Salaries	(	\$161,622)
Officers and employees	(	\$146,979)
New positions	(	5,774)
Wages of labor	(	8,869)
Materials and Supplies	(	6,909)
Services Other Than Personal	(	5,317)
Maintenance of Property:		
Recurring	(	255)
Additions and Improvements	(	2,721)

Sub-Total Appropriation, Libraries		\$176,824
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33300. Student Services:

Salaries	(	\$671,485)
Officers and employees	(	\$569,856)
New positions	(	53,741)
Wages of labor	(	47,888)
Materials and Supplies	(	33,352)
Services Other Than Personal	(	37,544)
Maintenance of Property:		
Recurring	(	2,483)
Non-Recurring and Replacements	(	500)
Additions and Improvements	(	2,106)

Sub-Total Appropriation, Student Services		\$747,470
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33400. Physical Plant Operation and Maintenance:

Salaries	(	\$539,747)
Officers and employees	(	\$514,747)
Wages of labor	(	25,000)
Materials and Supplies	(	231,845)
Services Other Than Personal	(	82,375)

Maintenance of Property:

Recurring	(	140,305)
Non-Recurring and Replacements	(	31,427)
Additions and Improvements	(	55,475)

Sub-Total Appropriation, Physical Plant
Operation and Maintenance

\$1,081,174

33700. Administration and Institutional Services:

Salaries	(	\$51,051)
Officers and employees	(	\$31,709)
New positions	(	13,368)
Wages of labor	(	5,974)

Materials and Supplies	(	27,679)
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Services Other Than Personal	(	22,342)
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Maintenance of Property:

Recurring	(	900)
Non-Recurring and Replacements	(	2,505)

Extraordinary:

Retirement allowances	(	110,000)
Contingent fund	(	10,000)
Interest	(	950)
Additions and Improvements	(	1,155)

Sub-Total Appropriation, Administration
and Institutional Services

\$226,582

33900. Student Aid:

Extraordinary:

Student aid	(	\$22,500)
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Sub-Total Appropriation, Student Aid

\$22,500

Sub-Total Appropriation, All Operations ...

\$5,901,868

Less:

<i>General Services Income</i>	—	1,464,585
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Total Appropriation, Douglass College

\$4,437,283

*Rutgers, The State University**572-100. Agricultural Experiment Station***33200. Libraries:**

Salaries	(	\$15,846)
Officers and employees	(	\$15,346)
Wages of labor	(	500)
Materials and Supplies	(	2,544)
Services Other Than Personal	(	3,750)
Sub-Total Appropriation, Libraries		<u>\$22,140</u>

33400. Physical Plant Operation and Maintenance:

Salaries	(	\$161,969)
Officers and employees	(	\$147,566)
New positions	(	9,903)
Wages of labor	(	4,500)
Materials and Supplies	(	279,505)
Services Other Than Personal	(	13,262)
Maintenance of Property:		
Recurring	(	70,640)
Non-Recurring and Replacements	(	117,759)
Additions and Improvements	(	12,233)
Sub-Total Appropriation, Physical Plant Operation and Maintenance		<u>\$655,368</u>

33500. Extension and Public Service:

Salaries	(	\$3,081,026)
Officers and employees	(	\$2,315,375)
Wages of labor	(	765,651)
Materials and Supplies	(	90,124)
Services Other Than Personal	(	97,250)
Maintenance of Property:		
Recurring	(	6,787)
Non-Recurring and Replacements	(	19,700)
Additions and Improvements	(	8,650)
Sub-Total Appropriation, Extension and Public Service		<u>\$3,303,537</u>

33800. Sponsored Research:

Salaries	(	\$4,843,917)
Director	(	\$7,200)
Officers and employees	(	4,659,964)
Wages of labor	(	176,753)
Materials and Supplies	(	285,343)
Services Other Than Personal	(	228,073)
Maintenance of Property:		
Recurring	(	34,541)
Non-Recurring and Replacements	(	28,476)
Extraordinary:		
South Jersey Research Center	(	35,000)
Asparagus research	(	40,000)
Operation of Willowood Farm Arboretum and		
Bird Sanctuary	(	15,000)
Blackbird control	(	15,000)
Renovate building for environmental poison		
study	(	52,500)
Additions and Improvements	(	138,235)
Sub-Total Appropriation, Sponsored		
Research		\$5,716,085
Sub-Total Appropriation, All Operations ...		\$9,697,130
Less:		
General Services Income		—2,212,596
Total Appropriation, Agricultural Experi-		
ment Station		\$7,484,534
The unexpended balance as of June 30, 1971 in		
this account is hereby appropriated for		
research.		
Total Appropriation, Rutgers, The State		
University		\$61,991,666

573-100. *College of Medicine and Dentistry of New Jersey*33000. *Central Administration*

33700. Administration and Institutional Services:

Salaries	(	\$96,500)
New positions	(	\$96,500)
Materials and Supplies	(	4,000)
Services Other Than Personal	(	19,600)
Additions and Improvements	(	2,500)

Sub-Total Appropriation, Central Admin- istration		\$122,600
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33000. *Newark Center*

33100. Instruction:

Salaries	(	\$7,720,265)
Officers and employees	(	\$6,430,096)
New positions	(	1,290,169)
Materials and Supplies	(	329,424)
Services Other Than Personal	(	92,780)
Maintenance of Property:		
Recurring	(	10,750)
Non-Recurring and Replacements	(	9,000)
Extraordinary:		
Purchase of nursing instruction	(	90,000)
Additions and Improvements	(	589,195)

Sub-Total Appropriation, Instruction		\$8,841,414
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33200. Libraries:

Salaries	(	\$186,407)
Officers and employees	(	\$160,657)
New positions	(	25,750)
Materials and Supplies	(	146,000)
Services Other Than Personal	(	11,725)
Maintenance of Property:		
Recurring	(	300)

Sub-Total Appropriation, Libraries		\$344,432
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33300. Student Services:

Salaries	(	\$70,921)
Officers and employees	(	\$70,921)
Materials and Supplies	(	5,000)
Services Other Than Personal	(	2,250)
Maintenance of Property:		
Recurring	(	600)
Extraordinary:		
Student transportation	(	12,600)
Sub-Total Appropriation, Student Services ..		\$91,371

33400. Physical Plant Operation and Maintenance:

Salaries	(	\$140,628)
Officers and employees	(	\$105,782)
New positions	(	34,846)
Materials and Supplies	(	119,700)
Services Other Than Personal	(	410,198)
Maintenance of Property:		
Recurring	(	46,900)
Non-Recurring and Replacements	(	9,775)
Additions and Improvements	(	36,000)
Sub-Total Appropriation, Physical Plant Operation and Maintenance		\$763,201

33500. Extension and Public Service:

Hospital and clinic expenses	(	\$21,260,000)
Sub-Total Appropriation, Extension and Public Service		\$21,260,000

33600. Auxiliary Services:

Auxiliary fund expenses	(	\$230,000)
Sub-Total Appropriation, Auxiliary Services ..		\$230,000

33700. Administration and Institutional Services:

Salaries	(	\$1,093,004)
Officers and employees	(	\$1,067,768)
New positions	(	25,236)
Materials and Supplies	(	77,000)
Services Other Than Personal	(	577,132)
Maintenance of Property:		
Recurring	(	3,350)
Non-Recurring and Replacements	(	17,000)
Extraordinary:		
Board of trustees planning fund	(	11,000)
Additions and Improvements	(	13,719)

Sub-Total Appropriation, Administration and Institutional Services	\$1,792,205
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33800. Sponsored Research and Other Sponsored Programs:

Special fund expenses	(	\$2,960,000)
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Sub-Total Appropriation, Sponsored Research and Other Sponsored Programs	\$2,960,000
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33900. Student Aid:

Extraordinary:		
Fellowship and matching loan fund	(	\$40,000)
Student aid matching fund	(	40,000)

Sub-Total Appropriation, Student Aid	\$80,000
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Sub-Total Appropriation, All Operations ...	\$36,362,623
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Less:

<i>General Services Income</i>	—\$922,000
<i>Special Services Income</i>	—2,960,000
<i>Auxiliary Services Income</i>	—230,000
<i>Hospital Services Income</i>	—11,368,900

<i>Total Income Deductions</i>	—\$15,480,900
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<i>Total Requirements</i>	\$20,881,723
<i>Less: Net supplemental appropriation</i>	—2,900,000

Sub-Total Appropriation, Newark Center ..	\$17,981,723
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The unexpended balance of \$2,900,000 reserved from the supplemental appropriation made in fiscal year 1970-71 for the operation of the Martland Hospital is hereby appropriated.

33000. *Rutgers Center*

33100. Instruction:

Salaries	(\$3,591,665)
Officers and employees	(\$3,219,039)
New positions	(355,600)
Wages of labor	(17,026)
Materials and Supplies	(187,758)
Services Other Than Personal	(141,034)
Maintenance of Property:	
Recurring	(24,417)
Non-Recurring and Replacements	(200)
Additions and Improvements	(75,767)

Sub-Total Appropriation, Instruction	\$4,020,841
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33500. Extension and Public Service:

Extraordinary:

Psychiatric Institute	(\$200,000)
Hospital and Clinic Expense	(5,688,216)

Sub-Total Appropriation, Extension and Public Service	\$5,888,216
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33800. Sponsored Research and Other Sponsored Programs:

Special Funds Expense	(\$1,000,000)
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Sub-Total Appropriation, Sponsored Research and Other Sponsored Programs	\$1,000,000
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Sub-Total Appropriation, All Operations ...	\$10,909,057
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Less:

<i>General Services Income</i>	—\$151,000
<i>Special Services Income</i>	—1,000,000
<i>Hospital Services Income</i>	—3,717,862

<i>Total Income Deductions</i>	—\$4,868,862
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Sub-Total Appropriation, Rutgers Center ..	\$6,040,195
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Total Appropriation, College of Medicine and Dentistry of New Jersey	\$24,144,518
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33000. *Higher Education Institutional Program*574-100. *Newark College of Engineering and Newark
Technical School*33100. *Instruction:*

Salaries	(\$5,082,318)
Officers and employees	(\$4,204,948)
New positions	(61,125)
Coadjutant salaries	(808,245)
Student wages	(8,000)

Materials and Supplies	(75,886)
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Services Other Than Personal	(350,684)
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Maintenance of Property:

Recurring	(10,781)
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Non-Recurring and Replacements	(9,100)
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Additions and Improvements	(34,274)
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Sub-Total Appropriation, Instruction	\$5,563,043
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33200. *Libraries:*

Salaries	(\$178,047)
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Officers and employees	(\$162,817)
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Student wages	(15,230)
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Materials and Supplies	(137,488)
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Sub-Total Appropriation, Libraries	\$315,535
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33300. Student Services:

Salaries	(	\$515,364)
Officers and employees	(	\$510,364)
Student wages	(	5,000)
Materials and Supplies	(	7,429)
Services Other Than Personal	(	13,138)

Sub-Total Appropriation, Student Services		\$535,931
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33400. Physical Plant Operation and Maintenance:

Salaries	(	\$508,378)
Officers and employees	(	\$468,914)
New positions	(	5,464)
Student wages	(	34,000)
Materials and Supplies	(	284,556)
Services Other Than Personal	(	404,764)
Maintenance of Property:		
Recurring	(	185,541)
Non-Recurring and Replacements	(	71,690)
Additions and Improvements	(	8,000)

Sub-Total Appropriation, Physical Plant Operation and Maintenance		\$1,462,929
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33500. Extension and Public Service:

Salaries	(	\$225,842)
Officers and employees	(	\$65,127)
New positions	(	12,225)
Coadjutant salaries	(	146,490)
Student wages	(	2,000)
Materials and Supplies	(	34,049)

Sub-Total Appropriation, Extension and Public Service		\$259,891
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33600. Auxiliary Services:

Auxiliary fund expenses	(	\$1,161,000)
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Sub-Total Appropriation, Auxiliary Services		\$1,161,000
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33700. Administration and Institutional Services:

Salaries	(	\$910,265)
Officers and employees	(	\$904,265)
Student wages	(	6,000)
Materials and Supplies	(	34,052)
Services Other Than Personal	(	172,153)
Extraordinary:		
Scholarships, grants—fellowships	(	115,155)
Mortgage interest and amortization	(	27,216)
Retirement allowances	(	228,524)
Miscellaneous administrative	(	2,791)
Group life, major medical and hospitalization	(	91,727)
Veterans' Act pensions	(	52,311)
Social security taxes	(	138,448)

Sub-Total Appropriation, Administration and Institutional Services	\$1,772,642
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33800. Sponsored Research and Other Sponsored Programs:

Salaries	(	\$128,260)
Officers and employees	(	\$128,260)

Sub-Total Appropriation, Sponsored Research and Other Sponsored Programs	\$128,260
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33900. Student Aid:

Special funds expense	(	\$242,216)
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Sub-Total Appropriation, Student Aid	\$242,216
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Sub-Total Appropriation, All Operations ...	\$11,441,447
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Less:

<i>General Services Income</i>	—\$2,682,211
<i>Special Funds Income</i>	—242,216
<i>Auxiliary Service Income</i>	—1,161,000

<i>Total Income Deductions</i>	—\$4,085,427
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Total Appropriation, Newark College of Engineering and Newark Technical School	\$7,356,020
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Total Appropriation, Department of Higher Education	\$197,629,564
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600, 601. DEPARTMENT OF TRANSPORTATION

61000. *Construction of Transportation Facilities*

61300. Transportation Buildings and Land:

Salaries	\$100,088
Officers and employees (\$100,088)	
Materials and Supplies	2,525
Services Other Than Personal	2,221

Sub-Total Appropriation, Transportation Buildings and Land	\$104,834
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61400. Debt Service:

Interest on Highway Improvement Bonds—	
Chapter 228, P. L. 1930	\$193,893
Interest on State Transportation Bonds—	
Chapter 126, P. L. 1968	11,937,963

Sub-Total Appropriation, Debt Service	\$12,131,856
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Any appropriation herein or heretofore made for interest on State Transportation bonds issued for projects and programs within the purview of C. 54:8A-1 et seq. (Emergency Transportation Tax Act) shall first be charged to the Transportation Fund established in such act.

Total Appropriation, Construction of Transportation Facilities	\$12,236,690
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62000. *Improvements and Additions to Transportation Facilities*

62100. Highway Betterments:

Salaries	\$890,068
Officers and employees (\$890,068)	
Materials and Supplies	480
Services Other Than Personal	7,140
Extraordinary:	
Traffic signals, signs, lighting and safety improvements	500,000
Construction, reconstruction, improvement or re- building of State highways including resurfac- ing and major bridge repairs or rehabilitation	1,750,000
Sub-Total Appropriation, Highway Better- ments	<u>\$3,147,688</u>

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

In addition to the amount hereinabove appropriated in the account for Construction, Reconstruction, Improvement or Rebuilding of State Highways, etc., there is hereby appropriated from the State Transportation Fund the sum of \$3,000,000 for such purpose.

62300. Transportation Buildings and Land:

Salaries	\$101,573
Officers and employees (\$101,573)	
Materials and Supplies	95
Additions and Improvements	25,000
Sub-Total Appropriation, Transportation Buildings and Land	<u>\$126,668</u>

62400. Vehicular and Heavy Construction
Equipment:

Salaries	\$56,678
Officers and employees (\$56,678)	
Materials and Supplies	1,630
Services Other Than Personal	1,780

Maintenance of Property:

Non-Recurring and Replacements	1,000,000
Additions and Improvements	50,000

Sub-Total Appropriation, Vehicular and Heavy Construction Equipment	\$1,110,088
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The unexpended balance as of June 30, 1971 in
this account is hereby appropriated.

Total Appropriation, Improvements and Ad- ditions to Transportation Facilities	\$4,384,444
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63000. *Operation and Maintenance of Transportation Facilities*

63100. State and Local Highway Systems:

Salaries	\$15,819,772
Officers and employees	(\$15,819,772)
Materials and Supplies	1,192,975
Services Other Than Personal	232,435
Maintenance of Property:	
Recurring	2,282,000
Non-Recurring and Replacements	2,030,000

Extraordinary:

For transfer to an applicant State department to be used for the State share of the cost of highway safety projects which qualify for no less than 50% matching by the Federal Gov- ernment	250,000
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Sub-Total Appropriation, State and Local Highway Systems	\$21,807,182
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

63200. Public Transportation Systems:

Salaries	\$383,899
Officers and employees	(\$383,899)
Materials and Supplies	9,500
Services Other Than Personal	512,000

Extraordinary:

To carry out the provisions of C. 27:1A-15 et seq., for Passenger Service Subsidies	10,560,000
Bridgeport-Chester Ferry service subsidy	75,000

Sub-Total Appropriation, Public Transportation Systems	\$11,540,399
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The unexpended balance as of June 30, 1971 in excess of \$10,000,000 in the Extraordinary accounts, excluding the account Bus Subsidies, pursuant to C. 27:1A-28.1 et seq., is hereby appropriated.

Any appropriation herein or heretofore made for projects and programs within the purview of C. 54:8A-1, et seq. (Emergency Transportation Tax Act) shall first be charged to the Transportation Fund established in said act.

63300. Aeronautics:

Salaries	\$178,497
Officers and employees	(\$178,497)
Materials and Supplies	4,340
Services Other Than Personal	24,450
Sub-Total Appropriation, Aeronautics	\$207,287

63400. Transportation Buildings and Land:

Salaries	\$566,953
Officers and employees	(\$566,953)
Materials and Supplies	372,580
Services Other Than Personal	87,090
Maintenance of Property:	
Recurring	87,500
Non-recurring and Replacements	100,600
Additions and Improvements	12,000
Sub-Total Appropriation, Transportation Buildings and Land	\$1,226,723

63500. Equipment Maintenance and Operations:	
Salaries	\$2,912,814
Officers and employees (\$2,912,814)	
Materials and Supplies	469,495
Services Other Than Personal	16,025
Maintenance of Property:	
Recurring	775,000
Non-Recurring and Replacements	400
Sub-Total Appropriation, Equipment Maintenance and Operations	\$4,173,734
The unexpended balance as of June 30, 1971 in this account is hereby appropriated.	
Total Appropriation, Operation and Maintenance of Transportation Facilities	\$38,955,325

64000. *Planning and Research*

64100. Planning:	
Salaries	\$1,315,000
Officers and employees (\$1,315,000)	
Materials and Supplies	30,250
Services Other Than Personal	118,750
Maintenance of Property:	
Recurring	1,000
Non-Recurring and Replacements	12,000
Extraordinary:	
Transportation planning aspects of studies in the Northeastern New Jersey-New York urban area conducted by the Tri-State Transportation Commission	600,000
Transportation planning aspects of the studies in the Philadelphia-Camden urban area conducted by the Delaware Valley Regional Planning Commission	175,000
Transportation planning aspects of the Atlantic City urban area study	5,000
Transportation planning aspects of studies in the Cumberland County urban area	30,000
Additions and Improvements	8,000
Sub-Total Appropriation	\$2,295,000

*Less: Portion of Federal aid receivable which is
applicable to Highway planning* —1,809,737

Sub-Total Appropriation, Planning \$485,263

The unexpended balance as of June 30, 1971 in
this account is hereby appropriated.

Sums allocated by the Commissioner in the annual
construction program for planning may be
transferred to this account for expenditure;
provided, however that the expenditure thereof
shall be subject to transfers approved as pre-
scribed in section 3 of this act.

64200. Research:

Salaries \$1,092,688

Officers and employees (\$1,092,688)

Materials and Supplies 14,800

Services Other Than Personal 55,400

Maintenance of Property:

Recurring 1,300

Non-Recurring and Replacements 1,050

Additions and Improvements 9,600

Sub-Total Appropriation \$1,174,838

*Less: Portion of Federal aid receivable which is
applicable to Highway research* —300,000

Sub-Total Appropriation, Research \$874,838

The unexpended balance as of June 30, 1971 in
this account is hereby appropriated.

Sums allocated by the Commissioner in the annual
construction program for research may be
transferred to this account for expenditure;
provided, however, that the expenditure thereof
shall be subject to transfers approved as pre-
scribed in section 3 of this act.

Total Appropriation, Planning and Research \$1,360,101

69000. *Management and General Support*

69100. Department Management:

Salaries	\$2,547,561
Commissioner	(\$40,000)
Officers and employees	(2,507,561)
Materials and Supplies	39,307
Services Other Than Personal	822,585
Maintenance of Property:	
Recurring	350
Extraordinary:	
Compensation awards	250,000
Additions and Improvements	1,676
Sub-Total Appropriation, Department Man- agement	\$3,661,479

69200. General Support Services:

Salaries	\$672,870
Officers and employees	(\$672,870)
Materials and Supplies	42,523
Services Other Than Personal ..	29,044
Maintenance of Property:	
Non-Recurring and Replacements	9,408
Sub-Total Appropriation, General Support Services	\$753,845
Total Appropriation, Management and General Support	\$4,415,324

The unexpended balance as of June 30, 1971 in the account Department Stock Purchase Fund is hereby appropriated as a Revolving Fund for the purchase of materials and supplies required for the operation of the Department.

Total Appropriation, Department of Trans- portation	\$61,351,884

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Administration—General*

Salaries	\$2,473,658
Commissioner	(\$40,000)
Officers and employees	(2,365,757)
New positions	(48,066)
Positions transferred from other agencies	(19,835)
Materials and Supplies	34,900
Services Other Than Personal	556,037
Maintenance of Property:	
Recurring	7,360
Non-Recurring and Replacements	4,303
Extraordinary:	
Nursing scholarship program	460,000
Compensation awards	5,000
Additions and Improvements	8,488
Total Appropriation, Administration—General	\$3,549,746

700-101. *Interest on Bonds*

Interest on Institution Construction Bonds—Chapter 156, P. L. 1960 ..	(\$815,850)
Interest on Institution Construction Bonds—Chapter 144, P. L. 1964 ..	(1,440,800)
Interest on Public Building Construction Bonds—Chapter 128, P. L. 1968 (	1,844,882)
Total Appropriation, Interest on Bonds	\$4,101,532

709-100. *Office of the Public Defender*

Salaries	\$4,052,892
Officers and employees	(\$3,868,098)
New positions	(184,794)
Materials and Supplies	80,655
Services Other Than Personal	1,511,561

Maintenance of Property:

Recurring	5,800
Additions and Improvements	3,843

Total Appropriation, Office of the Public Defender	\$5,654,751
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Receipts from charges for services, as authorized by C. 2A:158A-16 et seq., are hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The unexpended balance as of June 30, 1971 in this account, not to exceed \$60,000 is hereby appropriated.

710-100. *New Jersey Memorial Home for Disabled Soldiers at Menlo Park*

Salaries	\$1,177,016
Officers and employees	(\$1,130,018)
New positions	(42,175)
Food in lieu of cash	(4,823)
Materials and Supplies	190,451
Services Other Than Personal	34,591
Maintenance of Property:	
Recurring	9,900
Non-Recurring and Replacements	3,640
Extraordinary:	
Compensation awards	3,000
Additions and Improvements	525
Total Appropriation, New Jersey Memorial Home for Disabled Soldiers at Menlo Park	\$1,419,123

711-100. *New Jersey Memorial Home for Disabled Soldiers at Vineland*

Salaries	\$1,345,601
Officers and employees	(\$1,238,931)
New positions	(101,670)
Food in lieu of cash	(5,000)

Materials and Supplies	233,578
Services Other Than Personal	41,938
Maintenance of Property:	
Recurring	14,300
Non-Recurring and Replacements	29,842
Extraordinary:	
Compensation awards	1,400
Additions and Improvements	1,375
Total Appropriation, New Jersey Memorial Home for Disabled Soldiers at Vineland ..	\$1,668,034

714-100. *Division of Medical Assistance and Health Services*

Salaries	\$2,031,444
Officers and employees	(\$2,031,444)
Materials and Supplies	35,000
Services Other Than Personal	1,669,250
Maintenance of Property:	
Recurring	6,500
Non-Recurring and Replacements	5,000
Extraordinary:	
Payments to fiscal agents	8,250,000
Additions and Improvements	5,200
Office equipment	(\$5,200)
Total Appropriation, Division of Medical Assistance and Health Services	\$12,002,394

The portion of the appropriation made to or on behalf of this Division, which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

*Division of Public Welfare*715-100. *General*

Salaries	\$2,201,523
Officers and employees	(\$1,686,147)
New positions	(333,239)
Positions transferred from another division	(182,137)
Materials and Supplies	26,500
Services Other Than Personal	243,297
Maintenance of Property:	
Recurring	6,000
Non-Recurring and Replacements	980
Extraordinary:	
Institutional services	1,256,533
Additions and Improvements	121,467
Sub-Total Appropriation	\$3,856,300

The portion of the appropriation made to or on behalf of this Division, which represents General State Funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

716-100. *Commission for the Blind and Visually Impaired*

Salaries	\$1,811,158
Officers and employees	(\$1,774,227)
New positions	(36,931)
Materials and Supplies	58,700
Services Other Than Personal	2,132,051
Maintenance of Property:	
Recurring	3,700
Non-Recurring and Replacements	4,062
Extraordinary:	
Compensation awards	5,000
Additions and Improvements	45,606
Sub-Total Appropriation	\$4,060,277

In addition to the appropriation hereinabove, recoveries of the State share of expenditures made in the year ending June 30, 1972, together with those made in prior fiscal years, are hereby appropriated.

The portion of the appropriation made to or on behalf of this Commission, which represents General State funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

The balance to the credit of the Revolving Industrial Fund as of June 30, 1971 is hereby appropriated as a Revolving Industrial Fund in a sum not to exceed \$2,000.

717-100. *Bureau of Children's Services*

Salaries	\$9,405,406
Officers and employees	(\$8,818,925)
New positions	(586,481)
Materials and Supplies	38,100
Services Other Than Personal	554,682
Maintenance of Property:	
Recurring	21,000
Non-Recurring and Replacements	15,658
Extraordinary:	
Group foster home administration	60,090
Units for hard-to-place children	756,000
Intensification of adoption services	590,451
Utilization of para-professional personnel	237,500
Work Incentive and Day Care Program pursuant to C. 34:15B-5 et seq.	2,077,888
Additions and Improvements	55,140
Sub-Total Appropriation	<u>\$13,811,915</u>

The unexpended balance as of June 30, 1971 in the account Work Incentive and Day Care Program pursuant to C. 34:15B-5 et seq. is hereby appropriated.

The portion of the appropriation made to or on behalf of this Bureau, which represents General State Funds, may be expended on the several respective matching bases in proportion to anticipated Federal funds which are received or receivable.

Total Appropriation, Division of Public Welfare	\$21,728,492
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720-100. *State Parole Board*

Salaries	\$90,511
Officers and employees (\$90,511)	
Materials and Supplies	650
Services Other Than Personal	4,400
Maintenance of Property:	
Recurring	150
Total Appropriation, State Parole Board	\$95,711

725-300. *Bureau of State Use Industries*

Pursuant to the provisions of C. 30:4-100, there are hereby appropriated to the Bureau of State Use Industries the unexpended balance as of June 30, 1971 of the fund known as the State Use Working Capital Funds, together with all receipts derived from sales; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

12000. *Detention and Rehabilitation*

730-100. *Division of Correction and Parole*

12300. Parole	\$2,288,631
Sub-Total Appropriation	\$2,288,631

Salaries:

Officers and employees	(\$2,001,973)
New positions	(79,635)
Materials and Supplies	(5,300)
Services Other Than Personal	(115,532)

Maintenance of Property:

Recurring	(3,370)
Non-Recurring and Replacements	(2,265)

Extraordinary:

Compensation awards	(3,200)
Community residence center	(56,811)
Additions and Improvements	(20,545)

12500. <i>Division Management and General Support</i>	
12501. Programs and Operations	\$111,110
12502. Planning, Budgeting and Research	39,248
12503. Training and Staff Development	68,150
12504. Local Inspections and Consultations	44,693
12505. Transportation	42,540
12506. Administration	323,590
Sub-Total Appropriation	\$629,331

Salaries:

Officers and employees	(\$328,347)
Materials and Supplies	(1,200)
Services Other Than Personal	(79,720)

Maintenance of Property:

Recurring	(730)
Non-Recurring and Replacements	(489)

Extraordinary:

Vocational Rehabilitation Ser- vices	(49,533)
State share—State Law Enforce- ment Planning Agency pro- gram	(168,976)
Additions and Improvements	(336)

Total Appropriation, Division of Correction and Parole	\$2,917,962
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12000. *Detention and Rehabilitation*12100. *Institutional Services*731-100. *State Prison, Trenton*

12101.	Institutional Control and Supervision	\$2,185,779
12102.	Institutional Care Program	1,449,224
12103.	Institutional Treatment Program	386,045
12104.	Production of Goods and Services	16,496
12105.	Institutional Administration	244,742

Total Appropriation, State Prison, Trenton	\$4,282,286
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Salaries:

Officers and employees	(\$2,996,983)
New positions	(89,203)
Food in lieu of cash	(30,888)
Materials and Supplies	(827,697)
Services Other Than Personal	(212,556)

Maintenance of Property:

Recurring	(32,200)
Non-Recurring and Replacements	(59,909)

Extraordinary:

Compensation awards	(13,000)
Additions and Improvements	(19,850)

12000. *Detention and Rehabilitation*12100. *Institutional Services*732-100. *State Prison, Rahway*

12101.	Institutional Control and Supervision	\$1,707,630
12102.	Institutional Care Program	1,068,183
12103.	Institutional Treatment Program	299,073
12105.	Institutional Administration	220,753

Total Appropriation, State Prison, Rahway	\$3,295,639
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Salaries:

Officers and employees	(\$2,229,799)
New positions	(56,081)
Food in lieu of cash	(24,300)

Materials and Supplies (697,029)
 Services Other Than Personal (183,975)
 Maintenance of Property:
 Recurring (32,000)
 Non-Recurring and Replacements (50,316)
 Extraordinary:
 Compensation awards (20,000)
 Additions and Improvements (2,139)
 The unexpended balance as of June 30, 1971 in the
 Control—Dental Laboratory account is hereby
 appropriated for expenses in connection with
 the operation of the Dental Laboratory.

732-300. *Regional Laundry*

The unexpended balance in this account as of June 30, 1971, together with receipts derived from laundry services furnished to the several institutions, are hereby appropriated as a Revolving Fund for the purpose of defraying the costs of operation and maintenance of the Regional Laundry at the State Prison, Rahway; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

12000. *Detention and Rehabilitation*

12100. *Institutional Services*

733-100. *State Prison, Leesburg*

12101. Institutional Control and Supervision	\$1,226,292
12102. Institutional Care Program	585,496
12103. Institutional Treatment Program	337,379
12104. Production of Goods and Services	79,228
12105. Institutional Administration	236,784
Total Appropriation, State Prison, Leesburg	\$2,465,179

Salaries:

Officers and employees (\$1,738,956)
 New positions (89,661)
 Food in lieu of cash (23,004)
 Materials and Supplies (426,188)
 Services Other Than Personal (140,463)

Maintenance of Property:

Recurring (18,600)

Non-Recurring and Replacements (11,592)

Extraordinary:

Compensation awards (7,000)

Additions and Improvements (9,715)

12000. *Detention and Rehabilitation*12100. *Institutional Services*734-100. *Youth Correctional Institution, Bordentown*

12101. Institutional Control and Supervision	\$1,390,092
12102. Institutional Care Program	862,892
12103. Institutional Treatment Program	402,446
12104. Production of Goods and Services	134,316
12105. Institutional Administration	208,212

Total Appropriation, Youth Correctional Institution, Bordentown	\$2,997,958
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Salaries:

Officers and employees (\$2,180,447)

New positions (65,980)

Food in lieu of cash (23,834)

Materials and Supplies (487,420)

Services Other Than Personal (135,682)

Maintenance of Property:

Recurring (38,250)

Non-Recurring and Replacements (58,133)

Extraordinary:

Compensation awards (3,500)

Additions and Improvements (4,712)

12000. *Detention and Rehabilitation*12100. *Institutional Services*735-100. *Youth Reception and Correction Center, Yardville*

12101. Institutional Control and Supervision	\$1,582,502
12102. Institutional Care Program	891,998
12103. Institutional Treatment Program	740,363
12105. Institutional Administration	381,382

Total Appropriation, Youth Reception and Correction Center, Yardville	\$3,596,245
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Salaries:

Officers and employees	(\$2,829,440)
New positions	(29,845)
Food in lieu of cash	(29,649)
Materials and Supplies	(496,995)
Services Other Than Personal	(100,904)
Maintenance of Property:	
Recurring	(23,050)
Non-Recurring and Replacements (	14,580)
Extraordinary:	
Robert Bruce House operation ..	(58,034)
Compensation awards	(7,000)
Additions and Improvements	(6,748)

12000. *Detention and Rehabilitation*12100. *Institutional Services*737-100. *Correctional Institution for Women, Clinton*

12101. Institutional Control and Supervision	\$921,712
12102. Institutional Care Program	788,719
12103. Institutional Treatment Program	259,220
12105. Institutional Administration	198,980

Total Appropriation, Correctional Institution for Women, Clinton	<u>\$2,168,631</u>
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Salaries:

Officers and employees	(\$1,786,779)
Food in lieu of cash	(10,738)
Materials and Supplies	(210,922)
Services Other Than Personal	(98,917)
Maintenance of Property:	
Recurring	(20,400)
Non-Recurring and Replacements (	16,475)
Extraordinary:	
Compensation awards	(5,000)
Additions and Improvements	(19,400)

12000. *Detention and Rehabilitation*12100. *Institutional Services*738-100. *Youth Correctional Institution, Annandale*

12101.	Institutional Control and Supervision	\$1,243,247
12102.	Institutional Care Program	910,407
12103.	Institutional Treatment Program	339,483
12104.	Production of Goods and Services	56,428
12105.	Institutional Administration	184,974

Total Appropriation, Youth Correctional Institution, Annandale	<u>\$2,734,539</u>
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Salaries:

Officers and employees	(\$2,096,163)
Food in lieu of cash	(21,960)
Materials and Supplies	(404,520)
Services Other Than Personal	(118,120)
Maintenance of Property:	
Recurring	(26,800)
Non-Recurring and Replacements (	35,926)
Extraordinary:	
Compensation awards	(6,000)
Additions and Improvements	(25,050)

12000. *Detention and Rehabilitation*12100. *Institutional Services*739-100. *Training School For Boys, Skillman*

12101.	Institutional Control and Supervision	\$591,296
12102.	Institutional Care Program	408,570
12103.	Institutional Treatment Program	346,508
12105.	Institutional Administration	164,716

Total Appropriation, Training School for Boys, Skillman	<u>\$1,511,090</u>
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Salaries:

Officers and employees	(\$1,274,226)
New positions	(7,369)
Materials and Supplies	(154,954)
Services Other Than Personal	(43,807)

Maintenance of Property:

Recurring (9,700)

Non-Recurring and Replacements (7,460)

Extraordinary:

Compensation awards (1,500)

Additions and Improvements (12,074)

12000. *Detention and Rehabilitation*12100. *Institutional Services*740-100. *Training School for Boys, Jamesburg*

12101. Institutional Control and Supervision	\$1,124,609
12102. Institutional Care Program	870,544
12103. Institutional Treatment Program	507,603
12104. Production of Goods and Services	15,816
12105. Institutional Administration	201,005

Total Appropriation, Training School For Boys,
Jamesburg

\$2,719,577

Salaries:

Officers and employees (\$2,279,491)

Food in lieu of cash (4,319)

Materials and Supplies (281,107)

Services Other Than Personal (60,798)

Maintenance of Property:

Recurring (32,700)

Non-Recurring and Replacements (30,337)

Extraordinary:

Compensation awards (15,000)

Additions and Improvements (15,825)

12000. *Detention and Rehabilitation*12100. *Institutional Services*741-100. *Training School for Girls, Trenton*

12101. Institutional Control and Supervision	\$511,338
12102. Institutional Care Program	377,156
12103. Institutional Treatment Program	228,097

12104. Production of Goods and Services	12,722
12105. Institutional Administration	147,481

Total Appropriation, Training School For Girls, Trenton	\$1,276,794
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Salaries:

Officers and employees	(\$1,116,396)
Food in lieu of cash	(2,538)
Materials and Supplies	(64,981)
Services Other Than Personal	(40,285)

Maintenance of Property:

Recurring	(13,500)
Non-Recurring and Replacements	(17,099)

Extraordinary:

Pre-release community project ..	(12,000)
Compensation awards	(6,000)

Additions and Improvements	(3,995)
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12000. *Detention and Rehabilitation*12200. *Operation of Residential Group Centers*

743-100. Highfields	\$87,133
745-100. Warren	83,493
746-100. Ocean	80,476
747-100. Turrell	76,842

Total Appropriation, Operation of Residential Group Centers	\$327,944
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Salaries:

Officers and employees	(\$228,200)
Food in lieu of cash	(2,302)
Materials and Supplies	(55,995)
Services Other Than Personal	(9,463)

Maintenance of Property:

Recurring	(5,275)
Non-Recurring and Replacement	(18,264)
Additions and Improvements	(8,445)

760-100. *Division of Mental Retardation*25000. *Mental Retardation*

25100. Purchased Residential Functional Services:

Extraordinary:

Family care	\$224,400
Purchase of residential care	2,175,000

Sub-Total Appropriation, Purchased Residential Functional Services	\$2,399,400
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The unexpended balance as of June 30, 1971, in the account Purchase of Residential Care is hereby appropriated.

The sum hereinabove appropriated for Purchase of Residential Care shall be available for the payment of bills applicable to prior fiscal years.

25200. Non-Residential Functional Services:

Salaries	\$640,421
Officers and employees	(\$633,367)
New position	(7,054)
Materials and Supplies	5,900
Services Other Than Personal	57,092
Maintenance of Property:	
Recurring	1,900
Non-Recurring and Replacements	1,300
Extraordinary:	
Day care	2,236,889
Additions and Improvements	3,304

Sub-Total Appropriation, Non-Residential Functional Services	\$2,946,806
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The unexpended balance as of June 30, 1971, in the account Day Care is hereby appropriated.

25500. Research:

Salaries	\$111,640
Officers and employees	(\$111,424)
Food in lieu of cash	(216)
Materials and Supplies	11,135
Services Other Than Personal	3,000

Maintenance of Property:	
Recurring	400
Non-Recurring and Replacements	1,500
Additions and Improvements	4,000
Sub-Total Appropriation, Research	\$131,675
25600. Management and General Support:	
Salaries	\$226,342
Officers and employees (\$226,342)	
Materials and Supplies	1,800
Services Other Than Personal	15,471
Maintenance of Property:	
Recurring	600
Non-Recurring and Replacements	482
Extraordinary:	
Foster grandparents program	50,000
Additions and Improvements	214
Sub-Total Appropriation, Management and General Support	\$294,909
Total Appropriation, Division of Mental Retardation	\$5,772,790

25000. *Mental Retardation*25100. *Residential Functional Services*762-100. *Vineland State School*

25101. Resident Care	\$4,685,085
25102. Habilitation	623,107
25103. Health Services	1,137,738
25104. Support Services	1,939,619
25105. Institutional Administration	342,352
Total Appropriation, Vineland State School ..	\$8,727,901

Salaries:

Officers and employees (\$7,298,328)	
New positions (44,140)	
Food in lieu of cash (37,761)	

Materials and Supplies	(995,497)
Services Other Than Personal	(132,621)
Maintenance of Property:	
Recurring	(48,700)
Non-Recurring and Replacements	(66,204)
Extraordinary:	
Compensation awards	(35,000)
Additions and Improvements	(69,650)

25000. *Mental Retardation*25100. *Residential Functional Services*763-100. *North Jersey Training School at Totowa*

25101. Resident Care	\$1,462,579
25102. Habilitation	389,440
25103. Health Services	1,532,469
25104. Support Services	1,213,216
25105. Institutional Administration	256,323

Total Appropriation, North Jersey Training School at Totowa	<u>\$4,854,027</u>
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Salaries:

Officers and employees	(\$3,890,903)
New positions	(36,322)
Food in lieu of cash	(9,057)
Materials and Supplies	(616,941)
Services Other Than Personal	(144,547)
Maintenance of Property:	
Recurring	(38,500)
Non-Recurring and Replacements	(26,945)
Extraordinary:	
Compensation awards	(26,000)
Additions and Improvements	(64,812)

25000. *Mental Retardation*25100. *Residential Functional Services*764-100. *Woodbine State School*

25101. Resident Care	\$2,586,234
25102. Habilitation	328,035

25103.	Health Services	828,178
25104.	Support Services	1,022,109
25105.	Institutional Administration	218,643

Total Appropriation, Woodbine State School ...	\$4,983,199
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Salaries:

Officers and employees	(\$4,174,830)
New positions	(9,925)
Food in lieu of cash	(22,816)
Materials and Supplies	(588,146)
Services Other Than Personal	(72,136)
Maintenance of Property:	
Recurring	(35,400)
Non-Recurring and Replacements (	62,195)
Extraordinary:	
Compensation awards	(5,000)
Additions and Improvements	(12,751)

25000. *Mental Retardation*25100. *Residential Functional Services*765-100. *New Lisbon State School*

25101.	Resident Care	\$2,210,484
25102.	Habilitation	512,659
25103.	Health Services	531,150
25104.	Support Services	1,100,555
25105.	Institutional Administration	343,650

Total Appropriation, New Lisbon State School ..	\$4,698,498
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Salaries:

Officers and employees	(\$3,762,959)
New positions	(12,732)
Food in lieu of cash	(10,207)
Materials and Supplies	(697,649)
Services Other Than Personal	(92,368)
Maintenance of Property:	
Recurring	(39,500)
Non-Recurring and Replacements (	51,816)
Extraordinary:	
Compensation awards	(8,806)
Additions and Improvements	(22,461)

25000. *Mental Retardation*25100. *Residential Functional Services*766-100. *Woodbridge State School*

25101. Resident Care	\$3,207,577
25102. Habilitation	289,354
25103. Health Services	1,480,249
25104. Support Services	1,173,959
25105. Institutional Administration	370,803
Total Appropriation, Woodbridge State School ..	\$6,521,942

Salaries:

Officers and employees	(\$5,277,112)
New Positions	(43,662)
Food in lieu of cash	(1,188)
Materials and Supplies	(845,915)
Services Other Than Personal	(198,061)
Maintenance of Property:	
Recurring	(38,950)
Non-Recurring and Replacements (	61,326)
Extraordinary:	
Compensation awards	(20,000)
Additions and Improvements	(35,728)

25000. *Mental Retardation*25100. *Residential Functional Services*767-100. *Hunterdon State School*

25101. Resident Care	\$2,345,559
25102. Habilitation	286,765
25103. Health Services	1,186,416
25104. Support Services	832,817
25105. Institutional Administration	358,315
Total Appropriation, Hunterdon State School ..	\$5,009,872

Salaries:

Officers and employees	(\$3,993,140)
New positions	(41,571)
Materials and Supplies	(697,592)
Services Other Than Personal	(174,473)

Maintenance of Property:

Recurring	(	33,500)
Non-Recurring and Replacements	(	4,648)
Extraordinary:		
Compensation awards	(	5,000)
Additions and Improvements	(	59,948)

25000. *Mental Retardation*25100. *Residential Functional Services*768-100. *Edward R. Johnstone Training and Research Center*

25101. Resident Care	\$979,835
25102. Habilitation	741,756
25103. Health Services	246,057
25104. Support Services	720,797
25105. Institutional Administration	200,739

Total Appropriation, Edward R. Johnstone Training and Research Center	\$2,889,184
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Salaries:

Officers and employees	(\$2,474,180)
New position	(6,366)
Food in lieu of cash	(5,195)
Materials and Supplies	(225,770)
Services Other Than Personal	(67,522)
Maintenance of Property:	
Recurring	(31,200)
Non-Recurring and Replacements	(46,746)
Extraordinary:	
Compensation awards	(5,000)
Additions and Improvements	(27,205)

770-100. *Division of Mental Health and Hospitals*

Salaries	\$396,630
Officers and employees	(\$396,630)
Materials and Supplies	5,620
Services Other Than Personal	57,966
Maintenance of Property:	
Recurring	900
Non-Recurring and Replacements	880

Extraordinary:

College of Medicine and Dentistry Center at Newark—Community Mental Health Center ..	502,706
Additions and Improvements	3,000

Total Appropriation, Division of Mental Health and Hospitals	\$967,702
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777-100. Greystone Park Psychiatric Hospital

Salaries	\$15,215,834
Officers and employees	(\$15,047,492)
Food in lieu of cash	(168,342)
Materials and Supplies	2,082,759
Services Other Than Personal	407,433
Maintenance of Property:	
Recurring	203,500
Non-Recurring and Replacements	267,134
Extraordinary:	
Outpatient drugs	12,000
Compensation awards	75,000
Family care	326,400
Additions and Improvements	160,105

Total Appropriation, Greystone Park Psychiatric Hospital	\$18,750,165
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779-100. Trenton Psychiatric Hospital

Salaries	\$12,762,681
Officers and employees	(\$12,704,586)
Food in lieu of cash	(58,095)
Materials and Supplies	1,528,156
Services Other Than Personal	230,620
Maintenance of Property:	
Recurring	98,200
Non-Recurring and Replacements	216,836
Extraordinary:	
Outpatient drugs	20,000
Compensation awards	60,000
Family care	244,800

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Additions and Improvements	174,154
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Total Appropriation, Trenton Psychiatric Hospital	\$15,335,447
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781-100. *Marlboro Psychiatric Hospital*

Salaries	\$10,030,736
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Officers and employees	(\$9,973,804)
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Food in lieu of cash	(56,932)
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Materials and Supplies	785,082
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Services Other Than Personal	287,747
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Maintenance of Property:	
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Recurring	87,900
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Non-Recurring and Replacements	157,246
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Extraordinary:	
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Outpatient drugs	80,000
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Compensation awards	100,000
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Family care	510,000
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Additions and Improvements	63,152
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Total Appropriation, Marlboro Psychiatric Hospital	\$12,101,863
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783-100. *Ancora Psychiatric Hospital*

Salaries	\$8,584,195
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Officers and employees	(\$8,474,767)
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Food in lieu of cash	(109,428)
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Materials and Supplies	1,043,677
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Services Other Than Personal	143,670
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Maintenance of Property:	
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Recurring	69,950
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Non-Recurring and Replacements	109,938
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Extraordinary:	
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Outpatient drugs	25,000
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Compensation awards	10,000
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Family care	326,400
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Additions and Improvements	64,870
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Total Appropriation, Ancora Psychiatric Hospital	\$10,377,700
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785-100. *New Jersey Neuropsychiatric Institute*

Salaries	\$5,501,806
Officers and employees (\$5,460,716)	
Positions transferred from another institution (18,566)	
Food in lieu of cash (22,524)	
Materials and Supplies	592,680
Services Other Than Personal	137,840
Maintenance of Property:	
Recurring	57,850
Non-Recurring and Replacements	100,876
Extraordinary:	
Outpatient drugs	7,000
Compensation awards	17,000
Family care	51,000
Mental health research	600,000
Additions and Improvements	38,254
Total Appropriation, New Jersey Neuropsychiatric Institute	\$7,104,306

790-100. *Arthur Brisbane Child Center at Allaire*

Salaries	\$706,514
Officers and employees (\$701,719)	
Food in lieu of cash (4,795)	
Materials and Supplies	76,424
Services Other Than Personal	21,224
Maintenance of Property:	
Recurring	8,300
Non-Recurring and Replacements	36,585
Extraordinary:	
Compensation awards	4,000
Additions and Improvements	12,710
Total Appropriation, Arthur Brisbane Child Center at Allaire	\$865,757

792-100. *Diagnostic Center at Menlo Park*

Salaries	\$1,267,247
Officers and employees	(\$1,262,628)
Food in lieu of cash	(4,619)
Materials and Supplies	102,550
Services Other Than Personal	77,719
Maintenance of Property:	
Recurring	11,286
Non-Recurring and Replacements	5,005
Extraordinary:	
Compensation awards	1,000
Sex Offender Program	188,173
Additions and Improvements	13,900
Total Appropriation, Diagnostic Center at Menlo Park	\$1,666,880

794-100. *New Jersey Hospital for Chest Diseases*

Salaries	\$2,037,154
Officers and employees	(\$2,016,328)
Food in lieu of cash	(20,826)
Materials and Supplies	290,058
Services Other Than Personal	52,568
Maintenance of Property:	
Recurring	23,700
Non-Recurring and Replacements	43,310
Extraordinary:	
Compensation awards	6,500
Additions and Improvements	6,660
Total Appropriation, New Jersey Hospital for Chest Diseases	\$2,459,950
Total Appropriation, Department of Institu- tions and Agencies	\$193,600,810

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.

Balances on hand as of June 30, 1971 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.

The unexpended balances as of June 30, 1971 of funds received by the several institutions representing rental of garages, together with such funds as may be received during the fiscal year 1971-72, are hereby appropriated for the repair and maintenance of existing garages and for the construction of additional garages by such institutions.

Payments received by the State from employers of prisoners on their behalf as part of any work release program authorized pursuant to C. 30 :4-91.1 et seq. are hereby appropriated for the purposes provided therein.

Funds received from the sale of recovered silver from used x-ray fixer solution are hereby appropriated to the patients' welfare funds of the several institutions.

DEPARTMENT OF COMMUNITY AFFAIRS

800-100. *Administrative Division*

Salaries		\$446,054
Commissioner	(\$38,000)	
Officers and employees	(408,054)	
Materials and Supplies		6,900
Services Other Than Personal		89,567

Maintenance of Property:

Recurring	750
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Total Appropriation, Administrative Division	\$543,271
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802-100. *Hackensack Meadowlands Development Commission*

Extraordinary:

Expenses of the Commission	\$625,000
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Total Appropriation, Hackensack Meadowlands Development Commission	\$625,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The sum hereinabove set forth shall be refunded to the General Treasury from the proceeds of any obligations issued by the Commission.

803-100. *New Jersey Urban Loan Authority*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

805-100. *Office of Community Services*

Salaries	\$264,861
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Officers and employees	(\$264,861)
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Materials and Supplies	5,100
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Services Other Than Personal	33,236
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Maintenance of Property:

Recurring	300
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Non-Recurring and Replacements	100
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Additions and Improvements	274
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Total Appropriation, Office of Community Services	\$303,871
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810-100. *Division of Local Finance*

Salaries	\$436,603
Board members (3 @ \$6,000)	(\$18,000)
Officers and employees	(418,603)
Materials and Supplies	20,270
Services Other Than Personal	67,295
Maintenance of Property:	
Recurring	950
Non-Recurring and Replacements	2,795
Total Appropriation, Division of Local Finance	\$527,913

815-100. *Division of Housing and Urban Renewal*

Salaries	\$339,278
Officers and employees	(\$339,278)
Materials and Supplies	3,250
Services Other Than Personal	18,980
Maintenance of Property:	
Recurring	500
Non-Recurring and Replacements	1,000
Extraordinary:	
Cooperative Housing Inspection Program	661,254
Additions and Improvements	717
Total Appropriation, Division of Housing and Urban Renewal	\$1,024,979

820-100. *Division of State and Regional Planning*

Salaries	\$304,604
Officers and employees	(\$304,604)
Materials and Supplies	11,850
Services Other Than Personal	34,249
Maintenance of Property:	
Recurring	800
Non-Recurring and Replacements	2,200
Extraordinary:	
For the State share of the cost of land development planning aspects of studies in the north-	

eastern New Jersey-New York urban area, to be conducted by the Tri-State Transportation Commission, contingent upon no less than 66 $\frac{2}{3}$ % participation by the United States Department of Housing and Urban Development and no less than 50% participation by other Federal agencies, subject to expenditure by the Tri-State Transportation Commission upon approval by the Commissioner of the Department of Community Affairs

65,000

For the State share of the cost of land development planning aspects of studies in the Philadelphia-Camden urban area, to be conducted by the Delaware Valley Regional Planning Commission, contingent upon no less than 66 $\frac{2}{3}$ % participation by the United States Department of Housing and Urban Development and no less than 50% participation by other Federal agencies, subject to expenditure by the Delaware Valley Regional Planning Commission upon approval by the Commissioner of the Department of Community Affairs

23,000

Cooperative Governmental Planning

100,000

Total Appropriation, Division of State and Regional Planning

\$541,703

The unexpended balance as of June 30, 1971 in the account Cooperative Governmental Planning is hereby appropriated.

Receipts from the sale of printed material, together with balances as of June 30, 1971, are hereby appropriated as a Revolving Fund for the purpose of printing and reprinting literature for sale.

825-100. *Division on Aging*

Salaries	\$78,254
Officers and employees (\$78,254)	
Materials and Supplies	4,500
Services Other Than Personal	11,419

Maintenance of Property:

Recurring	500
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Extraordinary:

Conference on Aging	1,000
Survey and demonstration projects	5,000
Older Americans' Act—State share	10,000

Total Appropriation, Division on Aging	<u>\$110,673</u>
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The unexpended balance as of June 30, 1971 in the account Survey and Demonstration Projects, is hereby appropriated; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The unexpended balance as of June 30, 1971 in the account Older Americans' Act—State share is hereby appropriated to match Federal funds which may be available therefor; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

830-100. *Division of Youth*

Salaries	\$40,512
Director	(\$13,500)
Officers and employees	(27,012)
Materials and Supplies	1,350
Services Other Than Personal	5,580
Maintenance of Property:	
Recurring	250
Extraordinary:	
State and regional conference on children and youth	5,000
Total Appropriation, Division of Youth	<u>\$52,692</u>

840-100. *Women's Division*

Salaries	\$13,000
Director	(\$13,000)
Extraordinary:	
Expenses of the Division	10,000
Total Appropriation, Women's Division....	\$23,000
Total Appropriation, Department of Com- munity Affairs	\$3,753,102

MISCELLANEOUS EXECUTIVE COMMISSIONS

911-100. *Palisades Interstate Park Commission*

Salaries	\$843,413
Officers and employees	(\$843,413)
Materials and Supplies	42,910
Services Other Than Personal	41,562
Maintenance of Property:	
Recurring	45,190
Non-Recurring and Replacements	50,275
Additions and Improvements	13,600
Total Appropriation, Palisades Interstate Park Commission	\$1,036,950

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with the unexpended balance as of June 30, 1971 from such revenues are hereby appropriated for maintenance of such stations, for extraordinary maintenance, and for capital projects and plans, including an historic park in Fort Lee, State Line Park development, and parkway resurfacing.

The unexpended balances as of June 30, 1971 from stands, concessions and self-sustaining activities operated or supervised by this Commission, together with receipts from such activities, are hereby appropriated.

912-100. *Delaware River Joint Toll Bridge Commission*

Salaries	\$566,552
Officers and employees	(\$566,552)
Materials and Supplies	22,200
Services Other Than Personal	14,850
Maintenance of Property:	
Recurring	13,300
Non-Recurring and Replacements	55,600
Total Appropriation, Delaware River Joint Toll Bridge Commission	\$672,502

913-100. *Interstate Sanitation Commission*

Extraordinary:	
New Jersey Share of Administrative Costs:	
Water pollution (45%)	\$108,129
Air pollution (45%)	67,500
Total Appropriation, Interstate Sanitation Commission	\$175,629

914-100. *Delaware River Basin Commission*

Extraordinary:	
Expenses of the Commission	\$348,500
Total Appropriation, Delaware River Basin Commission	\$348,500

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

915-100. *New Jersey Tax Policy Committee*

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

Total Appropriation, Miscellaneous Execu- tive Commissions	\$2,233,581
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INTER-DEPARTMENTAL ACCOUNTS

940-100. *Rent—Buildings and Grounds*

Services Other Than Personal	\$15,511,772
<i>Less: Direct Charges and Charges to Non-State Fund Sources</i>	<i>—5,064,686</i>
Total Appropriation, Rent — Buildings and Grounds	\$10,447,086

The Director of the Division of Budget and Accounting is hereby empowered to allocate to any State agency occupying space in any State-owned building equitable charges for the rental of such space, to include but not be limited to the costs of operation and maintenance thereof, and the amounts so charged shall be credited to the General State Fund; and, to the extent that such charges may exceed the amounts appropriated for such purposes to any agency financed from any fund other than the General State Fund, the required additional appropriation is hereby made out of such other fund.

With respect to the equitable charges allocated to agencies occupying the Department of Labor and Industry Office Building, such amounts which may be attributable to the amortization of the portion of the building, the construction cost of which was provided from funds made available from the Unemployment Trust Fund, shall be credited to that fund.

Notwithstanding any other provision of law, no lease for the rent of any office or building shall be executed 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.

New Jersey State Library

941-100. *Employee Benefits*

Extraordinary:

Heath Act	\$136,000
Veterans' Act	173,000
Miscellaneous special acts	14,000
Governors' widows' annuity	12,000
Judicial pensions	963,000
Prison officers' pensions	612,000
Public Employees' Retirement System	13,949,006
Premium for non-contributory insurance	4,617,059
State share of Social Security tax	22,158,000
State Police Retirement System	4,257,397
Premium for non-contributory insurance—	
State Police	223,000
State Employees' Health Benefits	10,200,000
Pension Increase Act	4,950,000
Employer Contributions, Teachers' Insurance and	
Annuity Association	6,938,000
Pension and insurance contributions payable to	
Teachers' Pension and Annuity Fund for	
Higher Education and State employee members	1,998,057
Pending enactment of State enabling legislation,	
Unemployment Insurance benefit costs for em-	
ployees of State hospitals and State institutions	
of Higher Education, pursuant to Employment	
Security Amendments of 1970 (HR 14705),	
effective January 1, 1972	70,000

Total Appropriation, Employee Benefits	<u>\$71,270,519</u>
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The unexpended balance as of June 30, 1971 of the sum appropriated for the State share of Social Security tax is hereby appropriated.

The sum appropriated for the State share of Social Security tax is hereby made available for the payment of such tax which may be 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 \$4,000 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 all or part 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 C. 43:8-2, and continued by C. 43:7-1 et seq., C. 43:8-1 et seq. and C. 43:8-8 et seq.

Any adjustment which may be required for the payment of Premium for Non-Contributory Insurance shall result in a contra-adjustment in the payment of the normal contribution for the Public Employees' Retirement System.

Any adjustment which may be required for the payment of Premium for Non-Contributory Insurance shall result in a contra-adjustment in the **payment** of the normal contribution for the State Police 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 C. 43:15A-88 et seq.

Notwithstanding the provisions of any other law, the sum appropriated for the Public Employees' Retirement System may be paid to the System as follows: $\frac{1}{2}$ of such sum may be paid on July 1, 1971 and $\frac{1}{2}$ of such sum may be paid not later than January 1, 1972, together with any earnings received from the investment or deposit of such sum during the period July 1, 1971 through the date of such payment.

The Director of the Division of Budget and Accounting shall lapse so much of the sum hereinabove appropriated for Pension and Insurance Contribution Payable to Teachers' Pension and Annuity Fund for Higher Education and State Employee Members as shall be in excess of an actuarial certification giving effect to the provisions of Senate Bill 2186 of 1971 or similar legislation if such bill is enacted prior to July 1, 1971.

942-100. *State Emergency Fund*

For allotment to the various departments or agencies, to meet any condition of emergency or necessity 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 officially receiving dignitaries and for incidental expenses including lunches for non-salaried board members and others for whom official reception shall be beneficial to the State. Allotments from this appropriation shall be made only upon authorization of the Governor	\$450,000
For allotment to the various departments or agencies to pay compensation awards allowed State employees, upon approval of the Director of the Division of Budget and Accounting	100,000
For allotment to the various departments or agencies to pay claims resulting from culmination of the State's sovereign immunity and for insurance underwriting to cover resulting liabilities against the State and its employees	200,000
For allotment to the various departments or agencies as may be required for additional postage costs resulting from anticipated postage rate increases, upon approval of the Director of the Division of Budget and Accounting	500,000
Total Appropriation, State Emergency Fund	\$1,250,000

943-100. *Salary Benefits*

To the Director of the Division of Budget and Accounting for transfer to the various agencies to provide a 6% increase in the salary rate, in effect on the date prior to the beginning of the bi-weekly pay period nearest to either July 1, 1971 or September 1, 1971 for the respective class titles, for State employees serving in class titles assigned to salary ranges and reasonably comparable salary adjustments for State employees in certain no range or single-rate positions, other than positions for which salaries are required to be pro-

vided by law; effective on the aforesaid respective beginning dates subject to rules and regulations to be established by the President of the Civil Service Commission, the State Treasurer, the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director	\$21,600,000
To the Director of the Division of Budget and Accounting for transfer, as required, to the various agencies to provide special merit salary payments for meritorious service in accordance with procedures and regulations to be promulgated by the President of the Civil Service Commission and approved by the State Treasurer, the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director	1,000,000
Total Appropriation, Salary Benefits	<u>\$22,600,000</u>

No salary range or rate of pay shall be increased or salary adjustment paid in any State department, agency, commission or higher education institution without the prior approval of the President of the Civil Service Commission, the State Treasurer, the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

The Classification, Compensation, Promotion and Salary Administration Program Plans of Rutgers, the State University, the Newark College of Engineering, and the College of Medicine and Dentistry of New Jersey shall be promulgated in accordance with the standards and guide lines established by the President of the Civil Service Commission and approved by the State Treasurer, the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director and shall be subject to audit by the Department of Civil Service in accordance with such standards and guide lines.

Any sums appropriated to the several departments for salaries may be made available for salary ad-

justments 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, the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director shall determine; provided, however, that the first normal merit salary increment anniversary date shall be effective at the beginning of the bi-weekly pay period nearest to July 1, 1971.

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, the College of Medicine and Dentistry of New Jersey or to the State Board of Higher 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 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, shall be entitled to the same salary adjustments and increments which may be authorized 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.

Such additional sums which may be required as the State share for social security tax, resulting from the implementation of the salary adjustments hereinabove, may be transferred to account 941-100, Employee Benefits, as the Director of the Division of Budget and Accounting shall determine.

944-100. *Additional Overtime Compensation*

To the Director of the Division of Budget and Accounting for transfer, as required, to the various agencies for the additional costs incurred as a result of compensating employees for authorized overtime at a rate of 1½ times the employees' applicable salary rate, for those employees in class titles eligible for cash overtime payments in accordance with C. 54:14-17.3 et seq. and the policies and regulations as issued by the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting; provided, however, that allowance may be made for such overtime to be authorized as compensatory time off, in accordance with the policies and regulations as issued by the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting

\$4,000,000

Total Appropriation, Additional Overtime Compensation

\$4,000,000

Total Appropriation, Inter-Departmental Accounts

\$109,567,605

970-100. THE JUDICIARY

73000. *Judicial Affairs*

73100. Court Operations:

Salaries	\$5,633,945
Chief Justice (\$47,500)	
Associates Justices	
(6 @ \$45,000) (270,000)	
Judges (78) (2,977,000)	
Officers and employees (2,324,945)	
New positions (14,500)	
Materials and Supplies	174,400
Services Other Than Personal	144,805

Maintenance of Property:	
Recurring	10,500
Non-Recurring and Replacements	4,032
Additions and Improvements	20,000
Sub-Total Appropriation, Court Operations	\$5,987,682
73200. Court Support Services:	
Salaries	\$2,359,773
Officers and employees	(\$2,319,309)
New positions	(40,464)
Materials and Supplies	45,250
Services Other Than Personal	214,880
Maintenance of Property:	
Recurring	608
Extraordinary:	
Release on recognizance project	38,500
Research on probation	22,894
Sub-Total Appropriation, Court Support Services	\$2,681,905
73300. Court Administration:	
Salaries	\$564,337
Officers and employees	(\$558,838)
New positions	(5,499)
Materials and Supplies	23,500
Services Other Than Personal	45,315
Maintenance of Property:	
Recurring	4,092
Non-Recurring and Replacements	6,768
Additions and Improvements	2,500
Sub-Total Appropriations, Court Administration	\$646,512
Total Appropriation, The Judiciary	\$9,316,099
Total Appropriation, General State Operations	\$752,706,388

STATE AID

DEPARTMENT OF LAW AND PUBLIC SAFETY

150-150. *Division of Weights and Measures—State Aid*

For payment of fees to counties and municipalities from the sale of solid fuel licenses in accordance with the provisions of C. 51:8-13, approximating	\$2,500
For payment of fees to counties and municipalities from the sale of poultry licenses in accordance with provisions of C. 4:11-48, approximating . . .	500
Total Appropriation, Department of Law and Public Safety	<u>\$3,000</u>

DEPARTMENT OF THE TREASURY

*Administrative Division*210-150. *Storm Relief Fund—State Aid*

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

210-151. *Payment to Municipality—State Aid*

For payment to the City of Newark, pursuant to Chapter 325, P. L. 1970	<u>\$9,250,000</u>
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*Division of Taxation*240-150. *Payment to Counties (Five Per Centum Inheritance
Taxes)—State Aid*

Payment to Counties (5% of Inheritance Taxes) C. 54:33-10	<u>\$3,300,000</u>
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There are hereby appropriated such additional
funds as may be required for payments to each
county pursuant to C. 54:33-10.

241-150. *County Boards of Taxation—State Aid*

Salaries:

Members (69)	\$410,625
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245-150. *Payments to Municipalities (In Lieu of Railroad Property Tax)—State Aid*

State Aid to certain municipalities in which railroad property is located, pursuant to C. 54:29A-2 et seq	\$10,423,152
Less: Amount due from the assessment of Class II railroad property as adjusted	\$7,155,207
Amount of Class II railroad property tax unpaid	—5,157,783
Less: Anticipated collections from Class II railroad property tax	—1,997,424
Total Appropriation	\$8,425,728

In addition to the amount hereinabove appropriated for Payments to Municipalities (In lieu of Railroad Property Tax), there are hereby appropriated such additional sums as may be required for the payment of State aid to certain municipalities in which railroad property is located pursuant to C. 54:29A-2 et seq.

246-150. *Payments to Municipalities (In Lieu of Business Personalty Tax)—State Aid*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated to implement the provisions of C. 54:11D-5.

There shall be distributed to or reserved for the several municipalities such sums as may be derived from the taxes received pursuant to C. 54:11D-1.

There are hereby appropriated such additional sums as may be required for the payment of State aid to municipalities to avoid loss of revenue thereto resulting from elimination of local property tax on business personalty.

247-150. *Distribution of 10% of Net Sales Tax Revenues
to Municipalities—State Aid*

Distribution of Sales Tax revenues to municipalities, pursuant to C. 54:32B-30 et seq.	\$25,000,000
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248-150. *Reimbursement to Municipalities for Senior
Citizens' Tax Deduction—State Aid*

State reimbursement to municipalities for one-half of the senior citizens' tax deduction pursuant to Chapter 20, P. L. 1971	\$13,000,000
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There are hereby appropriated such additional sums as may be required to comply with Chapter 20, P. L. 1971.

Division of Pensions

295-150. *Consolidated Police and Firemen's Pension
Fund—State Aid*

State contribution pursuant to the provisions of C. 43:16-1 et seq.	\$6,195,484
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Total Appropriation, Department of the Treasury	\$65,581,837
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DEPARTMENT OF PUBLIC UTILITIES

350-150. *Grade Crossing Elimination—State Aid*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the State Transportation Fund an amount of \$2,000,000 for transfer to the Department of Public Utilities for the public share of the cost of eliminating grade crossings in accordance with C. 48:12-61 et seq.; provided, however, that not more than a sum of \$175,000 thereof may be used for administration expenses and a sum of not more than

\$340,000 shall be used for the cost of construction or reconstruction of the railroad bridge at Crow's Mill crossing in Woodbridge, Middlesex County.

360. DEPARTMENT OF HEALTH

22000. *Personal Health*

22200. Constructive Health—State Aid:

Hospitalization and convalescent care	\$1,345,284
Appliances	40,000

Sub-Total Appropriation, Constructive Health—State Aid	\$1,385,284
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The unexpended balance as of June 30, 1971 in the account Dental Health Services is hereby appropriated.

23000. *Community Health Programs*

23200. Development and Improvement of Local Health Services—State Aid:

Salaries	\$129,349
Officers and employees	(\$129,349)
Materials and Supplies	1,000
Services Other Than Personal	6,400

Maintenance of Property:

Recurring	50
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Extraordinary:

State aid for basic health services, pursuant to C. 26:2F-4	525,000
Special projects and development, pursuant to C. 26:2F-7	200,000
State equalization aid for local health, pursuant to C. 26:2F-6	4,500,000

Sub-Total Appropriation, Development and Improvement of Local Health Services—State Aid	\$5,361,799
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The capitation is hereby set at \$2.00 for the calendar year 1972 for the purposes prescribed in C. 26:2F-1 et seq.

23300. Narcotic and Drug Abuse Control—State Aid:

Extraordinary:

Drug addiction treatment services, pursuant to C. 30:6C-1	\$1,020,000
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Sub-Total Appropriation, Narcotic and Drug Abuse Control—State Aid	\$1,020,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The sum hereinabove appropriated is available for the payment of bills applicable to prior fiscal years.

Sub-Total Appropriation, Community Health Programs	\$6,381,799
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Total Appropriation, Department of Health	\$7,767,083
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Natural Resources

420-150. *Inland Waterways and Shore Protection—State Aid*

Salaries	\$223,404
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Officers and employees	(\$223,404)
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Materials and Supplies	8,500
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Services Other Than Personal	8,700
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Maintenance of Property:

Recurring	5,450
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Sub-Total Appropriation	\$246,054
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Local Government—Grants

Construction, maintenance, improvement and dredging of inland waterways; bulkheading and dredging at State marinas; and dredging State-controlled lakes	\$500,000
Control of obnoxious aquatic vegetation in State-controlled lakes	25,000
State share of shore protection projects, pursuant to C. 12:6A-1 et seq.; contingent upon no less than 25% participation by local government	1,675,000
State share of cooperative shore protection studies with the Federal government	50,000
Total Appropriation	\$2,496,054

The unexpended balance as of June 30, 1971 in this account, including not more than \$100,000 in the account Harbor of Refuge at Atlantic City Marina, is hereby appropriated.

From the amount provided herein for shore protection projects, pursuant to C. 12:6A-1 et seq., a sum not to exceed \$100,000 may be made available, without matching, for exploratory work to locate borrow material for beachfill, to protect the beach and property at Sandy Hook State Park and to maintain and repair existing shore protection jetties and groins heretofore constructed with State aid.

472-150. 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	\$150,000
For transfer to the Agricultural Experiment Station for mosquito control and extermination pursuant to C. 29:9-12.6	350,000
For transfer to the Agricultural Experiment Station for mosquito control on State-owned land...	25,000
Total Appropriation	\$525,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Department of Environmental Protection	<u>\$3,021,054</u>
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500. DEPARTMENT OF EDUCATION—STATE AID

31000. *General Assistance for Public and Non-Public Education*

31100. General Financial and Technical Assistance
for Public School Systems:

Grants-in-Aid:

State school aid (18:10–29.30 et seq.) formula (foundation, equalization minimum)	\$208,176,000
Equalization and incentive aid (18A:58–63 et seq.)	36,837,900
Emergency fund	200,000
School building aid	27,111,200
School building aid debt service	1,483,600
Equalization and incentive building aid (18A:58–1 et seq.)	1,985,400
County audio-visual aid centers	100,000
Transportation	<u>31,270,200</u>

Sub-Total Appropriation, General Financial and Technical Assistance for Public School Systems	<u>\$307,164,300</u>
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Of the amount hereinabove included for
Equalization and Incentive Aid (C.
18A:58–63 et seq.), not more than \$100,000
may be used for administrative expenses
resulting from implementation of the
equalization and incentive aid program.

31200. State Aid for Non-Public Schools:

Grants-in-Aid:

Aid to non-public schools (C. 18A:58–38 et seq.)	<u>\$9,500,000</u>
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Sub-Total Appropriation, State Aid for Non- Public Schools	<u>\$9,500,000</u>
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31300. Innovation for Public Education Programs:

Extraordinary:

Innovative educational grants	\$100,000
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Sub-Total Appropriation, Innovation for Public Education Programs	\$100,000
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31400. Other General Assistance Programs for Public Schools:

Salaries	\$2,303,240
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County superintendents	(\$521,371)
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Officers and employees	(1,731,157)
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New Positions	(50,712)
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Materials and Supplies	96,000
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Services Other Than Personal	79,300
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Extraordinary:

Interest on public building construction bonds—Act of 1968	507,328
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Grants-in-Aid:

Public School Safety Act	1,147,000
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Vocational education	3,319,960
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District and regional vocational schools	705,600
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Schools for industrial education	75,000
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Sub-Total Appropriation, Other General As- sistance Programs for Public Schools	\$8,233,428
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Total Appropriation, General Assistance for Public and Non-Public Education	\$324,997,728
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32000. *Programs for Specific Groups and Limited Purposes*

32100. Programs for the Handicapped:

Grants-in-Aid:

Special education programs	\$32,688,900
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Sub-Total Appropriation, Programs for the Handicapped	\$32,688,900
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32200. Programs for the Disadvantaged:

Extraordinary:

Urban Schools Development Council	\$100,000
Urban Education Corps	493,855
Vocational education	69,960

Grants-in-Aid:

Work-study program	175,000
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Sub-Total Appropriation, Programs for the Disadvantaged	\$838,815
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32300. Programs for Early Childhood:

Extraordinary:

Head Start projects assistance	\$100,000
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Sub-Total Appropriation, Programs for Early Childhood	\$100,000
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32400. Programs for Adult, Continuing and Manpower Education:

Grants-in-Aid:

Adult education	\$400,000
Adult literacy program	775,600
Adult education—high school equivalency	1,030,400
Evening schools for foreign born residents	76,800
Manpower development and training program—State share	200,000

Sub-Total Appropriation, Programs for Adult, Continuing and Manpower Education	\$2,482,800
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32500. Programs for Children in Institutions:

Grants-in-Aid:

Children resident in institutions	\$200,000
Children resident on State-owned property ...	250,000

Sub-Total Appropriation, Programs for Children in Institutions	\$450,000
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32700. Programs for School Nutrition:**Grants-in-Aid:**

State school lunch aid	\$6,500,000
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Sub-Total Appropriation, Programs for School Nutrition	\$6,500,000
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The unexpended balances as of June 30, 1971 in the Grants-in-Aid accounts School Building Aid Debt Service, Vocational Education, Public School Safety Act, State School Lunch Aid, Work-Study Program, and Manpower Development and Training Program—State share are hereby appropriated.

The unexpended balance as of June 30, 1971 in the remaining Grants-in-Aid accounts, not to exceed \$250,000, is hereby appropriated.

32800. Programs for School and Public Libraries and Museums:

Salaries	\$92,720
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Officers and employees	(\$92,720)
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Materials and Supplies	24,000
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Services Other Than Personal	27,620
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Extraordinary:

Research library contracts	315,700
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Work shops	5,000
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Senator James F. Murray Junior Historian Fund	25,000
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Newark Museum Association	300,000
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Grants-in-Aid:

State aid for certain libraries	6,548,065
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Sub-Total Appropriation, Programs for School and Public Libraries and Museums	\$7,338,105
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Total Appropriation, Programs for Specific Groups and Limited Purposes	\$50,398,620
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39000. *Department Planning, Management and General Support*

39100. Department Planning and Management:

Extraordinary:

Vocational education	\$89,040
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Sub-Total Appropriation, Department Plan- ning and Management	\$89,040
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501-150. *Employee Benefits—Public School Teachers and
College Faculties*

31000. *Assistance for Public and Non-Public Education*

31100. General Financial and Technical Assistance
for Public School Systems:

State Contribution to Teachers' Pension and
Annuity Fund:

Normal contribution	\$56,954,760
Class B liability and deficiency contribution...	6,882,446
Payment on behalf of local employee veterans appointed after January 1, 1955	186,810
Liability for offset elimination (C. 18A:66-68) .	6,014,464
Premium for non-contributory insurance	6,698,377
State share of social security tax	41,985,000

Sub-Total Appropriation, General Financial and Technical Assistance for Public School Systems	\$118,721,857
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The unexpended balance as of June 30, 1971 of the
sum appropriated for the State share of Social
Security tax is hereby appropriated.

The sum appropriated for the State share of
Social Security tax shall be available for the
payment of such tax applicable to the prior
fiscal year.

Any adjustment in the Premium for Non-Con-
tributory Insurance shall be reflected in the
appropriation for Normal Contribution.

Notwithstanding the provisions of any other law,
the sum appropriated for the State Contribu-

tion to Teachers' Pension and Annuity Fund may be paid to the Fund as follows: $\frac{1}{2}$ of such sum may be paid on July 1, 1971 and $\frac{1}{2}$ of such sum may be paid not later than January 1, 1972, together with any earnings received from the investment or deposit of such sum during the period July 1, 1971 through the date of such payment.

The Director of the Division of Budget and Accounting shall lapse so much of the sum hereinabove appropriated for State Contribution to Teachers' Pension and Annuity Fund as shall be in excess of an actuarial certification giving effect to the provisions of Senate Bill 2186 of 1971 or similar legislation if such bill is enacted prior to July 1, 1971.

Total Appropriation, Department of Education	\$494,207,245
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DEPARTMENT OF HIGHER EDUCATION

39000. *Department Management and General Support*

540-150. *Educational Purposes—State Aid*

39200. General Support Services:

State Aid Grants for:

County Colleges:

Operational costs	\$24,425,000
Schools of professional nursing	1,740,000
Interest on Public Buildings Construction Bonds—Act of 1968	867,088
Capital projects	1,200,000
For such debt service as may be required pursuant to C. 18A:64A-22	500,000

Total Appropriation, Department of Higher Education	\$28,732,088
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

In computing the State support for operational costs for any county college or any county-assisted junior college, there shall be excluded from the total operational costs of such college that portion of salary costs which may result from any salary schedule adopted by the college which is higher than the salary schedule in effect during the same fiscal (academic) year for the New Jersey State colleges.

The sum hereinabove appropriated shall be available for the payment of obligations applicable to prior fiscal years.

620-150. DEPARTMENT OF TRANSPORTATION—STATE AID

61000. *Construction of Transportation Facilities*

61100. State and Local Highway Systems:

Salaries	\$843,496
Officers and Employees (\$843,496)	
Materials and Supplies	7,650
Services Other Than Personal	27,840
Extraordinary:	
Construction or reconstruction of municipal roads on the basis of \$100,000 per county pursuant to C. 27:15-1.14	2,100,000
Reconstruct county and municipal roads pursuant to C. 27:13-10 et seq.	200,000
Urban Area Traffic Operations Improvement Program (TOPICS)	15,000,000
Sub-Total Appropriation	\$18,178,986
<i>Less: Portion of Federal aid receivable which is applicable to Urban Area Traffic Operations Improvement Program</i>	<i>—7,500,000</i>
Sub-Total Appropriation, Construction of Transportation Facilities	\$10,678,986

The unexpended balance as of June 30, 1971 in the account Construction or Reconstruction of Municipal Roads on the basis of \$100,000 per

county pursuant to C. 27:15-1.14 is hereby appropriated.

The unexpended balances as of June 30, 1971 in excess of \$10,000,000 in the accounts Extraordinary State aid for County Highways pursuant to Chapter 33, P. L. 1966 and Extraordinary State aid for Municipal Highways pursuant to Chapter 33, P. L. 1966 are hereby appropriated and made available for any project qualifying for State aid pursuant to C. 27:13A-1 et seq. or C. 27:13-10 as well as Chapter 33, P. L. 1966.

The unexpended balance as of June 30, 1971 in excess of \$35,000,000 in the account State Aid for County and Municipal Highways pursuant to C. 27:13A-1 et seq. is hereby appropriated.

63000. *Operation and Maintenance of Transportation Facilities*

63100. State and Local Highway Systems:

Salaries	\$193,758
Officers and employees (\$193,758)	
Materials and Supplies	1,250
Services Other Than Personal	3,385
Extraordinary:	
Construction, reconstruction, maintenance and repair, operation, policing, and lighting of county roads and bridges; for the payment of principal and interest of obligations heretofore incurred for any of such purposes and for the extension of the county highway system pursuant to C. 52:27B-20	8,000,000
Construction, reconstruction, maintenance and repair of county roads and bridges on the basis of \$55,000 per county pursuant to C. 27:14-1	1,155,000
Construction, reconstruction, grading, drainage, maintenance, lighting or repair of municipal roads pursuant to C. 27:15-1	4,500,000
County and Municipal Aid for lighting	450,000
Sub-Total Appropriation, Operation and Maintenance of Transportation Facilities	\$14,303,393

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Department of Transportation	\$24,982,379
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DEPARTMENT OF INSTITUTIONS AND AGENCIES

*Administration—General*700-150. *Veterans' Services—State Aid*

Veterans' Orphans Fund—Educational	\$167,500
Payment to Blind Veterans	35,000
Payment to Paraplegics, Hemiplegic Veterans	162,500
Total Appropriation	\$365,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

700-151. *County Tuberculosis Hospitals—State Aid*

For the support of patients in County tuberculosis hospitals, pursuant to Subdivision C, Article 30 of the Revised Statutes:

Bergen	}	\$60,000
Camden		
Essex		
Hudson		
Middlesex		
Monmouth		
Passaic		
Total Appropriation		\$60,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

*Division of Medical Assistance and Health Services**714-150. Medical Assistance—State Aid*

For the purpose of making payments for the State share of medical assistance pursuant to C. 30:4D-1 et seq.	\$105,450,000
Contingency reserve	6,112,500
Total Appropriation	\$111,562,500

The unexpended balance as of June 30, 1971 in this account, including State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under C. 30:4D-1 et seq. during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under 30:4D-1 et seq. during the fiscal year ending June 30, 1972, are hereby appropriated.

The sum hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

*Division of Public Welfare—General**715-150. Old Age Assistance—State Aid*

For the purpose of making payments for the State share of old age assistance, pursuant to C. 44:7-25	\$7,800,000
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The unexpended balance as of June 30, 1971 in this account, including State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under C. 44:7-14 during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under C. 44:7-14 during the fiscal year ending June 30, 1972, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-151. *General Assistance—State Aid*

For the purpose of making payments to municipalities for the State share of the cost of general assistance, pursuant to C. 44:8-134

\$14,214,000

Receipts from State administered towns during 1971-72 and the unexpended balance in this account as of June 30, 1971 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-152. *Disability Assistance—State Aid*

For the purpose of making payments for the State share of cost of assistance to the permanently and totally disabled, pursuant to C. 44:7-38 et seq. . .

\$7,690,000

The unexpended balance as of June 30, 1971 in this account, including State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under C. 44:7-14 during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under C. 44:7-14 during the fiscal year ending June 30, 1972 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-153. *Dependent Children Assistance—State Aid*

For the purpose of making payments for the State share of cost of assistance for dependent children, pursuant to C. 44:10-4 et seq.

\$123,740,000

Contingency reserve for costs resulting from termination of underemployed "N" segment

12,500,000

Total Appropriation

\$136,240,000

The unexpended balance as of June 30, 1971 in this account, including the State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under Section 4 of C. 44:10-4 et seq. during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under Section 4 of C. 44:10-4 et seq. during the fiscal year ending June 30, 1972, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-154. *Medical Assistance for the Aged—State Aid*

The unexpended balance as of June 30, 1971 in this account, including the State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under C. 44:7-82, during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under C. 44:7-82, during the fiscal year ending June 30, 1972 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-155. *Blind Assistance—State Aid*

For the purpose of making payments for the State share of blind assistance, pursuant to C. 30:4B-1 et seq. and C. 30:4C-2 et seq.

\$465,000

The unexpended balance as of June 30, 1971 in this account, including the State net share of reimbursement, and the net balance remaining after full payment of sums due the Federal government of all funds recovered under C. 30:4B-1 et seq. during the fiscal year ending June 30, 1971, and in addition thereto, all such funds recovered under C. 30:4B-1 et seq. during the fiscal year ending June 30, 1972 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

Bureau of Children's Services

717-150. *Child Care—State Aid*

For the purpose of making payment for the State share of child care costs of children under the care of the Bureau of Children's Services, pursuant to C. 30:5

\$14,922,942

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The sum hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

Total Appropriation, Division of Public Welfare

\$181,331,942

Division of Mental Health and Hospitals

770-150. *County Mental Hospitals—State Aid*

For the support of patients in County mental hospitals, pursuant to C. 30:4-78:

Atlantic	\$270,000
Burlington	255,000
Camden	1,025,000
Cumberland	315,000
Essex	5,345,000
Hudson	3,190,000

Total Appropriation \$10,400,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

770-152. *Community Mental Health Services—State Aid*

For the establishment, development, improvement,
and expansion of Community Mental Health ser-
vices

\$3,700,000

The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

This appropriation shall be available for training
stipends, training programs and the support of
demonstration projects in mental health to the ex-
tent that the appropriation exceeds the funds re-
quired for the aid program; provided, however,
that the expenditure thereof shall be subject to
transfers approved as prescribed in section 3 of
this act.

The sums hereinabove appropriated shall be avail-
able for the payment of bills applicable to prior
fiscal years.

Total Appropriation, Division of Mental
Health and Hospitals

\$14,100,000

Total Appropriation, Department of Institu-
tions and Agencies

\$307,419,442

DEPARTMENT OF COMMUNITY AFFAIRS

800-150. *Administrative Division—State Aid*

Salaries	\$515,294
Officers and employees	(\$515,294)
Materials and Supplies	14,000
Services Other Than Personal	37,890

Sub-Total Appropriation	\$567,184
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Grants and Subsidies:

State and local shares to match non-State fund grants:	
Economic Opportunity Programs	\$1,000,000
Training Programs	250,000
Youth Employment Program	1,444,600
State programs in aid of local agencies:	
Model cities assistance	2,163,600
Day care	1,049,400
Public Service Training: Internships	281,312
Housing and urban renewal demonstration projects:	
Revolving housing development and demonstration grant fund pursuant to Chapter 64, P. L. 1969	3,200,000
Urban renewal assistance not to exceed 50% of local share	800,000
Code enforcement and housing inspection	912,300
Relocation and down payment assistance	485,000
Neighborhood education centers pursuant to C. 18A:54A-1-7 et seq.	362,294
Municipal staff interchange assistance	18,000
For municipal aid, subject to enactment of enabling legislation providing assistance to cities with a minimum population of 15,000 and with other qualifying factors, in amounts not less than those paid during the fiscal year ending June 30, 1971, pursuant to Chapter 101, P. L. 1970, and in payment of not less than \$500,000. to the capital city for municipal services	25,000,000
County offices on aging pursuant to C. 40:23-6.38	108,000
Sub-Total Appropriation	\$37,074,506
Total Appropriation, Administrative Division	\$37,641,690

Appropriations made for State and Local Shares to Match Non-State Fund grants are hereby made available for expenditure contingent upon

receipt of not less than a like sum from Non-State Fund sources.

Notwithstanding the limitation that appropriations made for State and Local Shares to Match Non-State Fund grants are contingent upon not less than a like sum to be made available from non-State Fund sources, \$100,000 of the funds appropriated for economic opportunity programs shall be made available to aid communities and State government agencies for program development and research leading to applications for Federal and/or foundation grants and for experimental projects which may become eligible for Federal and/or foundation grants.

The funds herein appropriated are hereby made available for Relocation and Down Payment Assistance applicable to the fiscal year 1971-72 only; provided, however, that the Commissioner shall be empowered to continue existing contracts for rent supplements in accordance with the provisions of C. 52:27D-66.

The unexpended balance as of June 30, 1971, in this account, not to exceed \$400,000, is hereby appropriated.

Notwithstanding the limitation on Urban Renewal Assistance not to exceed 50% of local Share, any advances made under the provisions of C. 52:27D-50, which may subsequently be treated as a grant as therein provided, shall be disregarded in calculating the State 50% contribution toward the local share; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The amount hereinabove appropriated for Code Enforcement and Housing Inspection shall be payable from fees and fines derived therefrom and there are appropriated revenues from such fees and fines in excess of the amount hereinabove set forth for additional costs of operation; provided, however, that the expenditure

thereof shall be subject to transfers as prescribed in section 3 of this act.

801-150. *Interest on Bonds—State Aid*

Interest on State Housing Assistance Bonds— Chapter 127, P. L. 1968	\$116,800
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820-150. *Division of State and Regional Planning—State Aid*

Continuing Planning Assistance Program:

To assist municipalities with master plans to establish planning as a continuing process; provided, however, that the State share to a municipality with a population of less than 50,000 according to the 1970 census shall not exceed \$3,000 in any given year; and that the State share to a municipality with a population of 50,000 or more according to the 1970 census shall not exceed \$5,000 in any given year; and that the State 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	\$136,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated and none of the funds appropriated shall be available for expenditure unless matched by a participating local agency; provided, however, that said limitation shall be inapplicable to planning necessitated by the impact of any development or construction, or the removal thereof, by any State agency, State authority or Federal agency. All participating local agencies shall conform with technical standards and procedures established by, and be under contract with, the Department of Community Affairs.

Total Appropriation, Department of Community Affairs	\$37,894,490
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970-150. THE JUDICIARY

73000 *Judicial Affairs*

73100 Court Operations—State Aid:

For amounts to be paid to various counties representing 40% of the salaries of county court judges, pursuant to C. 2A:3-19	\$1,553,000
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Total Appropriation, The Judiciary	\$1,553,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The amount hereinabove appropriated shall be available for any deficiency as of June 30, 1971.

Total Appropriation, State Aid	\$971,161,618
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CAPITAL CONSTRUCTION

DEPARTMENT OF LAW AND PUBLIC SAFETY

110-170. *Division of Law*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

120-170. *Division of State Police*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

135-170. *Division of State Medical Examination*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

140-170. *Division of Motor Vehicles**Bureau of Vehicle Inspection*

Capital Construction:

Motor Vehicle Inspection Station, South Ocean County	\$103,000
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Total Appropriation, Division of Motor Vehicles	\$103,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated such sum as may be received from the sale or exchange of the Wilson Avenue site in Newark, acquired for a motor vehicle inspection station, for such other site in the City of Newark as may be obtained from the Housing Authority of Newark or the Newark Industrial Corporation which shall be used for the same purpose; provided, however, that said sum shall be applied only to the cost of an inspection station to be built in the City of Newark.

150-100. *Division of Weights and Measures*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated to the Division of State Police for construction of a Regional Crime Laboratory at Hammonton.

Total Appropriation, Department of Law and Public Safety	\$103,000
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DEPARTMENT OF THE TREASURY

210-170. *Administrative Division*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

230-170. *Division of Purchase and Property*

Capital Construction:

Roads and Approaches	\$65,000
Automatic Control Devices for Mechanical Equip- ment	235,000
Repair and Regild State House Dome	60,000
Spare Parts for Critical Laboratory Equipment ..	25,000

Total Appropriation, Division of Purchase and Property	\$385,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Department of the Treasury	\$385,000
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DEPARTMENT OF DEFENSE

340-170. *National Guard*

Capital Construction:

Replace Exterior Wall, Morristown Armory	\$47,000
Roads and Approaches	50,000

Total Appropriation, National Guard	\$97,000
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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 the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

The unexpended balance as of June 30, 1971 in this account 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.

346-170. *Division of Civil Defense*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Department of Defense	\$97,000
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DEPARTMENT OF PUBLIC UTILITIES . .

352-110, 170. *New Jersey Public Broadcasting Authority*

Capital Construction:

Redemption of Public Buildings Construction Bonds—Chapter 128, P. L. 1968	\$22,000
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Total Appropriation, Department of Public Utilities	\$22,000
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Such sums as may be received or receivable from the Federal government or received from private donations are appropriated for capital projects as the Authority may recommend and shall not be expended or contracted for without the approval of the Governor.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Office of the Commissioner*410-110, 111. *Redemption of Bonds*

Redemption of Water Development Bonds—Chapter 35, P. L. 1958	\$2,000,000
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Redemption of Recreation and Conservation Land Acquisition Bonds—Chapter 46, P. L. 1961	2,600,000
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Total Appropriation, Redemption of Bonds	\$4,600,000
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420-170. *Division of Natural Resources*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The proceeds derived from the sale or exchange, based upon fair market value, of State-owned land and marinas are hereby appropriated for the acquisition of other lands or for the construction of new buildings to be used by the Division of Natural Resources; provided, however, that expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

430-170. *Division of Water Policy and Supply*

Capital Construction:

Replace Shabakunk Creek Culvert	\$475,000
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Total Appropriation, Division of Water Policy and Supply	\$475,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The proceeds derived from the sale or exchange, based upon fair market value, of State-owned land and/or buildings heretofore acquired under C. 13:13 are hereby appropriated for the purpose of replacing Delaware and Raritan Canal maintenance service centers; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

*Division of Fish, Game and Shell Fisheries*450-470. *Hunters' and Anglers' License Fund*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

451-470. *Public Shooting and Fishing Grounds*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

490-170. *Division of Parks, Forestry and Recreation*

Capital Construction:

Forest, parks and recreational area development, land acquisition, and historic sites restoration including roads and approaches	\$3,550,000
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Total Appropriation, Division of Parks, Forestry and Recreation	\$3,550,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

The unexpended balance of the proceeds derived since July 1, 1962 from the sale or exchange, based upon the fair market value, of State-owned land heretofore acquired under Title 13 is hereby appropriated for the purpose described in Title 13 and particularly as set forth in C. 13:1-18; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Total Appropriation, Department of Environmental Protection	\$8,625,000
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DEPARTMENT OF EDUCATION

500-110. *Redemption of Bonds*

Redemption of Public Building Construction Bonds—Chapter 128, P. L. 1968	\$81,000
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Total Appropriation, Redemption of Bonds.	\$81,000
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500-170. *Commissioner's Office*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

530-170. *Division of the State Museum*

Capital Construction:

Exhibit Design and Fabrication	\$25,000
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Total Appropriation, Division of the State Museum	\$25,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

535-170. *Marie H. Katzenbach School for the Deaf*

Capital Construction:

Fire Detection System	\$28,000
Boiler Replacements	152,000

Total Appropriation, Marie H. Katzenbach School for the Deaf	\$180,000
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The unexpended balance as of June 30, 1971 in this
account is hereby appropriated.

Total Appropriation, Department of Educa- tion	\$286,000
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DEPARTMENT OF HIGHER EDUCATION

*Office of the Chancellor*540-111, 112. *Redemption of Bonds*

Redemption of State Higher Education Bonds— Chapter 10, P. L. 1959	\$7,000,000
Redemption of State Higher Education Construc- tion Bonds—Chapter 142, P. L. 1964	1,000,000
Redemption of State Public Building Construction Bonds—Chapter 128, P. L. 1968	600,000

Total Appropriation, Redemption of Bonds.	\$8,600,000
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541-900. *State Higher Education Fund*

The earnings derived from the investment or rein-
vestment of the proceeds of the sale of bonds
received in the State Higher Education Fund as
provided under section 2, Chapter 176, P. L. 1959,
not to exceed so much thereof as may be necessary
for architectural inspection and supervising ser-
vices, are hereby appropriated in connection with
the State higher education construction pro-
gram; provided, however, that the expenditure
thereof shall be subject to transfers approved as
prescribed in section 3 of this act.

The unexpended balance as of June 30, 1971 in the State Higher Education Fund is hereby appropriated for the purposes defined in Chapter 176, P. L. 1959.

542-900. *1964 Higher Education Construction Fund*

The unexpended balance as of June 30, 1971 in the 1964 Higher Education Construction Fund is hereby appropriated for the purposes defined in Chapter 223, P. L. 1964.

570-170. *Rutgers, The State University*

Capital Construction:

Redemption of Mortgage	\$250,000
Field House—First Stage	250,000

Total Appropriation, Rutgers, The State University	\$500,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

572-170. *Agricultural Experiment Station*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

573-170. *College of Medicine and Dentistry of New Jersey*

Capital Construction:

Newark Center—	
Martland Hospital Improvements	\$4,000,000

Total Appropriation, College of Medicine and Dentistry of New Jersey	\$4,000,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

594-170. *State College Construction*

Capital Construction:

Advance Planning and Design	\$250,000
Roads and Approaches	250,000

Total Appropriation, State College Construction	\$500,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the Public Buildings Construction Fund an amount of \$800,000 for a project to extend utility lines at The William Paterson College of New Jersey.

Total Appropriation, Department of Higher Education	\$13,600,000
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612-100. DEPARTMENT OF TRANSPORTATION

61000 *Construction of Transportation Facilities*61100 *State and Local Highway Systems—
State Highway Construction*

Capital Construction:

61101 Federal Aid Interstate Highway Projects (90-10)	\$12,225,000
61102 Federal Aid Primary—Urban Highway Projects (50-50)	4,475,000
61104 Special Federal Aid Primary Projects (50-50)	1,025,000

Sub-Total Appropriation, Projects	\$17,725,000
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61109 Highway Construction Engineering:

Salaries	\$21,250,000
Officers and employees	(\$21,250,000)
Materials and Supplies	243,000
Services Other Than Personal	2,159,000

Maintenance of Property:	
Recurring	15,000
Non-Recurring and Replacements	22,000
Additions and Improvements	20,000
Sub-Total Appropriation	\$23,709,000
<i>Less:</i>	
<i>Portion of Federal Aid Receivable which is ap- plicable to highway construction engineering costs</i>	—8,000,000
<i>Less:</i>	
<i>Costs attributable to highway construction engi- neering for bond issue projects</i>	—7,600,000
Sub-Total Appropriation, Highway Construc- tion Engineering	\$8,109,000
Sub-Total, State and Local Highway Systems —State Highway Construction	\$25,834,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the State Transportation Fund the sum of \$7,600,000 for costs attributable to highway construction engineering for bond issue projects.

In addition to the amounts hereinabove appropriated for 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 Port Authority, the Port of New York Authority, the Atlantic City Expressway Authority, and local government jurisdictions, for construction purposes.

The amount provided herein for State highway construction shall be set forth in a construction pro-

gram, by route number within the Program Elements of the appropriation, by the Commissioner of Transportation and shall not be expended or contracted for without the approval of the Governor.

From the amount provided herein for the construction of the State highway system and the purchase of right-of-way, there may be allocated such amounts as the Commissioner may determine for personal services, by contract or, in lieu thereof, by State employees for engineering, design, research, construction, right-of-way acquisition or other costs related to the construction program; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

Of the sum provided herein for Federal Aid Participation, not more than \$1,500,000 may be used for non-participating portions of projects; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

From sums appropriated herein to the Department there shall be available a sum not to exceed \$100,000 for a pedestrian bridge located at Highway 202 and First Avenue in the Borough of Raritan, County of Somerset.

61300 Transportation Buildings and Land:

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

61400 Redemption of Bonds:

Redemption of Highway Improvement Bonds—	
Chapter 288, P. L. 1930	\$665,000
Redemption of State Transportation Bonds—	
Chapter 126, P. L. 1968	1,500,000

Sub-Total Appropriation, Redemption of Bonds	\$2,165,000
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Any appropriation herein or heretofore made for redemption of State Transportation bonds issued

for projects and programs within the purview of C. 54:8A-1 et seq. (Emergency Transportation Tax Act) shall first be charged to the Transportation Fund established in such act.

Total Appropriation, Department of Transportation	\$27,999,000
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DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-110, 113, 114. *Redemption of Bonds*

Redemption of Institution Construction Bonds— Chapter 156, P. L. 1960	\$1,800,000
Redemption of Institution Construction Bonds— Chapter 144, P. L. 1964	1,000,000
Redemption of Public Building Construction Bonds —Chapter 128, P. L. 1968	297,000
Total Appropriation, Redemption of Bonds	\$3,097,000

700-170. *Division of Business Management*

Capital Construction:	
Roads and approaches	\$100,000
Advance planning and design	300,000
Total Appropriation, Division of Business Management	\$400,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

700-171. *Division of Community and Professional Services*

Capital Construction:	
Miscellaneous capital construction	\$50,000
Total Appropriation, Division of Community and Professional Services	\$50,000

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

*Division of Public Welfare*717-170. *Bureau of Children's Services*

The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

730-170. *Division of Correction and Parole*

Capital Construction:

Miscellaneous capital construction	\$81,000
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Total Appropriation, Division of Correction and Parole	\$81,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the Public Buildings Construction Fund the sum of \$158,000 to provide equipment for facilities constructed with the proceeds of the 1968 bond issue.

760-170. *Division of Mental Retardation*

Capital Construction:

Airconditioning cottages, Woodbridge State School	\$35,000
Miscellaneous capital construction	404,000

Total Appropriation, Division of Mental Re- tardation	\$439,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the Public Buildings Construction Fund the sum of \$473,000 to provide equipment for facilities constructed with the proceeds of the 1968 bond issue.

770-170. *Division of Mental Health and Hospitals*

Capital Construction:

Miscellaneous capital construction	\$215,000
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Total Appropriation, Division of Mental Health and Hospitals	\$215,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

There is hereby appropriated from the Public Buildings Construction Fund a sum of \$119,000 to provide equipment for facilities constructed with the proceeds of the 1968 bond issue.

Total Appropriation, Department of Institutions and Agencies	<u>\$4,282,000</u>
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MISCELLANEOUS EXECUTIVE COMMISSIONS

911-170. *Palisades Interstate Park Commission*

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with the unexpended balances from such revenues as of June 30, 1971, are hereby appropriated for maintenance of such stations, for capital projects and for extraordinary maintenance.

In addition to the amounts hereinabove appropriated for capital construction at the New Jersey portion of the Palisades Interstate Park, there are hereby appropriated such sums as may be received or receivable from the Federal government for capital construction purposes.

914-170. *Delaware River Basin Commission*

Capital Construction:

To reimburse the Federal Government, when required, for funds advanced during construction of multi-purpose dams in the Delaware River Basin at Beltsville, Blue Marsh and Tocks Island, known as DRBC Group Project No. 1, for which New Jersey's share of the water supply portion thereof is anticipated to be \$51,550,000 including \$26,116,000, for construction and \$25,434,000 for interest to be repaid to the Federal Government over a 55-year period; provided that the appropriation herein made shall be applied to the cost thereof and shall be

deemed to be a token of the State's intent to consider participation in and acceptance of the long-range plan of the Delaware River Basin Commission as described in the proposed capital budget of the Commission for the fiscal year 1971-72 adopted August 14, 1970	\$1,000
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The unexpended balance as of June 30, 1971 in this account is hereby appropriated.

Total Appropriation, Miscellaneous Executive Commissions	1,000
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Total Appropriation, Capital Construction ..	\$55,400,000
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Grand Total Appropriation	\$1,779,268,006
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2. In addition to the amounts hereinabove specifically appropriated, there are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, the following: sums required to refund amounts credited to the State Treasury which do not represent State revenues; Federal and other non-State funds received or receivable for the use of the State or its agencies in excess of those anticipated; funds donated to the Crippled Children's Commission; sums received representing insurance to cover losses by fire and other casualties; sums received by any State department or agency from the sale of equipment, when such sums 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.

3. In order that there be flexibility in the handing of appropriations, any department or 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.

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, social security tax, health benefits, debt service, charges for rents, telephone, insurance and postage to credit or transfer to the Department of the Treasury, or to the General State Fund, as applicable, from any other department or branch, out of funds appropriated thereto, such sums as may be required to cover the costs of such payment attributable to such other department or branch, as the Director of the Division of Budget and Accounting shall determine.

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.

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 Division of Building and 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.

8. The Director of the Division of Budget and Accounting is empowered to establish revolving funds, as required, subject to the approval of the Legislative Budget and Finance Director.

9. The Director of the Division of Budget and Accounting is empowered to transfer or credit to the Bureau of Data Processing from any appropriation made to any department for data processing costs which had been appropriated or allocated to such departments for their share of costs of the Bureau of Data Processing.

10. Upon request of any department receiving non-State funds, the Director of the Division of Budget and Accounting is empowered to transfer such funds from that department to other departments as may be charged with the responsibility for the expenditure thereof.

11. 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 the rules and regulations established by said Director. 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 disbursement from petty cash funds.

12. 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.

13. The State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay any 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. The Director of the Division of Budget and Accounting, upon the recommendation of the Attorney General and with the approval of the Legislative Budget and Finance Director, may waive any claim not exceeding \$25 due and owing to the State.

14. There are hereby appropriated the unexpended balances as of June 30, 1971 in the accounts of the several departments and agencies heretofore appropriated or established in the categories of Maintenance of Property: Non-Recurring and Replacements, and Additions and Improvements, with the exception of office and vehicular equipment, where such unexpended balances exceed \$100; provided, however, that the expenditure thereof shall be subject to transfers approved as prescribed in section 3 of this act.

15. Any change by the Department of Institutions and Agencies in the standards upon which or from which grants of categorical public assistance are determined, shall first be approved by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

16. Federal grant and project receipts, representing reimbursement for agency and central support services, indirect and administrative costs, shall be transmitted to the Department of the Treasury for credit to the General State Fund. Such receipts shall be forwarded to the Director of the Division of Budget and Accounting upon completion of the project or at the end of the fiscal year, whichever occurs earlier.

17. This act shall take effect July 1, 1971.

Approved June 24, 1971.

CHAPTER 241

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, 1971, and regulating the disbursement thereof,” approved June 15, 1970 (c. 96, P. L. 1970).

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:

GENERAL STATE OPERATIONS

DEPARTMENT OF LAW AND PUBLIC SAFETY

*Division of Motor Vehicles*140-108. *Bureau of Agencies*

Supplemental requirement for fiscal year 1970-71 to reimburse the Bureau of State Use Industries for the manufacture of reflectorized license plates . . .	\$945,968
Total Appropriation, Department of Law and Public Safety	<u>\$945,968</u>

DEPARTMENT OF HIGHER EDUCATION

573-100. *College of Medicine and Dentistry of New Jersey*

Extraordinary—

Supplemental requirement for fiscal year 1970-71 for operating expenses of Martland Hospital, College of Medicine and Dentistry of New Jersey	\$2,100,000
Total Appropriation, Department of Higher Education	<u>\$2,100,000</u>

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Administration—General*

Funds received from the sale of recovered silver from used X-ray fixer solution are appropriated to the Patients' Welfare Fund of the several institutions.

DEPARTMENT OF COMMUNITY AFFAIRS

802-100. *Hackensack Meadowlands Development Commission*

Extraordinary —

Supplemental requirement for fiscal year 1970-71 for appraisals, agreements, and expenses	\$50,000
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Total Appropriation, Department of Community Affairs	\$50,000
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CLAIMS

DEPARTMENT OF LAW AND PUBLIC SAFETY

150-100. *Division of Weights and Measures*

Whelan Mfg. Co., Inc., 50 Brook Street, Trenton, N. J., c/o Officer of Corporation, for property damages while gravity tests were being made on adjacent building	\$1,651.43
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DEPARTMENT OF THE TREASURY

230-100. *Division of Purchase and Property*

For supplementary payments in lieu of taxes for properties within Ewing Township for the years 1960-1968 inclusive	\$74,577.44
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240-100. *Division of Taxation*

Vincent R. Stolowski, West State and Willow Streets, Trenton, N. J. 08625, for professional services rendered in connection with the defense of charges made against him while a State employee, payable from funds appropriated to the department, \$1,500.00.

DEPARTMENT OF HEALTH

360-105. *Division of Constructive Health*

Michael McConnell, son of James and Regina McConnell, c/o Greenstone and Greenstone, Esquires, 744 Broad Street, Newark, N. J. 07102, for personal injuries sustained by the infant resulting in mental retardation \$35,000.00

DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Division of Fish, Game, and Shell Fisheries*451-400. *Public Shooting and Fishing Grounds*

Township of Sandyston, Sussex County, N. J., c/o Hixon Spangenburg, Esquire, Township Clerk, Layton, N. J., for payment in lieu of taxes for certain Fish and Game properties that lie within the Township, payable from funds appropriated for Public Shooting and Fishing Grounds, \$2,500.00.

490-100. *Division of Parks, Forestry and Recreation*

Geneva M. Brinley, c/o Madnick, Milstein and Mason, Esquires, 500 Cookman Avenue, Asbury Park, N. J., for injuries received while visiting Allaire State Park \$3,079.94

Thomas F. Wood, Sr. \$675.73; Helen Wood, \$229.00; Ronald Wood, \$32.00; Nancy Wood, \$7.00; Timothy Wood, \$7.00; Thomas Wood, Jr., \$31.00; Brenda Wood, \$75.75; Deborah Dickson, \$61.60; Bonnie Dickson, \$32.00; Richard Dickson, \$7.00; and Raymond Dickson, \$7.00; c/o Goldsmith and Land, Esquires, 1421 Atlantic Avenue, Atlantic City, N. J., for personal injuries and property damage received while crossing a bridge which collapsed in the Wharton State Park \$1,165.08

DEPARTMENT OF TRANSPORTATION

610-100. *Division of Maintenance and Equipment*

Audubon Mutual Housing Corporation, Audubon Park, N. J. 08106, c/o Officers of Corporation,

for losses incurred due to leaks in the joints of a storm drain constructed by the department, to be paid from funds appropriated to the department, \$647.00.

Irving Klein, 2306 DeWitt Terrace, Linden, N. J. 07036, for damages to his automobile resulting from extended manhole covers during resurfacing, to be paid from funds appropriated to the department, \$435.41.

Lydon Brothers, Inc., Hackensack, N. J., c/o Samuel A. Gennet, Esquire, 60 Park Place, Newark, N. J. 07102, for damages to his automobile resulting from a falling steel light pole, payable from funds appropriated to the department, \$834.54.

John T. Mackenzie, 10 Garden Street, Lincoln Park, N. J., for damage to his automobile and injuries to his daughters caused by a closing bridge gate on the Thomas Mathis Bridge, payable from funds appropriated to the department, \$930.00.

Stanley and Cecile Richkus, 585 Route 22, Hillside, N. J., c/o Harry G. Hyra, Esquire, 1314 Liberty Avenue, Hillside, N. J. 07205, for damages resulting from the improper installation of a storm drain, payable from funds appropriated to the department, \$945.00.

Alberta Fenwick, c/o Edward H. Saltzman, Esquire, 64 Hamilton Street, Paterson, N. J. 07505, exclusively for personal injuries and medical expenses resulting from an accident on the Hillary Street Bridge in West Paterson, N. J., payable from funds appropriated to the department, \$2,030.00.

612-100. *Construction of State Highway System*

John W. Borino, M.D., Shades of Death Road, Allamuchy, N. J., c/o Jack I. Doppelt, Esquire, 111 Clinton Avenue, Newark, N. J., for property damage resulting from a heavy flow of water from an open drain, to be paid from funds appropriated for the Construction of State Highway System, \$2,089.75.

Brookfield Construction Company, 521 Fifth Avenue, New York, N. Y., c/o Thomas C. Mitchell, Esquire, 11 Patton Drive, East Brunswick, N. J., for losses incurred in the construction of Route 80, Section 5-S, to be paid from funds appropriated for the Construction of State Highway System \$220,355.17
 Plus interest at 3% 6,610.66

Total \$226,965.83

P. T. & L. Construction Company, Inc., 500 Route 17, Paramus, N. J. 07652, c/o Theodore W. Geiser, Hughes McElroy, Connell, Foley and Geiser, 24 Commerce Street, Newark, N. J., for liquidated damages in the construction of a portion of Route 80, Section 4-G, to be paid from funds appropriated for the Construction of State Highway System \$113,671.46
 Plus interest at 3% 3,410.14

Total \$117,081.60

DEPARTMENT OF INSTITUTIONS AND AGENCIES

731-100. *State Prison, Trenton*

Frank J. Conforti, c/o State Prison, Trenton, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$52.83.

Robert Errickson, Jr., c/o State Prison, Trenton, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$24.95.

Billy McQueen, c/o State Prison, Trenton, N. J., for injuries received while washing windows, payable after release from the institution, from funds appropriated to the department, \$100.00.

Gabriel Vega, c/o State Prison, Trenton, N. J., for injuries received while working at the Jones Farm, payable after release from the institution,

from funds appropriated to the department, \$562.50.

732-100. *State Prison, Rahway*

John Graham, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$276.90.

Howard Hackley, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$100.00.

Robert Harvin, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$59.40.

Gregory Rowe, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$36.95.

P. J. Saarloss, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$69.95.

John Taylor, c/o State Prison, Rahway, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$62.50.

733-100. *State Prison, Leesburg*

Firman G. Davis, c/o State Prison, Leesburg, N. J., for loss of personal property, payable forthwith, from funds appropriated to the department, \$79.95.

William W. Hallamore, c/o State Prison, Leesburg, N. J., for injuries received while working in the laundry at Ancora Psychiatric Hospital, payable after release from the institution, from funds appropriated to the department, \$225.00.

Edward Williams, c/o State Prison, Leesburg, N. J., for injuries received while on work assignment to Ancora Psychiatric Hospital, payable after release from the institution, from funds appropriated to the department, \$206.25.

738-100. *Youth Correctional Institution, Annandale*

James M. O'Bryon, c/o Hauck and McIntyre, Esquires, 39 Main Street, Clinton, N. J. 08809, for injuries received while in custody and to provide for medical treatment, payable forthwith, from funds appropriated to the department, \$500.00.

MISCELLANEOUS EXECUTIVE COMMISSIONS

911-100. Palisades Interstate Park Commission

For loss of tax revenues for local purposes from lands owned by Palisades Interstate Park Commission:

Borough of Alpine	\$16,300.00	
Borough of Englewood Cliffs	25,200.00	
Borough of Fort Lee	19,500.00	
		\$61,000.00
Total Claims		\$176,473.89
Total Supplemental Appropriation		\$3,272,441.89

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 except as to items set forth in the statement appended hereto dated June 24, 1971.

STATEMENT ON SENATE BILL No. 2201

Pursuant to Article V, Section I, paragraph 15 of the Constitution, I am appending to Senate Bill No. 2201 at the time of signing it this statement of the items, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

On pages 4 and 5:

“612-100. CONSTRUCTION OF STATE HIGHWAY SYSTEM

“Brookfield Construction Company, 521 Fifth Avenue, New York, N. Y., c/o Thomas C. Mitchell, Esquire, 11 Patton Drive, East Brunswick, N. J., for losses incurred in the construction of Route 80, Section 5-S, to be paid from funds appropriated for the Construction of State Highway System		\$220,355.17
Plus interest at 3%		6,610.66
Total		\$226,965.83”
“P. T. & L. Construction Company, Inc., 500 Route 17, Paramus, N. J. 07652, c/o Theodore W. Geiser, Hughes McElroy, Connell, Foley and Geiser, 24 Commerce Street, Newark, N. J., for liquidated damages in the construction of a portion of Route 80, Section 4-G, to be paid from funds appropriated for the Construction of State Highway System		\$113,671.46
Plus interest at 3%		3,410.14
Total		\$117,081.60”

These items are deleted in their entirety.

Senate Bill No. 2201 is a supplemental appropriation bill for the fiscal year ending June 30, 1971. The bill provides for supplemental appropriations to several departments of State government for certain claims made against the State. Included among the claims are the above-mentioned claims of Brookfield Construction Company and P. T. & L. Construction Company, Inc. These two claims, which represent in excess of \$300,000, have been disapproved in the past, twice by Governor Hughes and once by me. The disapproval of these claims was not related to the relative merits of the claims but rather because the Legislature had not adopted minimum standards of equitable due process for both claimants and the State. Most reluctantly, I feel it is my obligation to disapprove these two claims again at this time.

The subcommittee on claims has attempted to cull out from the record of each of these claims what it regards as the salient facts in support of its decision to approve the claims in the amounts specified in the bill. I commend the subcommittee itself on its efforts to set forth its basis for decision with respect to these claims.

However, the record relied on by the subcommittee necessarily was the record which was made substantially when the claims were first considered by the committee several years ago. This record was made within a procedural framework which fails to provide the minimum standard of equitable due process which must be the cornerstone of any judicial or quasijudicial proceeding.

Notwithstanding the conclusions of the subcommittee with respect to these claims, the Department of Transportation opposes the payment of these claims in the amounts approved by the subcommittee. While I recognize that the subcommittee had the benefit of the position of the Department when it first heard the claim, I cannot ignore the advice of my staff completely at this time. It is significant to note that last year four contested claims, including the two now under consideration, were disapproved by me. Two of these claims were settled to the satisfaction of the Department of Transportation and the claimants during the past year. The fact that settlement was reached in these matters indicates to me that there is some common ground on which the two remaining contested claims might be resolved through negotiation by the parties involved.

The Legislature has not yet proposed a procedure for dealing with claims against the state. A commission composed of eight Senators and Assemblymen was created by Senate Concurrent Resolution No. 30 and is working towards a solution to this problem. In addition, the Attorney General has this matter under study and is preparing an exhaustive report which will be made available to the legislative commission. I am certain that the work of the commission and the Attorney General will result in a modernization of the claims procedure in New Jersey. In the meantime, it has been necessary to extend the interim moratorium on instituting suits against the State to April 1, 1972. I urge the Legislature to utilize this time to bring to fruition a new procedure which will treat all claims against the State in a manner which is fair to both the claimants and the State. I would hope that when such new procedures are adopted, these two claimants will be able to obtain a prompt determination of their claims if they are still outstanding at that time.

Respectfully,

WILLIAM T. CAHILL,
Governor.

[SEAL]
Attest:

JEAN E. MULFORD,
Acting Secretary to the Governor.

CHAPTER 242

AN ACT to repeal “An act authorizing payments to the city of Trenton as State aid for municipal services to be rendered to the State and making appropriation therefor,” approved March 29, 1971 (P. L. 1971, c. 65).

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

1. Chapter 65 of P. L. 1971 is hereby repealed.
2. This act shall take effect immediately.

Approved June 24, 1971.

CHAPTER 243

AN ACT to repeal section 22 of “An act authorizing the Commissioner of Education to enter into contracts for the purchase of secular educational services from nonpublic schools in this State and making an appropriation therefor,” approved October 26, 1970 (P. L. 1970, c. 235).

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

1. Section 22 of P. L. 1970, c. 235 is hereby repealed.
2. This act shall take effect immediately.

Approved June 24, 1971.

CHAPTER 244

AN Act to amend “An act concerning electrical contracting, providing for the regulation thereof, establishing a board of electrical examiners and making an appropriation,” approved August 30, 1962 (P. L. 1962, c. 162), and supplementing chapter 7 of Title 48 of the Revised Statutes.

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

1. Section 16 of P. L. 1962, c. 162 (C. 45:5A-16) is amended to read as follows:

C. 45:5A-16 Refusal to grant, suspension, revocation, or refusal to renew license or business permit; grounds; charges; hearing.

16. The board may refuse to grant, or may suspend, revoke or refuse to renew any license or business permit if the holder has:

(a) secured such license or business permit by misrepresentation;

(b) failed to maintain the qualifications required by this act or demonstrated a level of competence manifestly inconsistent with retention of the license or business permit in question;

(c) engaged in fraudulent business activities or in misleading advertising practices;

(d) violated a provision of this act;

(e) committed an act of gross negligence or condoned such an act by an employee of his;

(f) failed to adequately and properly supervise employees in compliance with recognized safety standards;

(g) failed to secure inspection of electrical construction by an inspection authority approved by the Board of Public Utility Commissioners or otherwise provided by law; or

(h) failed to perform electrical construction in conformance with standards of the National Electrical Code then in effect and the standards, if any, of the municipality wherein such work is performed.

Any person may prefer charges as set forth above against any licensee or permit holder. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges unless dismissed by the board as unfounded or trivial shall be heard by the board after completing any necessary investigation. The time and place for the hearing shall be fixed by the board and a copy of the charges together with a notice of the time and place of hearing shall be personally served on or mailed to the last known address of the licensee at least 30 days before the date fixed for the hearing. At any hearing the accused licensee or permit holder shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense. No license or business permit shall be suspended or revoked except upon the agreement of at least four members of the board.

An applicant whose license or business permit has been revoked may become eligible not earlier than 1 year from the date of said revocation for a new license or business permit upon meeting all of the requirements of this act and, in the case of an application for a license, upon the satisfactory completion of an examination as herein provided.

C. 48:7-14 Approval of electrical inspection authorities.

2. The Board of Public Utility Commissioners of the Department of Public Utilities shall approve all electrical inspection authorities for inspection of electrical construction work by an electrical contractor licensed under the provisions of P. L. 1962, c. 162. The Board of Public Utility Commissioners is authorized to promulgate all rules and regulations necessary to effectuate the purposes of this act.

C. 48:7-15 Acceptance of approved inspection agencies.

3. All electrical inspection agencies approved by the Public Utilities Commission shall be accepted by electrical utilities for electrical inspection work in the State of New Jersey.

4. This act shall take effect immediately.

Approved June 24, 1971.

CHAPTER 245

AN ACT authorizing the Port of New York Authority to provide access by mass transportation facilities to air terminals, amending "An act to facilitate the financing and effectuation of air terminals by the Port of New York Authority and agreeing with the State of New York with respect thereto," approved April 2, 1947 (P. L. 1947, c. 43), and authorizing the Port of New York Authority to acquire real property by condemnation or the right of eminent domain for and in connection with such mass transportation facilities.

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

C. 32:1-35.20 Findings of States of New York and New Jersey.

1. The States of New York and New Jersey hereby find and determine:

(1) Each air terminal within the Port of New York district serves the entire district, and the problem of furnishing proper and adequate air terminal facilities within the district is a regional and interstate problem;

(2) Access by land travel to the great airports serving the Port of New York district, particularly John F. Kennedy International and Newark Airports, is becoming increasingly difficult, and such access is necessary for the continued development of such airports which development is vital and essential to the preservation of the economic well-being of the Northern New Jersey- New York Metropolitan area;

(3) Additional highway construction to serve these great airports is not feasible and creates severe problems in terms of increased air pollution and the preemption of land which might otherwise be devoted to park purposes and other desirable uses;

(4) Access to these airports by railroads or other forms of mass transportation must be undertaken if they are to maintain their preeminence and continue to serve the economic well-being of the Northern New Jersey-New York Metropolitan area;

(5) Such mass transportation facilities may properly be regarded as constituting a part of each air terminal, the development

of which should be the responsibility of those charged with the duties of air terminal development;

(6) It is the purpose of this act to authorize and direct the Port of New York Authority to undertake this responsibility specifically with respect to John F. Kennedy International and Newark Airports in order to preserve and develop the economic well-being of the Northern New Jersey-New York Metropolitan area, and such an undertaking is found and determined to be in the public interest.

2. P. L. 1947, c. 43, s. 3 (C. 32:1-35.3) is amended to read as follows:

C. 32:1-35.3 Definitions.

3. The following terms as used herein shall mean:

“Air terminals” shall mean developments consisting of runways, hangars, control towers, ramps, wharves, bulkheads, buildings, structures, parking areas, improvements, facilities or other real property necessary, convenient or desirable for the landing, taking off, accommodation and servicing of aircraft of all types, including but not limited to airplanes, airships, dirigibles, helicopters, gliders, amphibians, seaplanes, or any other contrivance now or hereafter used for the navigation of or flight in air or space, operated by carriers engaged in the transportation of passengers or cargo, or for the loading, unloading, interchange or transfer of such passengers or their baggage, or such cargo, or otherwise for the accommodation, use or convenience of such passengers, or such carriers or their employees (facilities and accommodations at sites removed from landing fields and other landing areas, however, except as otherwise provided in this section, to be limited to ticket stations and passenger stations for air passengers, to express and freight stations for air express and air freight, and to beacons and other aids to air navigation), or for the landing, taking off, accommodation and servicing of aircraft owned or operated by persons other than carriers. It shall also mean facilities providing access to an air terminal, consisting of rail, rapid transit or other forms of mass transportation which furnish a connection between the air terminal and other points in the port district, including appropriate mass transportation terminal facilities at and within the air terminal itself and suitable offsite facilities for the accommodation of air passengers, baggage, mail, express, freight and other users of the connecting facility.

“Air terminal bonds” shall mean bonds issued by the port authority for air terminal purposes.

“Air terminal purposes” shall mean the effectuation, establishment, acquisition, construction, rehabilitation, improvement, maintenance or operation of air terminals owned, leased or operated by the Port of New York Authority (including airports operated under revocable permits) or operated by others pursuant to agreements with the port authority.

“Bonds” shall mean bonds, notes, securities or other obligations or evidences of indebtedness.

“General Reserve Fund” shall mean the general reserve fund of the Port Authority authorized by chapter 48 of the laws of New York of 1931 as amended, and chapter 5 of the laws of New Jersey of 1931, as amended.

“General Reserve Fund statutes” shall mean chapter 48 of the laws of New York of 1931 as amended, and chapter 5 of the laws of New Jersey of 1931, as amended.

“Municipality” shall mean a county, city, borough, village, township, town, public agency, public authority or political subdivision.

“Real property” shall mean lands, structures, franchises and interests in land, including air space and air rights, waters, lands under water and riparian rights, and any and all things and rights included within the said term, and includes not only fees simple absolute but also any and all lesser interests, including but not limited to easements, rights of way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years and liens thereon by way of judgments, mortgages or otherwise.

C. 32:1-35.21 Authorization to undertake certain air terminal facilities.

3. In furtherance of the aforesaid findings and determinations and in partial effectuation of the comprehensive plan heretofore adopted by the two States for the development of terminal and transportation facilities in the Port of New York district, the Port of New York Authority is hereby specifically authorized to undertake pursuant to chapter 43 of the laws of New Jersey of 1947, as amended, and chapter 802 of the laws of New York of 1947, as amended, the following air terminal facilities to provide access to Newark Airport and John F. Kennedy International Airport:

(a) Access to Newark Airport.

A new railroad line connecting Newark Airport to existing rail and terminal facilities in the city of Newark and extending from said airport generally southward to the main line of the Central Railroad of New Jersey in the city of Elizabeth, and thence generally westward along said mainline to the township of Cran-

ford, including (i) appropriate mass transportation terminal facilities at and within the said airport; (ii) construction, reconstruction and improvement of necessary stations in Newark, Elizabeth, Roselle, Roselle Park and Cranford, together with other suitable offsite facilities for the accommodation of air passengers, baggage, mail, express, freight and other users of the connecting facility; and (iii) such additional rail, terminal, storage and service facilities as efficient operations may require.

(b) Access to John F. Kennedy International Airport.

A new railroad line connecting John F. Kennedy International Airport to the main line of the Long Island Railroad in the county of Queens, including (i) a spur or branch to the Montauk line of the said railroad in the said county; (ii) appropriate mass transportation terminal facilities at and within the said airport; (iii) suitable offsite facilities for the accommodation of air passengers, baggage, mail, express, freight and other users of the connecting facility; and (iv) such additional rail, terminal, storage and service facilities as operations may require.

The States of New Jersey and New York recognize that the integration of air terminals in the port district in a unified system requires the development of the aforesaid access facilities at both John F. Kennedy International Airport and Newark Airport, and it is the intent of the two States that the access facilities to both airports shall proceed as a single port development project.

C. 32:1-35.22 Authorization to acquire real property.

4. The Port of New York Authority is hereby authorized and empowered to acquire real property located within the port district by condemnation or the right of eminent domain pursuant to and in accordance with the provisions of chapter 43 of the laws of New Jersey of 1947, as amended, and chapter 802 of the laws of New York of 1947, as amended, for and in connection with the undertaking of the air terminal access facilities set forth in section 3 of this act. Such authorization and power to acquire real property by condemnation or the right of eminent domain may not be exercised in connection with the undertaking of access facilities, other than the access facilities set forth in section 3 of this act, unless authorized by the laws of the state in which such facilities are to be located.

5. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with this act, but if the State of New York has already enacted such legislation, this act shall take effect immediately.

Approved June 24, 1971.

CHAPTER 246

AN ACT concerning credit cards and supplementing Title 17 of the Revised Statutes.

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

C. 17:10A-1 Definitions.

1. As used in this act:

(a) "Credit card" means any instrument or device, whether known as a credit card, credit plate, or by any other name, issued with or without fee by a card issuer for the use of the cardholder in obtaining money, goods, services, or any thing else of value, either on credit or in consideration of an undertaking or guaranty by the issuer of the payment of check drawn by the cardholder.

(b) "Accepted credit card" means any credit card which the cardholder requested in writing or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit. A renewal or replacement credit card shall be deemed to be accepted if it is issued by the issuer or the predecessor of the issuer and previously applied for, or used or paid for by the person to whom issued. A credit card issued in connection with a merger, acquisition, or the like of card issuers or credit card services in substitution for an accepted credit card shall be deemed to be an accepted credit card.

(c) "Card issuer" means the business organization or financial institution which issues a credit card, or its duly authorized agent.

(d) "Cardholder" means the person or organization identified on the face of a credit card to whom or for whose benefit the credit card is issued by a card issuer.

(e) "Unauthorized use" means a use of a credit card by a person, other than the cardholder, who does not have actual, implied, or apparent authority for such use and from which use the cardholder receives no benefit.

(f) "Adequate notice" means a printed notice to a cardholder which sets forth the pertinent facts clearly and conspicuously so that a cardholder could reasonably be expected to have noticed it and

understood its meaning. Such notice may be given to a cardholder by printing the notice on any credit card, or on each periodic statement of account, issued to the cardholder, or by any other means reasonably assuring the receipt thereof by the cardholder.

C. 17:10A-2 Unauthorized use of credit card prior to acceptance.

2. No cardholder shall be liable for the unauthorized use of a credit card which has not become an accepted credit card.

C. 17:10A-3 Unauthorized use of accepted credit card prior to notice to issuer of loss or theft; maximum liability.

3. No cardholder of an accepted credit card shall be liable for the unauthorized use of such card unless such unauthorized use occurs before the cardholder has notified the card issuer by telegraph, letter, a telephone call confirmed promptly by letter or any other reasonable means that the credit card has been lost or stolen. No cardholder shall be liable under this section to a card issuer with respect to a credit card, including any duplicates thereof, for any amount in excess of \$50.00.

C. 17:10A-4 Liability for unauthorized use of credit card when notice of loss or theft is not given; conditions.

4. A provision to impose liability on a cardholder of an accepted credit card for the unauthorized use of a credit card when notice of loss or theft is not given pursuant to section 3 is effective only if the card issuer has given adequate notice to the cardholder of the potential liability and the card issuer has provided the cardholder with a self-addressed, prestamped notification to be mailed by the cardholder in the event of the loss or theft of the credit card.

C. 17:10A-5 Statement of fees, charges and penalties.

5. Whenever fees, charges, or penalties are assessed against a cardholder for the use of a credit card, the card issuer shall separately state and label all such fees, charges and penalties.

6. This act shall take effect immediately.

Approved June 29, 1971.

CHAPTER 247

AN ACT concerning consumer fraud, amending and supplementing chapter 39 of the laws of 1960, and amending chapter 39 of the laws of 1966 and chapter 97 of the laws of 1967.

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

1. Section 2 of P. L. 1960, c. 39 (C. 56:8-2) is amended to read as follows:

C. 56:8-2 Fraud, etc., in connection with sale or advertisement of merchandise as unlawful practice.

2. The act, use or employment by any person of any unconscionable commercial practice, deception, fraud, false pretense, false promise, misrepresentation, or the knowing, concealment, suppression, or omission of any material fact with intent that others rely upon such concealment, suppression or omission, in connection with the sale or advertisement of any merchandise or with the subsequent performance of such person as aforesaid, whether or not any person has in fact been misled, deceived or damaged thereby, is declared to be an unlawful practice; provided, however, that nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein such advertisement appears, or to the owner or operator of a radio or television station which disseminates such advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser.

2. Section 8 of P. L. 1960, c. 39 (C. 56:8-8) is amended to read as follows:

C. 56:8-8 Injunction against unlawful practices; appointment of receiver; additional penalties.

8. Whenever it shall appear to the Attorney General that a person has engaged in, is engaging in or is about to engage in any practice declared to be unlawful by this act he may seek and obtain in a summary action in the Superior Court an injunction prohibiting such person from continuing such practices or engaging therein or doing any acts in furtherance thereof or an order appointing a receiver, or both. In addition to any other remedy authorized herein the court may enjoin an individual from managing or owning any business organization within this State, and from

serving as an officer, director, trustee, member of any executive board or similar governing body, principal, manager, stockholder owning 10% or more of the aggregate outstanding capital stock of all classes of any corporation doing business in this State, vacate or annul the charter of a corporation created by or under the laws of this State, revoke the certificate of authority to do business in this State of a foreign corporation, and revoke any other licenses, permits or certificates issued pursuant to law to such person whenever such management, ownership, activity, charter authority license, permit or certificate have been or may be used to further such unlawful practice. The court may make such orders or judgments as may be necessary to prevent the use or employment by a person of any prohibited practices, or which may be necessary to restore to any person in interest any moneys or property, real or personal which may have been acquired by means of any practice herein declared to be unlawful.

C. 56:8-15 Restoration of moneys or property.

3. In addition to the assessment of civil penalties, the Attorney General or his designee may, after a hearing as provided in P. L. 1967, c. 97 and upon a finding of an unlawful practice under this act and the act hereby amended and supplemented, order that any moneys or property, real or personal, which have been acquired by means of such unlawful practice be restored to any person in interest.

C. 56:8-16 Remission of penalty.

4. In assessing any penalty under this act and the act hereby amended and supplemented, the Attorney General or his designee may provide for the remission of all or any part of such penalty conditioned upon prompt compliance with the requirements thereof and any order entered thereunder.

C. 56:8-17 Noncompliance with order of Attorney General; penalty.

5. Upon the failure of any person to comply within 10 days after service of any order of the Attorney General or his designee directing payment of penalties or restoration of moneys or property, the Attorney General may issue a certificate to the Clerk of the Superior Court that such person is indebted to the State for the payment of such penalty and the moneys or property ordered restored. A copy of such certificate shall be served upon the person against whom the order was entered. Thereupon the clerk shall immediately enter upon his record of docketed judgments the name of the person so indebted, and of the State, a designation of the

statute under which the penalty is imposed, the amount of the penalty imposed and the amount of moneys ordered restored, a listing of property ordered restored, and the date of the certification. Such entry shall have the same force and effect as the entry of a docketed judgment in the Superior Court. Such entry, however, shall be without prejudice to the right of appeal to the Appellate Division of the Superior Court from the final order of the Attorney General or his designee.

C. 56:8-18 Issuance of cease and desist order; penalty for noncompliance.

6. Where the Attorney General or his designee, after a hearing as provided in P. L. 1967, c. 97, finds that an unlawful practice has been or may be committed, he may order the person committing such unlawful practice to cease and desist or refrain from committing said practice in the future. When it shall appear to the Attorney General that a person against whom a cease and desist order has been entered has violated said order, the Attorney General may initiate a summary proceeding in the Superior Court for the violation thereof. Any person found to have violated a cease and desist order shall pay to the State of New Jersey civil penalties in the amount of not more than \$25,000.00 for each violation of said order. In the event that any person fails to pay a civil penalty assessed by the court for violation of a cease and desist order, the court assessing the unpaid penalty is authorized, upon application of the Attorney General, to grant any relief which may be obtained under any statute or court rule governing the collection and enforcement of penalties.

C. 56:8-19 Action or counterclaim in event of loss of moneys or property.

7. Any person who suffers any ascertainable loss of moneys or property, real or personal, as a result of the use or employment by another person of any method, act, or practice declared unlawful under this act or the act hereby amended and supplemented may bring an action or assert a counterclaim therefor in any court of competent jurisdiction. In any action under this section the court shall, in addition to any other appropriate legal or equitable relief, award threefold the damages sustained by any person in interest. In all actions under this section the court shall also award reasonable attorneys' fees, filing fees and reasonable costs of suit.

C. 56:8-20 Notice to Attorney General.

8. Any party to an action asserting a claim, counterclaim or defense based upon violation of this act or the act hereby amended or supplemented shall mail a copy of the initial or responsive plead-

ing containing the claim, counterclaim or defense to the Attorney General within 10 days after the filing of such pleading with the court. Upon application to the court wherein the matter is pending, the Attorney General shall be permitted to intervene or to appear in any status appropriate to the matter.

9. Section 1 of P. L. 1966, c. 39 (C. 56:8-13) is amended to read as follows:

C. 56:8-13 Penalties.

1. Any person who violates any of the provisions of the act to which this act is a supplement shall, in addition to any other penalty provided by law, be liable to a penalty of not more than \$2,000.00 for the first offense and not more than \$5,000.00 for the second and each subsequent offense.

10. Section 2 of P. L. 1966, c. 39 (C. 56:8-14) is amended to read as follows:

C. 56:8-14 Enforcement of penalty; process.

2. Every county district court and municipal court shall have jurisdiction of proceedings for the collection and enforcement of a penalty imposed because of the violation, within the territorial jurisdiction of the court, of any provision of the act to which this act is a supplement. Except as otherwise provided in this act the penalty shall be collected and enforced in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1, et seq.). Process shall be either in the nature of a summons or warrant and shall issue in the name of the State, upon the complaint of the Attorney General or any other person.

In any action brought pursuant to this section to enforce any order of the Attorney General or his designee the court may, without regard to jurisdictional limitations, restore to any person in interest any moneys or property, real or personal, which have been acquired by any means declared to be unlawful under this act.

In the event that any person found to have violated any provision of this act fails to pay a civil penalty assessed by the court, the court may issue, upon application by the Attorney General, a warrant for the arrest of such person for the purpose of bringing him before the court to satisfy the civil penalty imposed.

11. Section 1 of P. L. 1967, c. 97 (C. 56:8-3.1) is amended to read as follows:

C. 56:8-3.1 Violations; penalty.

1. Upon receiving evidence of any violation of the provisions of chapter 39 of the laws of 1960, the Attorney General, or his designee, is empowered to hold hearings upon said violation and upon finding the violation to have been committed, to assess a penalty against the person alleged to have committed such violation in such amount within the limits of chapter 39 of the laws of 1966 as the Attorney General deems proper under the circumstances. Any such amounts collected by the Attorney General shall be paid forthwith into the State Treasury for the general purposes of the State.

12. This act shall take effect immediately.

Approved June 29, 1971.

CHAPTER 248

AN ACT concerning the State Board of Pharmacy and amending
R. S. 45:14-32.

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

1. R. S. 45:14-32 is amended to read as follows:

Registration of pharmacy or drug store; permit; definitions; dispensing of drugs in institutions.

45:14-32. No pharmacy or drug store shall be opened or kept open for the transaction of business or for rendering professional services until or unless it has been registered with and a permit therefor has been issued to it by the board.

The term "pharmacy" and "drug store" as used in this section and in sections 45:14-33 to 45:14-36 of this title mean an establishment or place of business which, under the provisions of this chapter, is required to be operated or managed at all times by a registered pharmacist.

Nothing contained in this section shall be construed as prohibiting the dispensing of drugs in a hospital, nursing home, convalescent center, industrial dispensary, medical clinic or similar institution; provided, however, that such institution shall have first obtained a permit from the board, which shall be

designated as an institutional permit. Where such institution does not have a pharmacy on its premises, it may enter into an agreement for pharmaceutical services with a pharmacy registered in this State. The registered pharmacist shall be responsible for maintaining such records and controls as may be required by the board.

Drugs dispensed under such institutional permits shall be dispensed only to in-patients, employees of the institution and out-patients who are treated by staff members of the institution in their respective clinics.

The board may adopt rules and regulations establishing minimum standards for the amount of equipment, supplies, physical space, hours of operation and other requirements relating to the compounding and dispensing of prescription items by such institutions.

The fees charged by the board for the issuance, transfer or renewal of an institutional permit shall be the same as the fees charged for a regular pharmacy permit.

2. This act shall take effect immediately, but shall remain in-operative for 90 days thereafter.

Approved June 30, 1971.

CHAPTER 249

AN ACT to amend "An act concerning education and supplementing chapter 58 of Title 18A of the New Jersey Statutes," approved July 19, 1968 (P. L. 1968, c. 176).

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

1. Section 1 of P. L. 1968, c. 176 (C. 18A:58-7.1) is amended to read as follows:

C. 18A:58-7.1 School lunch program.

1. Each school district or authorized agency participating in the National School Lunch Program shall be reimbursed for each Type A lunch as defined within an approved contract with the Department of Education at a rate not to exceed the maximum amount permissible under Federal regulations for the general-cash-for-food

assistance phase of the program. Whenever the Federal funds available to the Department of Education are less than the maximum amount permissible under Federal regulation, the State may provide, within the limitations of available State funds, an amount which, when added to the Federal funds, will equal the maximum amount permissible under Federal regulations for the general-cash-for-food assistance phase of the program.

2. This act shall take effect July 1, 1971.

Approved June 30, 1971.

CHAPTER 250

AN ACT to fix and determine a portion of the municipal boundary line dividing the township of Warren in the county of Somerset from the township of Bridgewater in the county of Somerset.

WHEREAS, Uncertainty has existed for a substantial period of time relative to the precise location of a portion of the boundary line dividing the township of Warren in the county of Somerset from the township of Bridgewater in the county of Somerset; and

WHEREAS, The governing officials of both municipalities have communicated on numerous occasions and agreed upon a suitable boundary line dividing the respective municipalities; and

WHEREAS, The respective interests of both municipalities would be served by legislative clarification of said boundary line; now, therefore,

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

Private act.

1. That portion of the municipal boundary line between the township of Warren in the county of Somerset and the township of Bridgewater in the county of Somerset which is approximately parallel to Washington Valley road between Dock Watch Hollow road on the East and Liberty Corner road on the west is hereby fixed and determined in accordance with a certain map entitled, "Proposed realignment of boundary line between Bridgewater Township and Warren Township, Somerset County, New Jersey" dated August 1970, prepared by Howard Clark, Bridgewater

Township Engineer and Edward R. Westling, III, Warren Township Engineer, and described as follows:

Beginning at a point in the centerline of Liberty Corner Road (also known as Mt. Horeb Road) said point being the Southeasterly corner of Lot 28, Block 174 as shown on the assessment map of Bernards Township, Somerset County, N. J., and being also the northeasterly property corner of Lot 30, Block 6801 as shown on the assessment map of Bridgewater Township, Somerset County, N. J., thence along the centerline of Liberty Corner Road (Mt. Horeb Road) the following courses; (1) South 0 degrees 02 minutes 00 seconds East, 108.00 feet to a point; thence (2) South 4 degrees 07 minutes 30 seconds East, 175.00 feet to a point; thence (3) South 6 degrees 00 minutes 00 seconds West, 173.25 feet, more or less, to a point in the centerline of Liberty Corner Road (Mt. Horeb Road) and being the southwesterly property corner of Lot 29, Block 130 as shown on the assessment map of Warren Township and the northwesterly corner of Lot 2, Block 7601 as shown on the assessment map of Bridgewater Township; thence (4) Easterly along the property line between Lot 29, Block 130 in Warren Township and Lot 2, Block 7601 in Bridgewater Township and the prolongation easterly thereof, South 74 degrees 06 minutes 30 seconds East 1601.50, more or less, feet to a point in the westerly line of Lot 25, Block 130, in Warren Township; thence (5) Southerly along the property line between Lot 25, Block 130 in Warren Township and Lot 2, Block 7601 in Bridgewater Township, South 3 degrees 10 minutes 30 seconds West, 543.22, more or less, feet to the northwesterly corner of Lot 41, Block 7601 in Bridgewater Township; thence (6) Easterly along the property line between Lot 25, Block 130 in Warren Township and Lot 41, Block 7601 in Bridgewater Township, South 87 degrees 01 minutes 35 seconds East, 405.25, more or less, feet to a point; thence (7) still along the property line between the lots in (6) above, South 40 degrees 02 minutes 05 seconds East, 744.96, more or less, feet to a point in the westerly property line of Lot 4, Block 7601 in Bridgewater Township; thence (8) Northerly along the westerly line of Lot 4, Block 7601 in Bridgewater Township, North 11 degrees 49 minutes East, 210.97, more or less, feet to the northwesterly corner of said lot, being also the southwesterly corner of Lot 3, Block 130B in Warren Township; thence (9) Southeasterly along the property line between Lot 3, Block 130B in Warren Township and Lot 4, Block 7601 in Bridgewater Township, South 57 degrees 25 minutes 40 seconds East, 133.78, more or less, feet to a point; thence (10) still along a line

between Lot 3, Block 130B in Warren Township and Lot 4, Block 7601 in Bridgewater Township, crossing Claire Drive and continuing along a property line between Lot 49, Block 130 in Warren Township and Lot 4, Block 7601 in Bridgewater Township, South 81 degrees 04 minutes 30 seconds East, 815.98, more or less, feet to a point in the westerly property line of Lot 54B, Block 7601 in Bridgewater Township; thence (11) Northerly along a property line between Lots 47, 48, 49, Block 130 in Warren Township and Lot 54B, Block 7601 in Bridgewater Township, North 11 degrees 48 minutes East, 450.00, more or less, feet to the southwesterly corner of Lot 44, Block 130 in Warren Township, being also the northwesterly corner of Lot 54B in Bridgewater Township; thence (12) Southeasterly along a property line between Lots 44 through 36 inclusive, Block 130 in Warren Township and Lot 54B, Block 7601 in Bridgewater Township, South 67 degrees 07 minutes 20 seconds East, 896.11, more or less, feet to a point in the northwesterly corner of Lot 5A, Block 7601 in Bridgewater Township; thence (13) Easterly along a property line between portions of Lots 36 and 35, Block 130 in Warren Township and Lot 5A, Block 7601 in Bridgewater Township, South 83 degrees 22 minutes 30 seconds East 303.60, more or less, feet to a point; thence (14) Southeasterly along the property line between portions of Lots 35 and 34, Block 130 in Warren Township and Lot 5A, Block 7601 in Bridgewater Township, South 32 degrees 42 minutes 30 seconds East, 301.64, more or less, feet to a point; thence (15) Southerly along the property line between Lot 34 and 33, Block 130 in Warren Township and Lot 5A, Block 7601 in Bridgewater Township, South 12 degrees 46 minutes 30 seconds West, 245.27, more or less, feet to a point in the northerly line of Lot 60, Block 7601 in Bridgewater Township; thence (16) Easterly along the property line between Lots 33, 32, and 31, Block 130 in Warren Township and Lot 60, Block 7601 in Bridgewater Township, South 89 degrees 53 minutes 50 seconds East, 743.39, more or less, feet to a point in the westerly line of Lot 70, Block 7601 in Bridgewater Township; thence (17) northeasterly along the property line between Lot 21L, Block 130 in Warren Township and Lot 70, Block 7601 in Bridgewater Township, North 68 degrees 51 minutes 10 seconds East 241.39, more or less, feet to a point in the centerline of Blazier Road; thence (18) Northerly along the centerline of Blazier Road, North 3 degrees 17 minutes 40 seconds East, 235.00, more or less, feet to a point; thence (19) Easterly along the property line between Lot 6, Block 139A in Warren Township and Lot 70, Block 7601 in Bridgewater Township, North 76 degrees 02

minutes 27 seconds East, 809.9, more or less, feet to a point in the westerly property line of Lot 4, Block 139A in Warren Township; thence (20) Southerly along the property line between Lot 4, Block 139A in Warren Township and Lot 70, Block 7601 in Bridgewater Township, South 15 degrees 29 minutes 50 seconds East, 260.11, more or less, feet to a point, being the northwesterly corner Lot 75, Block 7601 in Bridgewater Township; thence (21) Northeasterly along the property line between Lots 4, 5, 7, and a portion of 8, Block 139A in Warren Township and Lots 75, 76 and 77, Block 7601 in Bridgewater Township, North 42 degrees 46 minutes 30 seconds East, 661.26, more or less, feet to a point being the northwesterly corner of Lot 8, Block 7601 in Bridgewater Township; thence (22) Southerly along the property line between Lot 77 and Lot 8, Block 7601 in Bridgewater Township, South 24 degrees 13 minutes 30 seconds East, 855.36, more or less, feet to a point being the northwesterly corner of Lot 78, Block 7601 in Bridgewater Township; thence (23) Northeasterly along the property line between Lot 8 and Lot 78, Block 7601 in Bridgewater Township, North 60 degrees 16 minutes 30 seconds East, 714.78, more or less, feet to the centerline of Dock Watch Hollow Brook, the present westerly boundary line of Warren Township.

The above lot and block numbers referred to in Warren township are as shown on the current Warren Township Assessment Map, Sheets 6, 7, 16. The lot and block numbers referred to in Bridgewater township are as shown on the current Bridgewater Township Assessment Map, Sheets 70 and 71.

2. This act shall take effect immediately.

Approved June 30, 1971.

CHAPTER 251

AN ACT concerning the hunting of deer and amending sections 23:4-43, 23:4-47 and 23:4-48 of the Revised Statutes.

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

1. Section 23:4-43 of the Revised Statutes is amended to read as follows:

Possession of wild deer; prohibitions; exceptions; prima facie evidence; inapplicability of article to certain deer.

23:4-43. Except as provided by this section, no person shall have in possession in this State any wild deer other than during the open season for hunting deer as established in the State Fish and Game Code and such deer in possession must have been killed in the manner prescribed by the State Fish and Game Code for that particular open season. A legally killed deer and parts of a legally killed deer may be possessed until June 1 immediately following the season in which it was killed, provided the deer was properly registered and bears the possession tag affixed at the deer checking station, and any parts that have been separated from legally killed deer are clearly marked as prescribed in R. S. 23:4-47. A person desiring to retain a legally killed deer or parts thereof after June 1 may do so by contacting the nearest Conservation Officer, who may authorize such retention in a manner prescribed by the division. No person shall have in possession any deer of any description, except as provided in the State Fish and Game Code or as provided in this section.

Except as herein provided, the having in possession of any wild deer or parts thereof during the time and periods prohibited in the State Fish and Game Code, or the having in possession of any deer of any description, except during such time and periods and of such description as permitted by the State Fish and Game Code, shall be prima facie evidence in all courts that such wild deer is in possession unlawfully.

This article shall not apply to a deer killed on game preserves, the owners or lessees of which are licensed by the division, or to deer coming from another state, which is properly tagged, showing where the same was killed.

2. Section 23:4-47 of the Revised Statutes is amended to read as follows:

Tagging of deer; registration at deer checking station; penalty.

23:4-47. A person who kills a deer in this State at any time during the legal seasons shall immediately attach thereto the deer transportation tag supplied with the hunting license and shall transport the deer to a deer checking station before 7:00 p. m. on the day said deer was killed, for registering the kill and having a legal possession tag affixed, which possession tag shall remain attached until the carcass has been consumed.

A person not required to purchase a hunting license under provisions of section 23:3-1 of the Revised Statutes, who kills a deer

in this State at any time during the legal seasons, or a person who has lost the transportation tag supplied with the hunting license, shall make and attach a transportation tag immediately after killing the animal, clearly stating his or her name and address, and if holding a license to hunt, the license number, with the date, township if known, and county in which the deer was killed and shall transport the deer to a checking station for registration as herein prescribed.

The division shall designate such checking stations as it deems necessary and shall prescribe regulations for their operation.

All deer killed during prescribed seasons shall be presented for registration at the nearest deer checking station by the person who killed the same, and it shall be registered in his name. No person shall present a deer for registration, or permit to be registered in his name, any deer which he himself did not kill. No person shall at any time in any manner transport any deer, unless open to view and there is securely attached thereto a legal tag. If deer is being transported by other than the licensee, written permission signed by the licensee killing the deer must be in possession of the driver.

No person shall have in possession at any time any deer, or parts of a deer, which has not been legally registered. The owner of a legally registered deer may give away parts of such deer provided each separate part is plainly labeled with the name and address of the person who registered the deer, the possession tag number assigned to said deer, and the name and address of the person to whom it was given.

Any person who shall fail to properly tag a deer and transport it to a checking station, or who borrows, loans, transfers, buys, sells or purloins any deer tag of another, shall be liable to the penalty prescribed by section 23:4-48 of this Title.

3. Section 23:4-48 of the Revised Statutes is amended to read as follows:

Penalties.

23:4-48. Except as otherwise specifically permitted by this article: any person hunting for, pursuing, shooting at, taking, killing, wounding, having in possession in this State or attempting to take, kill or wound a deer of any description other than as permitted by the State Fish and Game Code, hunting for, pursuing, shooting at, taking, killing, wounding, having in possession in this State or attempting to take, kill, wound or possess any wild deer at any time, except during the period designated therefor by the

State Fish and Game Code, or in the absence of such provision in said code, except during the period designated therefor in this article; or killing in any one year more than the number of deer permitted by the State Fish and Game Code, or hunting for, pursuing, stalking or shooting at a wild deer, except by daylight on the days designated therefor by the State Fish and Game Code, or killing a deer in this State at any time and failing to report the same in the manner prescribed by the division, or killing a deer in this State at any time and failing to properly tag and transport the deer to a checking station for registration as provided in section 23:4-47 of the Revised Statutes, or using or carrying a rifle of any kind or description for the purpose of hunting or pursuing deer, or violating any of the other provisions of this article or of the Fish and Game Code promulgated thereunder, or violating any other provisions of this Title or the Fish and Game Code pertaining to the taking of deer of either sex, shall be liable to a penalty of not less than \$100.00 nor more than \$300.00 for the first offense and not less than \$300.00 nor more than \$500.00 for the second and each subsequent offense.

4. This act shall take effect immediately.

Approved June 30, 1971.

CHAPTER 252

AN ACT concerning hunting and amending sections 23:4-12 and 23:4-16 of the Revised Statutes and amending "An act prohibiting the carrying of loaded firearms in any vehicle," approved July 11, 1939 (P. L. 1939, c. 172).

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

1. Section 23:4-12 of the Revised Statutes is amended to read as follows:

Hunting certain game; prescribed manner; limitations; penalty.

23:4-12. No person, shall kill, destroy or injure, pursue with intent to kill or injure or in any manner attempt to take or injure, any anatidae commonly known as swans, geese, brant and river and sea ducks; rallidae, commonly known as rails, gallinules, coots and mud hens; limicolae, commonly known as shore birds, surf

snipe or bay snipe, among them being yellowlegs plovers, willets, sandpipers, dowitchers or robin snipe, brown backs, curlews, turnstones or callico backs, godwits or marlin, tattlers and woodcocks; gallinae, commonly known as wild turkey, grouse, prairie chickens, pheasants, partridge and quails; or any hare commonly known as rabbit; gray, black or fox squirrels; or any other game bird or game animal, except in the manner prescribed by the provisions of the State Fish and Game Code, or, in the absence of such provision in said code, except in the manner usually known as hunting with a gun, the gun being not larger than ten gauge and held at arm's length and fired from the shoulder without rest, or by the use of long bow and arrow, provided, however, it shall be unlawful for any person while hunting any wild bird or animal to have both a firearm and a bow and arrow in his possession or under his control in the woods or fields or on the water, under a penalty of \$20.00 for each offense.

2. Section 23:4-16 of the Revised Statutes is amended to read as follows:

Hunting with automobile or lights; shooting across highway or near dwelling or school playground; penalty.

23:4-16. No person, either in an automobile or vehicle of any kind whatsoever, or by the aid or use of a light carried on or attached to a vehicle of any kind, shall hunt for, pursue, shoot, shoot at, kill, capture, injure or destroy a bird or animal in this State, and no person shall use any portable light or lights for the purpose of hunting for any game bird or animal excepting raccoon, and no person shall, for the purpose of hunting, taking or killing any bird or animal, cast an arrow or discharge any firearm upon or across any State, county or municipal road or highway, and no person, except the owner or lessee of the property and persons specifically authorized by him in writing, shall, for the purpose of hunting, taking or killing any bird or animal, have in his possession a loaded gun while within 450 feet of any occupied dwelling in this State, or of a school playground, under a penalty of \$50.00 for each offense.

3. Section 1 of P. L. 1939, chapter 172 (C. 23:4-24.1) is amended to read as follows:

C. 23:4-24.1 Carrying loaded firearms in vehicle for hunting purposes prohibited; penalty.

1. No person shall, for the purpose of hunting for, pursuing, taking or killing, or attempting to hunt, pursue, take or kill any

bird or animal, have, in an automobile or vehicle of any kind, any shotgun or rifle loaded with missiles of any kind, under a penalty of not less than \$20.00 nor more than \$50.00 for each offense.

For the purpose of this act, whenever a person is found with such loaded shotgun or rifle in possession in a vehicle, the same shall be conclusive proof that the person was in the act of pursuing or taking birds or animals.

4. This act shall take effect immediately.

Approved June 30, 1971.

CHAPTER 253

AN ACT concerning fees under the New Jersey Business Corporation Act and amending N. J. S. 14A:4-3, N. J. S. 14A:4-5, N. J. S. 14A:15-1, N. J. S. 14A:15-2, and N. J. S. 14A:15-3.

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

1. N. J. S. 14A:4-3 is amended to read as follows:

Change of registered office or registered agent.

14A:4-3. Change of registered office or registered agent.

(1) A domestic corporation or a foreign corporation authorized to transact business in this State may change its registered office or its registered agent, or both. When the registered office is changed, or when the registered agent is changed, or dies, resigns or becomes disqualified, the corporation shall, by resolution of the board, forthwith fix the address of the new registered office or designate the successor registered agent or both, as the case may be.

(2) Such corporation shall forthwith file in the office of the Secretary of State a certificate executed on behalf of the corporation setting forth

- (a) the name of the corporation;
- (b) if the registered agent is not being changed, the name of the registered agent;
- (c) if the registered agent is being changed, the names of the registered agent being succeeded and of the successor registered agent;
- (d) if the registered office is not being changed, the address of the then registered office;

(e) if the registered office is being changed, the address of the registered office immediately prior to the change, and the address of the new registered office;

(f) that the address of its registered office and the address of its registered agent will be identical after the change; and

(g) that the change in registered office, or registered agent, or both, is made pursuant to resolution of the board.

(3) The registered agent of one or more domestic or foreign corporations may change the registered office of such corporation or corporations to another address in the same municipality or county of this State by filing in the office of the Secretary of State a certificate executed by such agent and setting forth

(a) the names of all the corporations whose registered offices are being changed and for which he or it is the registered agent, listed in alphabetical order;

(b) the address of the registered office of each such corporation immediately prior to the change, and the address of the new registered office;

(c) that the address of the registered office of each such corporation and the address of its registered agent will be identical after the change; and

(d) a statement that at least 20 days' prior notice of the change has been given to each such corporation in writing.

The change of the registered office of each of the corporations named in the certificate shall become effective upon the date of such filing or at such later time, not to exceed 30 days after the date of filing, as may be set forth in the certificate.

(4) If any certificate of change required by this section is not filed, the corporation shall, after written demand therefor by the Secretary of State by certified mail addressed to the corporation at the last address appearing of record in his office, forfeit to the State a penalty of \$200.00 to be recovered with costs in a civil action prosecuted by the Attorney General. No corporation shall be subject to penalty if it shall, within 30 days after written demand, file the certificate of change required by law and pay to the Secretary of State the fee provided by law for the filing of each such certificate of change. In lieu of such civil action, the Secretary of State, after expiration of such 30-day period, may issue a certificate to the Clerk of the Superior Court that the corporation is indebted for the payment of such penalty, and thereupon the clerk shall immediately enter upon his record of docketed judgments the name of such corporation as the judgment debtor and

of the State as the judgment creditor, a statement that the penalty is imposed under this section, the amount of the penalty, and the date of such certificate. Such entry shall have the same force as a judgment docketed in the Superior Court. The Secretary of State within 5 days after such entry shall give notice thereof to the corporation by certified mail addressed to the corporation at the last address appearing of record in his office.

2. N. J. S. 14A:4-5 is amended to read as follows:

Annual report to Secretary of State.

14A:4-5. Annual report to Secretary of State.

(1) Every domestic corporation and every foreign corporation authorized to transact business in this State shall file in the office of the Secretary of State, within the time prescribed by this section, an annual report setting forth

(a) the name of the corporation and, in the case of a foreign corporation, the jurisdiction of its incorporation;

(b) the address of the registered office of the corporation in this State, and the name of its registered agent in this State at such address, and, in the case of a foreign corporation, the address of its main business or headquarters office;

(c) the names and addresses of the directors and officers of the corporation; and

(d) the date appointed for the next annual meeting of the shareholders for the election of directors.

(2) Such report shall be filed within 30 days after the time appointed for holding the annual election of directors, commencing with the time appointed for the first annual election of directors following the date of incorporation or of registering to transact business.

(3) If the report is not so filed, the corporation shall, after written demand therefor by the Secretary of State by certified mail addressed to the corporation at the last address appearing of record in his office, forfeit to the State a penalty of \$200.00 for each report required to have been filed not more than 5 years prior thereto and remaining unfiled, to be recovered with costs in a civil action prosecuted by the Attorney General. No corporation shall be subject to penalty if it shall, within 30 days after such written demand, file the reports required by law and pay to the Secretary of State the fee provided by law for the filing of each such report. In lieu of such civil action, the Secretary of State, after expiration of such 30-day period, may issue a certificate to the Clerk of the

Superior Court that the corporation is indebted for the payment of such penalty, and thereupon the clerk shall immediately enter upon his record of docketed judgments the name of such corporation as the judgment debtor, and of the State as the judgment creditor, a statement that the penalty is imposed under this section, the amount of the penalty, and the date of such certificate. Such entry shall have the same force as a judgment docketed in the Superior Court. The Secretary of State within 5 days after such entry shall give notice thereof to the corporation by certified mail addressed to the corporation at the last address appearing of record in his office.

(4) The Secretary of State shall furnish annual report forms, 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.

3. N. J. S. 14A:15-1 is amended to read as follows:

License fees payable by domestic corporations.

14A:15-1. License fees payable by domestic corporations.

(1) The Secretary of State shall charge and collect from each domestic corporation a license fee, based upon the number of shares which it will have authority to issue or the increase in the number of shares which it will have authority to issue, at the time of

(a) filing the original certificate of incorporation;

(b) filing a certificate of amendment of the certificate of incorporation increasing the number of authorized shares or a restated certificate of incorporation including any such amendment; and

(c) filing a certificate of merger or a certificate of consolidation increasing the number of authorized shares which the surviving or new domestic corporation will have authority to issue above the aggregate number of shares which the merging and consolidating domestic corporations had authority to issue.

(2) The license fee shall be at the rate of one cent per share up to and including the first 10,000 authorized shares and one-tenth cent per share for each authorized share in excess of 10,000 shares, whether the shares are of par value or without par value.

(3) The license fee payable on an increase in the number of authorized shares shall be imposed only on the increased number of shares, but the number of previously authorized shares shall not be taken into account in determining the rate applicable to the increased number of authorized shares. The Secretary of State

shall determine the amount due on each such increase by reference to the last document on file in his office setting forth the number of previously authorized shares without allowing any credit for any intermediate reduction in the number of authorized shares since the filing of the original certificate of incorporation.

(4) In no case shall any license fee payment hereunder be less than \$25.00 nor more than \$1,000.00.

4. N. J. S. 14A:15-2 is amended to read as follows:

Filing fees of the Secretary of State.

14A:15-2. Filing fees of the Secretary of State.

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, filing fees as follows, in addition to any applicable license fee:

- (1) Certificate of incorporation and amendments thereto:
 - (a) for filing the original certificate of incorporation \$35.00
 - (b) for filing a certificate of amendment of the certificate of incorporation, including any number of amendments \$35.00
 - (c) for filing a certificate of abandonment of one or more amendments of the certificate of incorporation \$20.00
 - (d) for filing a certificate of merger or a certificate of consolidation \$35.00
 - (e) for filing a certificate of abandonment of a merger or consolidation \$20.00
- (2) Restated certificate of incorporation:

For filing a restated certificate of incorporation, including any amendments of the certificate of incorporation concurrently adopted \$35.00
- (3) Dissolution of corporation:
 - (a) for filing a certificate of dissolution \$25.00
 - (b) for filing an affidavit of the publication and of the mailing of a notice to creditors \$10.00
 - (c) for filing a certificate of revocation of dissolution proceedings \$25.00
- (4) Admission and withdrawal of foreign corporation:
 - (a) for filing an application for a certificate of authority to transact business in this State and issuing a certificate of authority \$165.00

(b) for filing an application for an amended certificate of authority to transact business in this State and issuing an amended certificate of authority	\$30.00
(c) for filing an application for withdrawal from this State and issuing a certificate of withdrawal	\$30.00
(d) for filing a certificate of change of post-office address to which process may be mailed by the Secretary of State	\$10.00
(e) for filing a certificate, order or decree with respect to the dissolution of a foreign corporation, the termination of its existence, or the cancellation of its authority, and issuing a certificate of withdrawal	\$30.00
(5) Registered office and registered agent:	
(a) for filing a certificate of change of address of registered office, or change of registered agent	\$5.00
if both are changed	\$10.00
(b) for filing a certificate of change of address of registered agent within the same municipality or county, where such certificate effects a change in the address of the registered office of one or more corporations, for each corporation named in the certificate	\$5.00
(c) for filing an affidavit of resignation of a registered agent	\$5.00
(6) Annual report:	
For each such report required to be filed	\$15.00
(7) Tax clearance certificate from the Director of the Division of Taxation:	
For each such certificate required to be filed	\$10.00

5. N. J. S. 14A :15-3 is amended to read as follows :

Additional miscellaneous fees.

14A :15-3. Additional miscellaneous fees.

The Secretary of State shall also charge and collect for :

(1) filing an application to reserve a corporate name and issuing a certificate of reservation	\$20.00
(2) filing a notice of transfer of a reserved corporate name	\$10.00
(3) filing an application by a foreign corporation to register its corporate name	\$35.00

(4) filing an application by a foreign corporation to renew the registration of its corporate name	\$35.00
(5) filing a statement of cancellation of shares	\$25.00
(6) filing a statement of reduction of stated capital	\$25.00
(7) filing a certificate as to the acquisition of the shares or a class of shares of a domestic corporation	\$30.00
(8) issuing a certificate of standing, including registered agent and registered office	\$10.00
(9) issuing a certificate of standing, same as above, but including incorporators, officers and directors, and authorized shares	\$20.00
(10) issuing a certificate of standing, listing charter documents	\$20.00
(11) issuing a certificate of availability of corporate name (1 to 3 names)	\$10.00
(12) all other certificates issued or papers filed, but not otherwise provided for	\$10.00
(13) corporate information searches or lookups—in excess of five names per day—per name	\$1.00

6. This act shall take effect immediately.

Approved July 1, 1971.

CHAPTER 254

AN ACT to amend “A supplement to ‘An act creating a commission to revise the general corporation law and related statutes, and prescribing its powers and duties and making an appropriation therefor,’ approved April 16, 1958 (P. L. 1958, c. 10, C. 1:14–1 et seq.),” approved March 5, 1969 (P. L. 1969, c. 7).

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

1. Section 1 of P. L. 1969, c. 7 (C. 1:14–7) is amended to read as follows:

C. 1:14-7 Commission continued; purpose.

1. The Legislature finds it to be desirable that the Corporation Law Revision Commission created by P. L. 1958, c. 10 (C. 1:14–1

et seq.) be continued in existence for the purpose of observing and evaluating the operation of the new Title 14A, Corporations, General, of the New Jersey Statutes, enacted as P. L. 1968, c. 350, during the years 1969 and 1970, in order to consider and report to the 1971 Legislature such amendments or refinements to said Title 14A as it may deem appropriate.

2. Section 2 of P. L. 1969, c. 7 (C. 1:14-8) is amended to read as follows:

C. 1:14-8 Commission continued with same powers, duties and membership; duration.

2. The Corporation Law Revision Commission is continued in existence with the same powers, duties and membership as heretofore until December 31, 1971 upon which date P. L. 1958, c. 10 and this act shall expire.

3. This act shall take effect immediately and be retroactive to December 31, 1970.

Approved July 1, 1971.

CHAPTER 255

AN ACT to amend "An act creating a commission to study the Uniform Consumer Credit Code and to make recommendations thereon and making an appropriation therefor," approved December 17, 1969 (P. L. 1969, c. 238).

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

1. Section 6 of P. L. 1969, c. 238 is amended to read as follows:

6. The commission shall make a thorough study of the effect of the adoption of the Uniform Consumer Credit Code on existing statute law, decisional law and consumer credit practice in New Jersey and shall report its findings and recommendations to the Legislature at its 1971 session. The commission shall expire on December 31, 1971.

2. This act shall take effect immediately.

Approved July 1, 1971.

CHAPTER 256

AN ACT concerning the investment and administration of endowment funds and the use of the return therefrom by nonprofit educational institutions and supplementing Title 15 of the Revised Statutes.

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

C. 15:18-1 Definitions.

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

a. "Educational institution" means a nonprofit educational institution created by special charter or organized under any general law of this State;

b. "Property" means money, preferred and common stocks, warrants, rights, options, bonds, debentures and other obligations of any corporation or governmental agency, notes or bonds secured by mortgages on real property, real property, leases, oil or mineral rights, timber rights or other property given to an educational institution for endowment or without restriction;

c. "Endowment" means any property given to an educational institution which is permanently appropriated to any object or purpose by the terms of the gift instrument and with the use limited to the income from such property;

d. "Endowment pool" means a fund or funds established and maintained by an educational institution with property heretofore or hereafter given to it by a gift instrument either as endowment or for general use to which unit values are assigned for the collective investment and reinvestment of such property;

e. "Endowment pool income" means interest, dividends, warrants, rights, options, realized and unrealized gains adjusted for realized and unrealized losses, and other increments collected, received or accrued to an endowment pool;

f. "Gift instrument" means the will, deed, agreement, court order, pledge, subscription or other instrument or writing pursuant to which property is given to an educational institution.

C. 15:18-2 Declaration of policy.

2. It is hereby declared to be in the public interest and to be the policy of the State to promote by all reasonable means the

maintenance and growth of nonprofit educational institutions by encouraging them to establish and continue investment policies which will provide them with the means to meet the present and future needs of such educational institutions pursuant to the provisions of this act and at the same time secure the safety of the principal in an endowment pool.

C. 15:18-3 Authority to establish endowment pool.

3. Any educational institution may establish an endowment pool or pools consisting of any property or endowment heretofore or hereafter given to it by any gift instrument, and administer the property in such endowment pool in accordance with policies established by the educational institution and the terms of this act unless the gift instrument clearly and expressly otherwise provides.

C. 15:18-4 Authority to divide pool into units.

4. In the establishment and maintenance of an endowment pool, or upon the transfer of property to an endowment pool after such pool is established, the educational institution shall divide the endowment pool into as many units as it may deem advisable, and it may increase or decrease the number of such units from time to time. Each unit shall at all times have the same value as every other unit or fraction of the same endowment pool. Participation in an endowment pool may consist of a whole unit or a number of whole units and may provide for the withdrawal of a whole unit only or a number of whole units.

C. 15:18-5 Determination of the value of a unit.

5. In determining the value of a unit in an endowment pool:

a. An investment which is listed upon a stock, securities or investment exchange, shall be valued at the last recorded sales price in the ten-day period next preceding the date as of which the valuation is made, unless, within the said ten-day period, and subsequent to the date of the last recorded sales price, there have been recorded bid and asked prices, in which case the mean of the latest of such bid and asked prices shall be taken to be the value of such investment. An investment which is not listed upon a stock, securities or investment exchange, but which has an over-the-counter market, shall be valued at the mean of the last recorded bid and asked prices in the ten-day period next preceding the date as of which such valuation is made. If within the said ten-day period, there have been no recorded sales and no recorded bid and asked prices, the investment shall be valued at the mean of the last bid and asked prices as of a date not earlier than thirty days prior to the

date as of which such valuation is made as supplied by two stock or securities brokers deemed by the administrator or administrators of such endowment pool to be reliable. For the purposes of this paragraph a., recorded sales prices, and recorded bid and asked prices shall be those which appear in a newspaper of general circulation, or in a financial, statistical, investment, rating or other publication or service, published for the use of and accepted as reliable by investors in like investments or in the records of a stock, securities, or investment exchange;

b. Obligations of the United States which are not transferable or negotiable shall be valued at the redemption price thereof;

c. An investment about to be made, and an investment made and awaiting delivery against payment, shall be valued at the cost of acquisition thereof, and the cash account of the endowment pool shall be adjusted to reflect such cost of acquisition;

d. An investment sold but not delivered pending receipt of the proceeds of sale shall be valued at the net sale price thereof;

e. Uninvested funds of an endowment pool shall be included in the aggregate value of all the property of an endowment pool;

f. An investment which is not susceptible of valuation pursuant to the foregoing paragraphs of this section shall be valued by the treasurer or other chief financial officer of the educational institution;

g. The educational institution shall not amortize premiums paid upon the purchase of an investment for an endowment pool, nor shall it accumulate discount in respect of investments purchased at less than face or par value;

h. For the purposes of this act, an investment made pursuant to a commitment therefor shall be deemed to be made on the date when the commitment was made.

C. 15:18-6 Investment and reinvestment of money and property of pool.

6. In investing and reinvesting money and property of an endowment pool and in acquiring, retaining, selling, exchanging and managing investments therein, an educational institution shall exercise such care and judgment under the circumstances then prevailing which persons of ordinary prudence and reasonable discretion exercise in the management of their own affairs, considering the probable income as well as the probable safety of their capital in relation to their immediate and future needs.

C. 15:18-7 Privilege and power conferred by act in addition to other powers of institution.

7. The privilege and power conferred by this act shall be in addition to and not in restriction of any right, privilege or power which an educational institution may have with respect to the creation, operation and administration of an endowment pool or which it may have by the provisions of the gift instrument.

C. 15:18-8 Adoption of plan for allocation of endowment pool income to annual operating expenses.

8. In order to encourage educational institutions to attain the highest possible endowment pool income from investments in an endowment pool, an educational institution in establishing, maintaining or operating an endowment pool or pools may adopt a plan for the allocation of endowment pool income to the annual operating expenses of the institution and other recurring or non-recurring expenses of the institution in excess of the actual interest, dividends, income, rents, issues and profits yielded or earned by the endowment pool. Such plan shall not be effective until approved by the Superior Court of New Jersey, in a civil action instituted by the educational institution, to which the Attorney General of the State of New Jersey shall be made a party, in which action the court may proceed in a summary manner or otherwise.

C. 15:18-9 Approval of allocation plan by court.

9. If it appears in such action that the plan for allocation of endowment pool income to the annual operating and other recurring or nonrecurring expenses of the educational institution, constitutes a fair and equitable allocation of such income and is consistent with attaining the objects and carrying out the purposes of the institution, in the light of present and future needs, the court shall approve the same and authorize the institution to carry out such plan until such time as the Court otherwise orders.

C. 15:18-10 Use of certain words in gift instrument.

10. Whenever any gift instrument transferring property to an educational institution directs or authorizes it, or any agent or member thereof, to use, for the purpose of carrying out the gift, only the "income" or the "interest" or the "dividends" or the "rents, issues or profits" or uses words of similar import, such words shall, in the absence of an express provision to the contrary contained in such gift instrument, be deemed by the court in such action to include such portion of endowment pool income as it may approve.

C. 15:18-11 Conformance of allocation plan with certain laws.

11. Such plan for allocation of a portion of endowment pool income need not conform to the provisions of the Principal and Income Act (N. J. S. 3A:14A-1 et seq.) or any other statute or decisional law appertaining to the distribution of income, dividends, capital gains realized or unrealized, or other increments of value as between a life or other tenant and remainderman in a trust estate.

C. 15:18-12 Powers of educational institutions.

12. The powers conferred by this act shall not be deemed as any indication that educational institutions did not possess such powers prior to the effective date of this act.

C. 15:18-13 Validation of certain endowment pools.

13. Endowment pools established by an educational institution prior to the effective date of this act which conform with the provisions of sections 3 and 4 of this act are hereby validated.

C. 15:18-14 Short title.

14. This act shall be known and may be cited as the "Educational Endowment Management Act."

15. This act shall become effective immediately.

Approved July 1, 1971.

CHAPTER 257

AN ACT concerning the purchasing of recycled materials by the State.

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

C. 52:34-21 Legislature's finding.

1. The Legislature finds that the industrial economy of the State requires a shift from a use and discard approach to a closed cycle of use and salvage of solid waste.

C. 52:34-22 Survey and report.

2. The Division of Purchase and Property shall conduct a survey of those items customarily required by the State which are being manufactured in whole or in part out of recycled materials, and report its findings to the Legislature within 6 months of the effective date of this act.

C. 52:34-23 Purchase of items made from recycled materials.

3. In purchasing items which are made both with and without the use of any recycled materials, the Division of Purchase and Property, whenever the price is reasonably competitive and the quality adequate for the purpose intended, shall give preference to those items which are made in whole or in part from recycled materials.

C. 52:34-24 Advertising for bids.

4. In advertising for bids for items which are made both with and without the use of any recycled materials, the division shall state its preference for items made in whole or in part with the use of recycled materials whenever the price therefor is reasonably competitive and the quality satisfactory.

5. This act shall take effect immediately but shall remain inoperative for 90 days thereafter.

Approved July 1, 1971.

CHAPTER 258

AN ACT to validate certain proceedings for the issuance of bonds of school districts and any bonds or other obligations issued or to be issued in pursuance of such proceedings.

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

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district 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 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 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 N. J. S. 18A:24-19 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 N. J. S. 18A:24-20 and 18A:24-22 provided, however, that supplemental debt statements were prepared, sworn to and filed as required by N. J. S. 18A:24-16 and 18A:24-17; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such 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 July 1, 1971.

CHAPTER 259

AN ACT concerning civil service, amending R. S. 11:22-2 to reinsert therein language inadvertently omitted from an amendment to the section by P. L. 1970, c. 302 and P. L. 1969, c. 247.

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

1. R. S. 11:22-2 is amended to read as follows:

Persons included; not subject to provisions of subtitle.

11:22-2. The unclassified service shall not be subject to the provisions of this subtitle and shall include the following:

a. Officers elected by popular vote;

b. Members of district boards of elections; employees in voting machine departments and the chief deputy, chief clerk, secretary, clerical and other assistants or employees appointed by the superintendents of elections and commissioners of registration in counties of the first class having less than 800,000 inhabitants, and by the county boards of elections in all other counties and such of said officers, assistants and employees as are appointed by superintendents of elections in counties of the first class having more than 800,000 inhabitants to serve for terms of 6 months or less in any 1 year;

- c. Appointments of the mayor;
 - d. Heads of departments, except that county department heads, in such departments as shall be designated by the board of freeholders, shall not exceed 12 in number, the members of commissions and boards elected by the board of aldermen, common council or other governing body of any county, municipality or school district operating under this subtitle;
 - e. Law officers of a county, municipality or school district operating under this subtitle;
 - f. Teaching staff members, as defined in N. J. S. 18A:1-1, in the public schools and county superintendents and members and business managers of boards of education;
 - g. Police magistrates appointed by the mayor or other head officer of the municipality operating under this subtitle;
 - h. Officers and employees of county park commissioners in counties of the second class appointed under the provisions of sections 40:37-96 to 40:37-174 of the Title, Municipalities and Counties;
 - i. The superintendent of a county hospital for persons suffering from communicable diseases appointed under the provisions of R. S. 30:9-61 and 30:9-69; and
 - j. The deputy or first assistant of principal executive officers authorized by law to act generally for and in place of his principal;
 - k. The legal assistants of the law department of the counties, municipalities or school districts operating under this subtitle except as herein otherwise provided;
 - l. One secretary, clerk or executive director of each department, appointed board or commission authorized by law to appoint a secretary, clerk or executive director;
 - m. One private secretary or clerk or stenographer of each judge or principal executive officer;
 - n. All officials of county or municipal institutions who must of necessity be physicians;
 - o. Offices or positions whose incumbents by specific statute serve for fixed terms, or whose incumbents by specific statute serve at the pleasure of the appointing authority; and
 - p. Such other officers and positions not now included in the unclassified service by this section or by any other statute, as the Civil Service Commission shall, from time to time, determine, according to law, to be in the unclassified service.
2. This act shall take effect immediately.
- Approved July 1, 1971.

CHAPTER 260

AN ACT concerning disorderly persons and amending chapter 41 of the laws of 1965.

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

1. Section 1 of P. L. 1965, chapter 41 (C. 2A:170-25.9) is amended to read as follows:

C. 2A:170-25.9 Definition.

1. As used in this act the phrase "substance containing any chemical material having the property of releasing toxic vapors or fumes" shall mean and include but not be limited to any glue, cement, adhesive, paint remover or other chemical compounds containing one or more chemical compounds which release vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, the following chemical compounds: acetone, an acetate, benzine, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, toluol, or toluene.

2. Section 2 of P. L. 1965, chapter 41 (C. 2A:170-25.10) is amended to read as follows:

C. 2A:170-25.10 Smelling or inhaling fumes from certain substances; prohibition.

2. No person shall, for the purpose of causing a condition of intoxication, inebriation, excitement, stupefaction, or the dulling of his brain or nervous system, intentionally smell or inhale the fumes from any substance containing any chemical material having the property of releasing toxic vapors or fumes; provided, that nothing in this section shall be interpreted as applying to the inhalation of any anesthesia for medical or dental purposes or the inhalation of the vapors or fumes of an alcoholic beverage, the sale and consumption of which is authorized by law.

3. Section 3 of P. L. 1965, chapter 41 (C. 2A:170-25.11) is amended to read as follows:

C. 2A:170-25.11 Use or possession of certain substances; prohibition.

3. No person shall, for the purpose of violating section 2, use, or possess for the purpose of so using, any substance containing

any chemical material having the property of releasing toxic vapors or fumes.

4. Section 4 of P. L. 1965, chapter 41 (C. 2A:170-25.12) is amended to read as follows:

C. 2A:170-25.12 Sale of certain substances; prohibition.

4. No person shall sell, or offer to sell, to any other person any container of any substance containing any chemical material having the property of releasing toxic vapors or fumes, if he has reasonable cause to suspect that the product sold, or offered for sale, will be used for the purpose set forth in section 2 of this act.

5. This act shall take effect immediately.

Approved July 1, 1971.

CHAPTER 261

A SUPPLEMENT to "An act relating to public buildings and making appropriations for construction, reconstruction, development, extension, improvement and equipment of public buildings, all for education purposes," approved April 2, 1969 (P. L. 1969, c. 13).

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

1. There is hereby appropriated to the Department of Higher Education from the Public Buildings Construction Fund the sum of \$21,273,600.00, or that portion thereof as may be required, for land acquisition and the planning, construction, rehabilitation and equipping of facilities, services, and buildings at the various public institutions of higher education. The appropriations will fund the foregoing types of projects approved by the Board of Higher Education in the amounts and at the institutions as follows:

Institution	Amount
William Patterson College of New Jersey—	
Science Complex	\$6,633,600
Rutgers, The State University—	
Instructional Building, Camden	4,454,000

Physical Education Building, Camden	2,392,000
Instructional Building, Chemistry, Newark	1,000,000
Psychology Building, University Heights	3,794,000
Physical Education Building, Kilmer	1,337,000
Utilities, Kilmer	350,000
Property acquisition, renovations and parking, all campuses	1,313,000
Sub-total, Rutgers	\$14,640,000
Total	\$21,273,600

2. This act shall take effect immediately.

Approved July 7, 1971.

CHAPTER 262

A SUPPLEMENT to "An act relating to public buildings and making appropriations for construction, reconstruction, development, extension, improvement and equipment of public buildings, all for health and welfare purposes," approved February 13, 1969 (P. L. 1969, c. 4).

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

1. There is hereby appropriated to the Department of Institutions and Agencies, from the Public Buildings Construction Fund the sum of \$11,725,208.00 or so much thereof as may be necessary, for construction, reconstruction, development, extension, improvement and equipment of public buildings, on the following project, which is hereby approved, for the purposes indicated:

Institution	Project
Greystone Park	
Psychiatric Hospital	Modernization, old buildings and utility rehabilitation

2. This act shall take effect immediately.

Approved July 7, 1971.

CHAPTER 263

A SUPPLEMENT to “An act relating to public buildings and making appropriations for construction, reconstruction, development, extension, improvement and equipment of public buildings, all for education purposes,” approved May 14, 1969 (P. L. 1969, c. 46).

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

1. There is hereby appropriated to the State Department of Education, from the Public Buildings Construction Fund, the sum of \$2,500,000.00 or so much thereof as may be necessary, for buildings, structures, facilities and equipment required for the operation of vocational education programs, on the following projects, which are hereby approved, for the purposes indicated:

A. CALENDAR 1971—PLANNING AND DEVELOPMENT FUNDS

Atlantic County Vocational
Bergen County Vocational
Burlington County Vocational (Mount Holly)
Burlington County Vocational (Medford)
Cumberland County Vocational
Gloucester County Vocational
North Hunterdon Regional Vocational
Mercer County Vocational
Middlesex County Vocational
Monmouth County Vocational
Ocean County Vocational
Toms River Vocational
Passaic County Vocational
Salem County Vocational
Somerset County Vocational
Sussex County Vocational
Union County Vocational
Thomas A. Edison (Elizabeth) Vocational
Linden Vocational
Warren County Vocational

\$157,090

B. CALENDAR 1971—CONSTRUCTION COSTS

Atlantic County Vocational
Bergen County Vocational
Burlington County Vocational (Mount Holly)
Burlington County Vocational (Medford)
Cumberland County Vocational
Gloucester County Vocational
North Hunterdon Regional Vocational
Mercer County Vocational
Middlesex County Vocational
Monmouth County Vocational
Morris County Vocational
Ocean County Vocational
Passaic County Vocational
Salem County Vocational
Somerset County Vocational
Sussex County Vocational
Union County Vocational
Union County Regional Vocational
Thomas A. Edison (Elizabeth) Vocational
Linden Vocational
Warren County Vocational

\$1,734,550**C. CALENDAR 1971—SITE IMPROVEMENT**

Atlantic County Vocational
Bergen County Vocational
Burlington County Vocational (Mount Holly)
Burlington County Vocational (Medford)
Cumberland County Vocational
Gloucester County Vocational
North Hunterdon Regional Vocational
Mercer County Vocational
Monmouth County Vocational
Ocean County Vocational
Toms River Vocational
Passaic County Vocational
Salem County Vocational
Somerset County Vocational
Sussex County Vocational
Union County Vocational

Thomas A. Edison (Elizabeth) Vocational
 Linden Vocational
 Warren County Vocational

\$103,060

D. CALENDAR 1971—EQUIPMENT

Atlantic County Vocational
 Bergen County Vocational
 Burlington County Vocational (Mount Holly)
 Burlington County Vocational (Medford)
 Cumberland County Vocational
 Gloucester County Vocational
 North Hunterdon Regional Vocational
 Mercer County Vocational
 Middlesex County Vocational
 Monmouth County Vocational
 Morris County Vocational
 Ocean County Vocational
 Passaic County Vocational
 Salem County Vocational
 Somerset County Vocational
 Sussex County Vocational
 Union County Vocational
 Thomas A. Edison (Elizabeth) Vocational
 Linden Vocational
 Warren County Vocational

\$505,300

\$2,500,000

2. This act shall take effect immediately.
 Approved July 7, 1971.

CHAPTER 264

AN ACT to authorize the city of Hackensack in Bergen county to
 appoint John Zottolo to the fire department of the city.

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

Private act.

1. The city of Hackensack in Bergen county is authorized to
 appoint John Zottolo to the fire department of the city, notwith-

standing his height is less than the minimum established by State regulation for appointment.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any fireman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of his appointment.

3. This act shall take effect upon the adoption and publication of an ordinance of the city of Hackensack for the purpose of adopting this act.

Approved July 9, 1971.

CHAPTER 265

AN ACT to authorize the township of South Hackensack in the county of Bergen to make permanent the appointment of Albert E. Melillo and Emil Yannetti to the police department of the township of South Hackensack.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948 (C. 1:6-10 et seq.), under which a petition for a special law has been filed with the Legislature, the township of South Hackensack in the county of Bergen is authorized to make permanent the appointment of Albert E. Melillo and Emil Yannetti to the police department of the township of South Hackensack notwithstanding the age of each is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the township of South Hackensack for the purpose of adopting same.

Approved July 9, 1971.

CHAPTER 266

AN ACT concerning fees collected by the Department of Education and revising parts of the statutory law.

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

1. N. J. S. 18A:6-38 is amended to read as follows:

Powers and duties of the board; issuance and revocation of certificate; rules and regulations.

18A:6-38. The board shall issue appropriate certificates to teach or to administer, direct or supervise the teaching, instruction or educational guidance of, or to render or administer, direct or supervise the rendering of nursing service to, pupils in public schools operated by boards of education and such other certificates as it shall be authorized to issue by law based upon certified scholastic records or upon examinations, or both, and may revoke the same under rules and regulations prescribed by the State board. A fee of not less than \$20.00 shall be charged for the issuance of every certificate as prescribed by such rules and regulations.

2. N. J. S. 18A:6-41 is amended to read as follows:

Application for certificate; fee; examination.

18A:6-41. Every person desiring a "qualifying academic certificate" shall make application therefor in the manner and form prescribed by the commissioner and shall, before the certificate is issued, pay to the commissioner the sum of \$5.00. If the credentials and evidence submitted by an applicant are not sufficient to entitle him to such certificate without an examination in one or more academic subjects the applicant shall, before he begins his examination, pay to the commissioner an examination fee of \$5.00, and for each subsequent examination and prior thereto such applicant shall pay to the commissioner a further examination fee of \$5.00.

3. N. J. S. 18A:18-10 is amended to read as follows:

Application for classification; fee.

18A:18-10. Any person desiring such classification shall file with the state board a statement under oath in response to a questionnaire, prepared and standardized for like classes of work, by the department together with a fee of \$10.00 payable to the Commissioner of Education. The statement shall develop fully the financial

ability, adequacy of plant and equipment, organization and prior experience of the prospective bidder, and also such other pertinent and material facts as may be deemed desirable.

4. N. J. S. 18A:69-8 is amended to read as follows:

Certificate of approval of correspondence school; agents' licenses; fees.

18A:69-8. No private correspondence school which is now or hereafter shall be established shall be operated or conducted in this State, unless it shall have secured from the commissioner a certificate of approval to be issued by him under such rules and in such form as he shall prescribe, with the approval of the State board, and upon the payment of a fee of \$100.00. No field representative or agent of any such private school, located outside or within the State, shall solicit students or transact business in this State, unless he shall have secured, from the commissioner, a license to be issued by him under such rules and in such form as he shall prescribe, with the approval of the State board and upon payment of a fee of \$10.00.

5. N. J. S. 18A:69-10 is amended to read as follows:

Annual renewal of certificates and licenses.

18A:69-10. Each certificate of approval shall be renewed annually upon payment of a fee of \$50.00, and each license upon the payment of a fee of \$10.00. Any approval or license may be revoked for good cause at any time after hearing.

6. N. J. S. 18A:70-2 is amended to read as follows:

Certificate of approval necessary to operation.

18A:70-2. No child care center which is now or hereafter shall be established shall be operated or conducted, except by authority of a valid certificate of approval issued by the commissioner under rules prescribed by him with the approval of the State board. Application for the issuance or renewal of a certificate shall be made upon a form prescribed by the commissioner and shall be accompanied by a fee of \$75.00, which shall be returned if the application is denied.

7. This act shall take effect immediately.

Approved July 9, 1971.

CHAPTER 267

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*:

1. Section 4 of P. L. 1945, C. 162 (C. 54:10A-4) is amended to read as follows:

C. 54:10A-4 Definitions.

4. For the purposes of this act, unless the context requires a different meaning:

(a) "Commissioner" shall mean the Director of the Division of Taxation of the State Department of the Treasury.

(b) "Allocation factor" shall mean the proportionate part of a taxpayer's net worth or entire net income used to determine a measure of its tax under this act.

(c) "Corporation" shall mean any corporation, joint-stock company or association and any business conducted by a trustee or trustees wherein interest or ownership is evidenced by a certificate of interest or ownership or similar written instrument.

(d) "Net worth" shall mean the aggregate of the values disclosed by the books of the corporation for (1) issued and outstanding capital stock, (2) paid-in or capital surplus, (3) earned surplus and undivided profits, (4) surplus reserves which can reasonably be expected to accrue to holders or owners of equitable shares, not including reasonable valuation reserves, such as reserves for depreciation or obsolescence or depletion, and (5) the amount of all indebtedness owing directly or indirectly to holders of 10% or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes, as of the close of a calendar or fiscal year. The foregoing aggregate of values shall be reduced by 50% of the amount disclosed by the books of the corporation for investment in the capital stock of one or more subsidiaries, which investment is defined as ownership (1) of at least 80% of the total combined voting power of all classes of stock of the subsidiary entitled to vote and (2) of at least 80% of each class, if any, of nonvoting stock. In the case of investment in an entity organized under the laws of a foreign country, the foregoing requisite degree of ownership shall effect a like reduction of such investment from net worth of the

taxpayer, if the foreign entity is considered a corporation for any purpose under the United States Federal income tax laws, such as (but not by way of sole examples) for the purpose of supplying deemed-paid foreign tax credits or for the purpose of status as a controlled foreign corporation. In calculating the net worth of a taxpayer entitled to reduction for investment in subsidiaries, the amount of liabilities of the taxpayer shall be reduced by such proportion of the liabilities as corresponds to the ratio which the excluded portion of the subsidiary values bears to the total assets of the taxpayer.

If in the opinion of the commissioner, the corporation's books do not disclose fair valuations the commissioner may make a reasonable determination of the net worth which, in his opinion, would reflect the fair value of the assets, exclusive of subsidiary investments as defined aforesaid, carried on the books of the corporation, in accordance with sound accounting principles, and such determination shall be used as net worth for the purpose of this act.

(e) "Indebtedness owing directly or indirectly" shall include, without limitation thereto, all indebtedness owing to any stockholder or shareholder and to members of his immediate family where a stockholder and members of his immediate family together or in the aggregate own 10% or more of the aggregate outstanding shares of the taxpayer's capital stock of all classes.

(f) "Investment company" shall mean any corporation whose business during the period covered by its report consisted, to the extent of at least 90% thereof of holding, investing and reinvesting in stocks, bonds, notes, mortgages, debentures, patents, patent rights and other securities for its own account, but this shall not include any corporation which: (1) is a merchant or a dealer of stocks, bonds and other securities, regularly engaged in buying the same and selling the same to customers; or (2) had less than 90% of its average gross assets in New Jersey, at cost, invested in stocks, bonds, debentures, mortgages, notes, patents, patent rights or other securities or consisting of cash on deposit during the period covered by its report.

(g) "Regulated investment company" shall mean any corporation which for a period covered by its report, is registered and regulated under the Investment Company Act of 1940 (54 Stat. 789), as amended.

(h) "Taxpayer" shall mean any corporation required to report or to pay taxes, interest or penalties under this act.

(i) "Fiscal year" shall mean an accounting period ending on any day other than the last day of December on the basis of which the taxpayer is required to report for Federal income tax purposes.

(j) Except as herein otherwise provided, "privilege period" shall mean the calendar or fiscal accounting period for which a tax is payable under this act.

(k) "Entire net income" shall mean total net income from all sources, whether within or without the United States, and shall include the gain derived from the employment of capital or labor, or from both combined, as well as profit gained through a sale or conversion of capital assets. For the purpose of this act, the amount of a taxpayer's entire net income shall be deemed prima facie to be equal in amount to the taxable income, before net operating loss deduction and special deductions, which the taxpayer is required to report to the United States Treasury Department for the purpose of computing its Federal income tax; provided, however, that in the determination of such entire net income,

(1) Entire net income shall exclude 100% of dividends which were included in computing such taxable income for Federal income tax purposes, paid to the taxpayer by one or more subsidiaries owned by the taxpayer to the extent of the 80% or more ownership of investment described in subsection (d) of this section. With respect to other dividends, entire net income shall not include 50% of the total included in computing such taxable income for Federal income tax purposes;

(2) Entire net income shall be determined without the exclusion, deduction or credit of:

(A) the amount of any specific exemption or credit allowed in any law of the United States imposing any tax on or measured by the income of corporations;

(B) any part of any income from dividends or interest on any kind of stock, securities or indebtedness, except as provided in subsection (k) (1) of this section;

(C) taxes paid or accrued to the United States on or measured by profits or income, or the tax imposed by this act, or any tax paid or accrued with respect to subsidiary dividends excluded from entire net income as provided in subsection (k) (1) of this section;

(D) net operating losses sustained during any year or period other than that covered by the report;

(E) 90% of interest on indebtedness owing directly or indirectly to holders of 10% or more of the aggregate outstanding shares of

the taxpayer's capital stock of all classes; except that such interest may, in any event, be deducted

(i) up to an amount not exceeding \$1,000.00,

(ii) in full to the extent that it relates to bonds or other evidences of indebtedness issued, with stock, pursuant to a bona fide plan of reorganization, to persons, who, prior to such reorganization, were bona fide creditors of the corporation or its predecessors, but were not stockholders or shareholders thereof;

(3) The commissioner may, whenever necessary to properly reflect the entire net income of any taxpayer, determine the year or period in which any item of income or deduction shall be included, without being limited to the method of accounting employed by the taxpayer.

2. This act shall take effect immediately and shall be applicable to taxpayers whose accounting periods end after June 30, 1971.

Approved July 21, 1971.

CHAPTER 268

AN ACT concerning boards of managers of municipal hospital, and amending section 30:9-14 of the Revised Statutes and the "Optional Municipal Charter Law," 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. Section 30:9-14 of the Revised Statutes is amended to read as follows:

Board of managers.

30:9-14. The governing body of any municipality establishing and maintaining a hospital or hospitals under authority of section 30:9-13 of this Title shall have power to appoint a board to manage and operate its hospitals established pursuant to section 30:9-13 of this Title. The board shall consist of 12 persons, 10 of whom shall be citizens and residents of the municipality, who shall serve without compensation; 3 of whom shall be appointed for a term of 2 years, 3 of whom shall be appointed for a term of 3 years,

and 4 of whom shall be appointed for a term of 4 years. Thereafter, all appointments shall be made for terms of 4 years. All appointed members shall serve after the expiration of their terms until their respective successors are appointed and shall qualify, and any vacancy occurring in the appointed members of the board, due to expiration of term or otherwise, shall be filled in the same manner as the original appointment, for the unexpired term only, notwithstanding that the previous incumbent may have held over and continued in office as aforesaid. The board members may be reimbursed for actual expenses incurred in the performance of their official duties. The chief executive of the municipality and the officer having charge of its finances shall be ex-officio members of the board.

At its organization meeting the board shall annually elect a chairman, a vice-chairman, a secretary and a treasurer, who shall hold office until February 1 next ensuing, and until their respective successors have been elected and qualify. The treasurer may be an ex-officio member of the board. The treasurer shall file a bond of indemnity with the board in an amount sufficient to cover the moneys from time to time under his custody and control. Such moneys shall be deposited to the account of the hospital in a separate bank account or accounts.

The board or its members shall incur no expense or obligation in excess of the amount appropriated by the governing body for expenditure by them and of hospital funds subject to their disposition.

The governing body may remove a member for cause after public hearing which removal shall be in accordance with the civil service and tenure of office laws in municipalities operating under such laws. Such removal shall be reviewable in the Superior Court by a proceeding in lieu of prerogative writ.

The board shall have the following powers:

(a) To exercise full and exclusive control over the hospital or hospitals owned by the municipality, but subject to State health and licensing laws;

(b) To have a common seal and to alter the same in its discretion;

(c) To sue and be sued as a public body, politic and corporate;

(d) To enter into any and all contracts, execute any and all instruments and do and perform any and all acts or things neces-

sary, convenient or desirable for the purposes of the hospital, or to carry out any powers expressly granted in this section;

(e) To do and perform any acts and things authorized by this act, through or by means of its own officers, agents and employees, or by contracts with any persons;

(f) To make and enforce by-laws or rules and regulations for the business and affairs of the hospital and for the use, maintenance and operation of the hospital;

(g) To fix the salaries of all employees and to create and establish such positions as may be necessary for the efficient operation of the hospital, and except as otherwise provided by section 30:9-13 of this Title and applicable law. All salaries shall be fixed as nearly as practicable in accordance with the schedule, if any, of the municipality for corresponding positions. Receipts and revenues of the hospital shall be retained and applied by the board for the purposes of the hospital. Prior to November 15 of each year, the board shall certify to the governing body any additional sums that may be necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the following items:

- (1) Payment of wages and salaries of employees;
- (2) Purchase of materials and supplies;
- (3) Purchase of necessary equipment and services.

The governing body shall annually appropriate such sums as it may deem necessary for said purposes within the amounts available therefor in accordance with applicable law. The board shall not have the power to borrow money for any of its purposes.

2. Section 17-58 of chapter 210 of the laws of 1950 (C. 40:69A-207) is amended to read as follows:

C. 40:69A-207 Existing offices abolished on effective date of optional plan; exceptions.

17-58. At 12 o'clock noon on the effective date of an optional plan adopted pursuant to this act, all offices then existing in such municipality shall be abolished and the terms of all elected and appointed officers shall immediately cease and determine; provided, that nothing in this section shall be construed to abolish the office or terminate the term of office of any member of the board of education, board of fire commissioners of a township fire district, trustees of the free public library, commissioners of a local housing authority, board of managers of a municipal hospital, municipal magistrates

or of any official or employee now protected by any tenure of office law, or of any policeman, fireman, teacher, principal or school superintendent whether or not protected by a tenure of office law. If the municipality is operating under the provisions of Title 11 of the Revised Statutes (Civil Service) at the time of the adoption of an optional plan under this act, nothing herein contained shall affect the tenure of office of any person holding any position or office coming within the provisions of said Title 11 as it applies to said officers and employees. If the municipal clerk has, prior to the effective date of the optional plan, acquired a protected tenure of office pursuant to law, he shall become the first municipal clerk under the optional plan.

Provision for officers and for the organization and administration of the municipal government under the optional plan may be made by resolution pending the adoption of ordinances, but any such resolution shall expire not later than 30 days after the effective date of the optional plan.

3. This act shall take effect immediately.

Approved July 21, 1971.

CHAPTER 269

AN ACT to provide facilities for the physically handicapped in public buildings.

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

C. 52:32-4 Provision of facilities for physically handicapped.

1. Except as otherwise provided by law, all plans and specifications for the construction of any public building by the State and by all political subdivisions and instrumentalities thereof, to the extent deemed feasible by the contracting authority, shall provide facilities for the physically handicapped.

C. 52:32-5 Kinds and types of facilities.

2. The Department of the Treasury shall, from time to time, promulgate guidelines which shall prescribe the kinds, types and quality of such facilities which shall include the following:

(a) At least one principal entrance to the building with ramp access in accordance with specifications for ramps established by rule of the Department of the Treasury;

(b) On each floor open to the public at least one watercloset stall, for each sex, in general toilet rooms, to accommodate wheelchair occupants which shall include adequate stall-door width, grab rails, sufficient space and appropriate height;

(c) A drinking fountain of suitable height and extension for wheelchair occupants on every floor open to the public;

(d) In any multistory building an elevator, sufficient in size to accommodate a wheelchair;

(e) At least one public telephone at a height accessible to wheelchair occupants.

3. This act shall take effect immediately, but shall remain inoperative for 6 months thereafter.

Approved July 27, 1971.

CHAPTER 270

AN ACT concerning educational facilities and programs for handicapped children and amending N. J. S. 18A:46-14.

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

1. N. J. S. 18A:46-14 is amended to read as follows:

Enumeration of facilities and programs.

18A:46-14. The facilities and programs of education required under this chapter shall be provided by one or more of the following:

a. A special class or classes in the district, including a class or classes in hospitals, convalescent homes, or other institutions;

b. A special class in the public schools of another district in this State or an adjoining or nearby State;

c. Joint facilities including a class or classes in hospitals, convalescent homes or other institutions to be provided by agreement between one or more school districts;

- d. A jointure commission program;
- e. A State of New Jersey operated program;
- f. Instruction at school supplementary to the other programs in the school, whenever, in the judgment of the board of education with the consent of the commissioner, the handicapped pupil will be best served thereby;
- g. Sending children capable of benefiting from a day school instructional program to privately operated nonprofit day classes, in New Jersey or an adjoining State or a nearby State and within 400 miles of Trenton or, with the approval of the commissioner to meet particular circumstances, at a greater distance from Trenton, the services of which are nonsectarian whenever in the judgment of the board of education with the consent of the commissioner it is impractical to provide services pursuant to subsections a, b, c, d, e, or f otherwise;
- h. Individual instruction at home or in school whenever in the judgment of the board of education with the consent of the commissioner it is impracticable to provide a suitable special education program for a child pursuant to subsections a, b, c, d, e, f, or g otherwise.

Whenever any child shall be confined to a hospital, convalescent home, or other institution in New Jersey or an adjoining or nearby State and is enrolled in an education program approved under this article, the board of education of the district in which the child is domiciled shall pay the tuition of said child in the special education program.

The board of education may also furnish: (a) the facilities or programs provided in this article to any person over the age of 20 who does not hold a diploma of a high school approved in this State or in any other State in the United States, (b) suitable approved facilities and programs for children under the age of 5.

2. This act shall take effect immediately.

Approved July 27, 1971.

CHAPTER 271

AN ACT authorizing the establishment of county special services school districts for the education and treatment of handicapped children, prescribing the powers and duties of the boards of education, county superintendents of schools or other public bodies in connection therewith, providing for the organization and management of said districts and the ways and means to finance the construction and operation of the schools thereof, supplementing chapter 46 of Title 18A of the New Jersey Statutes, and amending N. J. S. 18A:58-6.

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

C. 18A:46-29 County special services school district authorized.

1. The board of chosen freeholders of any county may establish a county special services school district for the education and treatment of handicapped children, as such children are defined in N. J. S. 18A:46-1, upon its finding that the need for such county special services school district exists. Before making any finding as to the existence of such need, the board shall hold at least one public hearing thereon upon not less than 10 days notice of the time and place thereof published in a newspaper of general circulation in the county. If the board of freeholders, by resolution, authorizes the establishment of such a school district for the county, schools shall be forthwith established and maintained in the county and shall be known as the "schools for special services in the county of" (here insert the name of the county in which the schools are located).

C. 18A:46-30 Rules and regulations.

2. The State Board of Education shall prescribe rules and regulations for the organization, management and control of such special service schools.

C. 18A:46-31 Powers and duties of special services school district board of education.

3. a. The board of education of a county special services school district established under this act, may receive pupils from other counties so far as their facilities will permit, provided a rate of tuition not exceeding 50% of the cost of such education is paid by the sending districts.

Any school established pursuant to this act shall accept all eligible pupils within the county, so far as facilities permit. Pupils residing outside the county may be accepted should facilities be available only after provision has been made for all eligible pupils within the county. Any child accepted shall be classified pursuant to chapter 46 of Title 18A of the New Jersey Statutes.

b. The board of education of any county special services school-district 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 special services school district, of residents or pupils of such other school district and as to the payments to be made or the rate of tuition to be charged on account of such students. Payments shall be made quarterly to the receiving district by each sending district. The payment or rate of tuition per student shall not exceed 50% of the pro rata annual cost of the operation and maintenance of the county special services school district remaining after deduction from such cost of all amounts of aid received by the county special services 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 excluding from such cost any amount on account of required payments of interest or principal on bonds or notes of the county issued for the purpose 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 special services school district and by the board of chosen freeholders of the county with respect to the annual budget of the county special services 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 special services school district.

c. The board of education of any county special services school district, with the approval of the board of chosen freeholders of the county, may provide for the establishment, maintenance and operation of dormitory and other boarding care facilities for pupils in conjunction with any one or more of its schools for special services, and the board shall provide for the establishment, maintenance and operation of such health care services and facilities for the pupils as the board shall deem necessary.

C. 18A:46-32 Approval of program and courses of study.

4. The program and courses of study to be pursued in such special services school and all changes therein shall be approved by

the Commissioner of Education, with the advice and consent of the State Board of Education.

C. 18A:46-33 Courses of study to be pursued.

5. Courses of study should be pursued to provide as a first priority, programs or courses of study not at that time available in any other school within the county especially for those with unusually severe disability or those with unusual multi-disability. Then courses of study should be pursued, as deemed necessary by the Commissioner of Education which may be available at that time but where there is not sufficient capacity available at that time to accommodate all the students identified and classified as requiring these courses of study.

C. 18A:46-34 School year.

6. The school year for a county special services school district shall begin on July 1 and end June 30.

C. 18A:46-35 Board of education; membership, appointment, terms, vacancies.

7. For each county special services school district established in accordance with this act there shall be a board of education consisting of the county superintendent of schools, ex officio, and six persons to be appointed by the director of the board of chosen freeholders with the advice and consent of the remaining members of such board. In any county having a county mental health board, the chairman thereof shall also serve as an ex officio member of the board of education but shall not be entitled to vote on any matter before the board. The appointive members shall serve for terms of 3 years commencing as of July 1 of the calendar year in which they are appointed and to continue until their successors are appointed and qualify, except that of those first appointed two shall be appointed for terms of 1 year, two for 2 years, and two for 3 years.

Vacancies in the board caused by the death, resignation or removal of a member shall be reported forthwith by the secretary of the board to the director of the board of chosen freeholders, who, by the next regular meeting of the board of chosen freeholders and in the manner herein prescribed for making appointments for a full term, shall appoint a person to fill the vacancy for the unexpired term.

C. 18A:46-36 Qualifications of board members.

8. A member of the board of education created under the provisions hereof shall be a citizen and a resident of the county, shall have been such citizen and resident for at least 2 years immediately preceding his becoming a member of the board, and shall have

shown an interest in children with an unusual disability to learn or in the field of mental health.

C. 18A:46-37 Organization.

9. Each board of education for a county special services school district shall organize annually on July 1 by the election of a president and vice-president, unless July 1 shall fall on a Sunday, in which case the board shall organize on the following day.

C. 18A:46-38 Designation and powers of board of education.

10. The board of education provided for herein shall be a body corporate and shall be known as "The Board of Education of the Special Services School District of the county of," (here insert the name of the county in which such school shall be located). The board shall organize and operate in the manner provided by law and shall have all the powers as are now or may hereafter be provided by law and applicable for other school districts, subject to the additional restrictions provided by this act.

C. 18A:46-39 Board of school estimate; membership, appointment, vacancies.

11. The board of school estimate of such county special services school district shall consist of two members of the board of education of the school district appointed by the board, two members of the board of chosen freeholders of the county appointed by that board, and the director of the board of chosen freeholders. The appointments shall be made annually between January 1 and January 15. In case of a vacancy occurring in the board by reason of the resignation, death or removal of any appointed member, the vacancy shall be filled immediately by the board which originally appointed the member, by appointing another of its members to fill the vacancy. The secretary of the board of education of the county special services school district shall be the secretary of the board of school estimate, but shall receive no compensation as such.

C. 18A:46-40 Itemized statement of current expenses.

12. On or before February 1 in each year the board of education of a county special services 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 special services school district for the ensuing school year.

C. 18A:46-41 Appropriation for current expenses.

13. a. Between February 1 and February 15 in each year the board of school estimate shall fix and determine by official action

taken at a public meeting of the board the amount of money necessary to be appropriated for the use of the county special services school district for the ensuing school year exclusive of the amount to be received from the State as provided in section 16 of this act.

b. The board of school estimate shall, on or before the last named date, make two certificates of the amount, signed by at least three of its members, one of which certificates shall be delivered to the board of education of the county special services 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 act.

C. 18A:46-42 Appropriation for lands or buildings.

14. Whenever a board of education of a county special services 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 two certificates thereof, one of which certificates shall be delivered to the board of education and the other to the board of chosen freeholders of the county.

The board of chosen freeholders may appropriate such amount which 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 special services school district and shall be paid out by him only on the warrants or orders of the board of education of the county special services

school district. The treasurer shall in no event disburse such proceeds, except to pay the expense of issuing and selling such obligations and for the purpose or purposes for which such obligations 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 special services school district may transfer the balance remaining unapplied to the capital outlay account of the school district.

C. 18A:46-43 Rights and privileges of employees.

15. All teachers, principals, and other employees of the board of education of the county special services school district are hereby held to possess all rights and privileges of teachers, principals and other employees of boards of education of other school districts as provided in Title 18A of the New Jersey Statutes.

C. 18A:46-44 Amount and payment of State aid.

16. Wherever any county special services school district shall be established under the provisions of this act there shall be paid to the treasurer of the school district on the order of the commissioner, an amount equal to that raised in the county for the establishment of the school district, exclusive of the amount appropriated for the purchase of land or the erection of a building, which amount shall be paid by the treasurer on the warrant of the State Comptroller. Annually thereafter, the State shall pay in like manner an amount equal to the amount appropriated by the county for the current expenses of the school district.

C. 18A:46-45 Advisory committee of board of education.

17. The board of education of any county special services school district shall appoint an advisory committee of not less than 10 members consisting of representatives of recognized parent and professional organizations working exclusively for the children classified as having unusual disability, as well as at least one psychiatrist, one psychologist, one social worker, and, in any county in which the commissioner has established a department of child study, the county child study supervisor. The committee shall meet at least four times per year to consider matters referred to it by the board and to make recommendations to the board.

C. 18A:46-46 Treasurer of board of education.

18. The board of education of any county special services school district may 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.

19. N.J.S. 18A:58-6 is amended to read as follows:

Atypical pupils.

18A:58-6. In addition to all other aid.

a. Each State college operating an approved special class or classes for handicapped children shall be paid \$2,000.00 per class for such classes.

b. Each local school district, whether operating separately or jointly with one or more other school districts, shall be reimbursed by State aid for:

1. The cost of operating an educational program for handicapped children including costs of identification, examination, supervision and other special education services approved by the commissioner, to the extent of one-half of such costs except that no local district, jointure commission or college demonstration school shall receive less than \$3,000.00 a class in State aid; and one-half of the approved tuition paid to another local school district, jointure commission, State operated facility or private school, and

2. 75% of the cost to the district of furnishing transportation within the State, under a program approved under chapter 46 of this law, when the necessity for furnishing such transportation and the cost and method thereof, have been approved by the county superintendent of the county in which the district paying such cost is situated.

c. State aid in the amount of one-half the apportionment by a jointure commission appointed pursuant to section 18A:46-25 to any contracting district for operational expenses shall be paid to the contracting district. Class State aid shall be apportioned to each contracting district in accordance with the number of pupils enrolled from the district.

d. Whenever approved special education services are provided by a county special services school district, the district shall be entitled to the aid that would otherwise be available for such services if provided by any of the participating local school districts. Any such aid shall be in lieu of reimbursement to each local school district.

20. This act shall take effect immediately.

Approved July 27, 1971.

CHAPTER 272

AN ACT concerning extended sheltered workshop employment programs for the severely handicapped and making an appropriation therefor.

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

C. 34:16-39 Short title.

1. This act shall be known and cited as the "Sheltered Workshop Act of 1971."

C. 34:16-40 Definitions.

2. As used in this act:

a. "Sheltered workshop" means an occupation oriented facility operated by a nonprofit agency, public or private, which except for its staff, employs only handicapped persons;

b. "State Rehabilitation Commission" means the New Jersey Rehabilitation Commission in the Department of Labor and Industry;

c. "State Commission for the Blind" means the New Jersey Commission for the Blind in the Department of Institutions and Agencies;

d. "Extended employee" means a severely handicapped person who meets the following requirements: (1) shall have completed a prescribed workshop program; (2) shall have been found, due to the nature and severity of his disability to be incapable of competing in the open or customary labor market; and (3) shall have been in the workshop program for a period of 12 months in a nonsponsored status and certified as being an extended employee by the staff of the New Jersey Rehabilitation Commission or the New Jersey Commission for the Blind;

e. "Extended employment program" means a program designed for those persons whose handicapped conditions fit them only for sheltered employment, after completion of a certified program of vocational evaluation and training, or for those severely handicapped persons who were not eligible for vocational rehabilitation services under laws and regulations in effect at the date of enactment of this act and who could benefit from the provisions of this act.

C. 34:16-41 Administration of program.

3. The State Rehabilitation Commission shall administer a program of vocational rehabilitation to an extended employee and

shall plan, institute, support, and administer a program of extended employment in a sheltered workshop provided for in this act.

C. 34:16-42 Authority to contract for extended employment programs.

4. The State Rehabilitation Commission is hereby authorized to contract with an approved sheltered workshop for the furnishing of extended employment programs to severely handicapped persons when it shall appear to the satisfaction of the State Rehabilitation Commission, or upon certification to the State Rehabilitation Commission by the State Commission for the Blind, that a severely handicapped person could reasonably be expected to benefit from, or reasonably requires extended rehabilitation services. The State Rehabilitation Commission is authorized to contract for the payment of a sum for each severely handicapped person not exceeding the amount appropriated for the purposes of this act toward the cost of providing an extended employment program pursuant to this act.

C. 34:16-43 Eligibility for extended employment program; standards; progress report.

5. The State Rehabilitation Commission and the State Commission for the Blind are hereby vested with the authority: a. to determine the eligibility of severely handicapped persons for the extended employment program in consultation with the sheltered workshops providing the program; b. to establish standards of staffing, physical plant and services required for the operation of facilities of sheltered workshops furnishing services under this act by contract with the State; and c. to require an appropriate progress report on each individual participating in the extended employment program.

6. There is hereby appropriated to the State Rehabilitation Commission the sum of \$625,000.00 to be used for the funding of extended employment programs conducted by sheltered workshops under contract with the State Rehabilitation Commission. Said State agency administering this act shall make a study of the needs of sheltered workshops with regard to extended employment programs under this act and formulate a budget therefor to be submitted for inclusion in an annual or supplemental appropriations act. Any administrative costs incurred in carrying out the purposes of this act shall be deducted from the sum herein appropriated.

7. This act shall take effect immediately and be applicable to sheltered workshops no earlier than 30 days after the effective date.

Approved July 27, 1971.

CHAPTER 273

AN ACT to amend "An act concerning motor vehicles and to amend and supplement 'An act concerning traffic regulation, and amending and supplementing chapter 4 of Title 39 of the Revised Statutes and certain other statutes relating thereto,' approved April 15, 1951 (P. L. 1951, c. 23)," approved June 18, 1966 (P. L. 1966, c. 142).

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

1. Section 3 of P. L. 1966, chapter 142 (C. 39:4-50.3) is amended to read as follows:

C. 39:4-50.3 Method of analyses; approval of techniques; certification of analysts; reports.

3. Chemical analyses of the arrested person's breath, to be considered valid under the provisions of this act, shall have been performed according to methods approved by the Attorney General, and by a person certified for this purpose by the Attorney General. The Attorney General is authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to make certifications of such individuals, which certifications shall be subject to termination or revocation at the discretion of the Attorney General. The Attorney General shall prescribe a uniform form for reports of such chemical analysis of breath to be used by law enforcement officers and others acting in accordance with the provisions of this act. Such forms shall be sequentially numbered. Each chief of police, in the case of forms distributed to law enforcement officers and others in his municipality, or the other officer, board, or official having charge or control of the police department where there is no chief, and the Director of the Division of Motor Vehicles and the Superintendent of State Police, in the case of such forms distributed to law enforcement officers and other personnel in their divisions, shall be responsible for the furnishing and proper disposition of such uniform forms. Each such responsible party shall prepare or cause to be prepared such records and reports relating to such uniform forms and their disposition in such manner and at such times as the Attorney General shall prescribe.

2. This act shall take effect 90 days after enactment.

Approved August 4, 1971.

CHAPTER 274

AN ACT concerning certain hearings and appeals before the Civil Service Commission, and supplementing chapter 1 of Title 11 of the Revised Statutes.

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

C. 11:1-25 Postponement of hearing.

1. In hearings or appeals conducted before the Civil Service Commission pursuant to chapter 5 or 25 of Title 11 of the Revised Statutes, any postponement therein, requested by the appointing authority, the appellant, or attorneys for either, may be granted if the commission determines that the request therefor is based on good and sufficient reason and accompanied by timely notice.

C. 11:1-26 "Good and sufficient reasons" defined.

2. "Good and sufficient reasons" may include, but not be limited to,

(a) unavoidable appearance by the attorneys or either party before any court of this State or the United States;

(b) illness of the appellant, the appointing authority, or their attorneys, evidenced by a doctor's certificate of illness, supported by an affidavit from the parties or their attorneys.

C. 11:1-27 Postponement for reasons not proven to be good and sufficient; penalty.

3. A postponement may be permitted by the commission for reasons not proven to be good and sufficient, but a penalty not exceeding \$300.00 will be imposed upon the parties or their attorneys and the hearing date placed at the bottom of the commission's calendar. The penalty shall be collected and enforced in a summary proceeding pursuant to the Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.).

C. 11:1-28 Certain periods of postponement not included in calculation of back wages.

4. Should a party, whose reasons for postponement were unacceptable, be awarded back wages, the period from time of postponement to the time of the hearing shall not be included when calculating such wages. This section shall not apply to a party whose attorney has failed to provide good and sufficient reason.

5. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 275

AN ACT to amend "An act to provide for payroll deductions from the compensation of State, county, municipal and school employees for employee organization dues and supplementing Title 52 of the Revised Statutes," approved February 27, 1968 (P. L. 1967, c. 310) as said title was amended by P. L. 1969, c. 233.

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

1. Section 1 of P. L. 1967, c. 310 (C. 52:14-15.9e) is amended to read as follows:

C. 52:14-15.9e Deductions to pay dues to employee organization; authorization; withdrawal.

1. Whenever any person holding employment, whose compensation is paid by this State or by any county, municipality, board of education or authority in this State, or by any board, body, agency or commission thereof shall indicate in writing to the proper disbursing officer his desire to have any deductions made from his compensation, for the purpose of paying the employee's dues to a bona fide employee organization, designated by the employee in such request, and of which said employee is a member, such disbursing officer shall make such deduction from the compensation of such person and such disbursing officer shall transmit the sum so deducted to the employee organization designated by the employee in such request.

Any such written authorization may be withdrawn by such person holding employment at any time by the filing of notice of such withdrawal with the above-mentioned disbursing officer. The filing of notice of withdrawal shall be effective to halt deductions as of the January 1 or July 1 next succeeding the date on which notice of withdrawal is filed.

2. This act shall take effect immediately and shall be retroactive to December 16, 1969.

Approved August 4, 1971.

CHAPTER 276

AN ACT concerning certain judicial pensions and amending "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) and "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," approved May 13, 1963 (P. L. 1963, c. 36).

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

1. Section 5 of P. L. 1948, c. 391 (C. 43:6-6.8) is amended to read as follows:

C. 43:6-6.8 Pension to surviving widow on death of certain judicial officers.

5. Whenever any person holding the office of Chancellor, Chief Justice of the old Supreme Court, associate justice of the old supreme court, judge of the circuit court, Vice-Chancellor, Chief Justice of the new Supreme Court, associate justice of the new supreme court, or judge of the superior 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 to whom he was married at least 4 years before the date of his death and to whom he continued to be married until the date of his death, 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.

2. Section 4 of P. L. 1963, c. 36 (C. 2A:3-21.4) is amended to read as follows:

C. 2A:3-21.4 Widow's pension.

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 to whom he was married at least 4 years before the date of his death and to whom he continued to be married until the date of his death, 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.

3. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 277

AN ACT to supplement "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. 43:13-22.42 Definitions.

1. As used in this act "retirant" means any former employee included in the membership of the retirement system established under the act to which this act is a supplement, who has retired from such employment, and as a result of such employment, is receiving a pension from the retirement system.

"Calendar year" means the 12-month period beginning January 1 and ending December 31.

"Retirement year" is the calendar year 1967 for all retirants who retired before the calendar year 1968; for all retirants who retired after 1967, "retirement year" is the actual calendar year of retirement.

"Index" shall mean the annual average over a calendar year of the Consumer Price Index for Urban Wage Earners and Clerical Workers, All Items Series A, of the United States Department of Labor (1957-1959 = 100). Should the reference base of said index be changed, the index used to determine the Consumer Price Index as defined herein will be the index converted to the new base by standard statistical methods.

“Retirement year index” shall be the index of the calendar year 1967 for all retirants who retired prior to January 1, 1968 and the index for the calendar year of retirement for all retirants who retired thereafter.

C. 43:13-22.43 Increase of pension.

2. The monthly pension originally granted to any retirant shall be increased in accordance with the provisions of this act.

Pension increases shall not be paid to retirants who are not receiving their regular, full, monthly pensions. The increase granted under the provisions of this act shall be effective only on the first day of a month, shall be paid in monthly installments, and shall not be decreased, increased, revoked or repealed except as otherwise provided in this act. No increase shall be due to a retirant or his beneficiary unless it constitutes a payment for an entire month.

C. 43:13-22.44 Ratio of increase; calculation.

3. The “ratio of increase” which shall apply to the pension originally granted to a retirant shall be calculated in accordance with the following percentages as determined by the calendar year in which the retirement became effective.

Year of Retirement	Ratio of Increase	Year of Retirement	Ratio of Increase
1915	219%	1935	137%
1916	198%	1936	134%
1917	153%	1937	126%
1918	116%	1938	130%
1919	88%	1939	134%
1920	62%	1940	132%
1921	82%	1941	120%
1922	94%	1942	99%
1923	90%	1943	88%
1924	90%	1944	85%
1925	85%	1945	80%
1926	84%	1946	66%
1927	87%	1947	45%
1928	89%	1948	35%
1929	89%	1949	36%
1930	94%	1950	35%
1931	113%	1951	25%
1932	138%	1952	22%
1933	151%	1953	21%
1934	143%	1954	21%

C. 43:13-22.45 Appropriations to pay increase.

4. The employer shall bear the cost of the increase in the pensions payable to retirants who retired from the employ of such employer. The employer shall appropriate the amount in the fiscal year next following, taking into account payments made to retirants of such employer and prospective payments to be made to such retirants in the following year.

The increase in pensions provided for under this act shall commence provided, that there is appropriated the amount certified by the Director of the Division of Pensions of the State Department of the Treasury to the Director of the State Division of Budget and Accounting as set forth in the Pension Increase Act (P. L. 1969, c. 169). The increase in pensions shall continue to be paid as long as there shall be appropriated the amounts so certified. In the event that the necessary funds are not so appropriated, the increase in pensions shall cease; no further payments shall be made by the employer; a refund shall be made by the retirement system to the employer of any balance unexpended on its account.

C. 43:13-22.46 Waiver of increase; written notice; withdrawal.

5. Any person who is eligible to receive the increased pension under the provisions of this act may, at any time, waive his right thereto by filing a written notice of waiver with the secretary of the retirement system. The application for the waiver of all or part of the increase shall be made by the retirant at least 30 days prior to the desired effective date on a form satisfactory to the retirement system and shall be effective on the first day of the following month. Such waiver may be withdrawn at any time and upon such withdrawal the increase in the pension shall commence with the pension payment for the next following month.

C. 43:13-22.47 Percentage of adjustment.

6. On or before October 1, 1969 and by the same date in each subsequent year, the Director of the Division of Pensions of the State Department of the Treasury shall review the index and determine the percentum of change in the index from the retirement year index pursuant to the provisions of the Pension Increase Act. The percentage of adjustment in the pensions shall be $\frac{1}{2}$ of the percentum of change.

The director shall include amounts sufficient to adjust the retirement allowances or pensions payable to all eligible retirants by $\frac{1}{2}$ of the percentum of change in the index as such retirement allowances or pensions may have been originally granted, or increased for certain retirants in accordance with the provisions of the Pension Increase Act (P. L. 1969, c. 169). The director shall

notify the secretary of the retirement system of the percentage of adjustment for the applicable year.

In no instance shall the amount of the pension originally granted and payable to any retirant be reduced as a result of this adjustment.

For purposes of this section a "retirant" shall include all retirants except those whose pension commenced within the 3 calendar years prior to the first of the month in which the adjustment is to become effective in any year.

C. 43:13-22.48 Effect of blanket increase.

7. If legislation is adopted providing for a blanket increase in the original pensions or for minimum pensions to any group of retirants eligible for benefits under this act, all increases provided under this supplementary act shall be terminated on the first of the month when such blanket increases or minimum pensions are payable, except in those instances where the retirant's original pension plus the increases provided under this act will exceed the amounts payable to such retirants as a result of such other legislation; in such event the amount payable under this act shall be the difference between the new pension payable by the retirement system and the amount which would otherwise have been paid under this act. Any subsequent annual review of amounts payable under this act for such retirants shall continue to be determined on the basis of the original pension as granted by the retirement system prior to any blanket increase or provision for minimum pension for any group of retirants eligible for benefits under this act.

C. 43:13-22.49 Rules and regulations; report.

8. The Director of the Division of Pensions of the State Department of the Treasury shall promulgate such rules and regulations, not inconsistent with the provisions of the Pension Increase Act (P. L. 1969, c. 169) and this act, as he shall deem necessary for the effective operation of the program. He shall include a report of the operation of the Pension Increase Act (P. L. 1969, c. 169) and this act in his annual report submitted to the Governor and the Legislature regarding all of the operations of the Division of Pensions. The secretary of the retirement system shall furnish such information as the director may request for this purpose.

9. This act shall be effective immediately but the first adjustment as contemplated by this supplementary act shall be effective January 1, 1972, provided that the funds are appropriated in accordance with section 4 of this act.

Approved August 4, 1971.

CHAPTER 278

AN ACT concerning the pension fund of school district employees in first-class counties, supplementing article 2 of chapter 66, Title 18A of the New Jersey Statutes and repealing section 6 of P. L. 1968, chapter 364.

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

C. 18A:66-126.1 Definitions.

1. As used in this act "retirant" means any former employee included in the membership of the retirement system established under the act to which this act is a supplement, who has retired from such employment and, as a result of such employment, is receiving a retirement allowance from the retirement system.

"Calendar year" means the 12-month period beginning January 1 and ending December 31.

"Retirement year" is the calendar year 1967 for all retirants who retired before the calendar year 1968; for all retirants who retired after 1967, "retirement year" is the actual calendar year of retirement.

"Index" shall mean the annual average over a calendar year of the Consumer Price Index for Urban Wage Earners and Clerical Workers, All Items Series A, of the United States Department of Labor, (1957-1959 = 100). Should the reference base of said index be changed, the index used to determine the Consumer Price Index as defined herein will be the index converted to the new base by standard statistical methods.

"Retirement year index" shall be the index of the calendar year 1967 for all retirants who retired prior to January 1, 1968 and the index for the calendar year of retirement for all retirants who retired thereafter.

C. 18A:66-126.2 Increase of retirement allowance.

2. The monthly retirement allowance originally granted to any retirant shall be increased in accordance with the provisions of this act.

Pension increases shall not be paid to retirants who are not receiving their regular, full, monthly retirement allowances. The increase granted under the provisions of this act shall be effective only on the first day of a month, shall be paid in monthly install-

ments, and shall not be decreased, increased, revoked or repealed except as otherwise provided in this act. No increase shall be due to a retirant or his beneficiary unless it constitutes a payment for an entire month.

C. 18A:66-126.3 Ratio of increase; calculation.

3. The "ratio of increase" which shall apply to the retirement allowance originally granted to a retirant shall be calculated in accordance with the following percentages as determined by the calendar year in which the retirement became effective; provided that, in no instance shall the amount of the retirement allowance paid to any retirant under this supplementary act including payments under future revisions be less than the retirement allowance paid under section 6 of chapter 364, public laws of 1968.

Year of Retirement	Ratio of Increase	Year of Retirement	Ratio of Increase
1940	132%	1948	35%
1941	120%	1949	36%
1942	99%	1950	35%
1943	88%	1951	25%
1944	85%	1952	22%
1945	80%	1953	21%
1946	66%	1954	21%
1947	45%		

C. 18A:66-126.4 Appropriations to pay increase.

4. The employer shall bear the cost of the increase in the retirement allowances payable to retirants who retired from the employ of such employer. Certification of the amounts due shall be made by the board of trustees to each employer. Each employer shall appropriate the amounts so certified in the fiscal year next following its fiscal year in which such certification is made. Such amounts shall be paid by each employer to the retirement system. In making such certifications to employers in the years after 1970 the board of trustees shall take into account payments made by the employer, payments to retirants of such employer and prospective payments to be made to such retirants in the following year.

The increase in retirement allowances provided for under this act shall commence provided, that there is appropriated the amount certified by the Director of the Division of Pensions of the State Department of the Treasury to the Director of the State Division of Budget and Accounting as set forth in the Pension Increase Act (P. L. 1969, c. 169). The increase in retirement allowances shall

continue to be paid as long as there shall be appropriated the amounts so certified. In the event that the necessary funds are not so appropriated, the increase in retirement allowances shall cease; no further payments shall be made by other employers; refunds shall be made by the retirement system to all employers of any balances unexpended on their account.

C. 18A:66-126.5 Waiver of increase; written notice; withdrawal.

5. Any person who is eligible to receive the increased retirement allowance under the provisions of this act may, at any time, waive his right thereto by filing a written notice of waiver with the secretary of the retirement system. The application for the waiver of all or part of the increase shall be made by the retirant at least 30 days prior to the desired effective date on a form satisfactory to the retirement system and shall be effective on the first day of the following month. Such waiver may be withdrawn at any time and upon such withdrawal the increase in the retirement allowance shall commence with the retirement allowance payment for the next following month.

C. 18A:66-126.6 Percentage of adjustment.

6. On or before October 1, 1969 and by the same date in each subsequent year, the Director of the Division of Pensions of the State Department of the Treasury shall review the index and determine the percentum of change in the index from the retirement year index pursuant to the provisions of the Pension Increase Act (P. L. 1969, c. 169). The percentage of adjustment in the retirement allowances shall be $\frac{1}{2}$ of the percentum of change.

The director shall include amounts sufficient to adjust the retirement allowances or pensions payable to all eligible retirants by $\frac{1}{2}$ of the percentum of change in the index as such retirement allowances or pensions may have been originally granted, or increased for certain retirants in accordance with the provisions of the Pension Increase Act (P. L. 1969, c. 169). The director shall notify the secretary of the retirement system of the percentage of adjustment for the applicable year.

In no instance shall the amount of the retirement allowance originally granted and payable to any retirant be reduced as a result of this adjustment.

For purposes of this section a "retirant" shall include all retirants except those whose retirement allowance commenced within the 3 calendar years prior to the first of the month in which the adjustment is to become effective in any year.

C. 18A:66-126.7 Effect of blanket increase.

7. If legislation is adopted providing for a blanket increase in the original retirement allowances or for minimum allowances to any group of retirants eligible for benefits under this act, all increases provided under this supplementary act shall be terminated on the first of the month when such blanket increases or minimum allowances are payable, except in those instances where the retirant's original allowance plus the increases provided under this act will exceed the amounts payable to such retirants as a result of such other legislation; in such event the amount payable under this act shall be the difference between the new allowance payable by the retirement system and the amount which would otherwise have been paid under this act. Any subsequent annual review of amounts payable under this act for such retirants shall continue to be determined on the basis of the original allowance as granted by the retirement system prior to any blanket increase or provision for minimum allowance for any group of retirants eligible for benefits under this act.

C. 18A:66-126.8 Rules and regulations; report.

8. The Director of the Division of Pensions of the State Department of the Treasury shall promulgate such rules and regulations, not inconsistent with the provisions of the Pension Increase Act (P. L. 1969, c. 169) and this act, as he shall deem necessary for the effective operation of the program. He shall include a report of the operation of the Pension Increase Act (P. L. 1969, c. 169) and this act in his annual report submitted to the Governor and the Legislature regarding all of the operations of the Division of Pensions. The secretary of the retirement system shall furnish such information as the director may request for this purpose.

C. 18A:66-110.1 Repealed.

9. Section 6 of P. L. 1968, chapter 364 is repealed.

10. This act shall be effective immediately but the repeal of section 6 of chapter 364 of the public laws of 1968 and the first adjustment as contemplated by this supplementary act shall be effective January 1, 1971, provided that funds are appropriated in accordance with section 4 of the act.

Approved August 4, 1971.

CHAPTER 279

AN ACT providing for the promotion, establishment, and operation of local school district environmental education programs, the establishment and operation of a network of Regional Environmental Education Facilities and Centers for the purpose of providing environmental education programs for public and nonprofit school students and teachers, for the establishment and operation of a network of Environmental Education Curriculum Research and Development Centers, and making an appropriation.

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

C. 18A:6-80 Short title.

1. This act shall be known as the "Environmental Education Act."

C. 18A:6-81 Legislature's findings.

2. The Legislature finds and declares:

a. The concern for the environment of man has become a dominant social issue of our time;

b. Since New Jersey is the most highly urbanized and the most industrialized State in the Nation, it serves as a microcosm of the entire country, and shows abundant evidence of environmental breakdown;

c. New Jersey's environmental crisis is not limited to tangible pollution problems;

d. The State Departments of Education and Environmental Protection have specific interest in improving education as a force for environmental quality;

e. The public and Legislature have expressed their concern by the passage of the Green Acres Bond Act of 1961, the Water Bond Act of 1969 and the establishment of a Department of Environmental Protection; and

f. It is a prime objective to create an environmentally literate citizenry who understand their interdependence with and responsibility for the total environment, and who possess the knowledge and concern to solve existing problems and to prevent future ones.

C. 18A:6-82 Establishment of environmental education programs.

3. The Commissioner of Education is hereby authorized and directed to promote the establishment and operation of local public and nonprofit elementary and secondary school environmental education programs, and to assist in the development of such programs.

C. 18A:6-83 Operation of Regional Environmental Education Centers.

4. The Commissioner of Education in consultation with the Commissioner of Environmental Protection is hereby authorized to designate and operate and develop Regional Environmental Education Centers and facilities for the purposes of assisting in the development of environmental education programs in each school district and providing environmental education instruction to public and nonprofit elementary and secondary students and teachers.

C. 18A:6-84 Designation as Regional Environmental Education Center.

5. Any public or nonprofit educational agency may apply to the Commissioner of Education for designation as a Regional Environmental Education Center.

C. 18A:6-85 Approval of courses of study and schedules of fees.

6. Courses of study and schedules of fees of Regional Environmental Education Centers shall be subject to the approval of the Commissioner of Education and the State Board.

C. 18A:6-86 Scope of instruction.

7. Instruction at Regional Environmental Education Centers shall include, but not be limited to the study of man and his environments, and problems of environmental pollution, erosion and survival as they relate to the fields of ecology and other sciences, social sciences, language arts, mathematics, the arts and humanities.

C. 18A:6-87 Utilization of services and facilities.

8. Any public or nonprofit school in the State may arrange its schedule in accordance with rules of the Commissioner of Education so that its elementary and secondary school pupils may utilize the services and facilities of an environmental education center; and any school, except such school as is operated for profit in whole or in part, may, upon application, cause its pupils to utilize the services and facilities of a Regional Environmental Education Center.

C. 18A:6-88 Costs of services for local student participation.

9. Upon proper application submitted to the Commissioner of Education by the local school district, the commissioner is authorized, subject to available appropriations, to enter into agreements

with, and to make cost sharing grants of money to local school districts, New Jersey Public Broadcasting Authority or Regional Environmental Education Centers for the purposes of assisting in the costs of services for local student participation and other education services provided by the Regional Environmental Education Centers and the New Jersey Public Broadcasting Authority.

C. 18A:6-89 Cost of constructing and equipping local facilities.

10. Upon proper application submitted to the Commissioner of Education by a local school district, the commissioner is authorized, subject to available appropriations to enter into agreements with, and to make grants of money to such local school district for the purpose of paying half of the cost of constructing and equipping local environmental education facilities.

C. 18A:6-90 Designation of Environmental Education Curriculum Research and Development Centers.

11. Stepping Stone Environmental Education Center at Branchville, the Conservation and Environmental Studies Center at Browns Mills, and the Sandy Hook Environmental Education Center, by virtue of their long standing and demonstrated capability aided by nearly \$2,000,000.00 in Federal grants, are hereby designated as Environmental Education Curriculum Research and Development Centers for the purpose of providing to local, public and nonprofit school districts services such as, but not limited to, development and dissemination of curriculum materials, teacher training, demonstration pilot programs, guidance in facility development and use, and consultative services to municipal conservation commissions and other environmental interest groups. The Environmental Education Curriculum Research and Development Centers shall concentrate their research and curriculum development efforts on problems related to pollution, erosion, land use, ecology, survival and related natural, physical and social sciences.

C. 18A:6-91 Duties of Commissioner of Education.

12. The Commissioner of Education with the approval of the State Board of Education shall:

a. Make rules and regulations for the establishment and operation of the Environmental Education Curriculum Research and Development Centers for the purpose of providing for local, public and nonprofit school services such as, but not limited to, development and dissemination of curriculum materials, teacher training, demonstration pilot programs, guidance in facility development and use, and consultative services to municipal conservation com-

missions and other environmental interest groups. The Environmental Education Curriculum Research and Development Centers shall concentrate their research and curriculum development efforts on problems related to pollution, erosion, land use, ecology, survival and related natural, physical and social sciences.

b. Employ such personnel as may be necessary to carry out the purposes of the act.

13. There is hereby appropriated to the Department of Education the sum of \$100,000.00 for the purpose of carrying out the purposes of this act through June 30, 1972, the expenditure of which shall be conditioned upon approval of at least an equal amount of Federal funds.

14. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 280

AN ACT concerning elections and amending R. S. 19:4-1.

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

1. R. S. 19:4-1 is amended to read as follows:

Constitutional qualifications; persons not having right of suffrage; right to register.

19:4-1. Except as provided in sections 19:4-2 and 19:4-3 of this Title, every person possessing the qualifications required by Article II, paragraph 3, of the Constitution of the State of New Jersey and having none of the disqualifications hereinafter stated and being duly registered as required by this Title, shall have the right of suffrage and shall be entitled to vote in the polling place assigned to the election district in which he actually resides, and not elsewhere.

No person shall have the right of suffrage—

- (1) Who is an idiot or is insane; or
- (2) (Deleted by amendment.)
- (3) (Deleted by amendment.)
- (4) (Deleted by amendment.)
- (5) (Deleted by amendment.)

(6) Who has been convicted of a violation of any of the provisions of this Title, for which criminal penalties were imposed, if such person was deprived of such right as part of the punishment therefor according to law unless pardoned or restored by law to the right of suffrage; or

(7) Who shall be convicted of the violation of any of the provisions of this Title, for which criminal penalties are imposed, if such person shall be deprived of such right as part of the punishment therefor according to law, unless pardoned or restored by law to the right of suffrage; or

(8) Who is serving a sentence or is on parole or probation as the result of a conviction of any indictable offense under the laws of this or another state or of the United States.

A person who will have on the day of the next general election the qualifications to entitle him to vote shall have the right to be registered for and vote at such general election and register for and vote at any election, intervening between such date of registration and such general election, if he shall be a citizen of the United States and shall meet the age and residence requirements prescribed by the Constitution of this State and the laws of the United States, when such intervening election is held, as though such qualifications were met before registration.

2. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 281

AN ACT requiring the owner of any barge docked in or on the bank of any river in this State for more than 10 consecutive days to post a bond with the governing body of the municipality within whose jurisdiction it is docked to be used to remove such barge under certain circumstances.

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

C. 12:7C-5 Barge owner to post bond; conditions; exception.

1. The owner of any barge which is to be docked in or on the bank of any river within this State for more than 10 consecutive days whether it is to be occupied or not, except as otherwise provided

herein, may be required to post a bond of \$25,000.00 with the governing body of the municipality within whose jurisdiction it is located, said bond to be forfeited to be used in the event such barge sinks or otherwise becomes unable to navigate under its own power, and the necessary moneys expended to remove such barge from the river and the river bank; provided, however, this act shall not apply to barges, ships or boats owned or operated by common carriers engaged in interstate or foreign commerce, nor shall it apply to pleasure craft used on a seasonal basis.

C. 12:7C-6 Right to cancel bond.

2. The surety on the bond shall have the right to cancel such bond automatically upon removal of the barge.

3. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 282

AN ACT concerning firearms dealers application fees and amending N. J. S. 2A:151-19 and N. J. S. 2A:151-24.

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

1. N. J. S. 2A:151-19 is amended to read as follows:

Manufacturers of firearms to be registered; fees; standards and qualifications.

2A:151-19. Manufacturers and wholesalers of firearms to be registered; fees; standards and qualifications. No person shall manufacture or sell at wholesale any firearm until he has registered with the superintendent and has furnished him with such particulars as may be prescribed by law and by rules and regulations promulgated by the superintendent for registration. The application for registration shall be accompanied by a fee of \$150.00 and shall be valid for a period of 3 years from the date of issuance. In addition, every wholesale dealer shall pay a fee of \$5.00 for each employee actively engaged in the sale or purchase of firearms. The superintendent shall issue a license for each employee for whom said fee has been paid, which license shall be

valid for so long as the employee remains in the employ of said wholesale dealer.

The superintendent shall prescribe standards and qualifications for registration of manufacturers and wholesalers of firearms, for the protection of the public safety, health and welfare. If the superintendent is satisfied that an applicant for registration cannot be permitted to carry on business as a manufacturer or wholesale dealer in firearms without danger to the public health, safety or welfare, he may refuse to register the applicant.

The superintendent shall furnish a certificate of registration to every person registered under this section.

2. N. J. S. 2A:151-24 is amended to read as follows:

Licenses for retail dealers; standards and qualifications; fees, conditions.

2A:151-24. Licenses for retail dealers; standards and qualifications; fees, conditions. No retail dealer shall sell or expose for sale, or possess with intent to sell, any firearm, except that a retail dealer may be licensed to sell firearms as hereinafter provided.

The superintendent shall prescribe standards and qualifications for retail dealers of firearms for the protection of the public safety, health and welfare.

A judge of the county court of the county wherein the retail dealer has his place of business shall grant licenses in form prescribed by the superintendent, to applicants who meet such standards and qualifications permitting the licensee to sell firearms at retail within a specified municipality, provided that the application shall be accompanied by a fee of \$50.00 payable to the superintendent and shall be valid for a period of 3 years from the date of issuance.

No license shall be granted to any person under the age of 21 years or to any person who could not qualify to obtain a permit to purchase a pistol or revolver or firearms purchaser identification card under section 2A:151-33 of this chapter, or to any corporation, partnership or other business organization in which a controlling or dominating interest is held or possessed by such a person or persons.

Licenses shall be granted subject to the following conditions, for breach of any of which the license shall be subject to revocation on application of any law enforcement officer and after hearing by the issuing court.

New Jersey State Library

a. The business shall be carried on only in the building or buildings designated in the license, provided that repairs may be made by the dealer or his employees outside of such premises;

b. The license or a copy certified by the issuing authority shall be displayed in a conspicuous place on the premises in which the business is conducted where it can be easily read;

c. No firearm or imitation thereof shall be placed in any window or in any part of the premises where it can readily be seen from the outside;

d. No pistol or revolver shall be delivered to any person:

1. Unless the person has obtained a permit to purchase under the provisions of sections 2A:151-32 through 2A:151-39;

2. Until 7 days have elapsed after date of the application for the permit;

3. Unless the person either is personally known to the seller or presents evidence of his identity;

4. Unless the pistol or revolver is unloaded and securely wrapped;

e. A true record of every pistol or revolver sold, given or otherwise delivered or disposed of shall be kept by the retail dealer in accordance with the provisions of sections 2A:151-25 to 2A:151-29 of this Title.

f. No rifle or shotgun shall be delivered to any person:

1. Unless the person has obtained a firearms purchaser identification card under the provisions of this chapter;

2. Unless the person has exhibited his firearms purchaser identification card and furnished the seller, on a form prescribed by the superintendent, a certification signed by him which shall contain among other things the name, permanent home address and firearms purchaser identification card number of said person. The certification shall be retained by the dealer and shall for law enforcement purposes be made available for inspection by regular police officers of an organized police department of the county in which the retail business is located, county prosecutors and members of their staffs authorized by them, and members of the State Police.

3. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 283

AN ACT to amend "An act concerning the issuance by insurance companies of contracts on a variable basis and the regulation thereof, and amending R. S. 17:34-19," approved June 18, 1959 (P. L. 1959, c. 122).

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

1. Section 3 of P. L. 1959, c. 122 (C. 17:35A-3) is amended to read as follows:

C. 17:35A-3 Certificate of agent to sell contracts; qualification; fees.

3. No agent of any insurance company heretofore or hereafter licensed shall be authorized to sell or act or aid in any manner in the negotiation of a "contract on a variable basis" until he has received a certificate to sell "contracts on a variable basis" from the commissioner, which certificate shall not be issued by the commissioner until he has qualified by personal examination, to the satisfaction of the commissioner, as to his trustworthiness and competence to act as such agent.

The annual fee for such certificate, which shall expire on April 30 of each year, shall be \$5.00 and the examination fee, non-refundable for each examination scheduled, shall be \$10.00.

2. This act shall take effect immediately.

Approved August 4, 1971.

CHAPTER 284

AN ACT concerning education and amending section 18A:18-5.1 of the New Jersey Statutes.

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

1. Section 18A:18-5.1 of the New Jersey Statutes is amended to read as follows:

Standards for purchases of fresh milk; penalties; rules and regulations.

18A:18-5.1. In purchases of fresh milk and as a condition thereof, the board shall require each vendor to agree in writing to purchase

during the year in which he proposes to furnish such milk to the school district an amount of fresh milk from New Jersey producers or associations of producers at least equal to the amount he proposes to furnish to the school district plus an amount equal to the amount, if any, he shall be required to furnish to any other school district in the State. Every such agreement shall be filed by the board of education with the Secretary of Agriculture who shall be charged with the duty of enforcing the provisions of this section. Failure by any vendor to purchase milk in compliance with his agreement shall subject him to a penalty of not less than \$100.00 nor more than \$500.00 per day for each day of noncompliance, unless he can prove to the satisfaction of the secretary that he is unable to obtain sufficient milk from New Jersey producers or associations of producers to enable him to comply with his agreement. In the absence of such proof, the penalties herein provided for shall be enforced and collected by the Secretary of Agriculture in the name of the respective school district in a summary proceeding in accordance with the Penalty Enforcement Law (N. J. S. 2A :58-1 et seq.). The penalty, when recovered, shall be paid to the school district so named in the proceeding. Any vendor found guilty of violating his agreement shall be ineligible for any contract award under this section for a period of 3 years thereafter.

The Secretary of Agriculture shall adopt and promulgate such rules and regulations as shall be necessary for the proper operation and enforcement of this section.

2. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 285

AN ACT concerning pensions payable to certain retired county detectives and supplementing article 2 of chapter 10 of Title 43 of the Revised Statutes.

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

C. 43:10-29.4 Counties of 225,000 to 265,000; adjustments in amounts of pension benefits.

1. Any county of the second class having a population of not less than 225,000 nor more than 265,000 according to the 1960

census which is paying pensions to retirants pursuant to the provisions of article 2 of chapter 10 of Title 43 of the Revised Statutes, may, from time to time, by resolution of its board of chosen freeholders, make adjustments in the amounts of the pension benefits payable to said retirants so as to reflect increases or decreases in living costs and maintain the purchasing power of their pension benefits in a reasonably uniform state.

Any such adjustment may be made notwithstanding that the amount of pension benefits thereby payable will exceed the amount prescribed by sections 43:10-20 and 43:10-21 of the Revised Statutes, but no such adjustment shall be made that will reduce pension benefits below the amount so prescribed.

C. 43:10-29.5 Adjustment limitation.

2. No adjustment shall be made beyond those permitted to be made for pensioners in State administered retirement systems, as promulgated by the Director of the Division of Pensions in accordance with the provisions of the "Pension Increase Act" (P. L. 1958, c. 143).

C. 43:10-29.6 Appropriations to make additional payments.

3. Adjustments hereunder shall continue to be made as long as the employer appropriates the amount necessary to make such additional payments and provided further that there is appropriated by the State the amount certified for pensioners of State administered retirement systems.

4. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 286

AN ACT concerning civil service, amending sections 11:9-2, 11:9-6, 11:9-7, 11:23-1, 11:23-2, 11:23-8 and repealing sections 11:1-7.1, 11:1-18 and 11:1-19, of the Revised Statutes.

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

Repealer.

1. Sections 11:1-7.1, 11:1-18 and 11:1-19 of the Revised Statutes are repealed.

2. Section 11:9-2 of the Revised Statutes is amended to read as follows:

Eligibility of applicants for tests; admission of nonresidents; testing of unskilled and semiskilled laborers.

11:9-2. The tests mentioned in section 11:9-1 of this Title shall be competitive, free, and except as to such limitations as to age, residence, health, habits, character, sex and other qualifications as may be lawfully considered desirable by the chief examiner and secretary and specified in the Civil Service Examination Announcement Bulletin or other civil service examination announcement, open to citizens who may be lawfully appointed to any position in the class for which they are held, who have resided in this State for at least 12 months prior to the date of the test.

If it appears that an employment list containing sufficient names to provide a full certification to fill existing or anticipated vacancies is not likely to be established from among qualified residents in the State, the chief examiner and secretary may, with the approval of the commission, admit qualified citizens of the United States to such tests.

For positions involving unskilled and semiskilled laboring work, or involving domestic, attending, or other housekeeping and custodial services at State institutions where the character of the work, the relatively low rate of compensation, or the place of work, makes it impracticable to secure at stated times a sufficient number of applicants to supply the needs of the service, the chief examiner and secretary may, with the approval of the commission, provide by regulation for a procedure permitting the testing of applicants singly or in groups at stated places for laboring work, and at State institutions or elsewhere for domestic, attending, housekeeping or custodial service at any time on due notice of such tests, but without public advertising as required in this chapter.

3. Section 11:9-6 of the Revised Statutes is amended to read as follows:

Rejection of application; refusal to certify eligible; admission to test after rehabilitation.

11:9-6. The chief examiner and secretary shall reject the application of a person for admission to a test for establishing an employment list, or refuse to test an applicant or certify the name of an eligible, who:

a. Lacks the established qualification requirements for the position for which he applies or has been tested; or

- b. Is physically unfit to perform effectively the duties of the position in which he seeks employment; or
- c. Is addicted to the habitual use of drugs or intoxicating liquors; or
- d. Has been guilty of a crime or infamous or notoriously disgraceful conduct; or
- e. Has been dismissed from the public service for delinquency; or
- f. Has made false statements of a material fact or practiced or attempted to practice any deception or fraud in his application, in his tests or in securing his eligibility or appointment.

If, however, it shall appear that any such person, who is ineligible under subparagraphs d, e and f hereof, has achieved a degree of rehabilitation that indicates that his or her employment would not be incompatible with the welfare of society and the aims and objectives to be accomplished by the agency of government where such person is to be employed, then the chief examiner and secretary may, provided that the appointing authority of the employing agency shall concur therein, admit such person to appropriate tests, and subsequently certify such person as eligible for employment. When the chief examiner and secretary refuses to examine an applicant or after examination to certify an eligible, the Civil Service Commission shall afford such person an opportunity to submit facts for consideration in a review of the refusal.

4. Section 11:9-7 of the Revised Statutes is amended to read as follows:

Notice of proposed tests.

11:9-7. Notice of all tests for positions in the classified service shall be given by the chief examiner and secretary, by posting or causing to be posted, an appropriate notice on the bulletin board maintained in or near the commission quarters at the State Capitol and by announcing each test in the Civil Service Examination Announcement Bulletin or other civil service examination announcement at least 2 weeks in advance of every examination. Advertisement of the availability of the Civil Service Examination Announcement Bulletin shall be made in at least 3 daily newspapers of general circulation in the State prior to each publication date of such bulletin.

5. Section 11:23-1 of the Revised Statutes is amended to read as follows:

Formal application for examination; contents; certificates.

11:23-1. The commission shall require any person applying for admission to an examination provided for by this subtitle or under the rules and regulations of the commission, to file in its office on or before the closing date for filing application for the examination, a formal application, in which the applicant shall state under oath:

- a. Full name, residence and post-office address;
- b. Age, where it is required for the position by law and where it is lawfully an occupational requirement;
- c. Health and physical capacity for public service;
- d. All other information as may reasonably be required concerning the applicant's merit and fitness for the public service. No inquiry shall be made as to his religious opinions, political affiliations, race or national origin.

Blank forms for such applications shall be furnished by the commission without charge upon request of same.

The commission may require in connection with the application, the certificate of citizens, physicians or others having knowledge of the applicant, as the good of the service may require.

6. Section 11:23-2 of the Revised Statutes is amended to read as follows:

Refusal to examine applicant or to certify eligible.

11:23-2. The chief examiner and secretary may refuse to examine an applicant, or after examination to certify an eligible who:

- a. Lacks any of the established preliminary requirements for examination or position or employment for which he applies; or
- b. Is so physically disabled as to be rendered unfit for the performance of the duties of the position to which he seeks employment; or
- c. Is addicted to the habitual use of intoxicating liquors to excess; or
- d. Has been guilty of a crime or of infamous or notoriously disgraceful conduct; or
- e. Has been dismissed from the public service for delinquency or misconduct; or
- f. Has made false statements of any material fact, or practiced or attempted to practice deception or fraud in his application, examination or in securing his eligibility or appointment.

If, however, it shall appear that any such person, who is ineligible under subparagraphs d, e and f hereof has achieved a degree of rehabilitation that indicates that his or her employment would not

be incompatible with the welfare of society and the aims and objectives to be accomplished by the agency of government where such person is to be employed, then the chief examiner and secretary with the concurrence of the appointing authority may admit such person to appropriate tests, and subsequently certify such person as eligible for employment. When the chief examiner and secretary refuses to examine an applicant or after examination to certify an eligible, the Civil Service Commission shall afford such person an opportunity to submit facts for consideration in a review of the refusal.

7. Section 11:23-8 of the Revised Statutes is amended to read as follows:

Place of holding examinations; notice.

11:23-8. Examinations shall be held in the locality or localities as will most readily provide equal opportunity for the citizens of any county, municipality or school district operating under this subtitle with reference to positions in the service thereof. Due and sufficient notice thereof shall be given in such manner that all persons interested in the examinations may have an opportunity of learning the time, place and conditions thereof. Notice of every examination shall be given by the commission, by publication, in the Civil Service Examination Announcement Bulletin or other civil service examination announcement at least 2 weeks in advance of every examination; advertisement concerning the availability of such bulletin shall be made in the newspapers of general circulation throughout the State and any county, municipality, or school district as the commission shall prescribe.

8. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 287

An Act to amend "An act concerning the State Department of Transportation and adding a new route to the State highway system," approved July 7, 1967 (P. L. 1967, c. 142).

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

1. Section 1 of P. L. 1967, c. 142 (C. 27:6-1) is amended to read as follows:

C. 27:6-1 State highway route.

1. The Commissioner of Transportation is authorized, as soon as practicable, to add to the State highway system a new route, beginning at a point in proposed Route 24 Freeway in Hanover township, Morris county, in the vicinity of Hanover avenue, and then in the general northerly direction to Interstate Route 80 in Parsippany-Troy Hills.

2. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 288

AN ACT concerning counties in relation to the sale of certain property and supplementing chapter 23 of Title 40 of the Revised Statutes.

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

C. 40:23-27.3 Sale of building or structure to municipality.

1. Any building or structure owned by a county which is no longer required for county purposes and which must be razed or relocated to permit the construction or reconstruction of any bridge, road or other public improvement may be sold by the county for a nominal consideration to any municipality within the county for relocation and for the use thereof for municipal purposes.

2. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 289

AN ACT to amend the "Mortuary Science Act," approved June 18, 1952 (P. L. 1952, c. 340).

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

1. Section 23 of P. L. 1952, chapter 340 (C. 45:7-54) is amended to read as follows:

C. 45:7-54 Renewal of license; fee.

23. Any person holding a license or licenses under this act or under any prior law of this State shall have the same renewed upon making and filing with the board an application therefor upon forms provided by the board and upon payment of a renewal fee of \$15.00; provided, that any person neglecting or failing to have his license renewed, as above, shall have the same renewed by making application therefor and upon payment of a revival fee of \$75.00 in addition to the renewal fee of \$15.00.

2. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 290

AN ACT concerning settlement of accounts by certain guardians and trustees, and amending N. J. S. 3A:9-3 and N. J. S. 3A:29-1.

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

1. N. J. S. 3A:9-3 is amended to read as follows:

Accounts of guardians or trustees.

3A:9-3. A guardian or trustee shall settle his account in the Superior Court, or if he was appointed by or received his letters from the surrogate or County Court of any county, then in the County Court of the county at such intervals as the court appointing such guardian or trustee may require, except that a guardian

or trustee may settle his first account within 1 year after his appointment, or as soon thereafter as may be practicable.

2. N. J. S. 3A:29-1 is amended to read as follows:

Guardian to account to court or federal agency.

3A:29-1. In addition to any other duties imposed upon him by law, it shall be the duty of every guardian appointed by the surrogate's or County Court of any county, or by the Superior Court, who shall receive on account of his ward any moneys from a Federal agency, at such intervals as the court appointing such guardian may require, to render to the County Court of the county, or if he is appointed by the Superior Court, then to the Superior Court, a true account of his administration of all moneys received by him, as guardian, by way of pension, bounty or other allowance from the United States, the account to be submitted in duplicate.

Each year when not required to render an account to the court, the guardian shall render an account to the regional office of the veterans administration on forms to be supplied by the Federal agency.

3. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 291

AN ACT concerning the State Department of Transportation, and amending P. L. 1962, chapter 102.

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

1. Section 1 of P. L. 1962, chapter 102 is amended to read as follows:

State highway route.

1. The State Highway Commissioner is authorized as soon as practical to add to the State highway system a new route beginning at Route 18 in New Brunswick and taking a northwesterly direction generally parallel to the Raritan river crossing the river in the Leupp lane-Metlars lane area and continuing to Route 287.

2. This route and spur shall be designated a Freeway in accordance with chapter 83, laws of 1945 and given route numbers when constructed.

3. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 292

AN ACT concerning the leasing of buildings for school purposes,
and amending N. J. S. 18A:20-4.2.

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

1. N. J. S. 18A:20-4.2 is amended to read as follows:

Acquisition of property for school purposes; authority required.

18A:20-4.2. The board of education of any school district may, for school purposes:

(a) Purchase, take and condemn lands within the district and lands not exceeding 50 acres in extent without the district but situate in a municipality or municipalities adjoining the district, but no more than 25 acres may be so acquired in any one such municipality, without the district, except with the consent, by ordinance, of such municipality;

(b) Grade, drain and landscape lands owned or to be acquired by it and improve the same in like manner;

(c) Erect, lease for a term not exceeding 50 years, enlarge, improve, repair or furnish buildings;

(d) Borrow money therefor, with or without mortgage; in the case of a type II district without a board of school estimate, when authorized so to do at any annual or special school election and in the case of a type II district having a board of school estimate, when the amount necessary to be provided therefor shall have been fixed, determined and certified by the board of school estimate, and in the case of a type I district when an ordinance authorizing expenditures for such purpose is finally adopted by the governing body of a municipality comprised within the district; provided, however, that no such election shall be held nor shall any such resolution of a school estimate board or ordinance of a municipal governing body be introduced to authorize any lease of any building for a term exceeding 1 year until the proposed terms of such lease have been reviewed and approved by the Commissioner of Education and the Local Finance Board in the Department of Community Affairs.

2. This act shall take effect immediately.

Approved August 19, 1971.

CHAPTER 293

AN ACT to authorize the borough of Stone Harbor in the county of Cape May to make permanent the appointment of John Young to the police department of the borough of Stone Harbor.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the borough of Stone Harbor in the county of Cape May is authorized to make permanent the appointment of John Young to the police department of Stone Harbor notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the borough of Stone Harbor for the purpose of adopting same.

Approved August 19, 1971.

CHAPTER 294

AN ACT to authorize the borough of Palmyra in the county of Burlington to make permanent the appointment of William Gamble to the police department of the borough of Palmyra.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948 (C. 1:6-10 et seq.), under which a petition for a special law has been filed with the Legislature, the borough of Palmyra in the county of Burlington is authorized to make permanent the appoint-

ment of William Gamble to the police department of the borough of Palmyra notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the borough of Palmyra for the purpose of adopting same.

Approved August 19, 1971.

CHAPTER 295

AN ACT concerning the administration of decedents' estates and amending section 3A:6-5 of the New Jersey Statutes.

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

1. Section 3A:6-5 of the New Jersey Statutes is amended to read as follows:

Entitlement of spouse to assets without administration.

3A:6-5. Where the total value of the real and personal assets of the estate of an intestate will not exceed \$5,000.00, the surviving spouse upon the execution of an affidavit before the surrogate of the county where the intestate resided at his death, or, if then nonresident in this State, where any of the assets are located, or before the Superior Court, shall be entitled absolutely to all the real and personal assets without administration and free from all debts of the intestate. The affidavit shall state that the affiant is the surviving spouse of the intestate and that the value of the intestate's real and personal assets will not exceed \$5,000.00, and shall set forth the residence of the intestate at his death, and specifically the nature, location and value of the intestate's real and personal assets. The affidavit shall be filed and recorded in the office of such surrogate or, if the proceeding is before the Superior Court, then in the office of the clerk of that court.

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 296

AN ACT concerning the Religious Society of Friends, and authorizing the appointment of certain trustees.

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

C. 16:7-2 Appointment of trustees of Religious Society of Friends.

1. The members of any Monthly Meeting of the Religious Society of Friends, commonly known as Quakers, may, from time to time, at any of their business meetings, appoint one or more trustees to take and hold title to real property placed in trust by deed or indenture for the use and benefit of such meeting, provided that the sole or surviving trustee named in such deed or indenture, or in a subsequent deed or indenture, being the most recent in a series, has died without conveying such real property to another trustee or trustees.

C. 16:7-3 Authority to hold title to real property.

2. Such trustee or trustees shall hold title to such real property subject to all of the provisions contained in the trust instrument under which the original trustee or trustees was or were bound, including the duty to convey such real property to such person or persons which the members at any of their business meetings may designate.

C. 16:7-4 Appointment of successors of deceased trustees.

3. If all of the trustees appointed pursuant to this act have died, the members may, from time to time, at any of their business meetings, appoint one or more trustees to succeed them.

C. 16:17-5 Recording and filing of minutes of business meeting.

4. Any action taken by the members at a business meeting shall be duly recorded in the minutes thereof, and a copy of the minutes, certified as a true copy thereof by the secretary of such meeting, shall be filed for recording with the clerk of the county in which such real property is located, who shall record such certified copy in books reserved for the recording of deeds.

C. 16:17-6 Contents of minutes.

5. The minutes shall include a detailed description of the real property in question, a list of the names of the trustees to be succeeded and the fact of the death of each such trustee.

6. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 297

AN ACT concerning the undertaking and financing of water and sewerage system projects by or for municipal authorities and participation therein and assistance thereof by counties, municipalities and other public bodies, and amending the "Municipal Utilities Authorities Law," approved August 22, 1957 (P. L. 1957, c. 183).

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

1. Section 49 of P. L. 1957, c. 183 (C. 40:14B-49) is amended to read as follows:

C. 40:14B-49 Contracts for sewage treatment; sale or supplying of water.

49. Any municipal authority for the carrying out and effectuation of its purposes, and (a) any of the local units, (b) any other municipality whether within or without the district and (c) any other municipal authority, any sewerage authority or any other public body of the State empowered to treat or dispose of sewage (all such local units, municipalities, other municipal authorities, sewerage authorities and other bodies being hereinafter referred to individually as a "governmental unit") for fostering the relief of waters in, bordering or entering the territorial area of the governmental unit from pollution or threatened pollution or assisting the municipal authority in carrying out and effectuating its purposes, may enter into a contract or contracts providing for or relating to the collection, treatment and disposal of sewage originating in the district or received by the municipal authority, or originating in the territorial area of or collected by the governmental unit, by means of the sewerage system or any sewerage facilities of the governmental unit or both, and the cost and expense of such collection, treatment and disposal. Any municipal authority for the carrying out and effectuation of its purposes, and (a) any of the local units, (b) any other municipality whether within or without the district and (c) any other municipal authority, any sewerage authority or any other public body of the State empowered to sell and supply water (all such local units, municipalities, other municipal authorities, sewerage authorities and other bodies being hereinafter referred to individually as a "governmental unit")

for fostering the provision and distribution of an adequate supply of water within the territorial area of the governmental unit or assisting the municipal authority in carrying out and effectuating its purposes may enter into a contract or contracts providing for or relating to the sale or supplying of water to such municipal authority or to the governmental unit or to persons or properties within the district or the governmental unit, and the cost and expense of such sale or supplying of water. Any such contract may provide for the payment to the municipal authority by the governmental unit annually or otherwise of such sum or sums of money, computed at fixed amounts or by a formula based on any factors or other matters described in section 21 or section 22 of this act or in any other manner, as said contract or contracts may provide, and may provide that the sum or sums so payable to the municipal authority shall be in lieu of all or any part of the service charges which would otherwise be charged and collected by the municipal authority with regard to persons or real property within the territorial area of the governmental unit. Every such contract shall be authorized and entered into under and pursuant to a resolution adopted by the authority in the case of a municipal or other authority, an ordinance of the governing body in the case of a municipality, a resolution of the governing body in the case of a county, and, in the case of any other public body, a resolution of the commission, council, board or body by whatever name it may be known (in this section sometimes referred to as "governing body") having charge of the finances of such public body, but the terms or text of said contract need not be set forth in full or stated in any such resolution or ordinance if the form of said contract is on file in the office of the clerk or other recording officer of the governmental unit or its governing body and the place and fact of such filing is described in the resolution or ordinance. Any such contract may be made with or without consideration and for a specified or an unlimited time and on any terms and conditions which may be approved by or on behalf of the governmental unit and which may be agreed to by the municipal authority in conformity with its contracts with the holders of any bonds, and shall be valid whether or not an appropriation with respect thereto is made by the governmental unit prior to authorization or execution thereof. Every such governmental unit is hereby authorized and directed to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and to provide for the payment or discharge of any obli-

gation thereunder in the same manner as other obligations of such governmental unit. Subject to any such contracts with the holders of bonds, the municipal authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and, in accordance with any such contract, to waive, modify, suspend or reduce the service charges which would otherwise be charged and collected by the municipal authority with regard to persons or real property within the territorial area of the governmental unit, but nothing in this section or any such contract shall prevent the municipal authority from charging and collecting, as if such contract had not been made, service charges with regard to such persons and real property sufficient to meet any default or deficiency in any payments agreed in such contract to be made by such governmental unit.

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 298

AN ACT to amend the "Municipal Utilities Authorities Law," approved August 22, 1957 (P. L. 1957, c. 183).

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

1. Section 22 of P. L. 1957, c. 183 (C. 40:14B-22) is amended to read as follows:

C. 40:14B-22 Sewerage; rents, rates, fees or other charges.

22. Every municipal authority is hereby authorized to charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "sewer service charges") for direct or indirect connection with, or the use or services of, the sewerage system. Such sewer service charges may be charged to and collected from any person contracting for such connection or use or services or from the owner or occupant, or both of them, of any real property which directly or indirectly is or has been connected with the sewerage system or from or on which originates or has originated

sewage or other wastes which directly or indirectly have entered or may enter the sewerage system, and the owner of any such real property shall be liable for and shall pay such sewerage service charges to the municipal authority at the time when and place where such sewerage service charges are due and payable. Such rents, rates, fees and charges, being in the nature of use or service charges, shall as nearly as the municipal authority shall deem practicable and equitable be uniform throughout the district for the same type, class and amount of use or service of the sewerage system, and may be based or computed either on the consumption of water on or in connection with the real property, making due allowance for commercial use of water, or on the number and kind of water outlets on or in connection with the real property, or on the number and kind of plumbing or sewerage fixtures or facilities on or in connection with the real property, or on the number of persons residing or working on or otherwise connected or identified with the real property, or on the capacity of the improvements on or connected with the real property, or on any other factors determining the type, class and amount of use or service of the sewerage system, or on any combination of any such factors, and may give weight to the characteristics of the sewage and other wastes and any other special matter affecting the cost of treatment and disposal of the same, including chlorine demand, biochemical oxygen demand, concentration of solids and chemical composition, and, as to service outside the district, the cost of installation of necessary physical properties.

In addition to any such sewer service charges, a separate charge in the nature of a connection fee or tapping fee, in respect of each connection of any property with the sewerage system may be imposed upon the person making such connection or upon the owner or occupant of the property so connected. Such connection charges shall be uniform within each class of users but the amount thereof shall otherwise be entirely within the discretion of the authority in order that the combination of such connection fee or tapping fee and the aforesaid sewer service charges shall meet the requirements of section 23 (C. 40:14B-23).

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 299

AN ACT to authorize the city of Paterson in the county of Passaic to appoint Angel Jusino to the police department of the city.

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

Private act.

1. The city of Paterson in the county of Passaic is authorized to appoint Angel Jusino to the police department of the city, notwithstanding his height is less than the minimum established by State regulation for appointment.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of his appointment.

3. This act shall take effect upon the adoption and publication of an ordinance of the city of Paterson for the purpose of adopting this act.

Approved August 27, 1971.

CHAPTER 300

AN ACT concerning education and amending section 18A:20-4.1 of the New Jersey Statutes.

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

1. Section 18A:20-4.1 of the New Jersey Statutes is amended to read as follows:

Type II districts; acquisition of property without authorization of voters.

18A:20-4.1. The board of education of any Type II school district may without authority first obtained from the voters of the district:

(a) Rent, on a year-to-year basis, or for a term not to exceed 5 years, in case of emergency, buildings to use for school purposes; and

(b) Take an option not to exceed 1 year in duration, at a cost not to exceed the fair market value of such option, on the purchase of any land which the board could lawfully purchase after securing the consent of the legal voters to the purchase thereof, but such option may be exercised by the board only after authority to purchase the property covered by such option has been given at an annual or special school election.

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 301

AN ACT to amend the "Aircraft Registration Act (1964)," approved July 1, 1964 (P. L. 1964, c. 128).

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

1. Section 3 of P. L. 1964, c. 128 (C. 6:1-65) is amended to read as follows:

C. 6:1-65 Annual registration; fee.

3. The owner or person entitled to the exclusive use of any aircraft based within this State, whether the same is being operated within or beyond the boundaries of this State, or any rentor of aircraft, shall annually register said aircraft with the Commissioner, Department of Transportation and pay the registration fees in this act prescribed, which fees shall be in lieu of any assessment or personal property tax imposed by the laws of this State. Fees are due and payable for each licensing year from July 1, 1964. A current registration may not be issued by the commissioner unless the unpaid fees, if any, for the preceding years (not to exceed 2 years) that an aircraft was based in this State without being registered and the fees paid therefor, are concurrently paid for those years in addition to the current year.

2. Section 15 of P. L. 1964, c. 128 (C. 6:1-77) is amended to read as follows:

C. 6:1-77 Penalties; disposition of moneys.

15. Any person violating any provision of this act or any rule or regulation authorized hereby and any person who owns or is entitled to the exclusive use of an aircraft and any person who operates an aircraft, required to be registered under this act, which is not currently registered and the proper fees paid therefor shall be subject to a penalty of not less than \$25.00 or more than \$1,000.00 for each year or period not so registered which penalty may be collected and enforced in an action by the Division of Aeronautics in the name of the State in a court of competent jurisdiction in a summary manner, without a jury, in accordance with the procedures prescribed in "The Penalty Enforcement Law" (P. L. 1948, c. 253).

All penalties levied for violations of this act shall be accounted for by the judge or other judicial officer and forwarded to the Director of Aeronautics, Department of Transportation, who shall deposit the same with the State Treasurer. The State Treasurer shall account for and dispose of said moneys in the same manner as provided for the disposition of registration fees by section 11, chapter 128, laws of 1964.

3. Section 16 of P. L. 1964, c. 128 (C. 6:1-78) is amended to read as follows:

C. 6:1-78 Seizure or impounding of unregistered aircraft; payment of costs.

16. The commissioner or the Director of Aeronautics may authorize any law enforcement officer to seize or impound any unregistered aircraft based in this State and to prevent its use or removal until the owner or person entitled to its use shall produce evidence of registration, including the payment of the proper registration fees, or appear before a court of competent jurisdiction in response to a summons or warrant charging violation of this act. The owner of or any person entitled to the exclusive use or operation of any aircraft so impounded shall, prior to the release of said aircraft by the department, pay all costs involved including present and prior registration fees, not to exceed a total of 3 years, hangar fees, towing charges, security arrangements and other reasonable charges accruing from the impounding. Such costs shall be paid to the Division of Aeronautics for deposit with the State Treasurer.

4. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 302

AN ACT concerning commission government in relation to the appointment of deputy commissioners in certain cases and amending R. S. 40:72-9.

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

1. R. S. 40:72-9 is amended to read as follows:

Appointment of deputy by director in second-class cities and certain fourth-class cities.

40:72-9. In all cities of the second class and in any city of the fourth class having a population of not less than 6,000 inhabitants, governed hereby, the board of commissioners may, in their discretion, provide by ordinance for the appointment of a deputy by each or such of the directors of departments as may be deemed necessary for the proper and efficient conduct of the affairs of such departments. The deputies shall serve during the terms of the directors making the appointments, but any deputy so appointed may be removed by his principal at any time, and such removal shall not be reviewable. If an officer or employee of a municipality is designated to perform the duties of a deputy in addition to the performance of the ordinary duties of his office or employment, the expiration of the term of his principal, or his removal from the office of deputy, shall not affect his right to the office or employment held by him at and before his designation as deputy, the duties of which office or employment he has continued to perform.

Each director shall prescribe, in writing, the powers and duties of the deputy so appointed by him and the acts of such deputy within the scope of his authority shall in all cases be as legal and binding as if done and performed by the director for whom he is acting, but such deputies shall not be authorized to act for directors at meetings of the board of commissioners.

Nothing in this section contained shall be construed to place any deputy or deputies, appointed pursuant to the authority hereof, within the operation of the laws affecting civil service.

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 303

AN ACT authorizing the board of chosen freeholders to retire upon pension certain sheriff's secretaries injured in line of duty.

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

C. 40A:9-117.1 Retirement of certain sheriff's secretaries.

1. The board of chosen freeholders of any county is authorized by resolution to retire upon a pension in amount of not in excess of $\frac{1}{4}$ of salary payable in the last year of employment a sheriff's secretary, 62 or more years of age, who has or shall have served 10 or more years in employment by the sheriff and who has suffered partial disability as result of a gun shot wound suffered in the line of duty.

2. This act shall take effect immediately.

Approved August 27, 1971.

CHAPTER 304

AN ACT to authorize the city of salem in the county of Salem to make permanent the appointment of Alan Fithian to the police department of the city of Salem.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the city of Salem is authorized to make permanent the appointment of Alan Fithian to the police department of the city of Salem notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the city of Salem for the purpose of adopting same.

Approved August 27, 1971.

CHAPTER 305

AN ACT making an appropriation to the Department of Education for emergency aid to the Sandyston-Walpack Consolidated School District for the school year 1971-72.

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

1. There is hereby appropriated to the Department of Education for the purpose of granting emergency aid for the school year 1971-72 to the Sandyston-Walpack Consolidated School District pursuant to P. L. 1969, c. 124 and N. J. S. 18A:58-11 the sum of \$30,000.00.

2. This act shall take effect July 1, 1971.

Approved August 27, 1971.

CHAPTER 306

AN ACT concerning certain county park commissions 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. 40:37-146.2 Sale of land no longer adaptable to park use.

1. Whenever a tract of land not exceeding 2 acres and comprised within the established limits of any one county park under the supervision and control of a county park commission operating under sections 40:37-96 to 40:37-174, inclusive, of the Revised Statutes shall have been separated from the main body of such park as a result of the construction of a county or state highway, it shall be lawful for such county park commission upon its determination that such tract is no longer adaptable to park use by reason of such separation from the main body of the park, to sell the same by

public sale to the highest bidder after public advertisement thereof in a newspaper circulating in the county, provided, however, that the State of New Jersey, the county in which such tract of land is situated, and the municipality in which such tract of land is situated shall be given the option of purchasing such tract of land for a sum equal to the highest bid, which option must be exercised in writing delivered to the county park commission within 20 days after the county park commission mails notice of the sale and amount of the highest bid to the aforesaid governmental entities. In the event that more than one governmental entity elects to exercise the option granted hereunder, the county park commission shall have the right to decide to which governmental entity the land shall be sold.

2. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 307

AN ACT to amend "An act concerning certain counties and municipalities in relation to contracts for the furnishing of services and facilities, and supplementing Title 40 of the Revised Statutes," approved July 10, 1958 (P. L. 1958, c. 121).

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

1. Section 2 of P. L. 1958, chapter 121 (C. 40:23-6.27) is amended to read as follows:

C. 40:23-6.27 Term of contract; advertisement for bids.

2. Any such contract shall be and remain in force for such term not exceeding 10 years as shall be provided therein and no provision of any law requiring advertisement for bids before the making of any contract involving the expenditure of money shall be applicable to the making of any such contract between the county and the municipality or municipalities, but any contract entered into by the county for services or facilities to be provided to a municipality or municipalities shall be advertised and awarded in accordance with chapter 25 of Title 40 of the Revised Statutes.

2. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 308

AN ACT relating to marketing of agricultural commodities, granting rule-making authority to the State Department of Agriculture upon affirmative vote of those directly affected; authorizing research, educational and promotional programs; providing for the levying of assessments to finance the marketing program and providing penalties for violations, and supplementing chapter 10 of Title 4 of the Revised Statutes.

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

C. 4:10-43 Short title.

1. This act shall be known as the "Agricultural Research, Development and Promotion Act of 1970."

C. 4:10-44 Purpose of act.

2. The purpose of this act is to make possible the establishment of programs for the:

(a) Development of methods and means for the maintenance of present markets and for the development of new and expanded markets for agricultural commodities;

(b) Sponsor research and market promotion programs and activities to improve the economic health of agriculture in the State of New Jersey; and

(c) Insure the adequacy of supplies of agricultural products for the citizens of the State of New Jersey.

C. 4:10-45 Definitions.

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

(a) "Department" means the Department of Agriculture;

(b) "Secretary" means the Secretary of Agriculture;

(c) "Board" means the State Board of Agriculture;

(d) "Advisory council" means the appointed body which advises and assists the secretary in the administration of a marketing program;

(e) "Sell" includes "offer for sale," "expose for sale," "have in possession for sale," "exchange," "barter" or "trade,";

(f) "Agricultural commodity" means any and all agricultural products including but not limited to vegetables, horticultural,

apicultural, dairy and animal products in their raw or natural condition or any class, variety or utilization thereof;

(g) "Producer" means any person engaged within this State in the business of growing or raising, or causing to be grown or raised for market upon land owned or leased by him any agricultural commodity;

(h) "Processor" means any person engaged within this State in the canning, freezing, drying or other method of preservation of agricultural commodities for sale; but shall not include a person who manufactures a nonedible commodity from an agricultural commodity;

(i) "Buyer" means any person in this State engaged in the business of buying or causing to be bought any fresh agricultural commodity from a producer or group of producers;

(j) "Person" means any natural person, firm, corporation, association or any other business unit;

(k) "Marketing program" means the rules and regulations issued by the secretary, with the approval of the Board, governing the conduct and operation of research, development and sales promotion programs pertaining to an agricultural commodity or commodities;

(l) "Advertising and sales promotion" means, in addition to the ordinarily accepted meaning thereof, trade promotion and activities for the prevention, modification or removal of trade barriers which restrict the free flow of agricultural commodities to market;

(m) "General rules and regulations" means rules and regulations applicable to all marketing programs issued and made effective by the secretary to provide uniform methods and procedures to facilitate the administration and enforcement of all such marketing programs;

(n) "Major amendments" means amendments to any marketing program or agreement which effect a substantial change or modification in the provisions of such marketing program;

(o) "Minor amendments" means amendments to any marketing program which modify any provisions of any marketing program for the purpose of clarifying the meaning or application of such provisions or modify the administrative procedures for carrying out such provision; and

(p) "Affected," "directly affected" refers either to the commodity covered by any program or to persons who are subject to the provisions of any program and who are subject to assessment.

C. 4:10-46 Administration and enforcement of act; public hearing; notice.

4. The secretary shall administer and enforce the provisions of this act. In order to effectuate the purposes of this act the secretary is authorized to issue, administer and enforce the provisions of marketing programs promulgated hereunder regulating producer marketing or handling of agricultural commodities upon approval of persons directly affected as provided in section 13.

Whenever the secretary has reason to believe that the issuance of a marketing program or major amendments to an existing marketing program will tend to effectuate the purposes of this act with respect to any agricultural commodity, he shall upon application of the producers of any agricultural commodity, or any organization representing 10% of such persons, conduct a public hearing after due notice upon a proposed marketing program or major amendments to an existing marketing program.

Notice of any hearing called for such purpose shall be given by the secretary by publishing a notice of the hearing for a period of not less than 3 days in a newspaper of general circulation published in the capital of the State and in such other local newspapers as the secretary may prescribe. No such public hearing shall be held prior to 5 days after the last day of such publication.

The secretary shall mail a copy of the notice of hearing to any producers or processors of such agricultural commodity whose names and addresses appear upon lists of such persons on file in the department. A copy of the proposed program or amendment shall be provided to any interested person upon request.

The notice of hearing shall set forth the date and place of hearing, the agricultural commodity, the geographical area covered by the proposed marketing program or amendment and the subject matter to be covered by the hearing.

The hearing shall be public and all testimony shall be received under oath. A full and complete record of all proceedings at the hearing shall be made and maintained on file in the office of the secretary. At the hearing the secretary shall receive all testimony relevant to the subject of the hearing.

C. 4:10-47 Producer's report; contents.

5. In order to provide the secretary with necessary information, he may require any producer of any agricultural commodity to file with the department a report showing:

- (a) Name and address;
- (b) The agricultural commodity or commodities with which the person is involved; and

(c) The quantity of the agricultural commodity produced or handled by the said person in the marketing season next preceding the filing of the report.

C. 4:10-48 Failure or refusal to file report.

6. Failure or refusal of any producer to file the report authorized in section 5 shall not invalidate any proceeding taken or marketing program issued hereunder. The secretary is authorized and directed to proceed upon the basis of reports received and such information as otherwise may be available.

C. 4:10-49 Lists of producers; contents.

7. From such reports so filed and the information so received or available to the secretary including any corrections, the secretary shall prepare a list of the names and addresses of such producers and the volume of such commodity produced or marketed by all such producers directly affected by the proposed marketing program, or amendments thereto, in the preceding marketing season. Such lists shall constitute complete and conclusive lists for use in any finding made by the secretary pursuant to sections 13, 14 and 15 of this act and such findings shall be conclusive.

C. 4:10-50 Use of information contained in reports.

8. The information contained in the individual reports of producers filed with the secretary pursuant to section 5 of this act shall not be made public by the secretary in such form, but the information contained in such reports may be prepared in combined form for use by the secretary, his agents, or other interested persons, in the formulation, administration and enforcement of a marketing program, or may be made available pursuant to court order, but shall not be made available to anyone for private purposes.

C. 4:10-51 Secretary's findings.

9. In making any findings pursuant to this act, the secretary shall base his findings upon the facts, testimony and evidence received at the public hearing together with any other relevant facts available to him from official publications or records of the department and other governmental agencies referred to at the hearing.

C. 4:10-52 Advisory council; appointment, membership.

10. Every marketing program issued pursuant to this act shall provide for the establishment of an advisory council to assist the secretary in the administration of the marketing program. The

members of the council shall be appointed by the board from those directly affected in accordance with rules promulgated by the secretary and may hold office at the pleasure of the board. The number of members upon any such council shall be of such number as the secretary finds is necessary to assist properly in the administration of such program. The board may appoint one person who is neither a producer or processor to represent the public generally. The secretary and dean of the College of Agriculture and Environmental Science of Rutgers University may each appoint a nonvoting member to serve on the advisory council.

C. 4:10-53 Compensation, powers and duties of council.

11. No member of any such council shall receive a salary but each shall be entitled to reimbursement of expenses incurred in the performance of official duties. The secretary may authorize the council to enter into contracts or agreements; to employ necessary personnel; to fix their compensation and terms of employment; and to incur such expenses as may be necessary for the proper administration of the marketing program. Subject to the approval of the secretary, the council may:

- (a) Administer the marketing program;
- (b) Recommend amendments to the marketing program;
- (c) Recommend rules and regulations relating to the marketing program;
- (d) Assist in the assessment and collection of funds to cover expenses incurred in the administration of the marketing order;
- (e) Assist in the collection of such information and data as the secretary may deem necessary; and
- (f) Receive and report complaints of violations of the marketing program.

C. 4:10-54 Scope and contents of marketing program.

12. Subject to the limitations of any other provision of this act, a marketing program may be effective throughout the State or a portion thereof and contain any of the following provisions:

- (a) Advertising and sales promotion programs;
- (b) Research studies in the production or distribution of the agricultural commodity. The dean of the Agricultural College of Rutgers University and the council shall cooperate in the selection of research projects. Insofar as practicable such projects shall be carried out by the Agricultural Experiment Station at Rutgers. If the dean of the Agricultural College at Rutgers University determines that the station has no suitable facilities for a particular

project or that some other research agency has better facilities therefor, the project may be carried out by other research agencies selected by the council;

(c) Educational programs designed to disseminate information related to the marketing of the commodity; and

(d) Contribution to any State-wide, nonprofit program to inform the general public about agriculture.

C. 4:10-55 Referendum required.

13. No marketing program or major amendment shall be effective unless the secretary finds through referendum:

(a) Written consent has been voted by not less than 65% of the producers voting in the referendum who are engaged in the production or producer marketing of at least 51% by volume of the agricultural commodity of those voting; or

(b) Written consent has been voted by producers who engage in the production or producer marketing of 65% of the volume of the agricultural commodity of those voting and who represent not less than 51% of the total number of producers voting in the referendum.

Volume shall be determined on the basis of the quantity of the commodity produced in the next preceding marketing season in New Jersey or that area of New Jersey to be covered by the marketing program or amendment. To facilitate the conduct of the referendum and to delineate those producers subject to the provisions of this act, the secretary or advisory council may limit eligibility for voting in and application of the referendum to those producers who produced a reasonable minimum amount, as determined by the secretary or council, of the affected commodity during the year immediately preceding the year in which the referendum is held and who are producing such commodity during the year of the referendum.

Nonprofit associations of producers who have the written consent of members to vote for them in referenda concerned with marketing programs may cast a bloc vote for such members in any referendum provided for in this act.

C. 4:10-56 Referendum date.

14. At each public hearing upon a marketing program or a major amendment the secretary may receive evidence relating to the time necessary for the receipt of written consent. He shall establish a referendum date on which consent must be received.

C. 4:10-57 Suspension or termination of programs.

15. The secretary shall suspend or terminate any marketing program effective at the end of the then current marketing season whenever he finds, after a public hearing:

(a) The program is contrary to or does not tend to effectuate the purposes of this act.

(b) The termination or suspension is requested in writing by at least 51% of the affected producers, who produce at least 51% of the volume of the agricultural commodity, or by an association representing such numbers and volume.

C. 4:10-58 Minor amendments to program.

16. The secretary may promulgate minor amendments to a marketing program upon the recommendation of the advisory council.

C. 4:10-59 Major amendments to program.

17. Major amendments to marketing programs shall be instituted in the same manner as the marketing program. Provisions effecting substantial modifications or provisions relating to the following shall be deemed to be major amendments:

(a) Advertising and sales promotion;

(b) Research studies relating to production or distribution;

(c) Alteration of assessment rates.

In the event a major amendment is not approved in a referendum, the marketing program will continue in effect.

C. 4:10-60 Effective date; publication of program.

18. Any program promulgated pursuant to the provisions of this act shall become effective upon the filing of a copy of the program in the office of the Secretary of the State of New Jersey. The secretary may publish the program in the newspapers of general circulation and may mail copies of the order to interested persons.

C. 4:10-61 Rules and regulations.

19. The board shall have power to establish general rules and regulations of uniform application to all marketing programs and marketing agreements.

C. 4:10-62 Expenses of program; deposit in advance; assessments.

20. The secretary may require persons applying for a marketing program to deposit with him in advance such amount as he deems necessary to defray the expenses connected with the formulation and issuance of the program and shall reimburse these persons when sufficient funds are available from assessments after the program is in effect. In the event a program is not issued, the

secretary shall refund only that portion remaining after the payment of expenses incurred in connection with the proposed program on a pro rata basis.

For the purpose of providing funds to defray the necessary expenses incurred by the secretary in the formulation, issuance, administration and enforcement of each marketing program, the marketing program shall provide for the levying and collection of assessments in sufficient amounts to defray such expenses. The marketing program shall indicate the maximum assessment rate. The advisory council shall recommend to the secretary, from time to time, budgets to cover necessary expenses and the assessment rate necessary to provide sufficient funds. If the secretary finds that the budget and assessment rate are proper and equitable and will provide sufficient money to defray expenses, he may approve the budget and rate of assessment and order that each producer or processor so assessed shall pay to him, at such times and in such installments as he may prescribe, an assessment based upon the units in which such agricultural commodity is marketed, or upon any other uniform and equitable basis. Assessment rates for producers directly affected shall not exceed 5% of the gross dollar value of sales by affected producers during the marketing season.

C. 4:10-63 Amount of advance deposits.

21. The secretary may require each and every producer directly regulated by any marketing program to deposit with him in advance of the marketing season an amount limited to 1% of the estimated value of the agricultural commodity to be marketed by such producer.

To provide funds to cover the costs of advertising, sales promotion, research or education plans incurred prior to the receipt of sufficient funds from assessments, the secretary may require each person so assessed to deposit with him in advance an amount not exceeding 25% of such assessment.

C. 4:10-64 Contributions in lieu of advance deposits.

22. In lieu of requiring advance deposits for defraying administrative, advertising, sales promotion, research or education expenses, the secretary is authorized to receive and disburse for such expense purposes contributions made by producers or others. Neither the council nor the secretary shall be held responsible for the repayment of such contributions. Whenever the marketing program accounts are sufficient to so warrant, the council shall recommend and the secretary shall authorize the repayment of

contributions or authorize the application of such contributions to the assessment obligations of the persons who made the contributions.

C. 4:10-65 Collection of assessments.

23. For the convenience of collecting any assessments on a processing commodity, the secretary may collect such assessments from the processors of the commodity. Any assessment on a fresh market commodity may be collected from the buyers of the commodity as defined in this act. Processors and buyers paying such assessments for and on behalf of any producers, shall deduct the amount of such assessment from any moneys which they owe such producers.

C. 4:10-66 Disposition of moneys.

24. All moneys received by the secretary pursuant to this act shall be deposited as received with the State Treasurer and maintained by him in separate accounts for each marketing program or agreement. Moneys credited to each such account shall be appropriated and used for the payment of expenses incurred in carrying out the provisions of the particular marketing program or agreement, refunds and returns of excess assessments and shall be disbursed by the State Treasurer out of such funds in the same manner as other State expenses are paid; provided, however, that no refund or return of excess assessment shall be made where the amount due an individual is less than \$5.00.

C. 4:10-67 Adoption and use of emblems, labels or other designations.

25. The advisory council may adopt emblems, labels or other distinctive designations of grade, quality or condition and shall register said emblems, labels or designations with the secretary who will cause it to be filed with the Secretary of the State of New Jersey. Every person who is directly regulated by the program shall have the use thereof. If all New Jersey producers of the agricultural commodity are not directly regulated, the emblem, label or other designation shall not include the name of this State in whole or in part.

No person shall use any emblem, label or other distinctive designation of grade, quality or condition established by a marketing program, other than State or Federal grade standards, unless he is participating in and complying with the provisions of the marketing program.

C. 4:10-68 Uniformity of administration and regulation.

26. The secretary is hereby authorized to confer with and cooperate with the legally constituted authorities of other states and of the United States, for the purpose of obtaining uniformity in the administration of Federal and State marketing regulations, agreements, or programs, and the secretary is authorized to conduct joint hearings, issue joint or concurrent marketing programs which tend to effectuate the purposes of this act and may exercise any administrative authority granted by this act to effect such uniformity of administration and regulation.

C. 4:10-69 Assessments constitute personal debts of persons assessed.

27. Assessments levied by the secretary shall constitute personal debts of persons so assessed and when due shall be payable to the secretary. In the event of failure to pay any such assessment upon the due date, the secretary may file a complaint in a court of competent jurisdiction for the collection thereof.

In the event any producer or processor duly assessed fails to make full payment on or before the due date, the secretary is authorized to add to the unpaid assessment an amount not exceeding 10% to defray the cost of collecting the unpaid assessment.

C. 4:10-70 Liability of members and employees of advisory council.

28. The members and employees of any advisory council shall not be held individually responsible to any producer, processor or any other person for errors in judgment, mistakes, or other acts, either of commission or omission, except for their individual acts of dishonesty or crime. Members or employees shall not be held individually responsible for any act or omission of any other member or employee. The liability of the members and employees shall be several and not joint.

C. 4:10-71 Suspension or termination of program; cause of action not affected; exercise of power or authority.

29. The suspension, amendment or termination of any marketing program or marketing agreement shall not suspend or terminate any cause of action which has accrued thereunder, but the same shall survive and exist the same as if such marketing program or agreement had not been suspended, amended or terminated.

In all matters arising under this act, the fact of possession by any person engaged in the sale of a commodity is prima facie evidence that such commodity is for sale.

Whenever any power or authority is given by any provision of this act to any person it may be exercised by any deputy, inspector, or agent duly authorized by him.

C. 4:10-72 Penalties.

30. Any person who violates any provision of this act or of any marketing program issued pursuant to this act shall be liable to a penalty of not less than \$100.00 nor more than \$500.00 for each offense.

Each day of violation shall be deemed a separate 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 or of any marketing program issued pursuant to this act. 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.). A warrant may be issued in lieu of summons. If judgment shall be rendered for the plaintiff, the court shall cause any defendant, who may refuse or fail to pay forthwith the amount of the judgment rendered against him and all costs and charges incident thereto, to be committed to the county jail for a period not exceeding 30 days.

If a defendant who is committed to jail in default of payment of the penalty shall serve the full period for which he shall be committed, upon his release from jail he shall be entitled to have the judgment satisfied of record.

The secretary may institute an action in the Superior Court for injunctive relief to prevent and restrain any violation of this act or of any marketing program issued pursuant to the act.

Any action based upon the violation of this act or any marketing program issued pursuant to this act shall be commenced within 1 year from the date of the violation.

The penalties and remedies prescribed in this section shall be concurrent and alternative and shall not bar any other civil, criminal or administrative action authorized by law in respect to such violation.

C. 4:10-73 Construction of act.

31. Nothing in this act shall be construed as repealing or modifying any existing law which governs agricultural commodities, or as authority to control or limit the production of any agricultural commodity.

C. 4:10-74 Previously created councils and programs subject to act.

32. The councils and commodity programs heretofore created and established under chapter 47 (C. 54:47A-1 et seq.) and chapter 169 (C. 54:47B-1 et seq.) of the laws of 1957 and chapter 18 (C. 54:47C-1 et seq.) and chapter 80 (C. 54:47D-1 et seq.) of the laws of 1959 shall be subject to the provisions of section 15 of this act.

C. 4:10-75 Petitions to participate in programs.

33. The secretary is authorized to receive petitions from any buyer, processor or group of processors or buyers to participate and become directly affected by any marketing program authorized by this act. Except as provided in section 23 of this act, no buyer, processor or group of processors shall be affected by the provisions of this act or marketing programs issued pursuant thereto unless a petition signed by the buyer, processor or group of processors or an authorized agent thereof is received by the secretary. When such petition or petitions are received, the secretary shall notify the advisory council of the affected commodity; and the council shall recommend to the secretary such amendments to the program as may be desirable and necessary to provide for the participation of such buyer, processor, buyers or processors. If approved by a referendum of producers as provided in this act, processors or buyers who have petitioned for participation in a marketing program may be made subject to the remaining provisions of this act, including but not limited to assessments equal to those imposed on producers; representation on the commodity advisory council; and participation in any subsequent referendum in the same manner as provided for producers.

34. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 309

AN ACT to amend an act entitled "An act requiring a trout fishing stamp, and supplementing chapter 3 of Title 23 of the Revised Statutes," approved June 18, 1952 (P. L. 1952, c. 328).

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. 23:3-57 Special trout fishing stamp.

1. No person, above the age of 14 or under the age of 70, shall, take or attempt to take trout in any of the fresh waters of this State, unless he has first procured, as hereinafter provided, a special trout stamp, in addition to the license required by article 1 of chapter 3 of Title 23 of the Revised Statutes and unless at the time of fishing he has the license and stamp affixed to said license on his person, and exhibits the same for inspection to any warden, deputy warden, police officer or other person requesting to see them.

The stamp issued under this act shall be designated as the "special trout fishing stamp" and shall authorize its holder to take trout at the time and in the manner provided by law, or by the Fish and Game Code, and shall be invalid unless it contains the name of the licensee written in ink.

2. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 310

AN ACT concerning motor vehicles, and amending R. S. 39:4-26.

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

1. R. S. 39:4-26 is amended to read as follows:

Moving heavy machinery, apparatus, etc.; registration fee; permits; reciprocity; registration and operation of certain trailers or semitrailers.

39:4-26. A person may move along or across a public road or highway, road building machinery, vehicles, traction engines,

rollers, structural units incapable of dismemberment or other apparatus or machinery of unusual size or weight, on trailers or semitrailers, after registering the trailers or semitrailers with the Director of Motor Vehicles and paying him a registration fee of \$150.00 and obtaining a permit therefor from the director for the State highways traversed by them, or from the county supervisor or supervisors of roads of the county or counties for the county roads traversed by them or from the duly authorized official or officials of the municipality or municipalities for the municipal roads traversed by them, subject to the provisions of this article, provided, however, that the provision for registration and registration fee shall not apply to such vehicles duly registered in any other State or Federal district which grants exemption from registration and registration fee to vehicles properly registered in New Jersey under provisions of this article, traversing the roads of said other State or Federal district.

A trailer or semitrailer, having a width in excess of 96 but not more than 144 inches, used to transport divisible loads for industrial processing or storage may be registered with the director at a fee of \$150.00. A trailer or semitrailer so registered may be operated on any public highway, except limited access highways, provided the distance operated on the highway is not more than 1,000 feet from the point of entrance to the point of exit and further provided that a permit valid for the duration of the registration year is obtained from the director. Such movements may be made at any hour of any day of the year and no escort vehicles shall be required. The limitation as to distance operated shall not apply when the vehicle is empty and proceeding to or from an inspection, service, maintenance, or repair facility.

The director, board of chosen freeholders and a municipality, may by regulation in the case of the director and by resolution in the case of the board of freeholders or municipality, adopt general rules and regulations with respect to the issuance and use of permits, but not contrary to those stated above, and may impose reasonable fees therefor provided that no permit shall be issued unless the said director, county supervisor or authorized municipal official is reasonably satisfied as to the financial responsibility of the applicant for permit to meet any claims for damages which may arise and reasonable evidence of such financial responsibility is filed with the said director, supervisor or municipal official.

2. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 311

AN ACT requiring certificates of ownership of motor vehicles used as police patrol cars to indicate such use on said certificate and supplementing chapter 10 of Title 39 of the Revised Statutes.

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

C. 39:10-9.1 Transfer of certain used motor vehicles; required statement on certificate of ownership.

1. In every sale or transfer of a used motor vehicle which has been used as a police patrol car, whether said patrol car bore markings identifying it as such or not, the certificate of ownership shall state that said motor vehicle was used as a police patrol car, and shall continue to so state on each subsequent sale or transfer.

C. 39:10-9.2 Penalty.

2. Any person who transfers or attempts to transfer a motor vehicle in violation of this act shall be subject to a fine of \$150.00 for a first offense and \$250.00 for each subsequent offense. Such offense shall be prosecuted in the municipal or county district court.

3. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 312

AN ACT to amend "An act concerning the Division of State Police in the Department of Law and Public Safety, and supplementing chapter 1 of Title 53 of the Revised Statutes," approved May 5, 1952 (P. L. 1952, c. 117).

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

1. Section 1 of P. L. 1952, c. 117 (C. 53:2-3) is amended to read as follows:

C. 53:2-3 Supplying certified copies of reports, photographs or related information pertaining to automobile accidents or other casualties; fees.

1. The Superintendent of State Police is authorized upon request, to supply to any applicant a certified copy of any report, photo-

graph, or of any other related information of or pertaining to any automobile accident or other casualty, on file in the Division of State Police. The Superintendent of State Police, subject to the approval of the Attorney General, may prescribe rules and regulations governing applications for any such certified copies, and the said superintendent may decline to issue any such certified copy when, in his judgment, the interests of law enforcement and public safety so require.

The Superintendent of State Police shall be paid \$10.00 for each such certified copy and, if the said copy exceeds three folios, an additional \$2.00 for every additional page containing three or less folios, \$5.00 for each photographic print up to 10 prints and \$3.00 for each print thereafter, and the Superintendent of State Police shall pay the same over to the State Treasurer, but no such payment shall be required when the applicant is a law enforcement or other agency of the State or of any political subdivision thereof or of any other state or of the Government of the United States.

2. This act shall take effect immediately.

Approved September 2, 1971.

CHAPTER 313

AN ACT to authorize the borough of Lakehurst in the county of Ocean to make permanent the appointment of Joseph L. Dadario to the police department of the borough of Lakehurst.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the borough of Lakehurst in the county of Ocean is authorized to make permanent the appointment of Joseph L. Dadario to the police department of Lakehurst notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, ap-

pointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the borough of Lakehurst for the purpose of adopting same.

Approved September 2, 1971.

CHAPTER 314

AN ACT concerning car theft or burglary of a car and supplementing chapter 94 of Title 2A of the New Jersey Statutes.

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

C. 2A:94-4 Car theft or burglary of a car while possessing motor vehicle master key or similar device; penalty.

1. Any person who commits or attempts to commit car theft or burglary of a car, while having in his possession a motor vehicle master key or manipulative key or other similar device designed to operate a lock or locks on motor vehicles or to start a motor vehicle ignition, in order to steal said vehicle or to steal property therefrom, is guilty of a high misdemeanor.

2. This act shall take effect immediately.

Approved September 9, 1971.

CHAPTER 315

AN ACT concerning disorderly persons with relation to motor vehicle master keys and devices.

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

C. 2A:170-3.1 Possession of motor vehicle master key; penalty.

1. Any person who knowingly possesses a motor vehicle master key or device designed to operate a lock or locks on motor vehicles or to start a motor vehicle without an ignition key is a disorderly person.

C. 2A:170-3.2 Offer to sell or sale of motor vehicle master key; penalty.

2. Any person who offers or advertises for sale, sells or gives to any person other than those accepted herein a motor vehicle master key or device designed to operate a lock or locks on a motor vehicle or to start a motor vehicle without an ignition key is a disorderly person.

C. 2A:170-3.3 Provisions not applicable to certain individuals or corporations.

3. The provisions of section 1 of this act shall not apply to a law enforcement officer, constable, locksmith or dealer, distributor or manufacturer of motor vehicles or motor vehicle locks, a garage keeper, or corporations engaged in the business of lending on the security of motor vehicles, or in the business of acquiring by purchase evidences of debt secured by interests in motor vehicles, and their employees and agents.

4. This act shall take effect immediately.

Approved September 9, 1971.

CHAPTER 316

AN ACT concerning counties and municipalities in relation to flood control, providing for the establishment of joint flood control commissions, prescribing their functions, powers and duties, and supplementing Title 40 of the Revised Statutes.

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

C. 40:14-16 Joint commission for alleviation of flood conditions.

1. a. Any two or more municipalities within this State, alone, or together with one or more counties, may establish a joint commission for the alleviation of flood conditions within such participating municipalities and counties.

b. A commission established in accordance with this act shall work toward the prevention and alleviation of flooding and flood conditions within the area under its jurisdiction.

C. 40:14-17 Ordinance or resolution establishing commission; contents.

2. The establishment of such joint commission shall be by ordinance, in the case of a municipality, and by resolution, in the case

of a county. Each such ordinance or resolution shall incorporate therein the basic terms under which such participants shall agree to organize.

Such terms may include provisions governing:

a. Limitations or requirements as to eligibility for membership, such as provisions requiring or limiting representation to elected officials or persons who do not hold elective office, or combination thereof;

b. Any agreement as to the number of members present, or participants represented, as may be required to constitute a quorum for the transaction of business;

c. The method of apportioning the expenses of the commission, which may be on the basis of population, or land or drainage area, or on the basis of apportionment valuations, as defined in R. S. 54:4-49, of the constituent municipalities, or on any combination thereof, or on any other basis as may be agreeable to the participating members;

d. Any provisions regarding the right of any participating municipality or county to withdraw from the commission, and the period of notice required for such withdrawal to become effective;

e. Such other terms as the proposed participants believe should be included in the initial agreement.

C. 40:14-18 Commission membership; appointment, terms, vacancies, alternate representatives, compensation.

3. a. Each municipality and county shall have two members on the commission.

b. Each member shall be appointed by the governing body of the municipality or county represented by such member, unless otherwise provided by the charter of such municipality or county.

c. Where the municipality or county shall so require, or where the rules of the commission, as set forth in the agreement establishing the commission shall require, a commissioner to hold public office or other position under the municipality or county, then the term of such commissioner on the commission shall be co-terminus with his or her term of office or employment, as the case may be.

d. The term of each other commissioner shall be 5 years; provided, however, that the participating municipalities and counties

may agree that the initial terms of such commissioners shall be so arranged that not all shall expire in the same year and thereby that some of the initial appointments shall be for terms less than 5 years. Appointments to fill a vacancy in any such commissioner's membership shall be for the unexpired term.

e. Each participating municipality and county may also provide, in the ordinance, in the case of a municipality, and in the resolution, in the case of a county, authorizing participation in such commission, for an alternate representative to serve in the temporary absence or disqualification of each regular representative. Such alternate representatives shall have the right to attend all meetings and to take part in discussions thereat, but an alternate representative shall have the right to vote only when attending in place of the regular representative. Each participating municipality and county may determine the term of office of its alternate representatives, in the ordinance or resolution, as the case may be.

f. The members of the commission shall receive no salary or other compensation for the performance of their duties as such commissioners but shall be entitled to receive their expenses in carrying on the same.

C. 40:14-19 Organization; officers; rules and records.

4. a. The commission shall organize annually and shall elect one of its members to be its chairman. The chairman may be reelected. It may also elect such other officers as it may deem necessary for the carrying on of its purposes.

b. The commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record.

C. 40:14-20 Advisory members.

5. A commission may invite, as advisory members, representatives of the Division of Water Policy and Supply, representatives of any county park commission of any participating county, and such other persons as the commission may desire to invite. Such advisory members shall have the right to participate in all discussions but shall have no vote.

C. 40:14-21 Appropriations; contributions, grants or bequests; special surveys or studies.

6. a. Participating municipalities and counties are hereby authorized to make such appropriations to the commission as may be

necessary for the carrying on of the work of the commission upon certification by the commission to the respective governing bodies of the amount or amounts required for such purpose, said appropriations to be made as nearly as may be with regard to the method of apportioning costs as agreed to in the ordinances and resolutions establishing said commission.

b. The commission shall also have the right to apply for and accept any grants in aid which may be available to it from county, State or Federal agencies, and to accept any contributions, grants or bequests which may be given to it by any person, corporation or foundation.

c. Any participating municipality or county may, from time to time, upon the request of the commission and for the purpose of special surveys, assign or detail to the commission any members of staffs of county or municipal administrative or engineering departments, or may direct any such department to make any special surveys or studies requested by the commission.

C. 40:14-22 Commission's powers.

7. a. Within the limits of the funds available to it, the commission shall have the power to employ the services of such agents, employees, workmen and servants as it may deem necessary or proper, including legal and engineering services; to fix and determine the duties and compensation of persons employed by it; to obtain such insurance and surety bonds on its members and personnel as it may deem advisable; and, except as may be specifically prohibited in this act, to do all other acts and things as may, in the judgment of the commission, be necessary or proper to alleviate flood conditions and to prevent floods in member municipalities and counties.

b. The commission may expend funds appropriated to it by member municipalities and counties, and by the State, or received by it as provided in this act, for the carrying out of the purposes of this act.

c. Without in any way limiting the powers otherwise set forth in this act, the commission, in pursuance of its purposes set forth in section one of this act, shall have the power to:

(1) collect, study and analyze data on flooding, past floods and the causes of floods in the area;

(2) make such data and studies available to the participating members, to the Division of Water Policy and Supply, the Army Corps of Engineers, local and county planning boards and officials concerned with subdivisions and development of properties within the floodway and drainage areas;

(3) keep itself informed as to the availability of State and Federal funds and grants, and the procedures for applying therefor, and shall make such information available to participating members;

(4) coordinate the activities of the participating members relating to flooding, flood prevention, brook cleaning and the like;

(5) encourage the acquisition of lands within the floodway and low-lying areas, by appropriate county park commissions, counties or participating municipalities;

(6) publicize methods of flood control and flood prevention;

(7) encourage its participating members, and others, to adopt appropriate ordinances and regulations relating to flood control;

(8) encourage its participating members to support other programs designed or intended to alleviate flooding.

C. 40:14-23 Acquisition of property by condemnation or right of eminent domain; issuance of bonds or notes.

8. Nothing herein contained shall authorize the acquisition by any commission organized in accordance with this act of any property or interests therein, by condemnation or right of eminent domain but such rights of acquisition shall remain in the respective municipalities and counties, nor shall any such commission issue bonds or other notes, or borrow money in the manner and procedure provided by the local bond law.

C. 40:14-24 Powers of municipality or county.

9. The establishment of any commission in accordance with this act shall in no way impair or diminish the powers of any municipality or county to act individually or severally in preventing or alleviating floods.

10. This act shall take effect immediately.

Approved September 14, 1971.

CHAPTER 317

AN ACT authorizing and providing for compensation for the innocent victims of crime in certain cases and making an appropriation.

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

C. 52:4B-1 Short title.

1. This act shall be known and may be cited as the "Criminal Injuries Compensation Act of 1971."

C. 52:4B-2 Definitions.

2. As used in this act:

"Child" means an unmarried person who is under 21 years of age and includes a stepchild or an adopted child;

"Board" means the Violent Crimes Compensation Board established by this act;

"Dependents" means such relatives of a deceased victim as were wholly or partially dependent upon his income at the time of his death and shall include the child of such victim born after his death;

"Personal injury" means actual bodily harm and includes pregnancy and mental or nervous shock;

"Relative" of any person means his spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half brother, half sister, or spouse's parents;

"Family relationship group" of any person means:

(1) any person related to such person within the third degree of consanguinity or affinity,

(2) any person living in the same household as such person, or

(3) any person maintaining a sexual relationship, whether illicit or not, with such person or with any member of the family of such person;

"Victim" means a person who is injured or killed by any act or omission of any other person which is within the description of any of the offenses specified in section 11 of this act.

C. 52:4B-3 Violent Crimes Compensation Board; membership, appointment, qualifications.

3. There is hereby established in the Executive Branch of the State Government a Violent Crimes Compensation Board which shall be composed of 3 citizens, to be appointed by the Governor,

with the advice and consent of the Senate, one of whom shall be designated chairman by, and serve as such at the pleasure of, the Governor. Not more than two of the members of the board shall be members of the same political party. At least two members of the board shall be attorneys admitted to the practice of law in the State of New Jersey. For the purposes of complying with the Constitution (Article V, Section IV, paragraph 1) the board is allocated to the Department of Law and Public Safety but, notwithstanding said allocation, the board shall be independent of any supervision or control by the department or the Attorney General or any other officer of the department.

C. 52:4B-4 Board members; terms, vacancies, removal, compensation.

4. The term of office of each member of the board shall be 5 years and until his successor is appointed and qualifies, except that of the members first appointed one shall be appointed for a term of 5 years, one for a term of 4 years and one for a term of 3 years. All vacancies, except through the expiration of term, shall be filled for the unexpired term only.

Each member of the board shall be eligible for reappointment and any member of the board may be removed by the Governor for inefficiency, neglect of duty or malfeasance in office.

Each member of the board shall receive the same annual compensation as that payable to judges of compensation and shall devote his full time and capacity to his duties, and shall not engage in any other occupation, profession or employment.

C. 52:4B-5 Appointment, duties and compensation of certain personnel.

5. The board is authorized to appoint and fix the duties and compensation of such officers, attorneys, examiners, and other experts as may be necessary for carrying out its functions under this act, and the board may, subject to Title 11 of the Revised Statutes, "Civil Service," appoint and fix the duties and compensation of such other assistants and employees as are necessary.

C. 52:4B-6 Principal office.

6. The principal office of the board shall be in Trenton, New Jersey, but the board may sit and conduct its affairs in any place.

C. 52:4B-7 Hearings.

7. Hearings upon applications for compensation under this act shall be conducted in the following manner:

a. Upon an application made to the board under the provisions of this act, the board shall fix a time and place for a hearing on such

application and shall cause notice thereof to be given to the applicant;

b. For the purpose of carrying out the provisions of this act, the board, or any member thereof, may hold such hearings, sit and act at such times and places, and take such testimony as the board or such member may deem advisable. Any member of the board may administer oaths or affirmations to witnesses. The board shall have full powers of subpoena and compulsion of attendance of witnesses and production of documents, except that no subpoena shall be issued except under the signature of a member of the board, and application to any court for aid in enforcing such subpoena may be made in the name of the board by any member thereof. Subpoenas shall be served by any person designated by the board;

c. In any case in which the person entitled to make an application is a child, the application may be made on his behalf by his parent or guardian. In any case in which the person entitled to make an application is mentally incompetent, the application may be made on his behalf by his guardian or such other individual authorized to administer his estate;

d. Any person having a substantial interest in a proceeding may appear, produce evidence and cross-examine witnesses in person or by his attorney;

e. The board may receive in evidence any statement, document, information, or matter that may in the opinion of the board contribute to its functions under this act, but the board shall not be bound by the rules of evidence;

f. If any person has been convicted of any offense with respect to an act or omission on which a claim under this act is based, proof of that conviction shall be taken as conclusive evidence that the offense has been committed, unless an appeal or any proceeding with regard thereto is pending.

C. 52:4B-8 Attorney fees.

8. The board may, as a part of any order entered under this act, determine and allow reasonable attorney fees, which shall not exceed 15% of the amount awarded as compensation under section 10 of this act, to be paid in addition to the amount of such compensation, to the attorney representing the applicant, and it shall be unlawful for any such attorney to ask for, contract for or receive any larger sum than the amount so allowed.

C. 52:4B-9 Rules and regulations; amounts of compensation.

9. In the performance of its functions, the board is authorized to make rules and regulations prescribing the procedures to be followed in the filing of applications and the proceedings under this act, and such other matters as the board deems appropriate.

In determining the amounts of compensation payable pursuant to this act the board shall insofar as practicable formulate standards for uniform application of this act and shall take into consideration rates and amounts of compensation payable for injuries and death under other laws of this State and of the United States and the availability of funds appropriated for the purposes of this act.

C. 52:4B-10 Payment of compensation to or for the benefit of certain persons.

10. In any case in which a person is injured or killed by any act or omission of any other person which is within the description of the offenses listed in section 11 of this act, the board may, upon application and the concurrence of a majority of the members thereof, order the payment of compensation in accordance with the provisions of this act:

- a. to or on behalf of the victim,
- b. in the case of the personal injury of the victim, where the compensation is for pecuniary loss suffered or expenses incurred by any person responsible for the maintenance of the victim, to that person, or
- c. in the case of the death of the victim, to or for the benefit of the dependents of the deceased victim, or any one or more of such dependents.

In determining whether to make an order under this section, the board may consider any circumstances it determines to be relevant, including provocation, consent or the behavior of the victim which directly or indirectly contributed to his injury or death, the prior case history, if any, of the victim and any other relevant matters.

An order may be made under this section whether or not any person is prosecuted or convicted of any offense arising out of such act or omission. Upon application made by an appropriate prosecuting authority, the board may suspend proceedings under this act for such period as it deems appropriate on the ground that a prosecution for an offense arising out of such act or omission has been commenced or is imminent.

For the purposes of this act, a person shall be deemed to have intended an act or omission notwithstanding that by reason of age, insanity or otherwise, he was legally incapable of forming a criminal intent.

C. 52:4B-11 Payment of compensation for injury or death resulting from certain acts or offenses.

11. The board may order the payment of compensation in accordance with the provisions of this act for personal injury or death which resulted from:

(a) an attempt to prevent the commission of crime or to arrest a suspected criminal or in aiding or attempting to aid a police officer so to do, or

(b) the commission or attempt to commit any of the following offenses:

1. assault constituting a high misdemeanor;
2. mayhem;
3. threats to do bodily harm;
4. lewd, indecent, or obscene acts;
5. indecent act with children;
6. kidnapping;
7. murder;
8. manslaughter;
9. rape;
10. any other crime involving violence.

C. 52:4B-12 Payment of compensation for expenses or pecuniary loss.

12. The board may order the payment of compensation under this act for:

- a. expenses actually and reasonably incurred as a result of the personal injury or death of the victim,
- b. loss of earning power as a result of total or partial incapacity of such victim,
- c. pecuniary loss to the dependents of the deceased victim, and
- d. any other pecuniary loss resulting from the personal injury or death of the victim which the board determines to be reasonable.

C. 52:4B-13 Panel of medical experts.

13. To assist the board in determining the nature, extent or cause of personal injury or cause of death compensable under this act, the board shall maintain a panel of impartial medical experts. The specialties to be represented on the panel and the number of experts in each specialty shall be determined jointly by the Medical Society of New Jersey and the board. The experts to serve on the panel in the several specialties shall be designated by the Medical Society of New Jersey.

C. 52:4B-14 Required reports.

14. Prior to a hearing on any application pursuant to this act, the applicant or his attorney shall submit reports from all physi-

cians or surgeons or duly accredited religious practitioners who have treated or examined the injured party or the decedent. If in the opinion of the board an examination of the injured person and a report thereon or a report on the cause of death by an impartial medical expert would be of material aid to the just determination of the action, the board may order such an examination, where appropriate, and report by an expert or experts chosen from the panel of impartial medical experts.

C. 52:4B-15 Contents of order for appointment of medical experts and examination of injured party.

15. The order for the appointment of impartial medical experts and directing an examination of an injured party and report thereon or a report on the cause of death of a decedent shall, to the extent applicable and with due regard to the religious tenets of an applicant:

a. Designate the name of the impartial medical expert and his specialty;

b. Specify the conditions and scope of the examination to be conducted and the report to be made;

c. Direct the injured party to submit to a physical examination as specified in the order;

d. Direct all parties and their counsel to deliver to the board for the use of the designated expert all medical reports, X-rays, X-ray reports and records and reports of pathological or neurological examinations or tests of the injured party or of the decedent which are in their possession or under their control;

e. Direct the injured party or his counsel to prepare a list of the names and addresses of any physicians or hospitals which may have any relevant medical records and to deliver the same to the board, for the use of the designated expert, together with a written and signed consent for the examination by the designated expert of any hospital records or other medical records or reports which are not in the possession or under the control of the injured party or his counsel;

f. Direct the injured party to be examined to disclose to the designated expert at his request, and not otherwise, any fact necessary and relevant to his examination and report;

g. Authorize the designated expert to make or to have made by others of his selection such supplementary diagnostic procedures or tests as shall be necessary and relevant to his examination and report and direct the party to be examined to submit thereto; and

h. Fix the date by which the examination is to be made and the date by which the report of the designated expert is to be delivered to the board.

C. 52:4B-16 Time and place of examination; notice; report.

16. The designated expert, upon receipt of all the reports, records and other pertinent medical information, shall fix the time and place of examination and give notice thereof to the applicant or his attorney who may be present with applicant at said examination. The report of said expert shall be filed with the board prior to the date set for the hearing of the matter. If, in the discretion of the board, the testimony of said expert is required at the hearing, he shall be called as a witness and he may be cross-examined.

C. 52:4B-17 Fees for examination and report.

17. The fees of the designated expert, both for his examination and report and for his appearance in court, when necessary, together with the fees for any supplemental diagnostic procedures or tests ordered by him in connection with such examination and report, shall be approved by the board for payment out of funds appropriated for the administration of this act.

C. 52:4B-18 Payment and amount of compensation; conditions.

18. No order for the payment of compensation shall be made under section 10 of this act unless the application has been made within 1 year after the date of the personal injury or death, and the personal injury or death was the result of an offense listed in section 11 of this act which had been reported to the police within 3 months after its occurrence.

In determining the amount of an award, the board shall determine whether, because of his conduct, the victim of such crime contributed to the infliction of his injury, and the board shall reduce the amount of the award or reject the application altogether, in accordance with such determination; provided, however, that the board shall not consider any conduct of the victim contributory toward his injury, if the record indicates such conduct occurred during efforts by the victim to prevent a crime or apprehend a person who had committed a crime in his presence or had in fact committed a misdemeanor.

No compensation shall be awarded if the victim

- a. is a relative of the offender,
- b. was at the time of the personal injury or death of the victim living with the offender as a member of his family relationship group,

c. was guilty of a violation of subtitle 10 or 12 of Title 2A of the New Jersey Statutes, which caused or contributed to his injuries,

d. was injured as a result of the operation of a motor vehicle, boat or airplane unless the same was used as a weapon in a deliberate attempt to run the victim down.

No award shall be made on an application unless the applicant has incurred a minimum out-of-pocket loss of \$100.00 or has lost at least 2 continuous weeks earnings or support. Out-of-pocket loss shall mean unreimbursed and unreimbursable expenses or indebtedness reasonably incurred for medical care or other services necessary as a result of the injury upon which such application is based.

No compensation shall be awarded under this act in an amount in excess of \$10,000.00, and all payments shall be made in a lump sum, except that in the case of death or protracted disability the award may provide for periodic payments to compensate for loss of earnings or support. No award made pursuant to this act shall be subject to execution or attachment other than for expenses resulting from the injury which is the basis of the claim.

C. 52:4B-19 Consideration of certain amounts by board; filing of order.

19. In determining the amount of compensation to be allowed by order, the board shall take into consideration amounts received or receivable from any other source or sources by the victim or his dependents as a result of the offense or occurrence giving rise to the application.

Each order for compensation made by the board shall be filed with the Director of the Division of Budget and Accounting and shall constitute authority for payment by the State Treasurer to the person or persons named therein of the amounts specified in such order.

C. 52:4B-20 Subrogation of board to applicant's cause of action.

20. Whenever an order for the payment of compensation is or has been made for personal injury or death resulting from an act or omission constituting an offense under this act, the board shall, upon payment of the amount of the order, be subrogated to the cause of action of the applicant against the person or persons responsible for such personal injury or death and shall be entitled to bring an action against such person or persons for the amount of the damage sustained by the applicant and in the event that more is recovered and collected in any such action than the amount paid by reason of the order for payment of compensation, the board shall pay the balance to the applicant.

C. 52:4B-21 Partial invalidity.

21. If any section or sections of this act or any provision thereof shall be declared to be unconstitutional, invalid or inoperative in whole or in part, such section or provision shall, to the extent that it is not unconstitutional, invalid or inoperative be enforced and effectuated and no such determination shall be deemed to invalidate or make ineffectual the remaining provisions of the sections of this act.

22. Orders for payment of compensation pursuant to this act may be made only as to injuries or death resulting from offenses occurring on and after November 1, 1971.

23. There is hereby appropriated to the Department of Law and Public Safety for the administration of this act until June 30, 1972 the sum of \$250,000.00, and the board upon its appointment and organization shall make a study of its fiscal requirements under this act and formulate a budget therefor to be submitted for inclusion in an annual or supplemental appropriation act.

24. This act shall take effect immediately.

Approved October 4, 1971.

CHAPTER 318

AN ACT concerning termination of leases in certain cases and supplementing chapter 8 of Title 46 of the Revised Statutes.

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

C. 46:8-9.1 Termination of lease; notice; effective date; exception.

1. Any lease for a term of 1 or more years of a property that has been leased and used by the lessee solely for the purpose of providing a dwelling place for himself and his family may be terminated prior to the expiration date thereof, in the event of the death of such lessee or his spouse, upon notice duly given by such lessee or by the executor or administrator of his estate or by the surviving spouse in the event that such lease was executed jointly by husband and wife. Such termination shall take effect on the

ninetieth day following the receipt by the lessor of written notice thereof, and the rent shall be paid up to the time of such termination, whereupon the lease shall cease and come to an end; provided, however, that the provisions of this act shall not apply to any lease the terms whereof shall explicitly provide otherwise.

2. This act shall take effect immediately, but shall not apply to any lease executed prior to the ninetieth day following the effective date of this act.

Approved October 4, 1971.

CHAPTER 319

AN ACT to authorize the borough of Haworth in the county of Bergen to make permanent the appointment of Victor Pizza to the police department of the borough of Haworth.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the borough of Haworth in the county of Bergen is authorized to make permanent the appointment of Victor Pizza to the police department of the borough of Haworth notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the borough of Haworth for the purpose of adopting same.

Approved October 4, 1971.

CHAPTER 320

AN ACT concerning exemption from taxation of certain property of fraternal organizations and amending R. S. 54:4-3.26.

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

1. R. S. 54:4-3.26 is amended to read as follows:

Exemption of certain property of fraternal organizations; limitations.

54:4-3.26. All real and personal property used in the work and for the purposes of one or more fraternal organizations or lodges, or any association or society organized on the lodge plan, or affiliated associations, whether incorporated or unincorporated, shall be exempt from taxation under this chapter, if the legal or beneficial ownership of such property is in one or more of said organizations, lodges, associations or societies, and no part of such property is used for pecuniary profit, provided that each such organization, lodge, association or society is also organized and operated in substantial part for charitable or educational purposes and demonstrates these aims in its programs and activities.

2. This act shall take effect immediately.

Approved October 21, 1971.

CHAPTER 321

AN ACT to amend "An act relating to training of policemen prior to permanent appointment; appointments in certain municipal and county law enforcement agencies; establishing a police training commission; and providing an appropriation therefor," approved June 3, 1961 (P. L. 1961, c. 56).

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

1. Section 2 of P. L. 1961, c. 56 (C. 52:17B-67) is amended to read as follows:

C. 52:17B-67 Definitions.

2. As used in this act:

“Approved school” shall mean a school approved and authorized by the Police Training Commission to give a police training course as prescribed in this act.

“Commission” shall mean the Police Training Commission or officers or employees thereof acting on its behalf.

“County” shall mean any county which within its jurisdiction has or shall have a law enforcement unit as defined in this act.

“Law enforcement unit” shall mean any police force or organization in a municipality or county which has by statute or ordinance, the responsibility of detecting crime and enforcing the general criminal laws of this State.

“Municipality” shall mean a city of any class, township, borough, village, camp meeting association, or any other type of municipality in this State which, within its jurisdiction, has or shall have a law enforcement unit as defined in this act.

“Permanent appointment” shall mean an appointment having permanent status as a police officer in a law enforcement unit as prescribed by Title 11, Revised Statutes, Civil Service Rules and Regulations, or of any other law of this State, municipal ordinance, or rules and regulations adopted thereunder.

“Police officer” shall mean any employee of a law enforcement unit, including sheriffs’ officers, other than civilian heads thereof, assistant prosecutors and legal assistants, special investigators in the office of the county prosecutor as defined by statute, persons appointed pursuant to the provisions of R. S. 40:47-19, persons whose duties do not include any police function, court attendants and county correction officers.

2. Section 3 of P. L. 1961, c. 56 (C. 52:17B-68) is amended to read as follows:

C. 52:17B-68 Authority to require training of policemen prior to permanent appointment; exception.

3. Every municipality and county shall authorize attendance at an approved school by persons holding a probationary appointment as a police officer, and every municipality and county shall require that no person shall hereafter be given or accept a permanent appointment as a police officer unless such person has successfully completed a police training course at an approved school; provided, however, that the commission may, in its discretion, except from the requirements of this section any person who demonstrates to the commission’s satisfaction that he has successfully completed

a police training course conducted by any Federal, State or other public or private agency, the requirements of which are substantially equivalent to the requirements of this act.

3. Section 6 of P. L. 1961, c. 56 (C. 52:17B-71) is amended to read as follows:

C. 52:17B-71 Commission's powers and duties.

6. The commission is vested with the power, responsibility and duty:

a. To prescribe standards for the approval and continuation of approval of schools at which police training courses authorized by this act and in-service police training course shall be conducted, including but not limited to present existing regional, county, municipal and police chiefs association police training schools;

b. To approve and issue certificates of approval to such schools, to inspect such schools from time to time, and to revoke any approval or certificate issued to such school;

c. To prescribe the curriculum, the minimum courses of study, attendance requirements, equipment and facilities, and standards of operation for such schools, and may prescribe psychological and psychiatric examinations for police recruits while in such schools;

d. To prescribe minimum qualifications for instructors at such schools and to certify, as qualified, instructors for approved police training schools and to issue appropriate certificates to such instructors;

e. To certify police officers who have satisfactorily completed training programs and to issue appropriate certificates to such police officers;

f. To appoint an executive secretary, to serve at its pleasure, who shall perform general administrative functions, and to fix his compensation;

g. To employ such other persons as may be necessary to carry out the provisions of this act, and to fix their compensation;

h. To make such rules and regulations as may be reasonably necessary or appropriate to accomplish the purposes and objectives of this act;

i. To make a continuous study of police training methods and to consult and accept the cooperation of any recognized Federal or State law enforcement agency or educational institution;

j. To consult and cooperate with universities, colleges and institutes in the State for the development of specialized courses of study for police officers in police science and police administration;

k. To consult and cooperate with other departments and agencies of the State concerned with police training;

l. To participate in unified programs and projects relating to police training sponsored by any Federal, State, or other public or private agency;

m. To perform such other acts as may be necessary or appropriate to carry out its functions and duties as set forth in this act.

4. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 322

AN ACT concerning education and amending N. J. S. 18A:24-19.

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

1. N. J. S. 18A:24-19 is amended to read as follows:

Limitations on amount of bonds authorized.

18A:24-19. Except as otherwise provided in sections 18A:24-20 to 18A:24-27, no bonds shall be authorized for the purposes of any school district if the principal amount thereof shall, when added to the net school debt of the district exceed the percentage of the average equalized valuation of taxable property in such district as herein provided:

(1) From kindergarten grade (or grade 1) through grade 6	2½%
(2) From kindergarten grade (or grade 1) through grade 8	3 %
(3) From kindergarten grade (or grade 1) through grade 9	3½%
(4) From kindergarten grade (or grade 1) through grade 12	4 %
(5) From grade 7 through grade 9	1½%
(6) From grade 10 through grade 12	2 %
(7) From grade 9 through grade 12	3 %
(8) From grade 7 through grade 12	3½%

Each school district prior to the issuance of bonds shall secure from the State Commissioner of Education a certificate of the grade levels of instruction provided or to be provided by said school district.

Provided, however, that except as otherwise provided in sections 18A:24-20 to 18A:24-27, bonds may be authorized for the purposes of a school district in a city of the first class with a population in excess of 250,000 if the principal amount thereof shall, when added to the net school debt of the district, not exceed 8% of the average equalized valuation of taxable property in such district.

Further provided, that except as otherwise provided in sections 18A:24-20 to 18A:24-27, bonds may be authorized for the purposes of a school district in a city of the second class with a population in excess of 100,000 if the principal amount thereof shall, when added to the net school debt of the district, not exceed 6% of the average equalized valuation of taxable property in such district.

2. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 323

AN ACT concerning the "Local Fiscal Affairs Law" and supplementing chapter 5 of Title 40A of the New Jersey Statutes.

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

C. 40A:5-16.1 Payment of advances for travel expenses.

1. Notwithstanding the provisions of N. J. S. 40A:5-16, the governing body of any local unit may, by resolution, provide for and authorize payment of advances to officers and employees of the local unit toward their expenses for authorized official travel and expenses incident thereto. Any such resolution shall provide for the verification and adjustment of such expenses and advances and the repayment of any excess advanced by means of a detailed bill of items or demand and the certifications or affidavit required by N. J. S. 40A:5-16 which shall be submitted within 10 days after the completion of the travel for which an advance was made.

2. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 324

AN ACT concerning agricultural cooperative associations, amending R. S. 4:13-4, 4:13-6, 4:13-8, 4:13-10, 4:13-11, 4:13-13, 4:13-15, 4:13-18, 4:13-21 to 4:13-24, P. L. 1962, chapter 131, sections 4-6 and P. L. 1966, chapter 286 sections 3 and 11 and supplementing chapter 13 of Title 4 of the Revised Statutes.

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

1. P. L. 1966, chapter 286, section 3 (C. 4:13-2.1) is amended to read as follows:

C. 4:13-2.1 Annual fee; exemption from Corporation Business Tax Act and Uniform Security Law.

3. Each agricultural cooperative association organized hereunder with or without capital stock or foreign corporations authorized to transact business under the provisions of 4:13-15 shall pay to the Secretary of Agriculture an annual fee of \$10.00, in lieu of all franchise or corporation taxes which fee shall accompany a statement of eligibility to be incorporated under this act to be filed on or before March 31 annually.

Any such association shall be exempt from the provisions of the Corporation Business Tax Act provided that on or before the first day of the eighteenth month following the date of filing of certificate of incorporation with the Secretary of Agriculture, said association shall have applied for or received a letter of exemption from the Internal Revenue Service of the United States Department of the Treasury and a true copy of such application or letter of exemption is filed with the Secretary of Agriculture. Also any association incorporated hereunder or qualified under section 15 shall be exempt from the Uniform Security Law.

The Secretary of Agriculture shall certify to the Director of the Division of Taxation and the Secretary of State the names of all agricultural cooperative associations on or before September 1 of each year that have complied with the requirements of this section.

2. R. S. 4:13-4 is amended to read as follows:

Certificate of incorporation.

4:13-4. The certificate of incorporation shall be signed by all the incorporators and shall set forth:

- a. The name of the association, which may include the words "cooperative" and "association";
- b. The objects for which it is formed, which shall be one or more of the objects enumerated in section 4:13-3 of this Title;
- c. The territory in which its operations are to be conducted, the location of its principal office in this State and the name of the agent in charge thereof and upon whom process against the corporation may be served;
- d. The term for which it is to exist;
- e. The names and post-office addresses of the subscribers;
- f. If organized with capital stock, the total authorized capital stock, the number of shares into which the same is divided and the par value of each share; and, if there is more than one class of stock, a description of the different classes, with the terms on which the respective classes are to be created;
- g. (Deleted by amendment.)
- h. Any other provisions not inconsistent with law, which the association may see fit to adopt, governing the regulation and conduct of its affairs.

3. R. S. 4:13-6 is amended to read as follows:

Signatures required on certificate; filing; filing fee.

4:13-6. The certificate of incorporation shall be signed by incorporators, and;

- a. Shall be filed in the office of the Secretary of State; and,
- b. A duly certified copy of said certificate of incorporation shall be filed in the office of the Secretary of Agriculture, who shall charge a filing fee of \$5.00.

4. R. S. 4:13-8 is amended to read as follows:

Amendment of certificate.

4:13-8. The certificate of incorporation may be amended by the affirmative vote of a majority of the members or delegates present and acting at any regular meeting or at any special meeting called for that purpose, on 10 days' notice; if the amendment has first been approved by a $\frac{2}{3}$ vote of the directors present and acting at a duly constituted meeting, and if the certificate as so amended is such as might have been originally made and filed under this chapter.

A certificate of the amendment under the association's seal, signed by the president and acknowledged by the secretary, shall be filed in the manner provided in section 4:13-6 of this Title.

5. R. S. 4:13-10 is amended to read as follows:

Merger or consolidation of associations.

4:13-10. Whenever any two or more associations incorporated or authorized to transact business under the provisions of this act desire to merge or consolidate into a single new association, the directors thereof shall enter into a joint agreement therefor which shall contain all the terms of the merger or consolidation and set forth, with regard to the new association, the facts required to be set forth in original certificates of incorporation of associations.

In the case of a merger or consolidation the certificate of incorporation of a surviving or successor association shall be deemed to be amended or supplemented to the extent, if any, that changes in such certificate are stated in the merger or consolidation agreement and shall be deemed to be the Articles of Incorporation of the surviving association.

The joint agreement shall be submitted to the members of each association concerned at separate meetings called upon 10 days' notice in writing for that purpose and if it is adopted by the vote of a majority of the members of each association present at each meeting, then a copy thereof, duly certified by the president and secretary of each association, shall be filed in the office of the Secretary of State and a certified copy filed with the Secretary of Agriculture together with a filing fee of \$5.00 payable to the New Jersey Department of Agriculture.

In the case of an association which has adopted the delegate plan of voting, the vote to be taken as provided herein may be taken at a meeting of the delegates and the required vote shall be a majority of the delegates present and voting.

6. P. L. 1966, chapter 286, section 11 (C. 4:13-10.1) is amended to read as follows:

C. 4:13-10.1 Federated cooperative associations; membership.

11. Two or more associations incorporated in New Jersey or foreign cooperatives may form or become a member of a federated cooperative association incorporated under this chapter or any similar act in any other State and assign to the federated association any mutually agreed functions and duties not inconsistent with this chapter.

7. R. S. 4:13-11 is amended to read as follows:

Dissolution of associations.

4:13-11. The members of any association, at any regular or special meeting or meetings called for the purpose upon not less than 20 days' notice of the time, place and object of the meeting or meetings first having been given as prescribed in the bylaws may by a vote of a majority of the members present and voting at such meeting or meetings vote to discontinue its operations and be dissolved in the manner hereinafter set forth. The resolution adopted at such meeting or meetings shall designate a committee of three members who shall act as trustees in dissolution and liquidate the assets, pay the debts and expenses and divide any of the remaining funds of the association among the members and patrons in accordance with the certificate of incorporation and the bylaws. Any vacancy on the committee of trustees in dissolution shall be filled by the remaining trustees from among the membership. Upon completion of dissolution proceedings a report thereof shall be signed by the committee or its successors and filed with the Secretary of Agriculture and a certificate thereof duly certified by the Secretary of Agriculture which the committee shall forthwith file with the Secretary of State for which the Secretary of State shall charge a filing fee of \$10.00. Upon such filing such association shall be dissolved and cease to exist under this chapter. The resolution of the members may provide compensation for the services of the members of the committee.

In the case of an association which has adopted the delegate plan of voting, the vote to be taken as provided herein may be taken at a meeting of the delegates and the required vote shall be a majority of the delegates present and voting.

The Chancery Division of the Superior Court shall have full jurisdiction to hear in a summary manner any questions or litigation arising out of the proceedings of such dissolution.

8. R. S. 4:13-13 is amended to read as follows:

Right of existing associations to come within chapter.

4:13-13. An agricultural association or corporation, incorporated or authorized to do business in this State under any law other than this chapter, may become subject to the provisions of this chapter, provided a resolution declaring such change advisable is adopted by the directors of such association and approved in accordance with the statute under which it is incorporated or currently operating.

A copy of the resolution, duly certified by the president or secretary of the association, shall be filed with the Secretary of State and Secretary of Agriculture and thereupon the association shall become subject in all respects to the provisions of this chapter.

9. R. S. 4:13-15 is amended to read as follows:

Authorizing foreign corporations to transact business.

4:13-15. A foreign corporation organized for the purpose of engaging in any of the activities mentioned in section 4:13-3 of this Title, and desiring to operate under the privileges granted by this statute, before transacting any business in this State, shall file in the office of the Secretary of State:

a. A copy of its charter or certificate of incorporation;

b. A statement, attested by its president and secretary under its corporate seal that it is organized as a nonprofit, cooperative agricultural association, and that it is operated for the mutual benefit of its members, and designating its principal office in this State and an agent upon whom process against the corporation may be served, which agency shall continue until the substitution, by writing, of another agent. Such agent shall be a domestic corporation duly qualified to act, a partnership or a natural person of full age actually a resident in this State;

Upon the filing of such certificate and statement, the Secretary of State shall issue to such corporation, by whatever name known, a certificate authorizing it to transact business in this State.

Upon issuance of such certificate, the foreign cooperative shall forthwith file with the Secretary of Agriculture, who shall charge a filing fee of \$5.00, duplicates of the said certificate and statement together with the following:

c. A copy of its current bylaws, duly attested by its president and secretary, under its corporate seal;

d. A certified copy of the certificate of authority issued by the Secretary of State.

e. Upon filing of all required documents and payment of filing fee with the Secretary of Agriculture, the foreign cooperative shall acquire all of the rights and privileges granted under the terms of this chapter and be subject to its provisions including the filing of annual reports and statements.

10. R. S. 4:13-18 is amended to read as follows:

Election of directors and adoption of bylaws.

4:13-18. At the first meeting of the association the directors shall be elected and, by majority vote of the members or their written assent, bylaws shall be adopted regulating the conduct and management of the association. A copy of the bylaws certified by the president and secretary, shall be filed forthwith in the office of the Secretary of Agriculture. The bylaws shall provide the method for amending the bylaws. The bylaws shall, within the limitations of this chapter, prescribe:

a. The time, place and manner of calling and conducting its meetings one of which shall be designated as the annual meeting and the number of members or delegates necessary to constitute a quorum for the transaction of business;

b. The number and qualifications of members and the conditions under which membership shall be granted and terminated; rules governing the issuance, transfer and cancellation of membership certificates and certificates of common and other classes of stock and the manner of ascertaining the interests of members in the assets, if any, of the association; rules governing the exercise of the privileges of members; rules governing the method, time and manner of the resignation or withdrawal of members; and rules for ascertaining and paying the value of a member's interest upon his death, withdrawal, resignation, expulsion or the forfeiture of his membership;

c. The number of the directors and the time, place and manner of their election and removal, their powers and duties, their number, not less than a majority, necessary to the exercise of their powers, and their compensation, if any, also their qualifications, manner of nominations, district and other eligibility requirements;

d. The officers, their terms of office, the time and manner of their appointment and removal, their powers and duties and the manner in which their compensation, if any, shall be determined;

e. The amount of entrance, organization and membership fees, if any, the manner and method of collection of the same, and the purposes for which they may be used;

f. The amount which each member or stockholder shall be required to pay annually or from time to time, if at all, to carry on the business of the association, the charge, if any, to be paid by each patron for services rendered by the association to him and the time of payment and manner of collection;

g. The date of the commencement of its business or fiscal year;

h. The manner in which the dissolution may be effectuated and the division and distribution of the remaining funds.

i. Any other provisions proper and necessary to carry out the purposes for which the association was formed.

11. R. S. 4:13-21 is amended to read as follows:

Eligibility for membership.

4:13-21. An association may admit as members, or issue common stock to, any persons engaged in the production of agricultural products, including the lessees and tenants of lands used for the production of such products, and any lessors and landlords who receive as rent all or any part of such products raised on the leased premises, or any association, however incorporated, whose members or stockholders are so engaged in the production of agricultural products. A member other than a natural person may by due authorization in writing be represented by a natural person or persons.

12. R. S. 4:13-22 is amended to read as follows:

Expulsion of members; removal of director or officer; loss of membership.

4:13-22. A member, director or officer who is also a director of the association may, for cause, be expelled from membership or removed from office, by vote of not less than $\frac{2}{3}$ of the directors present and voting at any regular meeting or at any special meeting of the board of directors called for the purpose.

Under the terms and conditions prescribed in the bylaws, a member or stockholder member, as the case may be, may lose his membership and his right to vote if he ceases to belong to the class eligible for membership, or has done no business with an association for the previous fiscal year of the association.

The person against whom charges are to be presented shall be given at least 20 days' written notice of the time, place and object of any such meeting, and of the charges against him and at the meeting shall have an opportunity to be heard in person or by counsel and by witnesses in regard thereto.

13. R. S. 4:13-23 is amended to read as follows:

Issuance of certificates.

4:13-23. Every association without capital stock shall issue a certificate of membership to each member. Every association with capital stock shall issue a certificate of common stock to each member. Such certificate shall not be transferable, and no person

who may acquire the same by operation of law, or otherwise than as prescribed in this chapter and the certificate of incorporation and bylaws of the association, shall be entitled to become a member by virtue thereof. Notice of such limitations shall be printed on the face thereof or by a separate certificate firmly attached thereto.

No association shall issue a certificate of membership or certificate of common stock until the membership fee, or stock subscription, has been paid in full. The promissory notes of the members may be accepted by the association as full or partial payment.

14. R. S. 4:13-24 is amended to read as follows:

Voting.

4:13-24. No member shall be entitled to more than one vote except as herein provided. No vote by proxy shall be received. Absent members may, under rules prescribed in the bylaws, be permitted to vote on specific questions by ballots deposited with the secretary, or other proper officer of the association, by mail, which ballots shall be counted only at the meeting at which such specific questions are voted upon. Where the bylaws of an association provide for voting by mail ballot such mail ballots shall be counted the same as members present and acting for the purpose of a quorum.

If so provided in the bylaws, the holders of preferred stock that is limited to producers or associations of producers may have voting power.

15. P. L. 1962, chapter 131, section 4 (C. 4:13-46) is amended to read as follows:

C. 4:13-46 Violations; complaints; hearing.

4. For the purpose of enforcing the provisions of this act the secretary is authorized to receive complaints from producers against any processor, or any other person, with respect to violations of the unfair practices specified in section 3. Upon being satisfied as to the bona fides of the complaint the secretary may conduct a hearing on the complaint and shall furnish such persons with a copy of the complaint and a notice of the time and place of hearing, which notice shall be served either personally or by registered mail directly to his place of business or last known residence address, with postage prepaid, at least 10 days prior to the time fixed for hearing.

In the hearing of any complaint the secretary or assistant whom he may designate may sign and issue subpoenas, administer oaths, examine witnesses, take depositions, receive evidence and require by subpoenas the attendance and testimony of witnesses and the production of such accounts, records and memoranda, as may be material in the determination of the matter alleged in the complaint.

The secretary shall render a decision either dismissing the complaint or specifying the facts which he deems established at the hearing.

16. P. L. 1962, chapter 131, section 5 (C. 4:13-47) is amended to read as follows:

C. 4:13-47 Injunctions.

5. The secretary may also bring an action to restrain the violation or threatened violation of any provision of this act in the Superior Court.

17. P. L. 1962, chapter 131, section 6 (C. 4:13-48) is amended to read as follows:

C. 4:13-48 Penalties.

6. Any processor who shall have been found to have violated any of the provisions of this act shall forfeit and pay a penalty of not less than \$100.00 nor more than \$500.00 for each offense to be sued for and recovered by and in the name of the "State of New Jersey."

C. 4:13-50 Association not deemed a conspiracy or combination in restraint of trade; acquisition and dissemination of information.

18. a. No association complying with the terms hereof shall be deemed to be a conspiracy, or a combination in restraint of trade, or an illegal monopoly; or be deemed to have been formed for the purpose of lessening competition or fixing prices arbitrarily, nor shall the contracts between the association and its producers, or any agreements authorized in this act, be construed as an unlawful restraint of trade, or as a part of a conspiracy or combination to accomplish an improper or illegal purpose or act.

b. An association may acquire, exchange, interpret and disseminate past, present and prospective crop, market, statistical, economic and other similar information relating to the business of the association, either directly or through an agent created or selected by it or by other associations acting in conjunction with it.

c. An association may advise its members in respect to the adjustment of their current and prospective production of agricultural

commodities and its relation to the prospective volume of consumption, selling prices and existing or potential surplus, to the end that every market may be served from the most convenient productive areas under a program of orderly marketing that will assure adequate supplies without undue enhancement of prices or the accumulation of any undue surplus of agricultural products.

19. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 325

AN ACT to amend "An act concerning disorderly persons, and supplementing chapter 170 of Title 2A of the New Jersey Statutes," approved April 2, 1953 (P. L. 1953, c. 67).

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

1. Section 1 of P. L. 1953, chapter 67 (C. 2A:170-25.2) is amended to read as follows:

C. 2A:170-25.2 Maintaining, storing or discarding refrigerator or icebox in place accessible to children.

1. Any person who maintains, stores, or displays unattended in a place other than a permanently enclosed building or who discards or abandons in any public or private place accessible to children, including any junkyard, whether or not such children are trespassers, any refrigerator, freezer, chest or icebox, having a capacity of 1½ cubic feet or more, with an attached lid or door which may be opened and fastened shut by means of an attached latch, or being the owner, lessee or manager of such place, knowingly permits such refrigerator, icebox, freezer or chest to remain there in such condition, is a disorderly person and shall be punished by a fine of not more than \$50.00 or by imprisonment in the county jail for not more than 5 days, or by both.

2. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 326

AN ACT to amend “An act authorizing boards of chosen freeholders to create county heritage commissions and prescribing the membership, powers and duties of such commissions,” approved May 6, 1968 (P. L. 1968, c. 31).

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

1. Section 1 of P. L. 1968, c. 31 (C. 40:33A-1) is amended to read as follows:

C. 40:33A-1 County heritage commission; membership, appointment, terms, vacancies, compensation.

1. The board of chosen freeholders of any county is authorized to create, by resolution, a county heritage commission to be composed of not less than five residents and not more than nine residents of the county to be appointed by the board for terms of 5 years, except that of the members first appointed on a five member commission one member shall be appointed for a term of 1 year, and one member each for terms of 2, 3, 4 and 5 years. In the case of members first appointed on a commission with a membership in excess of five members, five shall be appointed in the same manner as prescribed herein for a five member board. A sixth member if appointed shall serve a term of 1 year, a seventh for a term of 2 years, an eighth for a term of 3 years, and a ninth for a term of 4 years. Vacancies shall be filled in the same manner for the unexpired term. The members shall serve without compensation but with the consent of the board they may be reimbursed for expenses incurred in the performance of their duties as members of the commission.

2. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 327

AN ACT providing for the appointment of a coordinator of agricultural development in the Department of Agriculture, prescribing his functions, powers and duties and making an appropriation.

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

C. 4:1-46 Legislature's findings.

1. The Legislature finds that agriculture continues to be one of the leading industries of the State with annual gross sales of nearly \$300,000,000.00 and employing more than 40,000 people, either seasonally or year-round; that it is in the interest of the nonfarm people of the State that our farmers continue to own and operate their farms so that New Jersey can remain the Garden State; that the loss of farms in this State continues to be a serious threat to the preservation of green acres and open space; and that the farmers and the agri-business industry need help to encourage the retention of agriculture, to find ways of making it economically viable, and to expand its scope in the State.

C. 4:1-47 Coordinator of agricultural development; appointment, powers and duties, salary.

2. The Secretary of Agriculture with the approval of the State Board of Agriculture shall appoint a coordinator of agricultural development for the department who shall have the function, power and duty to coordinate and cooperate with all segments of the agricultural industry in the dissemination of information to the public on the importance and value of agriculture as a part of the overall economy and the preservation of a healthy environment in the State and assist in the development of plans that will encourage and assist farmers and related business in the improvement and expansion of farming and agri-business in this State. The coordinator shall serve at the pleasure of the secretary and the board and, subject to available appropriations, shall receive a salary in such amount as the board shall prescribe.

3. There is hereby appropriated to the Department of Agriculture for the 1971-1972 fiscal year the sum of \$25,000.00 to effectuate the purposes of this act.

4. This act shall take effect immediately.

Approved October 28, 1971.

CHAPTER 328

AN ACT establishing the salary range for the Director of the Division of Administrative Procedure in the Department of State and supplementing P. L. 1970, c. 96.

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

C. 52:14-15.106 **Director of Division of Administrative Procedure; salary range.**

1. A salary range for the following enumerated position in the Department of State is fixed and established as follows in lieu of the salary specified in the act to which this act is a supplement:

Title	Minimum	Maximum
Director of the Division of Administrative Procedure	\$17,735	\$23,057

2. The provisions of this act shall be retroactive to September 1, 1970.

3. This act shall take effect immediately.

Approved November 12, 1971.

CHAPTER 329

AN ACT concerning compensation for blind soldiers, sailors and marines, and amending sections 38:18-2 and 38:18-3 of the Revised Statutes.

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

1. Section 38:18-2 of the Revised Statutes is amended to read as follows:

Yearly allowance to soldier for loss of sight.

38:18-2. A soldier, who has sustained a total loss of sight as a result of his service during any of the wars mentioned in section 1 of this chapter, shall be paid for the term of his life, provided that he shall continue as a resident of this State, the sum of \$750.00 annually, in monthly payments. Such payments shall be

due and payable from the date of his discharge or release if application therefor shall be made within 1 year from the date of such discharge or release. If the application shall be made 1 year from the date of his discharge or release such payments shall be due and payable from the date of such application. Accrued payments to the date of certification shall be paid in one lump sum.

2. Section 38:18-3 of the Revised Statutes is amended to read as follows:

Evidence of service and disability; payment.

38:18-3. Evidence of the service and disability mentioned in this chapter shall be furnished to the Department of Economic Development, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the State Comptroller who shall, upon receipt thereof, draw his warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of \$750.00 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.

3. This act shall take effect January 1, 1971.

Approved November 12, 1971.

CHAPTER 330

AN ACT to amend "An act concerning the abandonment of motor vehicles in certain cases, prescribing penalties for violations, and supplementing chapter 4 of Title 39 of the Revised Statutes," approved February 27, 1968 (P. L. 1967, c. 305).

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

1. Section 1 of P. L. 1967, c. 305 (C. 39:4-56.5) is amended to read as follows:

C. 39:4-56.5 Abandonment of motor vehicles; penalties.

1. It shall be unlawful for any person to abandon a motor vehicle on or along any highway or other public property or on any private property without the consent of the owner or other person in charge of the private property. A vehicle which has remained on or along

any highway or other public property or on private property without such consent for a period of more than 48 hours or for any period without current license plates shall be presumed to be an abandoned motor vehicle. Vehicles used or to be used in the construction, operation or maintenance of public utility facilities and which are left in a manner which does not interfere with the normal flow of traffic shall not be considered abandoned vehicles for the purposes of this section.

Any person who violates this section shall be subject for the first offense to a fine of not less than \$100.00 nor more than \$500.00 and his license or driving privilege may be suspended or revoked by the director for not more than 2 years. For any subsequent violation he shall be subject to a fine of not less than \$500.00 nor more than \$1,000.00, and his license or driving privilege be suspended or revoked for a period of not more than 5 years.

2. This act shall take effect immediately.

Approved November 12, 1971.

CHAPTER 331

AN ACT to amend "An act to amend and supplement '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,' approved December 16, 1963 (P. L. 1963, c. 172)," approved December 29, 1964 (P. L. 1964, c. 255).

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

1. Section 5 of P. L. 1964, chapter 255 (C. 54:4-8.44a) is amended to read as follows:

C. 54:4-8.44a Post-tax year statement; lien and tax liability proration.

5. Every person who is allowed a senior citizen's deduction shall, except as hereinafter provided, be required to file with the collector of the taxing district on or before February 1 of the post-tax year a statement under oath of his income for the tax year and his

anticipated income for the ensuing tax year as well as any other information deemed necessary to establish the right of the senior citizen to a tax deduction for such ensuing tax year. The collector may grant a reasonable extension of time for filing the statement required by this section, which extension shall terminate no later than March 1 of the post-tax year, in any event where it shall appear to the satisfaction of the collector that the failure to file by February 1 was due to the illness of the senior citizen and the senior citizen has filed with the collector a physician's certificate stating that the senior citizen was physically incapacitated and unable to file on or before February 1. In any case where such an extension is granted by the collector, the required statement shall be filed on or before March 1 of the post-tax year.

Such statement shall be on a form prescribed by the Director, Division of Taxation, in the Department of the Treasury and provided for the use of persons required to make such statement by the governing body of the municipality constituting the taxing district in which such statement is required to be filed. Each collector may require the submission of such proof as he shall deem necessary to verify any such statement. Upon the failure of any such person to file the statement within time herein provided or to submit such proof as the collector deems necessary to verify a statement that has been filed, or if it is determined that the income of any such person exceeded \$5,000.00 for said tax year, his senior citizen's tax deduction for said tax year shall be disallowed and his taxes to the extent represented by the amount of said deduction shall be payable on or before March 1 of the post-tax year or, where an extension of time for filing has been granted no later than 30 calendar days after the expiration of said extension, after which date if unpaid, said taxes shall be delinquent, constitute a lien on the property, and, in addition, the amount of said taxes shall be a personal debt of said person.

The amount of any lien and tax liability shall be prorated by the tax collector upon the transfer of title based on the number of days during the tax year that entitlement to the senior citizen's tax deduction is established. The lien shall be considered satisfied by the tax collector upon payment of the prorated amount for that portion of the tax year for which entitlement to the senior citizen's tax is not established.

2. This act shall take effect immediately.

Approved November 12, 1971.

CHAPTER 332

A SUPPLEMENT to “An act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 1972, and regulating the disbursement thereof,” approved June 24, 1971 (P. L. 1971, c. 240).

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

1. The following sum is hereby appropriated out of the General State Fund for the purposes herein specified:

CAPITOL CONSTRUCTION
DEPARTMENT OF THE TREASURY

230-170. DIVISION OF PURCHASE AND PROPERTY

Capitol Construction:

Remodeling portions of the State House for use by the Legislative Branch	\$250,000
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2. This act shall take effect immediately.

Approved November 17, 1971.

CHAPTER 333

AN ACT establishing Title 8A of the New Jersey Statutes, Cemeteries, repealing Title 8 of the Revised Statutes, Cemeteries, and all amendments and supplements thereto.

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

Title 8A. CEMETERIES

CHAPTER 1

SHORT TITLE AND DEFINITIONS

Short title.

8A:1-1. This act shall be known and may be cited as the “New Jersey Cemetery Act.”

Definitions.

8A:1-2. The following definitions, unless the context indicates otherwise, apply to this Title:

“Burial right” means a legal right of interment granted by a cemetery company.

“Cemetery” means any land or place dedicated for use, used or intended to be used, for the interment of the human dead in the ground, in a mausoleum or crypt, and a crematory located in the cemetery and a columbarium for cinerary interments, or lands held for burial purposes.

“Cemetery board” or “board” means the New Jersey Cemetery Board.

“Cemetery company” means any person, firm, corporation, trustee, partnership, association or municipality, now or hereafter, owning, operating, controlling or managing a cemetery, or a mausoleum, columbarium, or crematorium or holding lands for burial grounds or interment purposes in this State, provided that the words cemetery company shall not include any religious corporation incorporated pursuant to Title 16 of the Revised Statutes, or any special act of the Legislature or religious society, wherein any cemetery owned, operated or controlled by such a religious corporation or religious society burials are restricted to members of that particular religious faith and the families of such members.

“Cemetery official” means any member of the governing body of a cemetery company or any employee of any cemetery company acting in a managerial capacity.

“Columbarium” means a structure, or room, or other space in a building or structure, containing niches for permanent inurnment of cremated human remains.

“Cremation” means the reduction of the body of a deceased person to incinerated remains.

“Crematory” means a body or structure containing one or more furnaces or retorts intended for the reduction of bodies of deceased persons to incinerated remains.

“Crypt” means a space in a mausoleum used or intended to be used above or under ground, to entomb human remains.

“Governing body” means the board of directors, board of managers, board of trustees, or other governing body of a cemetery company.

“Grave” means a space of ground not exceeding 40 square feet in a cemetery used or intended to be used for interment of human remains.

“Human remains” or “remains” means the body of a deceased person or the dismembered part of a body of a living person and includes cremated remains.

“Interment” means the lawful disposition of human remains by burial, entombment or inurnment.

“Interment space” means a lot or part thereof, grave, crypt, niche, sarcophagus or other structure intended for the internment, inurnment or entombment of human remains.

“Lot” or “plot” means space in a cemetery, containing two or more adjoining graves.

“Maintenance and preservation” means the maintenance of a cemetery; or public mausoleum or columbarium owned and operated by a cemetery company; including cutting of lawns at reasonable intervals; keeping in repair the drains, water lines, roads, buildings, fences and other structures owned by the cemetery, in keeping with a well maintained cemetery, to the extent of the income of the maintenance and preservation fund.

“Maintenance and preservation funds,” as distinguished from other receipts of the cemetery company means any property, real or personal impressed with a trust for the general care of the cemetery by the terms of any gift, grant, contribution, payment, devise or bequest, or pursuant to contract, accepted by any cemetery company owning, operating, controlling or managing a cemetery, or by any trustee, agent or custodian for the same, and the amounts set aside pursuant to this act. The income is to be used to provide the services enumerated as “maintenance and preservation” and further to provide the overhead expense necessary for such purposes, including purchase and maintenance of machinery, tools and equipment for such care; compensation of employees, payment of insurance premiums, reasonable payments for employees pension and other benefit plans and maintenance of necessary records of ownership, transfers and interments.

“Mausoleum” means a permanent structure or building used for the entombment of human remains in crypts, vaults or niches. A mausoleum shall be distinguished from a single or multiple vault in that it shall be constructed on the premises; shall be a single integrated structure and shall not, as in the case of a vault, consist of one or more containers constructed off of the cemetery premises and installed singly or in a series at the cemetery premises.

A public mausoleum shall be distinguished from a private mausoleum in that it is constructed by or for the cemetery company

on lands owned exclusively by it, and not by a lot owner, for sale to the general public of crypts or niches therein for interment purposes; a private mausoleum is one which is constructed by or for a lot owner on interment space owned by him in the cemetery for the interment of such persons as he may have the right to designate.

“Memorial” means an effigy, a grave marker, a family monument, private mausoleum sarcophagus or other private structure used for memorializing the dead.

“Niche” means a space in a columbarium or mausoleum used, or intended to be used, for inurnment of cremated human remains.

“Owner” or “lot owner” means any person in whose name a lot is of record as owner in the office of a cemetery company.

“Religious corporation” means a corporation incorporated pursuant to Title 16, Corporations and Associations, Religious, of the Revised Statutes.

“Vault” means a prefabricated outer burial case of concrete, natural stone, metal or other material installed in the ground, and is herein defined to include grave liners, rough boxes, below ground multiple interment crypts not a part of a public or private mausoleum, as defined herein, and any other structure or device of whatsoever material and whether placed in the ground prior to or at the time of interment and whether or not designated to receive and accommodate one interment or more than one interment.

CHAPTER 2

NEW JERSEY CEMETERY BOARD

New Jersey Cemetery Board; establishment, membership, appointment, terms, vacancies, removal, compensation, officers, meetings, executive director, personnel, quorum.

8A:2-1. a. There is hereby established in the Department of Banking a board which shall be known as the New Jersey Cemetery Board.

b. The New Jersey Cemetery Board shall consist of nine members, three of whom shall be ex-officio members, viz., the Attorney General, the Commissioner of Banking and the Commisisoner of Health, or when so designated by them, their designees; five regular members, each of whom has served, for a period of at least five consecutive years immediately preceding his appointment, as a member of a board of managers, directors, trustees, general manager or superintendent of a cemetery company; and one public member who shall have no interest directly or indirectly in any

cemetery company or any allied industries. Each of the regular members and the public member shall be appointed by the Governor with the advice and consent of the Senate.

c. The terms of the five regular members and one public member first appointed shall be arranged by the Governor so that two of such terms shall expire in 1 year, two in 2 years, and two in 3 years. Thereafter all appointments shall be for the term of 4 years. Vacancies shall be filled in the same manner as original appointments but for the unexpired term only.

d. Any member of the New Jersey Cemetery Board may be removed from office by the Governor for cause, upon notice and opportunity to be heard.

e. The members of the New Jersey Cemetery Board shall serve without compensation but shall be reimbursed for reasonable and necessary expenses incurred in the performance of their official duties.

f. The members of the board shall elect a chairman and secretary from among their own number. The board shall meet at least four times each year, at the call of its chairman or at the written request of two members of the board directed to its chairman. The chairman shall fix the time and place for such meetings.

g. The work of the New Jersey Cemetery Board shall be under the immediate supervision of an executive director who shall be appointed by the board for a term of 6 years. The board shall fix the compensation of the executive director within the limits of available appropriations.

The executive director shall not have any interest directly or indirectly in any cemetery company or in any individual, partnership or corporate entity which does business with or at any cemetery.

h. Subject to the approval of the Commissioner of Banking and the provisions of Title 11, Civil Service, the New Jersey Cemetery Board may appoint, employ or remove such assistants and employees as may be necessary to carry out the provisions of this act. The board shall be entitled to call upon its assistants and avail itself of the services of such employees of any State department or agency as it may require and as may be made available to it for such purpose. Expenditures of the board in any given fiscal year shall not exceed board revenues and all expenditures shall be in accordance with the annual appropriations act.

i. Seven members of the New Jersey Cemetery Board shall constitute a quorum to transact business of the board and all actions

of the board shall require the affirmative vote of at least six members.

Board's powers.

8A:2-2. The New Jersey Cemetery Board shall have full power and authority to administer the provisions of this act.

Notice of action or proceeding.

8A:2-3. In any action or proceeding affecting or instituted by any cemetery company the New Jersey Cemetery Board shall be served with notice thereof in the same manner as any necessary party and shall take such steps in the action or proceeding as it may deem necessary to protect the public interest.

Attorney General's powers.

8A:2-4. Nothing in this act shall prohibit the Attorney General from exercising any of the powers heretofore exercised by him regarding cemeteries.

CHAPTER 3

ORGANIZATION OF CEMETERY COMPANIES

Organization of cemetery companies.

8A:3-1. No cemetery established after the effective date of this act shall be owned, maintained or operated except by the Federal Government, a political subdivision of this State, a religious corporation or by a cemetery company organized in accordance with this chapter.

Certificate of authority required.

8A:3-2. Before any cemetery company organized after the effective date of this act, subject to the provisions of this act, shall engage in any function or operation of a cemetery there shall be issued to such cemetery a certificate of authority to so operate. Such certificate shall be issued by the New Jersey Cemetery Board in accordance with this chapter.

Application for certificate of authority; contents.

8A:3-3. The application for such certificate of authority by any cemetery company organized after the effective date of this act shall be made in writing to the cemetery board, be verified under oath and shall contain such information as the cemetery board by regulation shall require to enable the board, in its discretion to determine whether the issuance of the certificate is warranted. This information shall be directed to the fitness of the applicant; its ability to properly perform the services proposed; its ability

to conform to the provisions of this act and the requirements, rules and regulations of the cemetery board; its ability to comply with any pertinent regulation for the protection of health, promulgated by either the New Jersey Department of Health, the cemetery board, or local health authorities; the necessity for the services sought to be provided, taking into consideration such factors as the present or future public need and convenience, and any pertinent territorial qualifications.

Procedure.

8A:3-4. The procedure to be followed by any applicant for a certificate of authority shall be in conformity with this act and any other procedures established by the New Jersey Cemetery Board.

Compliance with certain statutes.

8A:3-5. Any cemetery company organized after the effective date of this act shall be organized and operated by compliance with the provisions of Title 15 of the Revised Statutes, Corporations and Associations Not For Profit, and of this act.

Amendment of company charter; notice, approval, filing, fees.

8A:3-6. Any cemetery company may amend its charter to operate as a nonprofit lot owner cemetery subject to the provisions of this act provided a plan for the conversion of its issued stock to certificates of interest is first approved by a majority of its stockholders, and by a majority of its lot owners in attendance at and voting at a meeting called for that purpose. The stockholders shall be given 10 days notice of said meeting by mail and the lot owners shall be notified of the meeting by a notice published at least 10 days in advance of said meeting date in a newspaper qualified to publish legal notices and circulated in the county in which the cemetery is located. Said notice is to set forth the purpose of the meeting.

Upon approval of its stockholders and lot owners as herein provided, the amended charter shall be filed with the Secretary of State and a certified copy filed with the cemetery board. Both the Secretary of State and the cemetery board shall each be paid a fee of \$10.00 at the time of filing the amended charter.

Listing of functions in charter; amendment of charter; approval, filing, fee.

8A:3-7. The charter of a cemetery company organized hereafter under Title 15 of the Revised Statutes must list in that section of the charter devoted to the purposes for which the cemetery company is organized, all those functions which the cemetery com-

pany proposes to perform in the conduct of the cemetery business. Such activities shall be specifically set forth in such terms as will clearly apprise the board of the intentions of the cemetery company, and upon full compliance with this act the certificate of authority shall be issued.

Any cemetery company granted a certificate of authority under the provisions of this act which thereafter seeks to amend its charter, must first have such amendment approved by the board. At the time of filing said amendment with the cemetery board for review and approval, there shall be paid to the cemetery board a fee of \$10.00.

Approval of amendment of charter of certain companies.

8A:3-8. Any amendment to the charter of a company which seeks to engage in the operation of a cemetery must first have such amendment approved by the New Jersey Cemetery Board. The New Jersey Cemetery Board in granting or withholding its approval shall conform to the provisions of this act.

Certificate of authority for certain cemetery companies.

8A:3-9. Any cemetery company which has been engaged in the operation of a cemetery prior to the enactment of this statute, and which is now engaged in the operation of a cemetery in this State, shall be granted a certificate of authority in accordance with section 8A:3-13(2), and the rights and obligations granted to it under its charter, whether created by special act or otherwise are hereby preserved, subject to the provisions of chapter 5 of this act.

Register of applications for certificates of authority; application fee.

8A:3-10. In the case of cemetery companies organized after the effective date of this act, the New Jersey Cemetery Board shall establish a register of applications for such certificates of authority. Each such application shall, upon its receipt at the offices of the New Jersey Cemetery Board, be recorded in such register of applications and the date of its receipt noted therein. There shall be paid along with each such application a fee of \$100.00 payable to the New Jersey Cemetery Board. No such application for a certificate of authority shall be acted upon by the New Jersey Cemetery Board, either by way of grant or denial, for a period of at least 60 days from the date of its receipt and registration. The register of applications shall be open to the inspection of any member of the public during normal business hours at the office of the New Jersey Cemetery Board.

Filing objections to grant of application.

8A:3-11. Any member of the public may file written objections to the grant of such application for a new cemetery at the office of the New Jersey Cemetery Board at its established office. Upon the receipt of any written objection, and prior to taking any action to grant or deny the application, the New Jersey Cemetery Board shall notify the objecting member of the public and the applicant of the time and place of a public hearing which it shall conduct for the purpose of receiving evidence from the objecting member of the public and from the applicant.

Recording of grant or denial of certificate of authority.

8A:3-12. The grant or denial of each certificate of authority applied for shall be recorded in the register of applications.

Statement of purposes of company; application for certificate of authority for certain companies; fee.

8A:3-13. (1) The charter of a cemetery company organized under Title 15 of the Revised Statutes, as provided for herein, shall state in that section of the charter devoted to the purposes for which the cemetery company is organized one or more of the following purposes:

- a. The procuring and holding of lands to be used exclusively for a cemetery or a place for the burial of the dead.
- b. The interment or inurnment of human remains.
- c. The procurement and operation of a crematory.
- d. The procurement and operation of a mausoleum.
- e. The procurement and operation of a columbarium.
- f. The care and preservation of any of the lands or structures specified in the foregoing stated purposes. The stated purposes of the cemetery company shall be considered by the cemetery board and may be used by them as a basis for their determination as to whether a certificate of authority shall issue.

(2) Any cemetery company organized prior to the effective date of this act shall, within 90 days from the effective date of this act, apply to the New Jersey Cemetery Board for the issuance to it of a certificate of authority, along with a fee of \$100.00 payable to the New Jersey Cemetery Board.

Construction of mausoleums, vaults or crypts; permit; approval; limitations; penalty.

8A:3-14. a. No person shall build, construct or erect, wholly or partially above the surface of the ground, a public mausoleum, vault, crypt or other structure intended to hold or contain dead

bodies, without obtaining a building permit from the building inspector of the municipality in which it is proposed to build or erect said structure. A denial or failure to issue said permit shall be reviewable in the Superior Court by a proceeding in lieu of prerogative writ.

b. Full detailed plans and specifications of said structure shall be presented to the State Department of Health for its examination and approval before the commencement of the erection thereof. Before approving the plans and specifications the State Department of Health shall be satisfied that the mausoleum proposed to be constructed can be operated and maintained without constituting a hazard to public health or safety.

The approval of the plans and specifications by the State Department of Health shall be evidenced by a certificate in writing, properly signed, which certificate with the detailed plans and specifications so approved shall, before work is begun on the structure, be filed in the office of the clerk of the county wherein the structure is to be erected and there remain as a public record.

c. The process of construction and erection of the structure shall be at all times under the supervision of the said building inspector, whose duty it shall be to see that the approved plans and specifications are complied with in every particular as to kind, quality, character and quantity of all materials. No departure or deviation from the original plans and specifications shall be permitted, except upon the approval of the said State Department of Health evidenced and filed in like manner and form as the approval of the original plans and specifications.

d. No structure erected under the provisions of this section shall be used for the purpose of interring or depositing therein any dead body until there shall have been obtained a certificate signed by the building inspector of the municipality in which the structure shall have been erected, which certificate shall show that the plans and specifications as filed have been complied with fully in every particular, nor until the certificate shall be filed with the clerk of the county wherein the structure is located.

e. No structure constructed or erected under the provisions of this section shall be used for the interment or depositing therein of a dead body until a trust fund shall have been established and set apart in accordance with the laws regulating trust funds in this State, of not less than ten per cent of the total cost of the structure. The interest on the trust fund, and the interest only, shall be used

for the perpetuation of the structure. This provision shall not apply to private mausoleums or temporary receiving vaults.

f. This section shall not apply to a public mausoleum, vault, crypt or other structure intended to hold or contain dead bodies, constructed or erected or in the course of construction or erection prior to March 21, 1916.

g. Any officer, manager or director of a cemetery company willfully failing to comply with the provisions of this section shall be personally liable therefor and shall be liable to a penalty of \$1,000.00.

Voting membership of cemetery companies.

8A:3-15. In the case of cemeteries other than those owned by shareholders, each owner of a lot shall be considered a member of the cemetery company and shall have one vote wherever voting by the members is required under the provisions of any law, subject to the following qualifications:

a. If any lot is owned by more than one person, then a majority of the owners thereof shall decide among themselves who shall cast the vote represented by said ownership.

b. No lot owner shall be entitled to vote unless all charges and assessments against the lot of said owner have been paid.

c. Proxy voting shall be permitted except that no proxy shall be valid more than 3 years following the date of said proxy.

d. Any person owning certificates of indebtedness or certificates of interest shall have one vote for each \$500.00 value thereof.

e. An organization shall have one vote for each lot owned, except that it shall not have more than 100 votes.

Residency requirement.

8A:3-16. At least one member of the governing body of a cemetery company must be a resident of the State of New Jersey.

Annual meeting; report; notice.

8A:3-17. The managers, trustees or directors of a cemetery company shall at each annual meeting report to the lot owners as to their activities and management and also as to the condition of the property and affairs of the cemetery company. At least 20 days prior to the occurrence of such annual meeting a notice thereof shall be placed at some prominent place at the office of the cemetery company and shall be published in a newspaper having general circulation in the county in which such cemetery company operates a cemetery.

Dissolution of company; approval.

8A:3-18. Following the effective date of this act, no cemetery company operating under this act shall be dissolved without first obtaining the approval of the board.

Merger or consolidation of companies; approval.

8A:3-19. Following the effective date of this act no two or more cemetery companies shall merge or consolidate except to improve the financial or operating conditions of the cemeteries. The approval of the board must be obtained to such merger or consolidation.

Establishment of certain prices or charges.

8A:3-20. Nothing contained in this Title shall authorize the New Jersey Cemetery Board to establish the prices at which lots may be sold or the charges made for services rendered by cemetery companies.

Participation in litigation.

8A:3-21. The cemetery board shall be a necessary and indispensable party to any litigation involving or pertaining to a cemetery company.

CHAPTER 4

TRUST FUND

Declaration of policy.

8A:4-1. It is hereby declared to be the public policy of this State that a primary obligation of each cemetery company shall be the creation of an adequate fund for the permanent maintenance and preservation of the cemetery.

Maintenance and Preservation Fund.

8A:4-2. There shall be established, by each and every cemetery operating within this State under certificate of authority issued therefor by the New Jersey Cemetery Board, a special, irrevocable trust fund for the purpose of continuous maintenance and preservation of the cemetery. The fund shall be called the Maintenance and Preservation Fund.

The fund shall be invested in legal investments and the income therefrom shall be applied to the maintenance, embellishment and preservation of the cemetery in accordance with the definitions contained in this act.

The creation, perpetuation and operation of the fund shall be supervised by the cemetery board pursuant to the provisions of this act. The said board may make such rules and promulgate such regulations as it deems necessary to insure proper and effective compliance with the purpose of this chapter.

Trust funds to be established.

8A:4-3. Any cemetery company incorporated after the effective date of this act shall, as a condition for the issuance to it of a certificate of authority to operate a cemetery, cause to be deposited in a banking institution authorized by law to maintain trust accounts and having and maintaining a principal place of business within this State, the sum of \$25,000.00 in trust, and shall designate such banking institution as trustee of the fund so deposited. The income received from such account shall be paid to the cemetery company to be used for maintenance and preservation of the cemetery. The fund so deposited shall be called Initial Balance Fund.

Within 1 month after the issuance of a certificate of authority and before it shall dispose of any interment space, the cemetery company shall cause to be established a second trust fund in a banking institution authorized by law to maintain trust accounts and having and maintaining a place of business within this State. This second fund shall be called the Maintenance and Preservation Fund and shall be augmented from time to time as set forth in this act.

Whenever the cemetery company shall have deposited in its Maintenance and Preservation Fund a sum amounting to \$50,000.00, it shall submit proof thereof to the board and the board shall thereupon issue an authorization to the banking institution acting as trustee of the Initial Balance Fund directing the release of the corpus of said fund to the cemetery company which established the fund.

Trust fund to be established by certain companies.

8A:4-4. Each and every cemetery company organized before the effective date of this act which has obtained a certificate of authority to operate a cemetery from the board, shall within 1 month following the issuance of the certificate of authority, cause to be established a custodial trust fund in a banking institution authorized by law to maintain trust accounts and having and maintaining a place of business within this State. This fund shall be called the Maintenance and Preservation Fund and shall be aug-

mented from time to time as set forth in this act, or as ordered by the cemetery board.

Fees and charges to be paid into Maintenance and Preservation Fund.

8A:4-5. The cemetery company shall collect and pay into the Maintenance and Preservation Fund the following fees and charges:

a. From the proceeds in the initial sale by a cemetery company a sum equal to a minimum of 15% of the gross sales price of the lot; provided, however, that no cemetery shall be prevented from paying into the Maintenance and Preservation Fund an amount greater than 15% of the gross sales price of the lot;

On resale, except upon resale made to the cemetery company in accordance with the provisions of this act, a minimum of 15% of the gross sales price of the interment space;

b. From the proceeds at the time of interment a minimum of \$10.00 for each interment;

c. A minimum of \$0.05 per square inch of surface area of the base of a memorial;

d. From the proceeds a minimum of 10% of the sale price of crypts or niches in a public mausoleum or columbarium which shall be in addition to any other funds required by law;

e. Where prior to the effective date of this act cemetery companies were under obligation by virtue of contracts or court judgments to contribute percentages of the proceeds of land sales to trust funds for maintenance and preservation, the charges required by section 8A:4-5 (a) shall be reduced by the extent of the contribution percentages required by such prior contracts or court judgments.

Transfer of funds by certain companies; collection and assessment of annual care and maintenance charges.

8A:4-6. Any cemetery company which operated as such prior to the effective date of this act and which in the course of said operation had established a fund or funds for the maintenance and preservation or for the perpetual care of the cemetery shall, upon the establishment of the Maintenance and Preservation Fund, as provided in this act, transfer to and commingle with said Maintenance and Preservation Fund all of the aforesaid funds previously accrued and held in trust, except that this section shall not apply to specially designated funds held in trust as provided in this act. Where prior to the effective date of this act a cemetery company has contracted for the payment of annual care and maintenance charges, it may continue to collect such annual care and

maintenance charges in accordance with the terms of said contracts. The governing body of a cemetery company may assess a reasonable annual charge against each lot and grave which was sold without any provision for maintenance and preservation on the part of the cemetery company.

The annual charge so levied shall be a lien on the lots and graves and no interments may be made in or any memorials installed on any lot or grave while such charge remains unpaid and arrangements are made with the cemetery company for continuing care of the lot or grave in question.

Trust fund created by last will and testament.

8A:4-7. Any person by his last will and testament or otherwise may create a trust fund to be held in perpetuity or for a lesser time, the income of which is to be used for the care or embellishment of any cemetery or interment space or public or private structure or memorial therein; provided, however, that where any last will and testament purports to create such a fund, the Superior Court of New Jersey may, upon accounting or upon the settlement of the account, determine whether, in view of the size of the estate and any other pertinent circumstances, the testamentary provision aforesaid is reasonable. Should the court find that the trust fund established is excessive for the purposes intended, it may fix in lieu thereof a reasonable sum.

Money or property received by gift, devise, grant or bequest.

8A:4-8. Every cemetery company and any person acting under an agreement for the management of a cemetery trust fund, may receive by gift, devise, bequest, grant or agreement, moneys, real or personal property or the income from such moneys or property, in trust, in perpetuity, for the present and future improvement, maintenance, ornamentation, repair, care and preservation of the cemetery, public or private structure, interment space or memorial therein, on such terms and in such manner as may be provided by the terms of the gift, devise, bequest or grant of the moneys or property in trust. No payment, gift, grant, bequest or other contribution to such fund shall be invalid by reason of any indefiniteness or uncertainty as to the persons designated as beneficiaries nor shall the instrument creating such gift, devise, bequest, grant or agreement, or contribution be invalid as violating any law against perpetuities or the suspension of the power of alienation of title to property. Should any such trust be existent at the effective date of this act, then the cemetery company shall continue to

administer said fund in accordance with the terms of the trust instrument, otherwise the principal of the funds may be commingled with the other trusts, the income to be proportionately applied to the designated trust. Any and all trust funds established hereunder or previously existent may be invested in accordance with this act jointly or in combination with any other trust fund or funds in order to achieve the most effective return from said investment. Any trustee holding trust funds created under the provisions of this act shall be entitled to deduct and retain as and for his commission for collecting and disbursing the income therefrom not to exceed 6% of the income.

Withdrawal of certain proceeds to augment Maintenance and Preservation Fund.

8A:4-9. If a cemetery company acquires lands for cemetery purposes pursuant to this act and provides for the payment of the purchase price thereof by the issuance of certificates in a sum certain for a specified interest in the sale of interment space in such lands, said cemetery company, may, with the approval of the board, and by agreement with the holders of the certificates of interest in the proceeds of the sale, provide for the withdrawal of a fixed proportion of the proceeds which shall be used to augment the Maintenance and Preservation Fund.

Deposit required for care and maintenance of certain structures.

8A:4-10. A minimum of \$1.00 per cubic foot, by exterior measurement of any private mausoleum, sarcophagus or other private structure for interment, shall be deposited with the cemetery company in trust before said structure is erected. The income from said trust fund shall be used to the extent thereof, for the care and maintenance of the structure and the care, maintenance and embellishment of the area on which said structure is erected, and shall not be devoted to the care or maintenance of any other lot or other portion of the cemetery.

Investment of trust funds.

8A:4-11. The trust funds of any cemetery company shall be invested in any securities which are now or may hereafter be lawful for the investment of trust funds in this State, and when so invested, no cemetery company or any officer thereof shall be held liable for any loss resulting from such investment.

This section shall not apply where said fund has been established by the last will and testament of a deed of trust of any individual which instrument specifically directs the type, class or kind of securities in which said funds shall be invested, in which event said directions shall control.

Annual report of cemetery company; contents, filing; examination of company by board; expenses of examination and administration.

8A:4-12. a. Every cemetery company shall file with the New Jersey Cemetery Board on a form established by the board, an annual report showing the extent of and sources of augmentation of the permanent maintenance and preservation fund and the manner of employment by said cemetery company of the income of the permanent maintenance and preservation fund during the preceding year, which report shall also contain a list of the securities in which said trust funds are invested. If the report so filed is deemed inadequate to properly apprise the New Jersey Cemetery Board of the information it requires to effectively administer the provisions of this act, it shall request a supplemental report and in its discretion conduct an investigation of the operations of the cemetery company.

Officials, managers and trustees or employees of every cemetery company shall exhibit its books, papers and securities to the board when required and otherwise facilitate any examination of said company. Any cemetery official or employee may be required to testify under oath as to the conditions and affairs of the cemetery company.

b. To defray the expenses of examination and administration, each cemetery company, except any religious corporation, shall, at the time of filing its accounting and report as to its permanent maintenance and preservation fund, but not later than 120 days after the close of the cemetery company's fiscal year, pay to the cemetery board the sum of \$1.00 per interment in excess of 25 interments for the preceding fiscal year, but in no event shall a cemetery company pay in excess of \$1,000.00 per fiscal year.

c. The annual report required by this section shall be filed by the cemetery company no later than 120 days after the close of the cemetery company's fiscal year.

Authority to order disposition of unauthorized securities.

8A:4-13. If it appears to the New Jersey Cemetery Board from any report filed or investigation made that the principal of any trust fund is not being properly invested, the New Jersey Cemetery Board shall have the authority to order the cemetery company to immediately dispose of all unauthorized securities and to properly invest the trust fund.

Authority to formulate plan to supplement Maintenance and Preservation Fund.

8A:4-14. If, as the result of any report required by this act, or investigation by the New Jersey Cemetery Board or otherwise,

it shall appear that the Maintenance and Preservation Fund is not being maintained as herein provided, the board may formulate a plan which will supplement the Maintenance and Preservation Fund. The effectuation of such a plan, when approved by the board, shall be deemed a mandate upon the cemetery company and its officials, and failure on their part to institute the recommended plan within 60 days following the presentation of said plan to the cemetery company by the board, shall be a violation of this act.

Sale of certain lands.

8A:4-15. A cemetery company may sell free from any dedication for cemetery purposes, any land or interest in land which is not, in the judgment of the cemetery company, necessary or suitable for interment purposes, providing no interment has been made therein. As a further condition of any such sale, the deed of conveyance shall be required to include a perpetual prohibition on the use of the premises so conveyed for any of the purposes or uses in which cemetery companies are, by the terms of this act (8A:5-3), specifically prohibited from engaging. Not less than 15% of the proceeds of said sale shall be deposited in the maintenance and preservation fund.

Interest in proceeds of certain sales not affected.

8A:4-16. Nothing in this act contained shall in any wise affect any certificates of interest in the proceeds of sales of lots, which have been heretofore issued by a cemetery company in payment for its lands pursuant to law at the time of issuance, nor affect the rights of any shareholders having an interest in the proceeds of the sales of lots.

CHAPTER 5

OPERATION AND MANAGEMENT OF CEMETERY COMPANIES

Regulations; charges for services.

8A:5-1. The governing body of every cemetery shall:

a. Make reasonable rules and regulations for the use, care, management and protection of the property of the cemetery company and of all lots, plots and parts thereof; for regulating the dividing marks between the lots, plots and parts thereof; for prohibiting or regulating the erection of structures upon such lots, plots or parts thereof; for preventing unsightly monuments, effigies and structures within the cemetery grounds, and for the removal thereof.

b. Fix and make reasonable charges for any acts and services rendered by the cemetery company in connection with the use, care, including perpetual, annual and special care, management and protection of lots, plots and parts thereof.

Regulations.

8A:5-2. The governing body of every cemetery company may:

a. Enact reasonable regulations relating to uniformity, class, composition, material, kinds and sizes of all markers, monuments and other structures within the cemetery provided that no regulation shall be enacted or established to prevent competition or create a monopoly in favor of any person, firm or corporation.

b. Authorize the cemetery company to engage in the sale of interment space, adornment, embellishment, sod and planting to its interment space owners, to build and operate a public mausoleum and crematorium.

c. Regulate or prevent the introduction or culture of plants and shrubs within the cemetery.

d. Prevent the interment in any interment space of human remains not entitled to interment therein under the provisions of this act and prevent the use of interment spaces for purposes violative of the cemetery restrictions, rules and regulations.

e. Regulate the conduct of persons and prevent improper assemblages in the cemetery.

f. Reserve to the cemetery the exclusive right to open and fill graves, furnish equipment deemed necessary, to manufacture and install foundations, set and seal vaults, seal crypts and niches and install all flush memorials.

g. Prohibit the erection of memorials, effigies or structures upon portions of the cemetery and make provisions for the removal thereof at the cost of the lot owner when erected in violation of cemetery rules and regulations or when said memorials, effigies or structures become unsightly or dangerous.

Prohibited activities.

8A:5-3. Every cemetery company whether incorporated or organized prior to or subsequent to the effective date of this act, is specifically prohibited from engaging, directly or indirectly, in any of the following activities:

a. The manufacture or sale of monuments, markers or bronze memorials.

b. The manufacture or sale of vaults as defined in this act and the manufacture or sale of private mausoleums or any private sarcophagus.

c. The conduct of any funeral home or engaging in the business or profession of mortuary science.

Filing of rules, regulations and charges for services; amendments or additions; fee; statements of revenues and disbursements.

8A:5-4. a. The governing body of any cemetery company organized on or before the effective date of this act shall file in the office of the cemetery board the name and address of the cemetery company together with its rules, regulations and its charges for services within 90 days after the time this act takes effect. The directors of any cemetery company organized after the effective date of this act shall file in the office of the cemetery board the name and address of the cemetery company together with its rules, regulations, and its charges for services within 90 days after the date of the filing of the certificate of incorporation in the office of the Secretary of State.

b. The rules and regulations of a cemetery company may be amended or added to by the cemetery company by filing such proposed amendments or additions in the office of the cemetery board.

c. Any filing pursuant to paragraphs a. and b. above shall be accompanied by a filing fee of \$10.00 payable to the New Jersey Cemetery Board.

d. If any member of the public shall file a written complaint with the cemetery board concerning the operations or activities of any cemetery company, then the cemetery board may require of the cemetery company:

(1) A statement of the source and amount of all revenue and income. It shall not be necessary for the purposes of compliance with this paragraph that the sale of lots be reported on an individual sale basis.

(2) A detailed statement of all expenses and disbursements including deposits to trust funds. Except as otherwise specifically stated in this section, it shall not be necessary for the purposes of compliance with this paragraph to recite each such disbursement but total disbursements in specific categories shall be deemed to be sufficient compliance.

Posting of rules, regulations and charges for services.

8A:5-5. The rules, regulations and charges for services shall be suitably printed and shall be conspicuously posted by the cemetery company in each of its offices. For each day in which the cemetery company fails to post the rules, regulations and charges for services the cemetery company shall be subject to a penalty of \$25.00 which may be recovered in a civil action by the cemetery

board. The cemetery board may waive the payment of the penalty or any part thereof.

Record of interments.

8A:5-6. A record shall be kept of every interment, which shall include the date of interment; the name and age of the person interred; the cause of death when shown on the burial permit; the location of the interment and the name of the funeral director.

Record of ownership of interment spaces.

8A:5-7. A record shall be kept by every cemetery company of the ownership of all interment spaces in the cemetery which have been conveyed by the cemetery company and all transfers of interment spaces in the cemetery to which the cemetery company has consented. No transfer of any interment space hereafter made, or any right of interment, shall be complete or effective until recorded as herein provided on the books of the cemetery company and any fees required paid.

Prices of burial lots; contents of instruments of conveyance.

8A:5-8. a. The governing body of the cemetery company shall fix and determine the prices of burial lots, plots or parts thereof.

b. The instrument of conveyance of any burial lot, plot or part thereof shall include the actual amount paid therefor and a description showing the dimensions of the property conveyed, and the plot number, section and block number as they appear on the cemetery map.

Streets, roads or avenues; limitation.

8A:5-9. During the time that the lands of any cemetery company are actually used for cemetery purposes, no street, road, avenue or thoroughfare shall be laid through, over or under such lands, or any part thereof, without the consent of the cemetery company, unless otherwise provided by law.

Property exempt from taxation or sale on execution.

8A:5-10. Cemetery companies shall be exempt from the payment of any real estate taxes on lands dedicated for cemetery purposes, personal property taxes, business taxes, sales taxes, income taxes, and inheritance taxes.

The cemetery property of whatsoever nature of any cemetery company, and lands dedicated prior to or in accordance with this act shall be exempt from all taxes, rates or assessments, and shall not be liable to be sold on execution, or to be applied in payment of debts due from any owner or holder of interment spaces, and their heirs, devisees or assigns shall hold the same exempt from taxation so long as the same shall remain dedicated to cemetery

purposes. The aforesaid exemptions shall apply also to all land, structures, buildings, and equipment used for the operation and maintenance of said lands so dedicated.

Trust funds exempt from taxation or seizure.

8A:5-11. The trust funds and securities, and the income therefrom, of any cemetery company shall be exempt from taxation and assessment, seizure or sale by execution or otherwise on any judgment against the cemetery company.

Dedicated lands reserved against all causes of action; exception.

8A:5-12. All lands dedicated in accordance with this act belonging to or used by any cemetery company, religious corporation, fraternal or charitable organization in this State shall be reserved for the use of the owners thereof against all causes of action and shall not be liable to be seized, taken or sold by virtue of any judgment, decree, order, execution or other process made or rendered by or issued out of any court in this State.

This section shall not apply to any lien existing upon such lands, before the same are dedicated to cemetery purposes.

Income and revenues sequestered by court.

8A:5-13. The rents, issues, profits, income and revenues derived from any and all lands lying within the bounds of any cemetery or burial ground belonging to, used by or held in trust for any incorporated cemetery company, may be taken and sequestered under and by virtue of the orders and judgments of the Superior Court, according to the practice of such court, and applied by such court to the payment of any judgment recovered in any of the courts of this State against the cemetery company owning or using such lands; and the said court may appoint a receiver of such rents, issues, profits, income and revenues, and make such order regarding the same as may be just and equitable. This section shall not be construed to make such lands liable to seizure, taking or sale by virtue of any judgment, decree, order, execution or other process made, rendered by or issued out of any court in this State.

Incorporation as condition of sale of lands.

8A:5-14. Whenever as the result of bankruptcy or receivership or other court proceedings, it becomes necessary to sell the lands of a cemetery company, a portion thereof, or certain lots, plots, or burial rights therein, the court as a condition of such sale shall require the purchaser to incorporate in the manner provided by this act.

Selection of governing body of company by court.

8A:5-15. Whenever any receiver or trustee of any cemetery company heretofore or hereafter appointed by a court of competent jurisdiction shall have adjusted, compromised or settled, or may hereafter adjust, compromise or settle any debt or claim due or owing, or to become due or owing by such cemetery company and in connection therewith give under the authority of such court in his name as such receiver or trustee of such cemetery company, any bonds, notes, or other evidences of indebtedness in payment of or as a means of payment of such debt or claim, the governing body of such cemetery company shall, until such bonds, notes or evidences of indebtedness are paid and fully discharged, be selected or chosen by the court. Such governing body shall be selected or chosen in the manner and for the terms within the limitation of this act and may be paid such compensation as may be determined by the court.

Right to select governing body of company as condition in bonds or notes.

8A:5-16. It shall and may be lawful to include in any bonds, notes or other evidences of indebtedness given by such receivers or trustees a covenant or condition that the right to choose and select the governing body of the cemetery company who are to have the care and management of such cemetery company, until such bonds, notes or other evidences of indebtedness shall be paid and fully discharged is to be retained in and exercised by the court.

Dedication to cemetery purposes not violation of law against perpetuities.

8A:5-17. Dedication to cemetery purposes pursuant to this act shall not be invalid as violating any law against perpetuities or the suspension of the power of alienation of title to use of property, but shall be expressly permitted in respect for the dead and as provision for the interment of human remains and as a duty to, and for the benefit of the general welfare.

Right to control disposition of remains of deceased.

8A:5-18. The right to control the disposition of the remains of a deceased person, unless other directions have been given by the decedent or by a court of competent jurisdiction shall be in the following order:

- a. The surviving spouse.
- b. A majority of the surviving children of the decedent or the surviving child if one.
- c. The surviving parent or parents of the decedent.
- d. A majority of the brothers and sisters of the decedent if no child or parent is living.
- e. Other next of kin according to the degree of consanguinity.

Authorization for interment or cremation of remains.

8A:5-19. The cemetery company may permit interment or cremation of any remains upon the receipt of a written authorization of a person representing himself and believed to be a person who has the right to control the disposition of said remains in accordance with this act. The cemetery company shall not be liable for interment, disinterment, reinterment or cremation pursuant to such authorization, unless it has reasonable notice that such representation is untrue or knowledge of notice that the person making such representation is not so authorized.

Removal of interred remains.

8A:5-20. Remains interred in a lot in a cemetery may be removed therefrom, with the consent of the cemetery company and a written consent of the owners of the lot and of the surviving spouse and children, if of full age. If the consent of any such person or of the cemetery company cannot be obtained, the permission of the New Jersey Cemetery Board shall be sufficient. The Notice of application for such permission must be given, at least 10 days prior thereto, personally, or at least 30 days prior thereto, by certified mail return receipt requested, to the cemetery company or to the persons not consenting, if any, and to every other person or corporation to whom service of notice may be required by the New Jersey Cemetery Board.

Truthfulness of facts in authorization; liability for damages.

8A:5-21. Any person signing any authorization for the interment, cremation or removal of any remains warrants the truthfulness of the facts set forth in the authorization, the identity of the person whose remains are sought to be interred, cremated or removed, and his authority to order interment, cremation or removal. He shall personally be liable for all damages occasioned by or resulting from any false statement or breach of such warranty.

Temporary custody of remains by company.

8A:5-22. After the lapse of a period of 1 year from the date of delivery of the remains of any person to a cemetery company for temporary custody, no action shall lie against such cemetery company relating to or arising out of the disposition of such remains left in its possession unless otherwise provided by a written contract.

CHAPTER 6

ACQUISITION AND OWNERSHIP OF LAND

Authority to take and hold lands.

8A:6-1. A cemetery company heretofore or hereafter incorporated, may take by gift, purchase or devise and hold, lands not to exceed 250 acres in extent.

Exchange or lease of lands; exception.

8A:6-2. A cemetery company may exchange its lands for other lands provided no body has been interred therein. A cemetery company may lease for a term of years such parts of its lands as have not been laid out into burial plots or lots and use the proceeds of such lease to pay its debts and liabilities and to improve its cemetery. Any lease entered into pursuant to this section shall be acknowledged or proved in the office of the county recording officer and the lands and property the subject of such lease shall not be entitled to the tax and other exemption set forth in 8A:5-5. A cemetery company shall not lease any of its lands directly or indirectly to any person or entity in any business in which a cemetery company is specifically prohibited from engaging in accordance with the terms of 8A:5-3 of this act.

Acquisition of lands; financing; limitations.

8A:6-3. Any cemetery company may acquire lands for cemetery purposes and provide for the payment thereof by the issuance of certificates in a sum certain with a specified interest in the proceeds of sales of interment space in such lands, subject to the prior withdrawal from the proceeds of sales of any proportion thereof fixed by contract or law to be retained for the improvement and embellishment of the cemetery; provided that the board shall first approve such acquisition and the method and terms of financing. The total number of certificates hereby authorized to be issued shall be fixed and determined before any of them are issued, and the number so determined shall not thereafter be increased except by specific approval of the board. Nothing herein contained shall permit a cemetery company to acquire a total area of lands in excess of that limited by law.

Enlargement of lands; limitations.

8A:6-4. Any cemetery company may, subject to the prior approval of the board, enlarge its lands by the purchase and addition thereto of another cemetery or by the purchase of other lands which when added to the existing cemetery will be considered as dedicated

to cemetery purposes. Nothing herein contained shall permit a cemetery company to acquire a total area of lands within a municipality in excess of that limited by law except in those instances where the board permits the merger of two or more existing cemeteries. The board shall withhold its approval unless it shall be first satisfied that the purchase or sales price of such lands is reasonable.

Consent of municipality.

8A:6-5. No cemetery shall be established or enlarged in any municipality without first obtaining the consent of the municipality by resolution duly adopted.

Number of cemeteries in municipality; limitations.

8A:6-6. No more than five cemeteries shall be located or placed in any one municipality in any county of this State, except that, in any municipality of this State where the capacity of an existing cemetery is exhausted, so that no further interment spaces can be purchased, an additional cemetery may be created or placed at a distance of not less than 3 miles from any other existing cemetery in such municipality, subject to all laws or provisions thereof governing and regulating cemeteries in this State.

Not more than 3% of the area of any municipality shall be devoted to cemetery purposes.

Nothing contained in this section shall prevent any cemetery company incorporated and in operation prior to the effective date hereof, and which owns lands in which interments have been made, and which obtains a certificate of authority as provided in this act from continuing to maintain and conduct its cemetery in any municipality of this State.

Survey, subdivision and mapping of lands; filing of maps.

8A:6-7. Lands hereafter acquired and held under authority of this act or such parts thereof as may, from time to time, be required for cemetery purposes, shall be surveyed and divided into sections, lots or graves of such size as the managers, directors or trustees of the cemetery company from time to time may direct, with such avenues, paths, alleys and walks as they deem proper. A map or maps of all that land which shall be subdivided or has been subdivided as above shall be filed, and kept in the office of the cemetery company, open to the inspection of the interment space owners and a copy of such map or maps shall be filed in the office of the board, and such filings shall constitute a dedication of the lands for cemetery purposes.

Dedication of property and title of space owner not affected by certain actions.

8A:6-8. After property is dedicated to cemetery purposes pursuant to this act, neither the dedication nor the title of the interment space owner shall be affected by the dissolution of the cemetery company by nonuse on its part, by alienation of the property, by any encumbrances, by sale under execution, or otherwise except as provided in this act and by law.

Sale and conveyance of interment spaces.

8A:6-9. A cemetery company may sell and convey interment space or parts thereof designated on the map or maps, upon such terms as shall be agreed, and subject to such conditions and restrictions as may be imposed upon the use thereof by rules or regulations existing at the time or thereafter adopted. Conveyances of interment spaces shall recite the true consideration, shall be executed under the common seal of the cemetery company and be signed by the president or vice-president and attested by the treasurer, or assistant treasurer, or secretary or assistant secretary, and may be acknowledged or proven in the same manner as are deeds to land. No sales of interment spaces shall be made in any section of a cemetery unless said section is dedicated in accordance with this act. Where interment space is sold in an undeveloped section, a comparable interment space shall be furnished in a developed section, if needed for an immediate interment space.

Prohibited sales, purchases or mortgaging.

8A:6-10. The sale or purchase of interment space for speculative purposes, or the conveyance or mortgaging of any portion of a cemetery dedicated to interment purposes as security for debt, is hereby prohibited, and every sale, purchase, conveyance, or mortgage shall hereafter be void and of no effect and shall constitute a violation of this act.

New plotting of certain portions of ground; resurvey and alteration of unsold interment spaces.

8A:6-11. Where the grounds of any cemetery company have been or shall be laid out on a map or maps, on which there are portions of ground not marked out into interment spaces, and which have not been laid out and dedicated as such in the deeds or certificates given for interment space therein, or which have not been reserved and set apart for building purposes, and not laid out as avenues, the directors, managers or trustees of the cemetery company may cause such portions of the grounds to be laid out into interment spaces and sold for interment purposes. Paths or other roadways shall be maintained to the interment

spaces already sold. The maps of all said new plotting shall be filed as required in this act. Any unsold interment spaces in which no interments have been made, may, by order of the directors, managers or trustees of the cemetery company, be resurveyed and altered in shape and size and be so designated on the map.

Lease of certain unused cemetery land.

8A:6-12. When it appears to the board of managers or trustees of a cemetery company that some portion of the land presently owned by the cemetery company will not be plotted for burial lots or burial lots therein sold for burial purposes or otherwise used for cemetery purposes within 2 years following the date of the meeting of said board of managers or trustees, and such portion of land abuts on a public street or highway so that access thereto may be had without crossing cemetery lands presently used for burial purposes, and the board of managers or trustees of said cemetery company are of the opinion that such portion of cemetery land could be used by a nonprofit, religious, educational or charitable organization in a manner that would be neither harmful to the cemetery nor distasteful to those who may come upon that portion of the cemetery presently used for burial purposes or which will be used for burial purposes within the next 2 years, the board of managers or trustees may, subject to the approval of the board, lease or license a nonprofit, religious, educational or charitable organization to use said presently unused cemetery land for a nonprofit, religious, educational or charitable purpose in a manner which shall be approved by said board of managers or trustees of said cemetery company prior to the commencement of said use.

CHAPTER 7

RIGHTS OF OWNERS

Transfer of ownership of interment spaces.

8A:7-1. All interment spaces owned and occupied exclusively as cemeteries for the interment of the dead and designated on the map or maps filed in accordance with the provisions of this act, and numbered as separate interment spaces shall become, upon the transfer thereof in whole or in part, the sole and separate property of the person or persons named in the conveyance or certificate as transferee; his heirs, devisees and assigns. Any such conveyance or certificate of transfer issued by a cemetery company may contain a provision that the owner or owners take title subject to the rules and regulations of the cemetery company then

existing and those reasonable rules and regulations that may thereafter be adopted by the cemetery company and also any other reasonable valid restrictions upon use or transfer not inconsistent with the provisions of this law.

Transferred lots inalienable after an interment; exceptions.

8A:7-2. When any of the lands heretofore or hereafter acquired for cemetery purposes by a cemetery company have been or shall be divided into lots or graves and have been or shall be transferred to individual owners, said lots and graves, after an interment has been made therein, shall be inalienable, except as herein provided, and shall upon the death of the owner thereof descend to the heirs at law or devisees of the owner; but any one or more of such heirs at law may release and convey to any other of the heirs at law, specific devisee, assignee or to the spouse, widow or next of kin of any deceased person interred in such interment space, his or their interest therein, on such conditions as shall be agreed on and specified in the conveyance, which shall be recorded in the office of the cemetery company; provided, however, that after an interment has been made in a lot owned by two or more persons, any one of the owners thereof or his heirs or devisees may release or convey his interest therein to any or all of his co-owners or his or their respective heirs or devisees or to a surviving spouse of any deceased person interred in such lot on such conditions as may be made and specified in such conveyance, which shall be recorded in the office of the cemetery company. If the owner of any such lot, or of any interest or share therein, shall die leaving a will in which no specific disposition of such lot or interest or share is made, or any specific provision in regard thereto has been made, such lot or interest therein shall descend to the heirs at law of such owner and shall not go to the devisee or devisees of such owner under any residuary or other clause or provision of such will which merely provides for the disposition generally of real property of which the testator shall have died seized.

In the event a person dies owning one or more interment spaces, the persons who become the owners thereof may sell or dispose of unoccupied interment spaces; provided, however, that the sale shall be in accordance with the provisions of this act and the rules and regulations of the cemetery company.

Owner's right to transfer lot; authorization required.

8A:7-3. The owner or holder of a plot or lot or an interest therein in a cemetery owned by a cemetery company may, subject

to the provisions of this act, transfer and convey the same or part thereof to any person or to the cemetery company having charge of the cemetery in which the plot or lot is situated. Before any such transfer or conveyance is made, the board of managers, directors or trustees shall authorize the same by a vote of at least $\frac{3}{5}$ of the board at a regularly called meeting. Consent to such transfer shall not be unreasonably withheld by the cemetery company.

Conveyance of interment space in trust.

8A:7-4. The owner of an interment space in any cemetery in this State, whether or not there has been an interment therein, may convey the same in trust to the company owning, maintaining, or conducting the cemetery, or to a bank or banking or trust company of this State, or to a bank or banking company organized under the laws of the United States and doing business in this State, the title thereto to be held by such trustee in perpetuity or for a shorter time for the use and benefit of the owner of the interment space and the protection of the bodies or the incinerated remains already therein or thereafter to be interred therein, pursuant to the terms of the deed of trust.

If the conveyance is to the company owning, maintaining or conducting the cemetery, the board of managers, directors or trustees thereof shall, before the conveyance is made authorize the same by a vote of at least $\frac{3}{5}$ of its members at a regular meeting thereof.

Ownership interest required for interment; exception.

8A:7-5. The body of any deceased person or the incinerated remains thereof shall not be interred in any interment space unless the deceased person had, at the time of his decease, an ownership interest in the interment space, or was the relative of some person having such an interest, or was the spouse of such person or relative of said spouse, except by the consent of the owner or one of the owners of such interment space.

Vested right of interment of owner's spouse.

8A:7-6. No conveyance or other action of the owner or owners of interment space without the consent or joinder of the spouse of the owner shall divest the spouse of a vested right of interment, except that a final judgment of divorce between them shall terminate the vested right of interment unless otherwise provided in the judgment.

Waiver or termination of vested right of interment.

8A:7-7. A vested right of interment may be waived or shall be terminated upon the interment elsewhere of the remains of the person in whom vested.

Vested right of interment; limitations.

8A:7-8. No vested right of interment shall give to any person the right to have his remains interred in any interment space in which the remains of any deceased person having a prior right of interment shall have been interred, nor shall it give any person the right to have the remains of more than one deceased person interred in a single interment space in violation of the rules and regulations of the cemetery in which the interment space is located.

Vested right of joint tenants.

8A:7-9. In a conveyance to two or more persons as joint tenants each joint tenant shall have a vested right in interment in the interment space conveyed.

Designation of person or persons to represent interment space.

8A:7-10. When there are two or more owners of an interment space they may designate one or more persons to represent the interment space and file written notice of the designation with the cemetery company. In the absence of such notice the cemetery company shall not be liable to any person for the interring or permitting of an interment in the interment space upon the request or direction of any coowner.

Sale or conveyance of space by company.

8A:7-11. Except as otherwise provided in this act, any interment space may be sold or conveyed and transferred only by the cemetery company.

Purchase or sale of space for resale.

8A:7-12. Except as otherwise provided in this act, it shall be unlawful for any person, firm or corporation to purchase or for a cemetery company to sell an interment space for the sole purpose of resale. This section, however, shall not prohibit the sale to its members of interment space or the right to use any interment space by a membership or religious corporation or unincorporated association or society which provides burial benefits solely for its members and their families.

Sale of certain unused spaces by company; conditions.

8A:7-13. Where interment spaces have been sold by a cemetery company no provision having been made for the adequate care

or maintenance of the interment space and no interment has been made in the interment space for a period of 25 years the cemetery company may, after making a diligent effort to locate the owners or the descendants of the owners of the interment space, publish a notice in a newspaper circulating in the county in which the interment space is located, directed to the names of the owners registered on the cemetery company's record and also containing the names of the deceased persons and date of burial in said interment space, where such information is ascertainable, advising that in the absence of written objection that at the end of said 30 days the vacant interment spaces would be subject to sale and the net proceeds of sale be deposited in the Maintenance and Preservation Fund. A copy of the above notice shall also be mailed, certified mail, return receipt requested, to all persons named in the notice at their last known address, at least 30 days prior to such sale. The title to the occupied graves shall be inalienable. At any time any person claiming ownership of any interment space disposed of in accordance with this section may make application to the board for an order directed to the trustees of the fund to reimburse to said owner such net proceeds.

CHAPTER 8

REMOVAL AND REINTERMENT OF BODIES; ABANDONMENT

Application of chapter.

8A:8-1. The provisions of this chapter shall have application to every cemetery company, religious corporation and religious society.

Removal of buried bodies; conditions; penalty.

8A:8-2. The governing body of any cemetery in any incorporated borough, town, township or city in this State may remove or cause to be removed from the grounds or churchyard of the corporation any body or bodies buried therein, provided there is a cemetery under the control of a legally incorporated cemetery in or near such borough, town, township, or city, to which the same may be removed.

The directors of any cemetery shall, prior to the removal of bodies from its grounds, procure a proper and suitable place in such other cemetery for the reinterment of the bodies so removed, and shall cause the same to be conveyed to such other cemetery and buried therein in a careful manner. If memorials have been

erected on or over the graves of bodies so removed, the directors shall cause the same to be reerected over or on the graves in the cemetery to which the bodies shall be removed.

Any director violating the provisions of this section shall forfeit the sum of \$100.00, to be collected by the municipality, in a civil action for the use of the poor.

Consents required for removal of bodies and sale of lands; action by court.

8A:8-3. The directors of any cemetery owning lands in which burials have been made may remove the bodies buried therein and sell such lands, or any part thereof. Before making such removal and sale the corporation shall obtain the consents in writing of the living owner or owners of the burial plots or lots and permits for burials in such lands, and the consents in writing of the living lineal descendants and widow or widower, if any, of the person or persons buried in such lands, or the part thereof sold.

If the consents required cannot be obtained because the persons from whom they are required to be obtained cannot, upon diligent inquiry, be found, the corporation or society may apply to the Superior Court for an order for the sale thereof. The application shall show the name of the applying corporation, the location of the land sought to be sold, the names of all known persons owning plots or lots and permits for burials in such lands, and a description and map of the lands sought to be sold.

Upon proof of the facts set forth in the application, the Superior Court may make an order setting forth the nature of the application and the names of all owners of plots or lots and permits for burials in the lands sought to be sold who have not consented in writing to the sale, requiring them to show cause, at a time to be fixed by the court, why such lands should not be sold. A notice of such order shall be published in a newspaper designated by such court, for 4 successive weeks, or as the court shall direct.

At the time fixed in the order and notice, or upon such adjournment day as the Superior Court may fix, no objections in writing being made thereto or filed with such court previous thereto by the lineal descendants or widow or widower of the persons buried in such lands, such court may make an order authorizing the sale of the lands and the removal of any bodies buried therein.

Removal of bodies by court order.

8A:8-4. When burials have been made in any cemetery, the Superior Court may make an order authorizing the directors to remove the bodies buried therein to another part of the lands

owned by it. The court shall prescribe the notice to be given and the conditions, if any, of the granting of the order.

Sale of land in which a right of burial has been acquired.

8A:8-5. If any cemetery company or religious corporation or religious society owning or operating a cemetery sells any land in which any person has acquired a right of burial, the said company, corporation or society shall, at the discretion of the cemetery board, either refund to the party having such right, his heirs, executors or assigns, the amount paid therefor, with interest computed at the rate of 2% per annum from the date of payment, or shall convey to such party, his heirs, executors or assigns, an eligible plot of ground of equal size in burial grounds adjacent thereto, and shall pay all cost and expense incurred in the removal of any bodies interred in the lands sought to be vacated and sold and the cost of properly reinterring the same.

Removal of bodies from abandoned burial grounds; conditions.

8A:8-6. Where lands in any municipality in this State have been given or donated to a church organization for the use of burial and church purposes, upon condition that when the same shall cease to be used for church purposes they should revert to the original donor or his heirs, and the lands so given or donated have been abandoned and have ceased to be used for church purposes, and there have been no interments therein for 10 years, such lands shall be deemed to have been abandoned, and the church organization having custody or control thereof may, with the consent of the board of health of the municipality wherein they are situate, and the cemetery board, disinter and remove the bodies interred therein to some other suitable burial grounds or cemetery to be provided by the church organization.

Notice of the intended removal shall be published in at least two newspapers published and circulating in the municipality where the abandoned burial grounds are situate, for 4 weeks, at least once in each week, prior to the intended removal.

CHAPTER 9

CEMETERY SALESMEN

Definitions.

8A:9-1. The following definitions apply to this chapter:

a. "Person" means an individual, a corporation, a partnership, an association, society or joint stock company.

b. "Cemetery salesman" means any person engaged in, or holding himself out as engaged in, directly or indirectly, the business, practice or profession of solicitation for sale, offering for sale, or selling interment space or goods, materials or services supplied or performed by a cemetery company.

c. "Sale" or "selling" includes every contract of sale, or contract to sell or dispose of interment space or goods, materials and services supplied or performed by a cemetery company.

d. "Offer" or "offer to sell" includes every attempt or offer to dispose of or solicitation of an offer to buy interment space or goods, materials or services supplied or performed by a cemetery company.

e. "Option" means every future right to purchase or privilege to convert one property to another.

Misleading or false advertising prohibited.

8A:9-2. It shall be unlawful for any person or cemetery company to use, publish or circulate any advertising matter which is misleading, untruthful, or designed to deceive.

Unlawful activities in connection with sale of interment space or cemetery services.

8A:9-3. It shall be unlawful for any person in connection with an offer to sell, or sale, or an option to purchase interment space, or goods, materials or services supplied or performed by a cemetery company, directly or indirectly:

- a. To employ any device, scheme or artifice to defraud;
- b. To make any false statement of a material fact or to omit to state a material fact necessary to a clear understanding;
- c. To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person;
- d. In any other respect to willfully violate or neglect to observe or comply with any order, permit, decision, demand or requirement of the board made pursuant to the provisions of this act.

Payment of commission, bonus or rebate unlawful; exceptions; penalty.

8A:9-4. It shall be unlawful for any cemetery company to pay or offer to pay, or for any person to receive, directly or indirectly, a commission, bonus, rebate or other thing of value, for, or in connection with, the sale of interment space, or for the furnishing by or through the cemetery company of any service, goods or articles, except to a licensed cemetery salesman and as hereinafter provided. Any person violating this section is a disorderly person. The provisions of this section shall not apply to a

person regularly employed and supervised by the cemetery company.

License required.

8A:9-5. It shall be unlawful for any person to act as a cemetery salesman in this State unless he is licensed to do so by the New Jersey Cemetery Board as hereinafter provided.

Certain sales not prohibited.

8A:9-6. Nothing in this act shall apply to prohibit the following:

- a. A person acting to effect an occasional sale of his own property;
- b. The services rendered by an attorney-at-law in performing his duties to his client when such duties require that he perform, on isolated occasions, the functions of a cemetery salesman;
- c. The sale by a receiver, trustee in bankruptcy, or any other person acting under the orders of any court of competent jurisdiction;
- d. The sale by a trustee selling under a deed of trust;
- e. The sale by a real estate broker or real estate salesman acting as such in connection with the sale, lease or exchange of real property or interest therein when the transfer of cemetery property is purely incidental to the sale, lease or exchange of the real property;
- f. The sale by an officer, superintendent, manager or clerk of a cemetery company.

Authorized sale or resale of interment space.

8A:9-7. Except as herein otherwise provided, no person, firm or corporation, other than a cemetery company or a sales management company having a contract with the cemetery for the sale of its lots shall sell any interment space and no person shall purchase the same for the sole purpose of speculative resale, except that the owner of any interment space purchased prior to the effective date of this act may resell the same pursuant to and in accordance with the provisions of this act, and provided this section shall not preclude the sale to its members of interment space, or the right to use any interment space, by a membership or religious corporation or society or unincorporated association or society which provides interment space solely for its members and their families. Any sale of interment space to a membership or religious corporation or society or unincorporated association which provides interment space solely for its members and their

families shall be subject to the prior approval of the cemetery board.

Qualifications for license as cemetery salesman.

8A:9-8. No person shall be licensed by the New Jersey Cemetery Board as a cemetery salesman unless he is a resident of this State, a person of good moral character, has never been convicted of crime involving moral turpitude and has passed his twenty-first birthday. A nonresident of this State may also be licensed provided he otherwise qualified under this section and has filed with the New Jersey Cemetery Board an authorization to accept service of process on his behalf in any suit brought against him in this State.

Board to investigate applicants and issue licenses.

8A:9-9. The New Jersey Cemetery Board shall investigate the qualifications of all applicants for a salesman's license and shall issue a salesman's license to all those who qualify as herein provided.

A license will be granted to any person who for the period of 5 years prior to the effective date of this act has been employed by a New Jersey cemetery company as a salesman or as an officer of a cemetery company and who otherwise qualifies as to age, good moral character, absence of a criminal record, residency, or in the case of nonresidency, had filed an authorization with the board in form as required by 8A:9-8.

Application for license; temporary license; fee.

8A:9-10. Application to be licensed as a cemetery salesman shall be made in writing to the New Jersey Cemetery Board on forms provided by the board. Said application shall attest that the applicant possesses all the qualifications listed in this act except that it need not be attested that he is conversant with the general cemetery law of this State. Thereafter, the board may in its discretion issue a temporary license which shall be valid for 45 days and may be extended from time to time as the board deems necessary. In no event may such temporary license be extended beyond the date of the announcement of the result of the first investigation period held pursuant to the provisions of this act following the expiration of the 45-day period of initial issuance. All applications shall be accompanied by an examination fee in the sum of \$25.00.

Issuance of license; fee; exception.

8A:9-11. If upon investigation by the New Jersey Cemetery Board an applicant for a license as a cemetery salesman is found to be qualified, has shown that he in good faith intends to carry on the business of a cemetery salesman, the board shall, upon the payment of a license fee of \$20.00, issue to the applicant a license as a cemetery salesman, except that no license shall be issued where there has been a showing that the granting of license to said applicant would not be in the public interest.

License period.

8A:9-12. No license shall be issued or renewed for a period exceeding 1 year and all licenses, whether on original issue or renewal, shall expire and terminate June 30 following the date of their issuance, unless sooner revoked and cancelled.

Renewal of license; fee; timely application; failure to renew; termination of employment.

8A:9-13. Applications for renewal for a cemetery salesman's license shall be made to the New Jersey Cemetery Board no later than 30 days prior to the date of expiration. The application shall be upon the form prescribed by the board and shall be accompanied by an annual renewal fee of \$10.00. A duplicate license may be obtained upon proof of loss or destruction and payment of a fee of \$2.00.

If a cemetery salesman fails to apply for a renewal of his license prior to the time prescribed therefor, no renewal license shall be issued to him except upon payment of a renewal fee in double the amount required in the case of a timely application.

Any cemetery salesman who fails to renew his license within 1 year of the expiration date must, before a new license can be obtained, comply with all of the provisions of this act pertaining to the original issue of said license. The license shall remain in the possession of the salesman until cancelled. The salesman shall produce his license for inspection whenever so requested in the course of his sales activity.

The license shall state the name and address of the cemetery with whom the salesman is associated. All rights granted to this licensee cease upon termination of employment. A new license will be issued by the board upon written request of the new employing cemetery and written request of salesman seeking relicensing. The license shall be issued in the same manner as a renewal and shall be considered timely if applied for within 3 months of

date of termination of last employment as licensed cemetery salesman.

Discharge of salesman for violation of act; statement required.

8A:9-14. When any cemetery salesman is discharged by a cemetery company for a violation of any of the provisions of this act, a verified written statement of the facts with reference thereto shall be filed forthwith with the board by the employer.

Licensing of a corporation, partnership, association or company; conditions.

8A:9-15. A corporation, a partnership, an association, society or stock company may acquire and retain a license as a cemetery salesman if at least one of its executives or managing officers, directors, trustees, agents or partners obtain a license, keeps it in force and continues his connection with the entity in the stated capacity; provided, however, that no such entity so licensed shall employ any individual to perform the duties of or to act as a salesman unless that individual has a valid subsisting license acquired pursuant to this act.

Municipal license not required.

8A:9-16. Cemetery salesmen licensed under this act shall not be required to obtain a license from any municipality for the sale of cemetery lots.

CHAPTER 10

PENALTIES, ENFORCEMENT

Enforcement of act; penalties.

8A:10-1. a. The cemetery board shall have power to enforce this act, and any person violating any of its provisions shall forfeit and pay to the board a penalty of not less than \$25.00 nor more than \$50.00 for the first offense; not less than \$50.00 nor more than \$100.00 for the second offense; and not less than \$100.00 nor more than \$300.00 for the third and each subsequent offense.

b. In the event the offending person does not pay any penalty within the time fixed by the board, the penalty shall be sued for and recovered by and in the name of the New Jersey Cemetery Board.

Collection and enforcement of penalties.

8A:10-2. Any penalty imposed because of the violation of any of the provisions of this act, shall be collected and enforced by summary proceedings in a civil action pursuant to the penalty enforcement law (N. J. S. 2A:58-1 et seq.). Process shall issue

at the suit of the board as plaintiff, and shall be either in the nature of a summons or warrant.

Authority to enjoin or compel compliance with act.

8A:10-3. The Superior Court may in an action brought by the New Jersey Cemetery Board in the name of the State on the relation of the board enjoin a continuing or habitual violation of this act or by its order or judgment direct or compel compliance with this act or any of the orders, rules or regulations issued by the board.

Authority to refuse to grant or renew, or suspend or revoke license.

8A:10-4. After notice of hearing as hereinafter provided, the board may refuse to grant or renew, or may suspend or revoke any license or certificate of authority if it determines that the applicant for or holder of such license or certificate of authority has been guilty of any of the following acts or omissions:

a. Fraud and deception in applying for a license or its renewal or in applying for a certificate of authority or in the passing of an examination provided for in this act;

b. Conviction in a court of competent jurisdiction of a high misdemeanor;

c. False or fraudulent advertising or willfully advertising in any manner which is deceptive, misleading, improbable or unethical or which is calculated to deceive the public with respect to either merchandise or services, including the offering of free services;

d. Any conduct which is of a character likely to deceive or defraud the public;

e. Engaged in fraudulent business activities; and

f. The willful, deliberate and persistent failure or refusal to comply with the terms of this act or the orders, rules or regulations of the New Jersey Cemetery Board;

g. In addition the board may refuse to grant or renew or may suspend the license of a cemetery salesman for:

(1) Chronic and persistent inebriety, or the habitual use of narcotics;

(2) Conviction of a crime involving moral turpitude; or where any licensee or applicant for a license has pleaded nolo contendere or non vult to any indictment, allegation or complaint, alleging the commission of a crime involving moral turpitude. 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

shall be sufficient warrant for the revocation or suspension of a license.

Authority to prefer charges; hearing; conduct of hearing.

8A:10-5. a. The cemetery board may prefer charges of violations of this act, against any cemetery company or its officers or against any person violating this act.

b. Such charges shall be in writing, sworn to by the complainant, and submitted to the board; such charges unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within 3 months after the date on which they are preferred.

c. The time and place for such hearing shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing shall be personally served on the accused or personally served on an officer of the accused cemetery company by a person designated by the board at least 15 days before the day fixed for the hearing; the date of hearing and determination may be adjourned by the board as the board may determine.

d. A stenographic record or a sound recording of each proceeding shall be made at the expense of the board. At the hearing, the accused shall have the right to appear personally and by counsel, to cross examine witnesses and to produce evidence and witnesses in his defense. If after said hearing the board finds that the charges have been sustained, the penalties and sanctions set forth in this act may be imposed and enforced.

Powers of board members; authority to apply for court order; penalty for non-compliance.

8A:10-6. a. The executive secretary, the chairman or any member of the New Jersey Cemetery Board may administer oaths and affirmations and shall have power to issue subpoenas, to compel the attendance of any person, or the production of any books or papers necessary or incidental to any hearing before the board. Such subpoena may be served and the same witness fees paid as in cases in the County or Superior Court, as allowed by law.

b. In the event any person who has been duly served with a subpoena by the board fails or refuses to attend and testify and answer proper questions or to produce books, records, documents, papers, or other physical exhibits pursuant to the command of said subpoena, the board is authorized to apply to the Superior Court for an order compelling compliance with the subpoena or order of the board. Failure to obey the subpoena or the order of the court in reference thereto shall, in addition to any other action

that may properly be taken by the courts, carry a penalty of \$100.00 to be collected by the board as provided in chapter 9 of this act.

Action by board for appointment of receiver, injunctive or other relief.

8A:10-7. Whenever the board shall suspend the certificate of authority of any cemetery company, it may, when deemed necessary to protect the public interest, institute an action in the name of the State on the relation of the board in the Superior Court for the appointment of a receiver, injunctive or other relief as may be necessary to protect the public interest, or to prohibit the violation of this act or the orders, rules or regulations of the board. The relief authorized by this paragraph shall not be limited or barred by the imposition of any penalties imposed by the board under chapter 10 or any other provision of this act. The receivership shall be discharged as soon as the condition which caused the suspension has been corrected.

Right of appeal.

8A:10-8. Any person or cemetery company aggrieved by any action or decision of the board shall have the right of appeal to the Superior Court, Appellate Division.

CHAPTER 11

REINSTATEMENT OF CHARTER

Reinstatement of charter.

8A:11-1. The charter of any cemetery association, heretofore incorporated pursuant to "An act to authorize the incorporation of rural cemetery associations and regulate cemeteries," approved April 9, 1875, or under "An act concerning corporations (Revision)," approved April 7, 1875, or under any act amendatory thereof or supplemental thereto, whose period of corporate existence has terminated by lapse of time, which has continued to operate a cemetery in which burials have been made since said period of corporate existence terminated, may be reinstated in perpetuity upon the recording in the office of the clerk of the county, in which the certificate of incorporation of the association is recorded, of a certificate of extension of corporate existence, executed and acknowledged by five or more proprietors of lots in the cemetery of the association stating, under oath, that the said association has been engaged in operating a cemetery and that burials have been made in said cemetery since the termination of its corporate existence and upon the recording of said certificate the charter of said cemetery association shall be reinstated and the corporate

existence of said association shall be extended accordingly and said association shall be entitled to all the rights, privileges and exemptions to which it was entitled prior to the termination of the period of its corporate existence.

CHAPTER 12

REPEALERS, SEVERABILITY CLAUSE, APPROPRIATION, EFFECTIVE DATE

Inconsistent acts superseded.

8A:12-1. This act is a revision law and all acts and parts of acts inconsistent herewith are hereby superseded.

This act shall be deemed to be a part of the general and permanent statutes of this State. The abbreviation of "N. J. S. 8A" shall constitute a reference to this act, and sections of this act may be cited by section number only, preceded by such abbreviation.

Repealer.

8A:12-2. The following acts and parts of acts together with all amendments and supplements thereto are repealed:

Title 8, Cemeteries, of the Revised Statutes;

P. L. 1947, c. 240 (C. 8:2-51.1 to 8:2-51.3);

R. S. 26:6-42 to 26:6-48, inclusive.

Acts preserved and reaffirmed.

8A:12-3. Special acts creating a cemetery are hereby preserved and reaffirmed.

Partial invalidity.

8A:12-4. 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.

Appropriation.

8A:12-5. There is hereby appropriated to the Department of Banking for the purpose of administering this act all fees and revenue received by the board from the effective date of this act until June 30, 1971. The expenditure of such appropriation shall be authorized by the Commissioner of Banking with the approval of the Director of the Division of Budget and Accounting.

Effective date.

8A:12-6. This act shall take effect immediately, except that sections 8A:3-1, 8A:3-2, 8A:3-9 and 8A:9-5 of this act shall take effect 90 days after enactment.

Approved December 1, 1971.

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CHAPTER 334

AN ACT to amend the title of “An act authorizing the municipalities of New Jersey to construct, own and operate public swimming pools and other recreational facilities in connection therewith, and to improve, maintain and regulate the same,” approved July 22, 1957 (P. L. 1957, c. 166), so that the same shall read “An act authorizing the municipalities of New Jersey to construct, own or lease and operate public swimming pools and other recreational facilities in connection therewith, and to improve, maintain and regulate the same,” 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 P. L. 1957, c. 166 is amended to read as follows: An act authorizing the municipalities of New Jersey to construct, own or lease and operate public swimming pools and other recreational facilities in connection therewith, and to improve, maintain and regulate the same.

2. Section 1 of P. L. 1957, c. 166 (C. 40:61-22.21) is amended to read as follows:

C. 40:61-22.21 Swimming pools and other recreational facilities.

1. The governing body of any municipality may acquire, establish, construct, own or lease, control, equip, improve, maintain, operate and regulate one or more public swimming pools and such other recreational, playground, or public entertainment activities as it may determine to provide in connection therewith, and for any such purpose or purposes may construct, reconstruct, alter, provide, renew and maintain such buildings or other structures and equipment as it may determine, and provide for the care, custody and control thereof.

3. Section 2 of P. L. 1957, c. 166 (C. 40:61-22.22) is amended to read as follows:

C. 40:61-22.22 Acquisition of property.

2. The governing body of any municipality may lease, or may acquire, in fee or less estate, by gift, devise, grant or purchase, any land or real estate and rights therein, improved or unimproved,

within the county in which such municipality is located, for use as a public swimming pool and for such other recreational, playground, or public entertainment purposes and activities as it may determine to provide in connection therewith.

4. This act shall take effect immediately.

Approved December 6, 1971.

CHAPTER 335

AN ACT concerning State aid to education, amending P. L. 1970, c. 234 and supplementing chapter 58 of the New Jersey Statutes.

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

1. Section 15 of P. L. 1970, c. 234 (C. 18A:58-18.1) is amended to read as follows:

C. 18A:58-18.1 Apportionment of State aid under certain circumstances.

15. There is hereby appropriated for the purposes of this chapter such sums as may be included in any annual or supplemental appropriation act. In the event that the sums appropriated in any fiscal year are insufficient to carry out in full the provisions of articles 1 and 2 of chapter 58 of Title 18A of the New Jersey Statutes as amended and supplemented by this act with respect to minimum support aid, incentive equalization aid and county vocational school aid, the commissioner, with the approval of the State board, shall apportion said sums among the school districts in proportion to the State aid each district would be allocated if the full amount were appropriated; provided, however, that no school district shall be apportioned for minimum support aid, incentive equalization aid and county vocational school aid an amount less than the per pupil aid, excluding transportation aid and atypical aid, it received for the State fiscal year 1970-71; provided, further, that for the 1972-73 fiscal year, aid shall be calculated for each school district on the basis of the amount of aid which would have been received during the 1972-73 school year based on the formula in effect on January 1, 1970, plus 40% of the difference between that aid and the amount required to carry out in full the provisions

of articles 1 and 2 of chapter 58 of Title 18A of the New Jersey Statutes as amended and supplemented by this act.

2. Notwithstanding the classification of school districts defined in N. J. S. 18A:58-2, for the school year 1972-73 all districts other than nonoperating districts shall be designated as basic districts for the purpose of calculating minimum support aid and incentive equalization aid.

3. This act shall take effect July 1, 1972.

Approved December 7, 1971.

CHAPTER 336

AN ACT authorizing the Commissioner of Education to provide financial assistance to the parents of children attending nonpublic schools repealing P. L. 1970, c. 235, and providing for an appropriation.

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

C. 18A:58-59 Short title.

1. This act shall be known and may be cited as the "Nonpublic Elementary and Secondary Education Act."

C. 18A:58-60 Legislature's findings.

2. It is hereby determined and declared as a matter of legislative finding:

a. That parents who send their children to nonpublic schools assist the State in reducing the rising costs of public education.

b. That a crisis in elementary and secondary education exists in the nation and in the State involving, (1) the new recognition of our intellectual and cultural resources as prime national assets and of the national imperative now to spur the maximum educational development of every young American's capacity; (2) rapidly increasing costs occasioned by the rise in school population, consequent demands for more facilities, new but costly demands in the endeavor for excellence, upon education generally; through impact of inflation upon the economy; and the struggle of the State, commonly with many other states, to find sources by which to finance education, while also attempting to bear the mounting financial

burden of the many other areas of modern state government responsibility;

c. That nonpublic education in the State today, as during the recent past decades, bears the burden of educating approximately 20% of all elementary and secondary school pupils in New Jersey, that the requirement of the compulsory school attendance laws of the State are fulfilled through nonpublic education.

d. That the welfare of the State requires that this and future generations of school age children be assured ample opportunity to develop to the fullest their intellectual capacities; and that in the exercise of their constitutional rights to choose nonpublic education for their children, parents who support such education make a major contribution to the public welfare. However, the immense impact of inflation, plus sharply rising costs of education, now combine to place in jeopardy the ability of such parents fully to carry this burden.

e. That, should a majority of parents of the present nonpublic school population desire to remove their children to the public schools of the State, an intolerable financial burden to the public would result, as well as the long-term impairment of education in New Jersey, that such a hazard to the education of children may be substantially reduced and all education in the State improved by reimbursing parents who maintain students in nonpublic schools partially for the service such parents render and by providing for services and materials for children attending nonpublic schools.

C. 18A:58-61 Definitions.

3. As used in the act:

“Board” means the State Board of Education.

“Commissioner” means the State Commissioner of Education.

“Nonpublic school” means an elementary or secondary school within the State, other than a public school, offering education for grades kindergarten through 12, or any combination of them, wherein any child may legally fulfill compulsory school attendance requirement and which meets the requirements of Title VI of the Civil Rights Act of 1964 (P. L. 88-352.)

“Student” means any child who is a resident of the State and who is enrolled as a full-time pupil in a nonpublic school in grades kindergarten through 12. A child who boards at a school but whose parents do not maintain a residence in this State shall not be deemed to be a resident of the State within the meaning of this act.

“Parent” means a resident of the State of New Jersey who is a parent of a child enrolled in a nonpublic school or a person standing in loco parentis to such child.

C. 18A:58-62 Administration of act; appointment of certain personnel.

4. This act shall be administered by the commissioner in accordance with policies formulated and regulations adopted by the board. The board shall not, under the provisions of this act, provide services, materials or programs, for use in sectarian religious courses or devotional exercises. The commissioner is authorized to appoint a director of nonpublic school education, who shall be in the unclassified civil service of the State and, within the limit of available appropriations, such other necessary personnel as are approved by the board to assist him in the administration of this act.

C. 18A:58-63 Reimbursement of parents for purchase of textbooks and supplies; conditions.

5. The commissioner shall, upon authorization by the board reimburse parents for money spent during the current school year to purchase secular, nonideological textbooks, instructional materials and supplies.

a. Subject to the limitations of available appropriations and requirements set forth in this section, the amount of reimbursement for textbooks, materials and supplies for each school year shall not exceed:

(1) For each student attending grades kindergarten through 8, the sum of \$10.00.

(2) For each student attending grades 9 through 12, the sum of \$20.00.

b. Before the commissioner may issue funds provided for under this section, he shall be in receipt of:

(1) A verified statement from each nonpublic school attended by students whose parents are seeking reimbursement hereunder, certifying that said students were enrolled as of September 30 of the current school year, giving the name and address of the parents of said students and listing the secular, nonideological textbooks used in said nonpublic schools for the current school year.

(2) A verified statement, certifying that the parent has expended on secular, nonideological textbooks, instructional materials and supplies, not less than the amount for which application is made.

c. Textbooks, the cost of which are reimbursable under this act, shall mean any textbooks which are in use or have been used within

5 years of September 15 of the year for which reimbursement is sought, in any public school in the State or which are approved by the commissioner as complying with the provisions and purposes of this act.

d. In no event may reimbursement to a parent under this section for a student be granted or allowed for any expenditure by the parent for other than secular, nonideological textbooks, instructional material, and supplies.

e. Payment under this section shall be made to parents commencing December 31, 1971 or as soon thereafter as possible and November 30 in each following year, or as soon thereafter as possible.

C. 18A:58-64 Authority to provide additional supplies, materials and equipment; limitations.

6. In addition to the provisions of section 5 above, the commissioner shall provide, within the limits of the funds made available by the Legislature, such supplies, instructional materials, equipment and auxiliary services as are requested by the nonpublic school. The board shall adopt guidelines and procedures under which such supplies, instructional materials, equipment and auxiliary services shall be provided. Ownership of the nonconsumable supplies and instructional materials and equipment provided pursuant to this act shall remain in the State Department of Education.

C. 18A:58-65 Priority of payments.

7. In the event that in any fiscal year the amount appropriated is insufficient to carry out the purpose of this act, the commissioner shall pay, first, the cost of administration of this act; second, the valid claims of each parent for reimbursement for textbooks hereunder; and third, shall expend the remaining amount of available funds for the purposes set forth in section 6 of this act.

C. 18A:58-66 Partial invalidity.

8. If any part of this act shall be invalid, such holding shall not affect the validity of the remaining parts of this act. If a part of this act is invalid in one or more of its applications, the remaining parts of this act shall remain in effect in all valid applications that are severable from the invalid application.

C. 18A:58-67 Effect of act on powers and duties of board and commissioner.

9. Except as specifically provided in this act, nothing in this act shall expand or diminish the powers and duties of the State Board

of Education and the commissioner with respect to any nonpublic school as prescribed by Title 18A of the New Jersey Statutes.

Repealer.

10. Chapter 235 of the laws of 1970 (C. 18A:58-38 et seq.) is repealed.

11. The appropriation heretofore made in P. L. 1971, c. 240 for carrying out the purposes of P. L. 1970, c. 235 (C. 18A:58-38 et seq.), is hereby appropriated for the purposes of this act.

12. This act shall take effect immediately.

Approved December 7, 1971.

CHAPTER 337

AN ACT concerning corporations which are private foundations as herein defined, and supplementing Title 15 of the Revised Statutes.

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

C. 15:19-1 Definitions.

1. As used in this act:

(a) "code" means the Internal Revenue Code of 1954 as amended;

(b) "private foundation trust" means a charitable trust administered by a corporation as herein defined, and which is a private foundation described in section 509 (a) of the code, including each nonexempt charitable trust described in section 4947 (a) (1) of the code which is treated as a private foundation;

(c) "corporation" means a corporation organized under Title 15 of the Revised Statutes or under any other law of this State applicable to corporations not for profit, to function as a private foundation trust.

C. 15:19-2 Provisions included in certificate of incorporation.

2. Notwithstanding any provision to the contrary contained in any law of this State and except as otherwise provided in section 3

of this act, the certificate of incorporation of every corporation as herein defined, shall be deemed to include the following:

“This corporation shall make distributions at such times and in such manner as not to subject it to tax under section 4942 of the Internal Revenue Code of 1954, as amended, and shall not engage in any act of self-dealing as defined in section 4941 of the said code, and shall not retain any excess business holdings as defined in section 4943 of said code, and shall not make any investments as defined in section 4944 of the said code, and shall not make any taxable expenditures which would subject it to tax under section 4945 of the said code.”

C. 15:19-3 Amendment of certificate of incorporation.

3. The governing body of any corporation as herein defined may, without judicial proceedings, amend its certificate of incorporation to expressly exclude the provisions of section 2 of this act, by executing a certificate of amendment incorporating such exclusion and filing a copy thereof in the office of the Secretary of State of this State. Upon the filing of such amendment, the provisions of section 2 of this act shall not be applicable to such corporation.

C. 15:19-4 Construction of act.

4. This act shall be so construed as to enable split-interest trusts and private foundation trusts to qualify for the maximum tax exemptions available to such trusts under the provisions of the Internal Revenue Code of 1954 as amended.

C. 15:19-5 Power of courts or Attorney General not impaired by act.

5. Nothing in this act shall impair the power conferred by law upon the courts or the Attorney General of this State with respect to any corporation subject to the provisions of this act.

C. 15:19-6 Application of act.

6. This act shall take effect immediately, and shall apply to all corporations as described in section 2 hereof, whether organized before or after the effective date of this act.

Approved December 13, 1971.

CHAPTER 338

AN ACT concerning private foundation and split-interest trusts as herein defined.

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

C. 3A:43-1 Short title.

1. This act may be cited as The Charitable Trust Act of 1971.

C. 3A:43-2 Definitions.

2. As used in this act:

(a) "code" means the Internal Revenue Code of 1954 as amended;

(b) "private foundation trust" means a charitable trust which is a private foundation described in section 509 (a) of the code, including each nonexempt charitable trust described in section 4947 (a) (1) of the code which is treated as a private foundation;

(c) "split-interest trust" means a nonexempt split-interest trust described in section 4947 (a) (2) of the code, but only to the extent that section 508 (e) of the code is applicable to such nonexempt split-interest trust under section 4947 (a) (2) of the code;

(d) "trust instrument" means a will, deed, agreement, court order, or other instrument pursuant to which money or other property is entrusted to a fiduciary, and also means the certificate of incorporation of a nonprofit corporation administering a charitable foundation trust;

(e) "trustee" means every fiduciary administering a trust instrument, and includes a corporation which is a private charitable foundation administering a private foundation trust;

(f) "trust" means private foundation trusts and split-interest trusts.

C. 3A:43-3 Provisions included in trust instruments of nonprofit corporations administering private foundation trusts.

3. Notwithstanding any provision to the contrary contained in any law of this State or in any trust instrument, and except as otherwise provided in section 5 of this act, each trust instrument governing a nonprofit corporation administering a private foundation trust shall, by virtue of this act, and without any further act by any person or persons, be deemed to include the following:

“This corporation shall make distributions at such times and in such manner as not to subject it to tax under section 4942 of the Internal Revenue Code of 1954 as amended, and shall not engage in any act of self-dealing as defined in section 4941 of the said code, and shall not retain any excess business holdings as defined in section 4943 of the said code, and shall not make any investments as defined in section 4944 of the said code, and shall not make any taxable expenditure which would subject it to tax under section 4945 of the said code.”

C. 3A:43-4 Provisions included in trust instruments of split-interest trusts or private foundation trusts.

4. Notwithstanding any provision to the contrary contained in any law of this State or in any trust instrument, and except as otherwise provided in section 5 of this act, each trust instrument governing a split-interest trust or a private foundation trust other than one as described in section 3 of this act, shall, by virtue of this act and without any further act by any person or persons, be deemed to include the following:

“Distributions of this trust shall be made at such times and in such manner as not to subject the trust to tax under section 4942 of the Internal Revenue Code of 1954, as amended, and shall not engage in any act of self-dealing as defined in section 4941 of the said code, and shall not retain any excess business holdings as defined in section 4943 of the said code, and shall not make any investment as defined in section 4944 of the said code, and shall not make any taxable expenditure which would subject it to tax under section 4945 of the said code.”

C. 3A:43-5 Instrument stating certain provisions not applicable to trust.

5. The trustee or trustees of any trust may, without judicial proceedings, execute an instrument stating that the provisions of section 3 or section 4 of this act, as the case may be, shall not be applicable to such trust, and upon filing a copy thereof in the office of the Secretary of State of this State, the provisions of section 3 or section 4 of this act, as the case may be, shall not apply to such trust.

C. 3A:43-6 Construction of act.

6. This act shall be so construed as to enable split-interest trusts and private foundation trusts to qualify for the maximum tax exemptions available to such trusts under the Internal Revenue Code of 1954 as amended.

C. 3A:43-7 Power of courts or Attorney General not impaired by act.

7. Nothing in this act shall impair the power conferred by law upon the courts or the Attorney General of this State with respect to any trust subject to the provisions of this act.

C. 3A:43-8 Application of act.

8. This act shall take effect immediately, and shall apply to all trusts, as herein defined, whether created before or after the effective date hereof.

Approved December 13, 1971.

CHAPTER 339

A SUPPLEMENT to "An act concerning exemption from taxation of certain property of fraternal organizations and amending R. S. 54:4-3.26," approved October 21, 1971 (P. L. 1971, c. 320).

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

C. 54:4-3.26a Application of exemption.

1. The exemption provided in the act to which this act is a supplement shall apply to the tax year 1972 and thereafter.

2. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 340

AN ACT to amend the "Uniform Securities Law (1967)," approved June 8, 1967 (P. L. 1967, c. 93).

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

1. Section 10 of P. L. 1967, c. 93 (C. 49:3-57) is amended to read as follows:

C. 49:3-57 Registration procedure.

10. (a) A broker-dealer, agent, or investment advisor may obtain an initial or renewal registration by filing with the bureau an application together with a consent to service of process pur-

suant to section 26 (a). The application shall contain whatever information the bureau chief by rule requires concerning such matters as (1) the applicant's form and place of organization; (2) the applicant's proposed method of doing business; (3) the qualifications and business history of the applicant; in the case of a broker-dealer or investment advisor, the qualifications and business history of any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment advisor; and, in the case of an investment advisor or registered broker-dealer acting as an investment advisor, the qualifications and business history of any employee who is to give investment advice; (4) any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a high misdemeanor or felony; and (5) the applicant's financial condition. If no denial, postponement or suspension order is in effect and no proceeding is pending under section 11, registration becomes effective at noon of the thirtieth day after an application is filed. The bureau chief may by rule or order specify an earlier effective date, or he may by order defer the effective date until the first day of the next calendar month after the thirtieth day after the filing of the application. The time limits herein provided shall run anew from the filing of any amendment. Registration of a broker-dealer automatically constitutes registration of any agent who is a partner, officer, or director, or a person occupying a similar status or performing similar functions;

(b) Every applicant for initial or renewal registration shall pay a filing fee of \$125.00 in the case of a broker-dealer, plus \$5.00 for each partner, officer, director, or principal doing business in this State, \$30.00 in the case of an agent, \$50.00 in the case of an investment advisor and \$50.00 in the case of an issuer. When application is denied or withdrawn, the bureau shall retain the fee. Whenever any supplemental filing, for the purpose of keeping current the information furnished to the bureau chief, is made there shall be a supplemental filing fee of \$5.00;

(c) A registered broker-dealer or investment advisor may file an application for registration of a successor, whether or not the successor is then in existence, for the unexpired portion of the registration period. There shall be no filing fee;

(d) The bureau chief may by rule require a minimum capital for registered broker-dealers; provided that the bureau chief shall

not in any case require a minimum capital in excess of \$10,000.00 in the case of a registered broker-dealer; and provided, further, that the minimum capital requirement of a broker-dealer engaged exclusively in the sale of investment company shares shall not be in excess of \$5,000.00;

(e) The bureau chief may by rule require registered investment advisors who have custody of clients' funds or securities and registered broker-dealers to post surety bonds in amounts up to \$25,000.00, and may determine their conditions; provided that no such surety bond shall be required of an investment advisor or a broker-dealer who has a minimum capital of at least \$25,000.00 or of a broker-dealer engaged exclusively in the sale of investment company shares who has a minimum capital of \$5,000.00; except that, notwithstanding the provisions of this or any other section of this law, the bureau chief may by rule require registered broker-dealers and investment advisors if such registrant or any partner, officer or director, any person occupying a similar status or performing similar functions; or any person directly or indirectly controlling such registrant has ever been convicted of any misdemeanor involving a security or any aspect of the securities business, or any high misdemeanor or felony to post surety bonds in amounts up to \$200,000.00. Any appropriate deposit of cash or securities shall be accepted in lieu of any bond so required. Every bond shall provide for suit thereon by any person who has a cause of action under section 24. Every bond shall provide that no suit may be maintained to enforce any liability on the bond unless brought within 2 years after the sale or other act upon which it is based, or within 2 years of the time when the person aggrieved knew or should have known of the existence of his cause of action, whichever is later.

(f) (1) The bureau chief may by rule provide for an examination which may be written or oral or both, to be taken by any class of or all applicants, as well as persons who represent or will represent an investment advisor in doing any of the acts which makes him an investment advisor;

(2) Each applicant for such examination shall pay examination fees as follows: broker-dealer, \$15.00; partner, officer, or director doing business in this State, \$15.00; agent, \$15.00; and investment advisor, \$15.00. When an application for an examination is denied or withdrawn, the bureau shall retain the fee.

2. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 341

AN ACT concerning certain fees collected by the Division of Weights and Measures and revising parts of the statutory law.

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

1. Section 5 of P. L. 1942, c. 248 (C. 4:11-39) is amended to read as follows:

C. 4:11-39 Issuance of license; fee; vehicle license plates and certificate of issuance.

5. Application for a license shall be made upon a form to be supplied by the superintendent and the said superintendent shall issue such license for each calendar year or fraction thereof in which said business is conducted upon the payment of a fee of \$25.00, where application is made by a dealer or broker, and a fee of \$5.00 where application is made by an agent. Every license shall expire and the certificate thereof become void on December 31 of each year.

The application shall state the nature of the business, the full name of the person applying for the license, and if the applicant be a firm, association, partnership or corporation, the full name of each member of the firm, association or partnership or the name of the officers of the corporation, and the names of the agents of the applicant, the municipality and the post-office address at which the business is to be conducted, and such other facts as the superintendent shall prescribe. The applicant shall further satisfy the superintendent of his or its character, financial responsibility and good faith in seeking to engage in business.

Every vehicle used in the business of the licensee for the transportation of live poultry shall bear a license plate. The superintendent shall issue such plate upon application therefor together with a certificate of issuance thereof, upon the payment of \$5.00 for each vehicle owned and used by a licensee and said certificate shall contain the name and address of the owner of the vehicle, together with a description of the character of the vehicle and the motor number. The holder of such certificate or the operator of such vehicle shall exhibit such certificate whenever requested to do so by a weights and measures officer, and it shall be unlawful to use or operate any such vehicle without such license plate being securely and conspicuously attached thereto and unless such cer-

tificate of issuance shall be carried at all times on the vehicle to which it applies. No such license plate shall be interchangeable or transferable. Every license plate and the certificate of issuance thereof shall expire and become void on December 31 of each year.

No license plate shall be issued to any person for a vehicle not owned by him; provided, however, that liens or encumbrances on any vehicle shall not be deemed to deprive the owner of a right to a license plate for such vehicle.

2. Section 14 of P. L. 1942, c. 248 (C. 4:11-48) is amended to read as follows:

C. 4:11-48 Issuing agents; disposition of moneys collected.

14. The superintendent shall designate county and municipal superintendents of weights and measures as issuing agents through whom the licenses, license plates and certificates provided for in this act may be issued to applicants in their respective counties and municipalities. All moneys collected by the said county or municipal superintendents shall be transmitted to the State superintendent, on or before the twenty-fifth day of the month following the date of issue. The moneys shall thereupon be turned over to the State Treasurer who shall make distribution thereof on the dates and in the manner provided for in R. S. 51:1-72.

3. R. S. 51:1-72 is amended to read as follows:

Annual report; payments to counties and municipalities.

51:1-72. The State superintendent shall within 30 days after the last day of the State fiscal year make a report to the Legislature which shall contain any recommendations or suggestions deemed necessary or desirable and a digest of the reports of the municipal and county superintendents.

The State Treasurer shall determine annually, following the close of the State fiscal year, the total amount of moneys collected under the provisions of this Title in each county and each municipality in which there has been established a municipal department of weights and measures pursuant to R. S. 51:1-42 et seq. and shall pay to the fiscal officer of each such county or municipality the portion of such total amount of moneys as is required to be returned to counties and municipalities by the provisions of this Title; provided that the total amount to be returned to a particular county or municipality is \$10.00 or more. Such counties and municipalities shall appropriate the amounts so received for the sole and exclusive use of their respective departments of weights and measures.

4. R. S. 51:1-74 is amended to read as follows:

Term; certificate of appointment; fee.

51:1-74. All public weighmasters and certified weighers shall be appointed by the State Superintendent of Weights and Measures for the term of 3 years. The said State superintendent shall issue a certificate of such appointment and shall keep a record thereof. Upon appointment or any renewal thereof a fee of \$30.00 shall be paid to the said State superintendent and by him paid to the State Treasurer.

The State superintendent may on request of a State officer, commission, board, institution or agency of the State Government and without payment of any fee designate and appoint an officer or employee of any such officer, commission, board, institution or agency as weighmaster and issue to him a weighmaster's certificate.

5. Section 16 of P. L. 1938, c. 182 (C. 51:1-128) is amended to read as follows:

C. 51:1-128 License and registration fees.

16. Every person who maintains or carries on the business of selling, trading in, receiving, or engaging in the repairing of condemned, rebuilt, or used weighing and measuring devices, shall for the license and registration prescribed by this act, pay a license fee of \$50.00 per annum. Every person engaging only in the repairing of weighing and measuring devices shall for the license and registration prescribed in this act pay a fee of \$10.00 per annum, which fees shall be paid to the State Superintendent of Weights and Measures, and by this officer shall be turned over to the State Treasurer.

6. R. S. 51:8-5 is amended to read as follows:

License to sell or deliver solid fuel; license plates; certificates of license; issuance; term; fees; name of owner and municipality on motor vehicles; revocation of license.

51:8-5. It shall be unlawful for any person to engage in the business of selling, delivering or selling and delivering solid fuel in this State unless he shall have obtained from the Division of Weights and Measures a license to engage in said business and a license plate for each vehicle owned, rented, leased or hired in any manner and used by him for the delivery of solid fuel; provided, however, where any person engages in the business of selling, delivering, or selling and delivering solid fuel in this State at more than one place of business or establishment, it shall be necessary

for said person to obtain a separate license for each such place of business or establishment where said solid fuel is so sold, delivered, or sold and delivered; provided, further, that it shall not be necessary for any person who sells or delivers solid fuel at retail in quantities of not more than 100 pounds, and does not sell or deliver more than 100 pounds to the same person on the same day, to obtain such license. Application for said license and license plate or plates shall be made upon a form to be supplied by the superintendent and it shall be the duty of said superintendent to issue such license to such applicant for each calendar year or fraction thereof in which said business is conducted, upon the payment of a fee of \$25.00 for any 1 year or fraction thereof, and to issue, for such calendar year or fraction thereof, a license plate for each vehicle so owned and used by the applicant, together with a certificate of the issuance of such license plate, upon the payment of \$5.00 for each vehicle so owned, rented, leased or hired in any manner and used, and said certificate shall contain the name and address of the owner of the vehicle and of any person renting, leasing or hiring the vehicle in any manner, together with a description of the character of the vehicle and the motor number. The holder of such certificate or the operator of such vehicle, when requested to do so by any weights and measures officer, shall exhibit such certificate, in order that such weights and measures officer may determine the correctness of said certificate.

It shall be unlawful for any person to engage in the business aforesaid without having on display in his place of business a certificate of such license, which shall be issued by said superintendent, and no person shall use any vehicle to deliver solid fuel without such license plate being securely and conspicuously attached to said vehicle and no such license plate shall be transferable or interchangeable.

Liens or encumbrances on any vehicle shall not be deemed to deprive the owner or a legally authorized user of such vehicle of a right to a license plate for such vehicle; provided, however, that in emergencies growing out of extreme weather conditions, upon application to the division by any person regularly licensed under the provisions of this section, additional vehicle plates shall be issued forthwith upon the payment of \$5.00 for each plate, and any such plate may be attached to any vehicle leased or otherwise employed by any licensee. Such emergency plates must be removed and returned to the division when the emergency has passed.

Every license and license plate issued under the provisions of this section shall expire, and the certificates thereof become void on

December 31 of each year, and the superintendent shall issue licenses, license plates and certificates for the following year on and after November 1 of each year, such licenses, license plates and certificates so issued not to be used until December 15 of the year preceding the year for which they are issued. The superintendent shall designate county and municipal superintendents of weights and measures as issuing agents through whom the licenses, license plates and certificates herein provided may be issued to applicants in their respective counties or municipalities. All moneys collected by said county or municipal superintendents shall be transmitted to the State superintendent on or before the twenty-fifth day of the month following date of issue.

The superintendent may revoke the license of or refuse to issue a license to any person, after a hearing, upon due notice, which may be served personally upon or sent by registered mail to such person, for any dishonest, deceptive or fraudulent practice.

No motor vehicle shall be used for transportation of solid fuel in this State unless the name of the licensee and the municipality in which his place of business is located is conspicuously displayed on the vehicle in letters at least 6 inches high. Any person violating this provision shall be liable to a penalty of not less than \$50.00 nor more than \$100.00.

7. R. S. 51:8-13 is amended to read as follows:

Disposition of license fees.

51:8-13. All license fees required to be collected by the superintendent of the division under the provisions of this chapter shall be turned over to the treasurer of the State of New Jersey who shall itemize and report separately in his annual report all income so received. The State Treasurer shall determine from the superintendent of the department the total amount of moneys collected under the provisions of this chapter in each county and each municipality in which there is established a municipal department of weights and measures in accordance with the provisions of article 3 of chapter 1 of this Title (§ 51:1-42 et seq.), and 50% of the license fees so collected shall be returned to counties and municipalities in accordance with the provisions of R. S. 51:1-72.

8. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 342

AN ACT to amend and supplement "An act to license and regulate the business of private detectives and private detective agencies, and providing penalties for violation of its provisions," approved November 18, 1939 (P. L. 1939, c. 369).

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

1. Section 2 of P. L. 1939, c. 369 (C. 45:19-9) is amended to read as follows:

C. 45:19-9 Definitions.

2. Definitions:

(a) The term "private detective business" shall mean the business of conducting a private detective agency or for the purpose of making for hire or reward any investigation or investigations for the purpose of obtaining information with reference to any of the following matters, notwithstanding the fact that other functions and services may also be performed by the same person, firm, association or corporation for fee, hire or reward, to wit: (1) crime or wrong done or threatened or assumed to have been done or threatened against the Government of the United States of America, or any State, Territory or Possession of the United States of America; (2) the identity, habits, conduct, movements, whereabouts, affiliations, associations, transactions, reputation or character of any person, association, organization, society or groups of persons, firms or corporations; (3) the credibility of witnesses or other persons; (4) the whereabouts of missing persons; (5) the location or recovery of lost or stolen property; (6) the causes and origin of, or responsibility for, fires, libels, accidents, damage, injuries or losses to persons, firms, associations or corporations, or to real or personal property; (7) the affiliation, connection or relation of any person, firm or corporation with any organization, society, association, or with any official member or representative thereof; (8) with reference to the conduct, honesty, efficiency, loyalty or activities of employees, agents, contractors and subcontractors; (9) the securing of evidence to be used before any investigating committee, board of award, board of arbitration, or in the trial of any civil or criminal cause; provided, however, that the term shall not include a person, firm, association or corporation engaged exclusively in the business of making investigations and reports as to the financial standing,

credit and financial responsibility of persons, firms, associations or corporations nor to electrically controlled burglar or fire alarm system with a central unit, nor to any person, firm, association or corporation engaged in the business of making reports for insurance or credit purposes. Also it shall mean the furnishing for hire or reward of watchmen or guards or private patrolmen or other persons to protect persons or property, either real or personal, or for any other purpose whatsoever. The term shall not include and nothing in this act shall apply to any lawful activity of any board, body, commission or agency of the United States of America or of any State, Territory or Possession of the United States of America, or any county, municipality, school district, or any officer or employee solely, exclusively and regularly employed by any of the foregoing; nor to any attorney or counsellor-at-law in connection with the regular practice of his profession, nor to any person employed by any such attorney or counsellor-at-law when engaged upon his employer's business; nor to any employee, investigator or investigators solely, exclusively and regularly employed by any person, firm, association or corporation which is not engaged in any of the businesses hereinbefore described in items numbered one to nine, both inclusive, of this subsection in so far as their acts may relate solely to the business of their respective employers; nor to any person, firm, association or corporation licensed to do a business of insurance of any nature under the insurance laws of this State, nor to any employee or licensed agent thereof; nor to any person, firm, association or corporation conducting any investigation solely for its own account.

(b) The terms "the business of detective agency," "the business of investigator" and "the business of watch, guard or patrol agency" shall mean any person, firm, association or corporation engaged in the private detective business as defined in subsection (a) of this section, who employs one or more persons in conducting such business.

(c) The terms "private detective" or "investigator" shall mean and include any person who singly and for his own account and profit conducts a private detective business without the aid or assistance of any employees or associates.

(d) The masculine shall include the feminine and the neuter genders.

(e) The term "superintendent" means the Superintendent of State Police.

(f) The terms "firm" and "association" shall include partnerships, but shall not include corporations.

2. Section 5 of P. L. 1939, c. 369 (C. 45:19-12) is amended to read as follows:

C. 45:19-12 Issuance of license; fee; bond; term; revocation; form and contents; changes in membership, officers or directors; qualifications of applicants.

5. The superintendent, when satisfied from the examination of any application and such further inquiry and investigations as he shall deem proper as to the good character, competency and integrity of the applicant and the persons named in the application, shall issue and deliver to the applicant a license to conduct such business. Such licensee shall be permitted to own, conduct and maintain one or more bureaus, agencies, subagencies, offices or branch offices for the conduct of such business at the locations stated in said application upon the payment by the applicant to the superintendent of a license fee for each location so licensed which in the case of an individual shall be \$250.00, and in the case of a firm, association or corporation shall be \$300.00. Any license or renewal thereof shall be further conditioned upon the applicant executing and delivering to the superintendent a bond with a surety company authorized to be surety in the State of New Jersey, as surety, and approved as to form, manner of execution and sufficiency by the superintendent of the State Police, running to the State of New Jersey and which shall be for the benefit of any person injured by willful, malicious or wrongful act of the applicant (with a sufficient surety bond), which in the case of an individual shall be \$3,000.00, and in the case of a firm, association or corporation \$5,000.00, which said bond shall be conditioned for the faithful and honest conduct of such business by the applicant. The license so granted by the superintendent shall be valid for a period of 2 years, and upon renewal thereof said applicant shall pay to the superintendent in the case of an individual a license fee of \$200.00 and in the case of a firm, association or corporation \$250.00 for each location for which such a license is renewed. The license shall be revocable by the superintendent after hearing for cause. In case of revocation or surrender of any license, no refund shall be made of any license fee paid under the provisions hereof. The license shall be in a form to be prescribed by the superintendent and shall set forth the full name of the applicant, the location of the principal office or place of business, and the location of each bureau, agency, subagency, office or branch office for which the license is issued, date on which it is issued, the date on which it will expire, and the name or names of the persons named in the application, and

their respective addresses. In the event of any change in the membership of the firm or in the officers or directors of any association or corporation or any change in the address of any office or location of such business the superintendent shall be notified in writing of such change within 5 days thereafter, and failure to give such notification shall be sufficient cause for revocation of such license.

No license shall be issued to a person under the age of 25 years, nor to any person, firm, association or corporation unless such person or at least one member of the firm and one officer or director of the association or corporation has had at least 5 years' experience as an investigator or as a police officer with an organized police department of the State or a county or municipality thereof, or with an investigative agency of the United States of America or any State, county or municipality thereof.

The superintendent and all members of the State Police shall hold as confidential all information obtained as a result of any investigation of any applicant or officer, assistant, or employee of any holder of any license issued under the provisions of this act, and the same shall not be divulged except by an order so to do by a court of record of this State.

C. 45:19-12.1 Additional fees; penalty.

3. a. Subsequent to the effective date of this act, every licensee shall pay to the superintendent an additional fee of \$15.00 for each person in its employ engaged in said employment in this State as a private detective or investigator which terms shall include watchmen, guards and private patrolmen. Any licensee who shall employ any person in the aforementioned categories subsequent to its securing a license or renewal thereof and for whom the fee of \$15.00 has not been paid shall pay the fee of \$15.00 for each of said persons prior to the commencement of said employment with the licensee. Thereafter any licensee at the time of any renewal of its license hereunder shall pay a renewal fee of \$5.00 for each of said employees in the aforementioned categories for whom an initial fee of \$15.00 has been paid by said licensee.

b. Any licensee who shall employ any person in the aforementioned categories in subsection a. above without having paid the fees in accordance with said subsection a. shall be a disorderly person.

4. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 343

AN ACT concerning filing fees for the corporations and associations not for profit and amending R. S. 15:1-5, and amending "An act concerning corporations and associations not for profit, and supplementing chapter 1 of Title 15 of the Revised Statutes," approved May 5, 1947 (P. L. 1947, c. 100).

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

1. R. S. 15:1-5 is amended to read as follows:

Office in State; resident agent; change of office or agent; filing fees.

15:1-5. The corporation shall maintain an office in this State, with a resident agent in charge thereof during business hours, upon whom process against it may be served.

Whenever any change of office in this State or the resident agent is made, the secretary or other similar officer of the corporation shall file a certificate under the seal of the corporation giving in the case of a change of a resident agent the name, post-office address and length of term, if any, of said resident agent and in the case of a change of office, the old and new post-office address, with the clerk of the county in which the certificate of incorporation was filed and forward a copy thereof to the Secretary of State, within 60 days following the change of resident agent or change of office. There shall be paid to the county clerk a fee of \$1.00 for filing and indexing each such certificate and to the Secretary of State a fee of \$2.00 for filing the copy of each such certificate.

In the event a certificate is filed indicating both a change of resident agent and a change of office, the fee paid to the county clerk shall be \$2.00 and to the Secretary of State \$4.00.

2. Section 1 of P. L. 1947, c. 100 (C. 15:1-11.1) is amended to read as follows:

C. 15:1-11.1 Annual report; filing fee.

1. Every corporation or association organized under the provisions of Title 15 of the Revised Statutes shall file with the Secretary of State an annual report listing the officers thereof and, at the time of such filing, shall pay to the Secretary of State a filing fee of \$2.00.

3. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 344

AN Act relating to veterans facilities in the State, supplementing Title 30 of the Revised Statutes, and repealing chapter 6A of Title 30 of the Revised Statutes and chapter 47 of the laws of 1964.

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

C. 30:6AA-1 Definitions.

1. As used in this act, unless otherwise indicated by the context:
 - a. "Commissioner" means the Commissioner of the State Department of Institutions and Agencies.
 - b. "Council" means the Veterans Service Council in the State Department of Institutions and Agencies.
 - c. "Member" means a person admitted to and receiving care in a veterans facility.
 - d. "Veteran" means a person who has been honorably discharged from active military service of the United States.
 - e. "Veterans facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the State Department of Institutions and Agencies.

C. 30:6AA-2 Commissioner's powers and duties.

2. Subject to the provisions of this act the Commissioner of the State Department of Institutions and Agencies is authorized, directed and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of this act, including specifically the following:
 - a. To provide standards and procedures for application and determination of eligibility for admission to veterans facilities;
 - b. To establish standards and methods for designating the veterans facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;
 - c. To establish standards of care, treatment and discipline governing the relationships between the veterans facilities and persons admitted thereto;
 - d. To establish standards and procedures for determination and payment of such amounts, if any, which members shall be required

to contribute toward the cost of care and treatment in accordance with their financial ability, basing such determination upon a formula of financial ability to pay promulgated annually; provided, however, that the amount so determined shall first be approved by the Director of the Division of Budget and Accounting in the Department of the Treasury.

e. To negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or Federal agency, and to organize the work of the veterans facilities, giving due regard to the opinion of the council, in any manner consistent with law to comply with the reasonable requirements of such State and Federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of this act.

C. 30:6AA-3 Applications for admission to facility.

3. All applications for admission to a veterans facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that he will accept placement in the facility designated by the commissioner, and that he will abide by the rules, regulations and discipline of the facility to which admitted.

C. 30:6AA-4 Qualifications for admission.

4. The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans facility:

a. A disabled veteran who has been a resident of New Jersey for at least 2 years prior to the date of application;

b. The wife of any person who has been admitted to a veterans facility; provided that she is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The widow of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of his death; provided that she was his wife at the time of his service or was married to him not less than 10 years prior to the date of application, has not married since his death, and provided that she has been a resident of New Jersey for at least 2 years prior to the date of application; and

d. The mother of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States; provided that she has been a resident of New Jersey for at least 2 years prior to the date of application.

This section shall not be construed to prevent a veteran who actually served in a New Jersey military organization, and who is qualified for admission except for the required period of State residence, from being admitted to a veterans facility, but preference shall be given to persons who have been residents of the State for a period of at least 2 years prior to application.

C. 30:6AA-5 Admission of disabled veteran.

5. Any disabled veteran who is in distress may be admitted to a veterans facility for a temporary period in accordance with rules and regulations promulgated by the commissioner.

C. 30:6AA-6 Entitlement to benefits.

6. A person admitted to a veterans facility shall be entitled to all of its benefits and be furnished with clothing, subsistence, medical and surgical attendance, necessary to promote his health and welfare in accordance with the rules and regulations of the commissioner.

C. 30:6AA-7 Removal from facility.

7. Any member may be removed from a veterans facility on being restored to ability to promote his own support and welfare in the community, or for immorality, or for fraud or willful misrepresentation, or refusal to abide by the rules, regulations and discipline of the veterans facility.

C. 30:6AA-8 Designation of mental hospital as treatment unit.

8. The commissioner may from time to time designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans facility. Upon making such designation the commissioner shall cause to be filed with the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated and its location.

C. 30:6AA-9 Admission to treatment unit.

9. Admission of a veteran to a treatment unit as designated pursuant to section 8 of this act shall require:

a. A determination that such veteran is mentally ill in accordance with the provisions of the Title to which this act is a supplement; and

b. A determination by the commissioner that such veteran is eligible for admission to a veterans facility.

A veteran may be admitted to such treatment unit upon voluntary application, commitment or transfer as provided by the Title to which this act is a supplement.

C. 30:6AA-10 Authority to receive funds and payments.

10. The commissioner is authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, their family, relatives and friends, towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

C. 30:6AA-11 Veterans Affairs Council; creation, membership, appointment, terms, vacancies, compensation, removal.

11. There is hereby created within the Department of Institutions and Agencies a Veterans Affairs Council which shall consist of 15 members, at least 10 of whom shall be veterans, appointed by the commissioner, with the approval of the Governor. The term of each council member, except for the initial members, shall be 3 years commencing on July 1 and ending on June 30 of the third year thereafter, and vacancies shall be filled for the unexpired term only.

The initial membership of the council shall include those persons serving on the effective date of this act as members of the boards of managers of the New Jersey Memorial Home for Disabled Soldiers at Menlo Park and the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland, which boards are hereby abolished. Such members shall serve for the term to which they had been last appointed to the respective boards, but additional and subsequent appointments shall be made in such manner that the terms of $\frac{1}{3}$ of the members of the council shall expire on June 30 of each year.

The members of the council shall receive no compensation for services but shall be reimbursed for actual expenditures incurred in the performance of duty. They shall be subject to removal by the Governor at any time for good and sufficient cause.

C. 30:6AA-12 Commissioner's jurisdiction and responsibilities.

12. The commissioner shall have jurisdiction over and be responsible for the administration and operation of

a. The existing New Jersey Memorial Home for Disabled Soldiers at Menlo Park;

b. The existing New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland; and

c. Such other State facilities for the care and treatment of veterans as may be hereafter established.

C. 30:6AA-13 Council's powers and duties.

13. Subject to the provisions of this act and under general policies established by the commissioner, the council shall:

a. Recommend standards and procedures for application and determination of eligibility for admission to veterans facilities;

b. Establish standards and methods for designating the veterans facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

c. Establish standards of care, treatment and discipline governing the relationships between the veterans facilities and persons admitted thereto;

d. Recommend standards and procedures for determination and payment of amounts which members may be required to contribute toward the cost of care and treatment in accordance with their financial ability.

C. 30:6AA-14 Moneys and effects deposited in trust with facility.

14. Moneys, choses in action and effects deposited by a member in trust with the veterans facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans facility. Such property shall be held in trust for 3 years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the council and the commissioner may deem most advisable.

Upon claim made within 3 years following the death of the depositor and sustained by legal proof, the sufficiency of which shall be determined by the council and the commissioner, such property shall be paid over to the claimant entitled thereto upon acknowledging, executing and delivering a proper release and discharge.

Such property remaining unclaimed 3 years after the death of its depositor shall be deemed to be the property of and subject to the absolute control and disposal of the veterans facility, to be used for such purposes as the council and the commissioner may deem most advisable.

C. 30:6AA-15 Transfer of certain powers and duties.

15. All the functions, powers and duties of the boards of managers of the New Jersey Memorial Home for Disabled Soldiers at Menlo Park and the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland, are hereby transferred to and vested in the commissioner.

C. 30:6AA-16 Meaning of certain terms.

16. Whenever the term "Board of Managers of the New Jersey Memorial Home for Disabled Soldiers at Menlo Park" or the term "Board of Managers of the New Jersey Memorial Home for Disabled Solidiers, Sailors, Marines and Their Wives and Widows at Vineland" occurs or any reference is made thereto in any law, contract or document, the same shall be deemed to mean or refer to the commissioner.

Repealer.

17. Chapter 6A of Title 30 of the Revised Statutes and chapter 47 of the laws of 1964 are repealed.

18. This act shall take effect on the first of the second month following enactment, but all arrangements and actions necessary and appropriate to enable this act to become fully effective on said date shall be made as promptly as possible as though this act were effective immediately.

Approved December 13, 1971.

CHAPTER 345

AN ACT to amend the "Transportation Act of 1966," approved December 12, 1966 (P. L. 1966, c. 301).

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

1. Section 5 of P. L. 1966, c. 301 (C. 27:1A-5) is amended to read as follows:

C. 27:1A-5 Commissioner's functions, powers and duties.

5. The commissioner, as head of the department, shall have all of the functions, powers and duties heretofore vested in the State

Highway Commissioner and shall, in addition to the functions, powers and duties vested in him by this act or by any other law:

(a) Develop, from time to time revise and maintain a comprehensive master plan for transportation development;

(b) Develop and promote programs to foster efficient and economical public transportation services in the State;

(c) Prepare plans for the preservation and improvement of the commuter railroad system;

(d) Develop plans for more efficient public transportation service by motor bus operators; develop statistics, analyses, and other data of use to bus operators in the provision of public transportation service; facilitate more effective coordination between bus service and other forms of public transportation, particularly the commuter railroads; review petitions for motor bus franchises in areas served by the commuter railroad system and make appropriate recommendations on such petitions;

(e) Coordinate the transportation activities of the department with those of other public agencies and authorities;

(f) Cooperate with interstate commissions and authorities, State departments, councils, commissions and other State agencies, with appropriate Federal agencies, and with interested private individuals and organizations in the coordination of plans and policies for the development of air commerce and air facilities; and

(g) Make an annual report to the Governor and the Legislature of the department's operations, and render such other reports as the Governor shall from time to time request or as may be required by law;

(h) Promulgate regulations providing for the charging of and setting the amount of fees for certain services performed by and permits issued by the department, including but not limited to the following:

(1) Providing copies of documents prepared by or in the custody of the department;

(2) Aeronautics permits;

(3) Right-of-way permits;

(4) Traffic signal control systems.

2. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 346

AN ACT concerning unemployment compensation and temporary disability benefits, and amending, supplementing and repealing parts of the statutory law.

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

1. R. S. 43:21-4 is amended to read as follows:

Benefit eligibility conditions.

43:21-4. Benefit eligibility conditions. An unemployed individual shall be eligible to receive benefits with respect to any week only if it appears that:

(a) He has registered for work at, and thereafter continued to report at, an employment office in accordance with such regulations as the division may prescribe, except that the division may, by regulation, waive or alter either or both of the requirements of this subsection as to individuals attached to regular jobs, and as to such other types of cases or situations with respect to which the division finds that compliance with such requirements would be oppressive, or would be inconsistent with the purpose of this act; provided, that no such regulation shall conflict with subsection (a) of R. S. 43:21-3.

(b) He has made a claim for benefits in accordance with the provisions of subsection (a) of R. S. 43:21-6.

(c) He is able to work, and is available for work, and has demonstrated that he is actively seeking work, except as hereinafter provided in this subsection or in subsection (f) of this section:

(1) No woman shall be deemed to be able or available for work during the 4 weeks immediately before the expected birth of her child or the 4 weeks immediately following the birth of her child, in either of which cases the division may require the production of a doctor's certificate to establish such dates;

(2) The director may, in his discretion, modify the requirement of actively seeking work if, in his judgment, such modification of this requirement is warranted by economic conditions.

No individual, who is otherwise eligible, shall be deemed ineligible, or unavailable for work, because he is on vacation, without pay, during said week, if said vacation is not the result of his own action as distinguished from any collective action of a collective bargaining

agent or other action beyond his individual control; nor subject to such limitations and conditions as the division may prescribe, shall any otherwise eligible individual who is attending a training program which has been approved for him by the division to enhance his employment opportunities be deemed unavailable for work or ineligible because he is attending such training program, or because he failed or refused to accept work while attending such program.

(d) He has been totally or partially unemployed for a waiting period of 1 week in the benefit year which includes that week. When benefits become payable with respect to the third consecutive week next following the waiting period, he shall be eligible to receive benefits as appropriate with respect to the waiting period. No week shall be counted as a week of unemployment for the purposes of this subsection:

(1) if benefits have been paid, or are payable with respect thereto; provided, that the requirements of this paragraph shall be waived with respect to any benefits paid or payable for a waiting period as provided in this subsection;

(2) if it has constituted a waiting period week under temporary disability benefits law;

(3) unless the individual fulfills the requirements of subsections (a) and (c) of this section;

(4) if with respect thereto, claimant was disqualified for benefits in accordance with the provisions of subsection (d) of R. S. 43:21-5.

(e) With respect to a base year as defined in subsection (c) of R. S. 43:21-19 he has established at least 17 base weeks as defined in subsection (t) (1) of R. S. 43:21-19, or, in the alternative, has earned \$1,350.00 or more in his base year.

(f) (1) He has suffered any accident or sickness not compensable under the Workmen's Compensation Law (Title 34 of the Revised Statutes) and resulting in his total disability to perform any work for remuneration, and would be eligible to receive benefits under this chapter (R. S. 43:21-1 et seq.) (without regard to the maximum amount of benefits payable during any benefit year) except for his inability to work and has furnished notice and proof of claim to the division, in accordance with its rules and regulations, and payment is not precluded by the provisions of R. S. 43:21-3 (d); provided, however, that no benefits shall be payable under this subsection to any individual:

(A) for any period during which such individual is not under the care of a legally licensed physician, dentist or chiropodist;

(B) for any period of disability due to pregnancy or resulting childbirth, miscarriage, or abortion, except for disability existing during the 4 weeks immediately before the expected birth of child, and the 4 weeks following the termination of the pregnancy;

(C) for any period of disability due to willfully or intentionally self-inflicted injury, or to injuries sustained in the perpetration by the individual of a high misdemeanor;

(D) for any week with respect to which or a part of which he has received or is seeking benefits under any unemployment compensation or disability benefit law of any other state or of the United States; provided, that if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such benefits, this disqualification shall not apply;

(E) for any week with respect to which or part of which he has received or is seeking disability benefits under the temporary disability benefits law;

(F) for any period of disability commencing while such individual is a "covered individual" as defined in subsection 3 (b) of the temporary disability benefits law (c. 110, P. L. 1948).

(2) Benefit payments under this subsection shall be charged to and paid from the State disability benefits fund established by the temporary disability benefits law, and shall not be charged to any employer account in computing any employer's experience rate for contributions payable under this chapter.

(g) Benefits based on service in employment defined in subparagraphs (B) and (C) of R. S. 43:21-19 (i) (1) shall be payable in the same amount and on the terms and subject to the same conditions as benefits payable on the basis of other service subject to the Unemployment Compensation Law; except that notwithstanding any other provisions of the Unemployment Compensation Law, benefits based on service in an instructional, research, or principal administrative capacity in an institution of higher education shall not be paid to an individual for any week of unemployment or period of disability during the period between 2 successive academic years, or during a similar period between two regular terms, whether or not successive, or during a period of leave provided for in the individual's employment, if the individual has a contract or other method of understanding or contracts to perform services in any such capacity for

any institution or institutions of higher education for both such academic years or both such terms. If, however, the individual performs service for an employer in an instructional, research or principal administrative capacity, as well as in any other capacity, and the amount of time in the other capacity is in excess of $\frac{1}{2}$ of his total time, the exception contained in this subsection (g) shall not apply.

(h) Notwithstanding any other provision of this chapter, the director may, to the extent that he deems efficient and economical provide for consolidated administration by one or more representatives or deputies of claims made pursuant to subsection (f) of this section with those made pursuant to article III (State plan) of the Temporary Disability Benefits Law.

2. R. S. 43:21-7 is amended to read as follows:

Contributions.

43:21-7. Contributions. Employers other than those liable for payment in lieu of contributions on the basis set forth in subsection 3 of this act (C. 43:21-7.2), shall pay to the Division of Employment Security for the Unemployment Compensation Fund, contributions as set forth in subsections (a), (b) and (c) hereof, and the provisions of subsections (d) and (e) shall be applicable to all employers consistent with the provisions of the Unemployment Compensation Law and the Temporary Disability Benefits Law. (a) Payment.

(1) Contributions shall accrue and become payable by each employer for each calendar year in which he is subject to this chapter (R. S. 43:21-1 et seq.), with respect to having individuals in his employ during such calendar year at the rates and on the basis hereinafter set forth. Such contributions shall become due and be paid by each employer to the Division of Employment Security for the fund in accordance with such regulations as may be prescribed, and shall not be deducted, in whole or in part, from the remuneration of individuals in his employ.

(2) In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to $\frac{1}{2}$ cent or more, in which case it shall be increased to \$0.01.

(b) Rate of contributions. Each employer shall pay the following contributions:

(1) For the calendar year 1947, and each calendar year thereafter, $2\frac{7}{10}\%$ of wages paid by him during each such calendar year, except as otherwise prescribed by subsection (c) of this section.

(2) The "wages" of any individual, with respect to any one employer as the term is used in this subsection (b) and in subsections (c), (d) and (e) of this section 7, shall include the first \$3,000.00 paid during each calendar year prior to January 1, 1968, the first \$3,600.00 paid during each calendar year commencing on or after January 1, 1968 and prior to January 1, 1972, and the first \$4,200.00 paid during each calendar year commencing on or after January 1, 1972, for services performed either within or without this State; provided, that no contribution shall be required by this State with respect to services performed in another state if such other state imposes contribution liability with respect thereto. If an employer (hereinafter referred to as a successor employer) during any calendar year acquires substantially all the property used in a trade or business of another employer (hereinafter referred to as a predecessor), or used in a separate unit of a trade or business of a predecessor, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor, then, for the purpose of determining whether the successor employer has paid wages with respect to employment equal to \$3,000.00 to such individual during any calendar year prior to January 1, 1968, or equal to \$3,600.00 during any calendar year commencing on or after January 1, 1968 and prior to January 1, 1972, and the first \$4,200.00 paid during each calendar year commencing on or after January 1, 1972, any wages paid to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer.

(c) Future rates based on benefit experience.

(1) A separate account for each employer shall be maintained and this shall be credited with all the contributions which he has paid on his own behalf on or before January 31 of any calendar year with respect to employment occurring in preceding calendar years; provided, however, that if January 31 of any calendar year falls on a Saturday or Sunday, an employer's account shall be credited as of January 31 of such calendar year with all the contributions which he has paid on or before the next succeeding day which is not a Saturday or Sunday. But nothing in this chapter (R. S. 43:21-1 et seq.) shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid with respect to benefit years commencing on and after

January 1, 1953, to any individual on or before December 31 of any calendar year with respect to unemployment in such calendar year and in preceding calendar years shall be charged against the account or accounts of the employer or employers in whose employment such individual established base weeks constituting the basis of such benefits. Benefits paid under a given benefit determination shall be charged against the account of the employer to whom such determination relates. When each benefit payment is made the division shall promptly send either a copy of the benefit check or other form of notification to the employer against whose account the benefits are to be charged. Such copy or notification shall identify the employer against whose account the amount of such payment is being charged, shall show at least the name and social security account number of the claimant and shall specify the period of unemployment to which said check applies. If the total amount of benefits paid to a claimant and charged to the account of the appropriate employer exceeds 50% of the total base-year base week wages paid to the claimant by that employer, then such employer may apply to the division to have canceled from his account such excess benefit charges as specified above. Any such application for the cancellation of excess charges shall be submitted by the employer within 6 months from the date of the benefit check, payment of which creates such charges. In no event will the erasure of such charges affect a contribution rate already assigned to the employer with respect to any fiscal year commencing prior to the date the application is received by the division.

The division shall furnish to each employer an annual summary statement of benefits charged to his account.

(2) The Division of Employment Security may prescribe regulations for the establishment, maintenance, and dissolution of joint accounts by two or more employers, and shall, in accordance with such regulations and upon application by two or more employers to establish such an account, or to merge their several individual accounts in a joint account, maintain such joint account as if it constituted a single employer's account.

(3) Each employer's rate shall be $2\frac{8}{10}\%$, except as otherwise provided in the following provisions: No employer's rate shall be other than $2\frac{8}{10}\%$ unless and until there shall have been 3 calendar years throughout which any individual in his employ could have received benefits if eligible. No employer's rate shall be lower than $2\frac{7}{10}\%$ unless assignment of such lower rate is consistent with the conditions applicable to additional credit allowance for such year

under section 3303 (a) (1) of the Internal Revenue Code (U. S. Code Title 26, section 3303 (a) (1)), any other provision of this section to the contrary notwithstanding.

(4) (A) Each employer's rate for the 12 months commencing July 1 of any calendar year shall be determined on the basis of his record up to the beginning of such calendar year. If, at the beginning of such calendar year, the total of all his contributions, paid on his own behalf, for all past years exceed the total benefits charged to his account for all such years, his contribution rate shall be:

(1) $2\frac{5}{10}\%$, if such excess equals or exceeds 4%, but less than 5% of his average annual payroll (as defined in paragraph (2), subsection (a) of section 43:21-19 of this Title);

(2) $2\frac{3}{10}\%$, if such excess equals or exceeds 5%, but is less than 6%, of his average annual payroll;

(3) $1\frac{9}{10}\%$, if such excess equals or exceeds 6%, but is less than 7%, of his average annual payroll;

(4) $1\frac{6}{10}\%$, if such excess equals or exceeds 7%, but is less than 8%, of his average annual payroll;

(5) $1\frac{3}{10}\%$, if such excess equals or exceeds 8%, but is less than 9%, of his average annual payroll;

(6) 1%, if such excess equals or exceeds 9%, but is less than 10%, of his average annual payroll;

(7) $\frac{7}{10}$ of 1%, if such excess equals or exceeds 10%, but is less than 11%, of his average annual payroll;

(8) $\frac{4}{10}$ of 1%, if such excess equals or exceeds 11%, of his average annual payroll.

(B) If the total of an employer's contributions, paid on his own behalf, for all past periods for the purposes of this paragraph (4), is less than the total benefits charged against his account during the same period, his rate shall be:

(1) $3\frac{7}{10}\%$, if such excess is less than 10% of his average annual payroll;

(2) 4%, if such excess equals or exceeds 10%, but is less than 20%, of his average annual payroll;

(3) $4\frac{3}{10}\%$, if such excess equals or exceeds 20% of his average annual payroll.

provided, however, if the total of the contributions of such an employer for the past 120 consecutive calendar months is more than the total benefits charged against his account during the same period, his rate shall be $2\frac{8}{10}\%$.

(C) The contribution rates prescribed by subparagraphs (A) and (B) of this paragraph (4) shall be increased or decreased in accordance with the provisions of paragraph (5) of this subsection (c).

(5) (A) If on March 31 of any calendar year the balance in the unemployment trust fund equals or exceeds 4% but is less than 7% of the total taxable wages reported to the division as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July 1 following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be increased by $\frac{3}{10}$ of 1% over the contribution rate otherwise established under the provisions of paragraphs (3) or (4) of this subsection. If on March 31 of any calendar year the balance of the unemployment trust fund is less than 4% of the total taxable wages reported to the division of employment security as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July 1 following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be increased by $\frac{6}{10}$ of 1% over the contribution rate otherwise established under the provisions of paragraphs (3) or (4) of this subsection; provided, that if on such March 31, such balance is less than $2\frac{1}{2}\%$ of such total taxable wages, the contribution rate so effective, of any employer, shall be not less than $2\frac{8}{10}\%$; provided further, that the contribution rate of any employer increased pursuant to the provisions of this subparagraph, when so increased, shall not exceed $4\frac{6}{10}\%$.

(B) If on March 31 of any calendar year the balance in the unemployment trust fund equals or exceeds 10% but is less than $12\frac{1}{2}\%$ of the total taxable wages reported to the Division of Employment Security as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July 1 following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be reduced by $\frac{3}{10}$ of 1% under the contribution rate otherwise established under the provisions of paragraphs (3) and (4) of this subsection; provided, that in no event shall the contribution rate of any employer be reduced to less than $\frac{4}{10}$ of 1%. If on March 31 of any calendar year the balance in the unemployment trust fund equals or exceeds $12\frac{1}{2}\%$ of the total taxable wages reported to the division as of that date in respect to employment during the preceding calendar year, the contribution rate, effective July 1 following, of each employer eligible for a contribution rate calculation based upon benefit experience, shall be reduced by $\frac{6}{10}$ of 1% if his account for all past

periods reflects an excess of contributions paid over total benefits charged of 3% or more of his average annual payroll, otherwise by $\frac{3}{10}$ of 1% under the contribution rate otherwise established under the provisions of paragraphs (3) and (4) of this subsection; provided, that in no event shall the contribution rate of any employer be reduced to less than $\frac{4}{10}$ of 1%.

(C) The "balance" in the unemployment trust fund as the term is used in subparagraphs (A) and (B) above shall not include moneys credited to the State's account under section 903 of the Social Security Act, as amended (Title 42, U.S. Code, section 1103), during any period in which such moneys are appropriated for the payment of expenses incurred in the administration of Unemployment Compensation Law.

(6) Additional contributions.

Notwithstanding any other provision of law, any employer who has been assigned a contribution rate pursuant to subsection (c) of this section for the year commencing July 1, 1948, and for any year commencing July 1 thereafter, may voluntarily make payment of additional contributions, and upon such payment shall receive a recomputation of the experience rate applicable to such employer including in the calculation the additional contribution so made. Any such additional contribution shall be made during the 30-day period following the date of the mailing to the employer of the notice of his contribution rate as prescribed in this section, unless, for good cause, the time for payment has been extended by the director for not to exceed an additional 60 days; provided, that in no event may such payments which are made later than 120 days after the beginning of the year for which such rates are effective be considered in determining the experience rate for the year in which the payment is made. Any employer receiving any extended period of time within which to make such additional payment and failing to make such payment timely shall pay, in addition to the required amount of additional payment, a penalty of 5% thereof or \$5.00, whichever is greater, not to exceed \$50.00. Any adjustment under this subsection shall be made only in the form of credits against accrued or future contributions.

(7) Transfers.

(A) Upon the transfer of the organization, trade or business, or substantially all the assets of an employer to a successor in interest, whether by merger, consolidation, sale, transfer, descent or otherwise, the Division of Employment Security shall transfer the employment experience of the predecessor employer to the successor in

interest, including credit for past years, contributions paid, annual payrolls, benefit charges, et cetera, applicable to such predecessor employer, pursuant to regulations adopted by the division, if the division finds that the employment experience of the predecessor employer with respect to the organization, trade, assets or business, which has been transferred, may be considered indicative of the future employment experience of the successor in interest. Unless the predecessor employer was owned or controlled (by legally enforceable means or otherwise), directly or indirectly, by the successor in interest, or the predecessor employer and the successor in interest were owned or controlled (by legally enforceable means or otherwise), directly or indirectly, by the same interest or interests, the transfer of the employment experience of the predecessor shall not be effective if such successor in interest, within 4 months of the date of such transfer of the organization, trade, assets or business, or thereafter upon good cause shown, files a written notice with the division protesting the transfer of the employment experience of the predecessor employer.

(B) An employer, who transfers part of his or its organization, trade, assets or business to a successor in interest, whether by merger, consolidation, sale, transfer, descent or otherwise, may jointly make application with such successor in interest for transfer of that portion of the employment experience of the predecessor employer relating to the portion of the organization, trade, assets, or business transferred to the successor in interest, including credit for past years, contributions paid, annual payrolls, benefits charges, et cetera, applicable to such predecessor employer. The Division of Employment Security may allow such transfer of employment experience pursuant to regulations adopted by the division, only if it finds that the employment experience of the predecessor employer with respect to the portion of the organization, trade, assets or business which has been transferred may be considered indicative of the future employment experience of the successor in interest. Credit shall be given to the successor in interest only for the years during which contributions were paid by the predecessor employer with respect to that part of the organization, trade, assets or business transferred.

(C) A transfer of the employment experience in whole or in part having become final, the predecessor employer thereafter shall not be entitled to consideration for an adjusted rate based upon his or its experience or the part thereof, as the case may be, which has thus been transferred. A successor in interest to whom employment

experience or a part thereof is transferred pursuant to this subsection shall, as of the date of the transfer of the organization, trade, assets or business, or part thereof, immediately become an employer if not theretofore an employer subject to this chapter (R. S. 43:21-1 et seq.).

(d) (1) Contribution of workers, transfers to temporary disability benefit fund.

Each worker shall contribute to the fund 1% of his wages with respect to his employment which occurs on and after January 1, 1971, and after such employer has satisfied the conditions set forth in subsection (h) of section 43:21-19 of this Title with respect to becoming an employer; provided, however, that such contribution shall be at the rate of $\frac{1}{4}$ of 1% of wages paid with respect to employment while the worker is in the employ of the State of New Jersey, or is covered by an approved private plan under the Temporary Disability Benefits Law or while the worker is exempt from the provisions of the Temporary Disability Benefits Law under section 7 of that law (C. 43:21-31); and provided further that there shall be no contributions by workers in the employ of any employer electing or required to make payments in lieu of contributions unless the employer is covered by the State plan under the Temporary Disability Benefits Law (C. 43:21-37 et seq.), and in that case contributions shall be at the rate of $\frac{3}{4}$ of 1%. Each employer shall, notwithstanding any provisions of law in this State to the contrary, withhold in trust the amount of his workers' contributions from their wages at the time such wages are paid, shall show such deduction on his payroll records, shall furnish such evidence thereof to his workers as the division may prescribe, and shall transmit all such contributions, in addition to his own contributions, to the office of the Division of Employment Security in such manner and at such times as may be prescribed. If any employer fails to deduct the contributions of any of his workers at the time their wages are paid, or fails to make a deduction therefor at the time wages are paid for the next succeeding payroll period, he alone shall thereafter be liable for such contributions, and for the purpose of section 43:21-14 of this Title, such contributions shall be treated as employer's contributions required from him. As used in this chapter (R. S. 43:21-1 et seq.), except when the context clearly requires otherwise, the term "contributions" shall include the contributions of workers pursuant to this section.

(2) (A) There shall be deposited in and credited to the State Disability Benefits Fund, as established by law, $\frac{3}{4}$ of all worker con-

tributions, received by the Division of Employment Security with respect to wages paid prior to January 1, 1953, and upon which the rate of contributions is 1%.

(B) There shall be deposited in and credited to the State Disability Benefits Fund, as established by law, $\frac{2}{3}$ of all worker contributions received by the Division of Employment Security with respect to wages paid on and after January 1, 1953, and prior to January 1, 1971, and upon which the rate of contributions is $\frac{3}{4}$ of 1%.

(C) There shall be deposited in and credited to the State Disability Benefits Fund as established by law, $\frac{3}{4}$ of all worker contributions, received by the Division of Employment Security with respect to wages paid on or after January 1, 1971, and upon which the rate of contributions is 1%.

(D) There shall be deposited in and credited to the State Disability Benefits Fund, as established by law, all worker contributions received by the Division of Employment Security with respect to wages paid on or after January 1, 1972 upon which the rate of contributions is $\frac{3}{4}$ of 1%.

(3) If an employee receives wages from more than one employer during any calendar year, and either the sum of his contributions deposited in and credited to the State Disability Benefits Fund (in accordance with paragraph (2) of this subsection) plus the amount of his contributions, if any, required towards the cost of benefits under one or more approved private plans under the provisions of section 9 of the Temporary Disability Benefits Law (C. 43:21-33) and deducted from his wages, or the sum of such latter contributions if the employee is covered during such calendar year, only by two or more private plans, exceeds \$18.00 in any calendar year prior to January 1, 1971, \$27.00 during the calendar year 1971, or \$31.50 during any calendar year thereafter, the employee shall be entitled to a refund of the excess if he makes a claim to the Division of Employment Security within 2 years after the end of the calendar year in which the wages are received with respect to which the refund is claimed and establishes his right to such refund. Such refund shall be made by the Division of Employment Security from the State Disability Benefits Fund. No interest shall be allowed or paid with respect to any such refund. The division shall in accordance with prescribed regulations, determine the portion of the aggregate amount of such refunds made during any calendar year which is applicable to private plans for which deductions were made under section 9 of the "Temporary Disability

Benefits Law," such determination to be based upon the ratio of the amount of such wages exempt from contributions to such fund as provided in subparagraph (B) of paragraph (1) of this subsection with respect to coverage under private plans to the total wages so exempt plus the amount of such wages subject to contributions to the disability benefits fund as provided in subparagraph (B) of paragraph (2) of this subsection. The division shall, in accordance with prescribed regulations, prorate the amount so determined among the applicable private plans in the proportion that the wages covered by each plan bears to the total private plan wages involved in such refunds, and shall assess against and recover from the employer, or the insurer if the insurer has indemnified the employer with respect thereto, the amount so prorated. The provisions of R. S. 43:21-14, with respect to collection of employer contributions shall apply to such assessments. The amounts so recovered by the division shall be paid into the State Disability Benefits Fund.

(4) If an individual does not receive any wages from the employing unit which for the purposes of this chapter (R. S. 43:21-1 et seq.) is treated as his employer, or receives his wages from some other employing unit, such employer shall nevertheless be liable for such individual's contributions in the first instance; and after payment thereof such employer may deduct the amount of such contributions from any sums payable by him to such employing unit, or may recover the amount of such contributions from such employing unit, or, in the absence of such an employing unit, from such individual, in a civil action; provided, proceedings therefor are instituted within 3 months after the date on which such contributions are payable. General rules shall be prescribed whereby such an employing unit may recover the amount of such contributions from such individuals in the same manner as if it were the employer.

(5) Every employer who has elected to become an employer subject to this chapter (R. S. 43:21-1 et seq.), or to cease to be an employer subject to this chapter (R. S. 43:21-1 et seq.), pursuant to the provisions of section 43:21-8 of this Title, shall post and maintain printed notices of such election on his premises, of such design, in such numbers, and at such places as the director may determine to be necessary to give notice thereof to persons in his service.

(6) Contributions by workers, payable to the division of employment security as herein provided, shall be exempt from garnishment, attachment, execution, or any other remedy for the collection of debts.

(e) Contributions by employers to State Disability Benefits Fund.

(1) Except as hereinafter provided, each employer shall, in addition to the contributions required by subsections (a), (b), and (c) of this section, contribute $\frac{1}{2}$ of 1% of the wages paid by such employer to workers with respect to employment unless he is not a covered employer as defined in section 3 of the Temporary Disability Benefits Law (C. 43:21-27 (a)). Such contributions shall become due and be paid by the employer to the Division of Employment Security for the State Disability Benefits Fund as established by law, in accordance with such regulations as may be prescribed, and shall not be deducted, in whole or in part, from the remuneration of individuals in his employ. In the payment of any contributions, a fractional part of a cent shall be disregarded unless it amounts to $\frac{1}{2}$ cent or more, in which case it shall be increased to \$0.01.

(2) During the continuance of coverage of a worker by an approved private plan of disability benefits under the Temporary Disability Benefits Law, the employer shall be exempt from the contribution required by subparagraph (1) above with respect to wages paid to such worker.

(3) (A) The rates of contribution as specified in subparagraph (1) above shall be subject to modification as provided herein with respect to employer contributions due on and after July 1, 1951.

(B) A separate disability benefits account shall be maintained for each employer required to contribute to the State Disability Benefits Fund and such account shall be credited with contributions deposited in and credited to such fund with respect to employment occurring on and after January 1, 1949. Each employer's account shall be credited with all contributions paid on or before January 31 of any calendar year on his own behalf and on behalf of individuals in his service with respect to employment occurring in preceding calendar years; provided, however, that if January 31, of any calendar year falls on a Saturday or Sunday an employer's account shall be credited as of January 31 of such calendar year with all the contributions which he has paid on or before the next succeeding day which is not a Saturday or Sunday. But nothing in this act shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him to the fund either on his own behalf or on behalf of such individuals. Benefits paid to any covered individual in accordance with Article III of the Temporary Disability Benefits Law on or before December 31 of any calendar year with respect to disability in such calendar year and in preceding calendar years shall be charged

against the account of the employer by whom such individual was employed at the commencement of such disability or by whom he was last employed if out of employment.

(C) The division may prescribe regulations for the establishment, maintenance, and dissolution of joint accounts by two or more employers, and shall, in accordance with such regulations and upon application by two or more employers to establish such an account, or to merge their several individual accounts in a joint account, maintain such joint account as if it constituted a single employer's account.

(D) Prior to July 1 of each calendar year, the Division of Employment Security shall make a preliminary determination of the rate of contribution for the 12 months commencing on such July 1 for each employer subject to the contribution requirements of this subsection (e).

(1) Such preliminary rate shall be $\frac{1}{2}$ of 1% unless on the preceding January 31 of such year such employer shall have been a covered employer who has paid contributions to the State Disability Benefits Fund with respect to employment in the 3 calendar years immediately preceding such year.

(2) If the minimum requirements in (1) above have been fulfilled and the credited contributions exceed the benefits charged by more than \$500.00, such preliminary rate shall be as follows:

(i) $\frac{2}{10}$ of 1% if such excess over \$500.00 exceeds 1% but is less than $1\frac{1}{4}$ % of his average annual payroll (as defined in this chapter (R. S. 43:21-1 et seq.));

(ii) $\frac{15}{100}$ of 1% if such excess over \$500.00 equals or exceeds $1\frac{1}{4}$ % but is less than $1\frac{1}{2}$ % of his average annual payroll;

(iii) $\frac{1}{10}$ of 1% if such excess over \$500.00 equals or exceeds $1\frac{1}{2}$ % of his average annual payroll.

(3) If the minimum requirements in (1) above have been fulfilled and the contributions credited exceed the benefits charged but by not more than \$500.00 plus 1% of his average annual payroll, or if the benefits charged exceed the contributions credited but by not more than \$500.00, the preliminary rate shall be $\frac{1}{4}$ of 1%.

(4) If the minimum requirements in (1) above have been fulfilled and the benefits charged exceed the contributions credited by more than \$500.00, such preliminary rate shall be as follows:

(i) $\frac{35}{100}$ of 1% if such excess over \$500.00 is less than $\frac{1}{4}$ of 1% of his average annual payroll;

(ii) $\frac{45}{100}$ of 1% if such excess over \$500.00 equals or exceeds $\frac{1}{4}$ of 1% but is less than $\frac{1}{2}$ of 1% of his average annual payroll;

(iii) $\frac{55}{100}$ of 1% if such excess over \$500.00 equals or exceeds $\frac{1}{2}$ of 1% but is less than $\frac{3}{4}$ of 1% of his average annual payroll;

(iv) $\frac{65}{100}$ of 1% if such excess over \$500.00 equals or exceeds $\frac{3}{4}$ of 1% but is less than 1% of his average annual payroll;

(v) $\frac{75}{100}$ of 1% if such excess over \$500.00 equals or exceeds 1% of his average annual payroll.

(5) Determination of the preliminary rate as specified in (2), (3) and (4) above shall be subject, however, to the condition that it shall in no event be decreased by more than $\frac{1}{10}$ of 1% of wages or increased by more than $\frac{2}{10}$ of 1% of wages from the preliminary rate determined for the preceding year in accordance with (1), (2), (3) or (4), whichever shall have been applicable.

(E) (1) Prior to July 1 of each calendar year the Division of Employment Security shall determine the amount of the State Disability Benefits Fund as of December 31 of the preceding calendar year increased by the contributions paid thereto during January of the current calendar year with respect to employment occurring in preceding calendar years. If such amount exceeds the total of the amounts withdrawn from the unemployment trust fund pursuant to section 23 of the Temporary Disability Benefits Law plus the amount at the end of such preceding calendar year of the unemployment disability account (as defined in section 22 of said law), such excess shall be expressed as a percentage of the wages on which contributions were paid to the State Disability Benefits Fund on or before January 31 with respect to employment in the preceding calendar year.

(2) The Division of Employment Security shall then make a final determination of the rates of contribution for the 12 months commencing July 1 of such year for employers whose preliminary rates are determined as provided in (D) hereof, as follows:

(i) If the percentage determined in accordance with paragraph (E) (1) of this subsection equals or exceeds $1\frac{1}{4}\%$ the final employer rates shall be the preliminary rates determined as provided in (D) hereof, except that if the employer's preliminary rate is determined as provided in (D) (2) or (D) (3) hereof, the final employer rate shall be the preliminary employer rate decreased by such percentage of excess taken to

the nearest $\frac{5}{100}$ of 1%, but in no case shall such final rate be less than $\frac{1}{10}$ of 1%.

(ii) If the percentage determined in accordance with paragraph (E) (1) of this subsection equals or exceeds $\frac{3}{4}$ of 1% and is less than $1\frac{1}{4}$ of 1%, the final employer rates shall be the preliminary employer rates.

(iii) If the percentage determined in accordance with paragraph (E) (1) of this subsection is less than $\frac{3}{4}$ of 1%, but in excess of $\frac{1}{4}$ of 1%, the final employer rates shall be the preliminary employer rates determined as provided in (D) hereof increased by the difference between $\frac{3}{4}$ of 1% and such percentage taken to the nearest $\frac{5}{100}$ of 1%; provided, however, that no such final rate shall be more than $\frac{1}{4}$ of 1% in the case of an employer whose preliminary rate is determined as provided in (D) (2) hereof, more than $\frac{1}{2}$ of 1% in the case of an employer whose preliminary rate is determined as provided in (D) (1) and (D) (3) hereof, nor more than $\frac{3}{4}$ of 1% in the case of an employer whose preliminary rate is determined as provided in (D) (4) hereof.

(iv) If the amount of the State Disability Benefits Fund determined as provided in paragraph (E) (1) of this subsection is equal to or less than $\frac{1}{4}$ of 1%, then the final rate shall be $\frac{2}{5}$ of 1% in the case of an employer whose preliminary rate is determined as provided in (D) (2) hereof, $\frac{7}{10}$ of 1% in the case of an employer whose preliminary rate is determined as provided in (D) (1) and (D) (3) hereof, and 1.1% in the case of an employer whose preliminary rate is determined as provided in (D) (4) hereof. Notwithstanding any other provision of law or any determination made by the Division of Employment Security with respect to any 12-month period commencing on July 1, 1970, the final rates for all employers for the period beginning January 1, 1971, shall be as set forth herein.

C. 43:21-7.2 Nonprofit organizations.

3. Nonprofit organizations. (a) Notwithstanding any other provisions of the Unemployment Compensation Law for payments of contributions by employers, benefits paid to individuals in the employ of nonprofit organizations, as described in section 501 (c) (3) of the Internal Revenue Code and which are exempt from income tax under section 501 (a) of the Internal Revenue Code, shall be financed in accordance with the following provisions:

(1) Any nonprofit organization which is, or becomes, subject to the Unemployment Compensation Law on or after January 1, 1972,

shall pay contributions under the provisions of R. S. 43:21-7, unless it elects in accordance with this paragraph, to pay to the division for the unemployment fund an amount equal to the amount of regular benefits and $\frac{1}{2}$ of the extended benefits paid, that are attributable to base year service in the employ of such nonprofit organization during the effective period of such election;

(2) Any nonprofit organization which is, or becomes subject to the Unemployment Compensation Law on January 1, 1972 may elect to become liable in lieu of contributions for a period of not less than 2 calendar years beginning with January 1, 1972, provided it files with the division a written notice of its election within the 120-day period immediately following such date or within a like period immediately following the enactment of this act, whichever occurs later;

(3) Any nonprofit organization which becomes subject to the Unemployment Compensation Law after January 1, 1972, may elect to become liable for payments in lieu of contributions for a period of not less than 2 calendar years beginning with the date on which such subjectivity begins, by filing a written notice of its election with the division not later than 120 days immediately following the date of such subjectivity;

(4) Any nonprofit organization which makes an election in accordance with paragraph (2) or paragraph (3) shall be liable for payments in lieu of contributions on benefits paid that are attributable to base year service in the employ of such organization during the effective period of the election. Any nonprofit organization may file a written notice terminating its election, not later than February 1 of any year with respect to which the termination is to become effective;

(5) Any nonprofit organization which has been paying contributions under the Unemployment Compensation Law for a period subsequent to January 1, 1972 may change to a reimbursable basis by filing with the division not later than February 1 of any calendar year a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization during that calendar year or the next calendar year;

(6) The division may for good cause extend the period within which a notice of election or a notice of termination must be filed and may permit an election to be retroactive;

(7) If an election for payments in lieu of contributions is terminated by a nonprofit organization or canceled by the division, the nonprofit organization shall remain liable for payments in lieu

of contributions with respect to all benefits paid based on base year wages earned in the employ of such nonprofit organization during the effective period of the election; and

(8) The division in accordance with such regulations as it may prescribe, shall notify such nonprofit organization of any determination which the division may make of the effective date and the termination date of any such election and such determinations shall be subject to reconsideration, appeal and review.

(b) Reimbursement payments. At the end of each calendar month, or at the end of any other period as determined by the division, the division shall bill each nonprofit organization or group of such organizations which has elected to make payments in lieu of contributions for an amount equal to the full amount of regular benefits plus $\frac{1}{2}$ of the amount of any extended benefits paid during such month or other prescribed period that are attributable to base year service of individuals in the employ of such organization during the effective period of the election, and the provisions of the Unemployment Compensation Law (R. S. 43:21-1 et seq.), and the amendments and supplements thereto, shall be applicable with respect to the payment of claims for benefits and the charging thereof; provided, however, that no employer who elects to make payments in lieu of contributions shall be relieved of any charges for benefits paid to his workers by reason of R. S. 43:21-6(b)(1), R. S. 43:21-7(c)(1), or section 6 of chapter 324 of the laws of 1970 (C. 43:21-24.12, Extended Benefits Law).

(c) Payment of any bill rendered under subsection (b) above shall be made not later than 30 days after such bill was mailed to the last known address of the nonprofit organization or was otherwise delivered to it unless there has been an application for review and redetermination in accordance with subsection (e).

(d) Payments made by any nonprofit organization under the provisions of this section shall not be deducted or deductible, in whole or in part from the remuneration of individuals in the employ of the organization.

(e) The amount of any payment required under subsection (b) from any nonprofit organization as specified in any bill from the division shall be conclusive on the organization unless, not later than 15 days after the bill was mailed to its last known address or otherwise delivered to it, the organization files an application for redetermination by the division setting forth the grounds for such application. The division shall promptly review and reconsider the amount specified in the bill and shall thereafter issue a re-

determination in any case in which such application for redetermination has been filed. Any such redetermination shall be conclusive on the organization unless, not later than 15 days after the redetermination was mailed to its last known address or otherwise delivered to it, the organization files an appeal to the Division of Employment Security setting forth the grounds for the appeal. Proceedings on appeal to the Division of Employment Security from the amount of a bill rendered under this subsection or a redetermination of such amount shall be in accordance with the rules and regulations of the division.

(f) Any organization failing to file a timely report or to make a timely payment of the amount in lieu of contributions due hereunder shall be subject to the same interest, penalties, remedies and methods of enforcement that apply to contributions and reports due under the provisions of the Unemployment Compensation Law.

(g) If any nonprofit organization is delinquent in making payments in lieu of contributions as required under this section, the division may terminate such organization's election to make payments in lieu of contributions as of the January 1 immediately following, and such termination shall be effective for at least two calendar years and until all payments due the division have been satisfied.

(h) Provision for bond or other security. In the discretion of the division any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required within 30 days after the effective date of its election, to execute and file with the division a surety bond approved by the division or it may elect instead to deposit with the division moneys or securities approved by the division. The amount of the bond or the amount of the deposit shall be determined by the division and shall be not less than 1% of the organization's taxable wages during the preceding calendar year, or 1% of the estimated total taxable wages of such organization for the ensuing year, whichever is the greater; provided, however, that any organization which is a self insurer and is exempt from insuring workmen's compensation liability under the Workmen's Compensation Law, shall so long as such exemption remains in effect be exempt from the surety bond and security deposit requirements of this subsection; and any other organization which shall satisfy the division as to its financial ability to pay benefits provided under the Unemployment Compensation Law and the Temporary Disability Benefits Law, may, upon application, be

exempted from such requirements by written order of the division, which order shall be revocable at any time.

(1) **Bond.** The amount of any bond deposited under this subsection shall require adjustments as the division deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within 30 days after notice of the **required** adjustment was mailed or otherwise delivered to it. Failure of any organization covered by such bond to pay the full amount of payment in lieu of contributions when due, together with any applicable interest and penalties, shall render the surety liable on said bond to the extent of said bond as though the surety was such organization.

(2) **Deposit of money or securities.** Any deposit of **money or securities** in accordance with this subsection shall be retained by the division in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization less any deductions as hereinafter provided. The division may deduct from any moneys deposited under this subsection by a nonprofit organization, or sell the securities it has so deposited, to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalties. The division shall require the organization within 30 days following any deduction from a money deposit or sale of deposited securities under the provisions of this subsection to deposit sufficient additional money or securities to make whole the organization's deposit at the prior level. Any cash remaining from the sale of such securities shall be a part of the organization's escrow account. The division may at any time review the adequacy of the deposit made by any organization. If, as a result of such review, the division determines that an adjustment is necessary it shall require the organization to make an additional deposit within 30 days of written notice of the division's determination or shall return to it such portion as the division no longer considers necessary, as deemed appropriate. Disposition of income from securities held in escrow shall be governed by applicable State law.

(3) **Authority to terminate elections.** If any nonprofit organization fails to file a bond or make a deposit, or to increase or make whole the amount of a previously made bond or deposit, as provided under this subsection, the division may terminate such organization's election to make payments in lieu of contributions and such termination shall continue for no less than 24 calendar months beginning with the first quarter in which such termination becomes

effective, provided the division may extend for good cause the applicable filing, deposit or adjustment period by not more than 90 days.

(i) **Group accounts.** Two or more employers that have become liable for payments in lieu of contributions may file a joint application with the division for the establishment of a group account for the purpose of sharing the cost of benefits paid that are attributable to services in the employ of such employers. Each such application shall identify and authorize a group representative to act as the group's agent for the purpose of this subsection. Upon approval of the application, the division shall establish a group account for such employers effective as of the beginning of the calendar quarter in which the application is received or the next calendar quarter, in the discretion of the division, and shall notify the group's representative of the effective date of the account. Such account shall remain in effect for not less than two calendar years and thereafter until terminated at the discretion of the division or upon application by the group. The division shall prescribe such regulations as it may deem necessary, with respect to applications for establishment, maintenance, and termination of group accounts authorized by this subsection, for addition of new members to, and withdrawal of active members from, such accounts, and for the determination of the amounts that are payable under this subsection by members of the group, and the time and manner of such payments.

C. 43:21-7.3 Financing of benefits based upon certain wages.

4. Notwithstanding any other provisions of the Unemployment Compensation Law for the payment of contributions, benefits paid to individuals based upon wages earned in the employ of the State, or any of its political subdivisions, or any instrumentality of the State or its political subdivisions, shall be financed by payments in lieu of contributions on the basis set forth in section 3 of this act (C. 43:21-7.2); provided, however, that payments in lieu of contributions from the State of New Jersey shall be reduced by the contributions of workers deposited in the Unemployment Compensation Fund with respect to employment by the State of New Jersey, or services performed in the employ of this State and one or more other States or their instrumentalities.

C. 43:21-7.4 Application of exemption from taxation.

5. No exemption from taxation granted under any other law of the State shall be construed to apply to the payment of contri-

butions under the Unemployment Compensation Law and Temporary Disability Benefits Law.

C. 43:21-7.5 Contribution rate for certain employers.

6. Notwithstanding any provisions of R. S. 43:21-7(c)(5)(A) to the contrary, if the balance in the unemployment trust fund on March 31, 1972 is less than 7% of the total taxable wages reported to the division in respect to employment during the calendar year 1971, the contribution rate to become effective on July 1, 1972 for each employer eligible for a contribution rate calculated upon benefit experience, shall be increased $\frac{3}{10}$ of 1% over the contribution rate otherwise established under paragraphs (3) or (4) of R. S. 43:21-7(c).

7. R. S. 43:21-8 is amended to read as follows:

Period, election and termination of employers' coverage.

43:21-8. Period, election and termination of employers' coverage. (a) Any employing unit which is or becomes an employer subject to this chapter (R. S. 43:21-1 et seq.) within any calendar year shall be subject to this chapter (R. S. 43:21-1 et seq.) during the whole of such calendar year.

(b) Except as otherwise provided in subsection (c) of this section, an employing unit shall cease to be an employer subject to this chapter (R. S. 43:21-1 et seq.) only as of January 1 of any calendar year, if

(1) The employing unit files with the Division of Employment Security prior to February 1 of such year, a written application for termination of coverage, and the division finds that the employing unit did not pay wages in the amount of \$1,000.00 or more within the preceding calendar year for employment subject to this chapter (R. S. 43:21-1 et seq.) or

(2) The division finds that during the 2 calendar years preceding such January 1, there was no day on which such employing unit employed one or more individuals in employment subject to this chapter (R. S. 43:21-1 et seq.).

For the purpose of this subsection, the employing units mentioned in section 43:21-19 (h) (2), (3) or (4) of the Revised Statutes shall be treated as a single employing unit.

(c) (1) An employing unit, not otherwise subject to this chapter (R. S. 43:21-1 et seq.), which files with the division its written election to become an employer subject hereto for not less than 2 calendar years shall become an employer subject hereto, to the same extent as all other employers, as of the date of filing of such

election or as of an earlier date if approved by the division, and shall cease to be subject to this chapter (R. S. 43:21-1 et seq.) as of January 1 of any calendar year subsequent to such period of election, only, if, prior to February 1, of such calendar year, such employing unit has filed with the division a written notice to that effect and it meets the conditions for termination of coverage set forth in subsection (b) hereof.

(2) If an employing unit, other than a political subdivision of this State, for which services are performed that do not constitute employment as defined in this chapter (R. S. 43:21-1 et seq.) files with the division its written election that all such services performed by individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all purposes of this chapter (R. S. 43:21-1 et seq.) for not less than 2 calendar years such services shall be deemed to constitute employment subject to this chapter (R. S. 43:21-1 et seq.) as of the date of the filing of such election, or as of an earlier date if approved by the division, and shall cease to be subject to this chapter (R. S. 43:21-1 et seq.) as of January 1 of any calendar year subsequent to such period of election, only, if, (A) prior to February 1 of such calendar year, such employing unit has filed with the division a written notice to that effect, or (B) the division finds that during the 2 calendar years preceding such January 1, there was no day on which such services were performed for the employing unit.

(3) Any employing unit that is a political subdivision of this State may elect to cover under the Unemployment Compensation Law for not less than 2 calendar years service performed by individuals in all of the hospitals and institutions of higher education operated by such political subdivision. Election is to be made by filing with the division a written notice of such election at least 30 days prior to the effective date of such election. The election may exclude any services described in R. S. 43:21-19(i)(1)(D). Any political subdivision electing coverage under this paragraph shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided with respect to nonprofit organizations in section 3 of this act (C. 43:21-7.2). No election to become subject under this paragraph shall be submitted unless the election has been authorized by the governing body of such political subdivision. Any political subdivision so electing shall cease to be subject to the Unemployment Compensation Law as of January 1 of any calendar year subsequent to such period of

election, only, if, prior to February 1 of such calendar year, such political subdivision files with the division a written notice to that effect.

The provisions in R. S. 43:21-4(g) with respect to benefit rights based on service for State and nonprofit institutions of higher education shall be applicable also to services covered by an election under this paragraph.

The amounts required to be paid in lieu of contributions by any political subdivision that elects under this paragraph shall be billed and payments made as provided in section 3 of this act (C. 43:21-7.2) with respect to similar payments by nonprofit organizations.

8. Section 43:21-9 of the Revised Statutes is amended to read as follows:

Unemployment compensation fund.

43:21-9. (a) Establishment and control. There is hereby established as a special fund, separate and apart from all public moneys or funds of this State, an unemployment compensation fund, which shall be administered by the division exclusively for the purpose of this chapter (R. S. 43:21-1 et seq.). This fund shall consist of (1) all contributions and payments in lieu of contributions collected under this chapter (R. S. 43:21-1 et seq.); (2) interest earned upon any moneys in the fund; (3) any property or securities acquired through the use of moneys belonging to the fund; (4) all earnings on such property or securities; (5) all moneys credited to this State's account in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended; and (6) all moneys received for the fund from any other source. All moneys in this fund shall be mingled and undivided.

(b) Accounts and deposits. The Treasurer of the State of New Jersey shall be ex officio the treasurer and custodian of the fund and shall administer such fund in accordance with the directions of the division and shall issue his warrants upon it in accordance with such regulations as the division shall prescribe. He shall maintain within the fund 3 separate accounts: (1) a clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the division, shall be forwarded to the treasurer, who shall immediately deposit them in the clearing account. Refunds payable pursuant to subsection (f) of section 43:21-14 of this Title may be paid from the clearing account upon warrants issued by the treasurer under the

direction of the division. After clearance thereof, all other moneys in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to section 904 of the Social Security Act (42 U. S. C. 1104), as amended, any provisions of law in this State relating to the deposit, administration, release or disbursement of moneys in the possession or custody of this State to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this State's account in the unemployment trust fund. Moneys in the clearing and benefit accounts may be deposited by the treasurer, under the direction of the division in any bank or public depository in which general funds of the State may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the division and in a form prescribed by law or approved by the Attorney General. Premiums for said bond shall be paid from the administration fund.

(c) Withdrawals from the unemployment trust fund.

(1) Benefit payments. Moneys requisitioned from this State's account in the unemployment trust fund shall be used solely for the payment of benefits and in accordance with regulations prescribed by the division, except that money credited to this State's account pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, may be used for the payment of expenses for the administration of this chapter (R. S. 43:21-1 et seq.) as provided in paragraph (2) of this subsection. The division shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to its account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account, and the payment of benefits shall be made solely from such benefit account. Expenditures of such moneys in the benefit account and refunds from the clearing account shall not be subject to any provisions of law requiring specific appropriations or other formal release by State officers of money in their custody. All warrants for the payment of benefits shall be issued by and bear only the signature of the director or his duly authorized agent for that purpose. All warrants for the payment of refunds shall be issued by the treasurer and bear the signature

of the treasurer and the countersignature of the director or his duly authorized agent for that purpose. Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the division, shall be redeposited with the Secretary of the Treasury of the United States of America, to the credit of this State's account in the unemployment trust fund, as provided in subsection (b) of this section.

(2) Administrative use. Moneys credited to the account of this State by the Secretary of the Treasury of the United States in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, may be requisitioned and used for the payment of expenses for the administration of the Unemployment Compensation Law (R. S. 43:21-1 et seq.) pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the moneys are requisitioned after the enactment of an appropriation law which

(A) specifies the purposes for which such moneys are appropriated and the amounts appropriated therefor;

(B) limits the period within which such moneys may be obligated to a period ending not more than 2 years after the date of the enactment of the appropriation law; and

(C) limits the moneys which may be obligated during a 12-month period beginning on July 1 and ending on the next June 30 to a sum which does not exceed the amount by which the aggregate of the moneys credited to the account of this State pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended, during the same 12-month period and the 14 preceding 12-month periods, exceeds the aggregate of moneys obligated for the payment of expenses incurred for the administration of this chapter (R. S. 43:21-1 et seq.) and the moneys paid out for benefits which is charged against the moneys credited to the account of this State during such 15 12-month periods.

Moneys credited to this State's account in the unemployment trust fund under section 903 of the Social Security Act (42 U. S. C. 1103), as amended, which are obligated for the payment of expenses for the administration of this chapter (R. S. 43:21-1 et seq.) or paid out for benefits shall be charged against equivalent amounts which

were first credited and which are not already so charged; except that no moneys obligated for the payment of expenses for the administration of this chapter (R. S. 43:21-1 et seq.) during a 12-month period specified herein may be charged against any amount credited during such a 12-month period earlier than the fourteenth preceding such period.

Money appropriated as provided herein for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and upon requisition shall be deposited in the unemployment compensation administration fund from which such payments shall be made. Money so deposited shall, until expended, remain a part of the unemployment compensation fund. If such money will not be expended it shall be returned promptly to the Secretary of the Treasury of the United States for credit to this State's account in the unemployment trust fund. The division shall maintain a separate record of the credits, appropriation, obligation and expenditure of the money credited to the account of this State in the unemployment trust fund pursuant to section 903 of the Social Security Act (42 U. S. C. 1103), as amended.

(d) Management of funds upon discontinuance of unemployment trust fund. The provisions of subsections (a), (b) and (c) to the extent that they relate to the unemployment trust fund shall be operative only so long as such unemployment trust fund continues to exist and so long as the Secretary of the Treasury of the United States of America continues to maintain for this State a separate book account of all funds deposited therein by this State for benefit purposes, together with this State's proportionate share of the earnings of such unemployment trust fund, from which no other State is permitted to make withdrawals. If and when such unemployment trust fund ceases to exist, or such separate book account is no longer maintained, all moneys, properties, or securities therein, belonging to the unemployment compensation fund of this State shall be transferred to the treasurer of the unemployment compensation fund, who shall hold, invest, transfer, sell, deposit and release such moneys, properties or securities in a manner approved by the division, in accordance with the provisions of this chapter; provided, that such moneys shall be invested in the following readily marketable classes of securities: Bonds or other interest-bearing obligations of the United States of America and of the State of New Jersey; and provided, further, that such investment shall at all times be so made that all the assets of the fund shall always be

readily convertible into cash when needed for the payment of benefits. The treasurer shall dispose of securities or other properties belonging to the unemployment compensation fund only under the direction of the division.

9. Section 1 of chapter 81 of the laws of 1944 (C. 43:21-14.1) is amended to read as follows:

C. 43:21-14.1 Refund of contributions; claim.

1. Any employee who is paid wages by two or more employers aggregating more than \$3,000.00 during any calendar year prior to January 1, 1968, \$3,600.00 during any calendar year commencing on or after January 1, 1968 and prior to January 1, 1972, or \$4,200.00 during any calendar year commencing on or after January 1, 1972 shall be entitled to a refund of the amount of contributions deducted from such wages and paid to the Division of Employment Security in excess of the contribution required on \$3,000.00 of such wages paid during any calendar year prior to January 1, 1968, \$3,600.00 during any calendar year commencing on or after January 1, 1968 and prior to January 1, 1972, or \$4,200.00 during any calendar year commencing on or after January 1, 1972; except that no such refund shall be made unless the employee makes a claim, establishing his right thereto, within 2 years after the calendar year in which the wages are paid with respect to which refund of contribution is claimed. No interest shall be allowed or paid with respect to any such refund.

10. R. S. 43:21-19 is amended to read as follows:

Definitions.

43:21-19. Definitions. 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 separa-

tion, 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 R. S. 43:21-7. "Pay-

ments in lieu of contributions” means the money payments to the State Unemployment Compensation Fund by employers electing or required to make payments in lieu of contributions as provided in section 3 or section 4 of this act (C. 43:21-7.2 and 43:21-7.3).

(g) “Employing unit” means any individual or type of organization, including the State, its political subdivisions, the State and one or more other states, and the instrumentalities of the State and of the State and one or more other states 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 two 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.). 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 after December 31, 1971, in either the current or the preceding calendar year paid remuneration for employment in the amount of \$1,000.00 or more;

(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 for which service in employment as defined in R. S. 43:21-19 (i) (1) (B), is performed after December 31, 1971;

(6) Any employing unit for which service in employment as defined in R. S. 43:21-19 (i) (1) (C) is performed after December 31, 1971 and which in either the current or the preceding calendar year paid remuneration for employment in the amount of \$1,000.00 or more;

(7) Any employing unit not an employer by reason of any other paragraph of this subsection (h) for which, within either the current or preceding calendar year, service is or was performed with respect to which such employing unit is liable for any Federal tax against which credit may be taken for contributions required to be paid into a State unemployment fund; or which, as a condition for approval of the Unemployment Compensation Law for full tax credit against the tax imposed by the Federal Unemployment Tax Act is required pursuant to such act to be an employer under this chapter (R. S. 43:21-1 et seq.);

(8) Any employing unit which, having become an employer under paragraphs (1), (2), (3), (4), (5), (6) or (7) has not, under section 43:21-8 ceased to be an employer subject to this chapter (R. S. 43:21-1 et seq.); or

(9) For the effective period of its election pursuant to R. S. 43:21-8 any other employing unit which has elected to become fully subject to this chapter (R. S. 43:21-1 et seq.);

(10) For the purposes of paragraphs (1) and (6), employment shall include service which would constitute employment but for the fact that such services deemed to be performed entirely within another state pursuant to an election under an arrangement entered into under R. S. 43:21-21 between this State and an agency charged with the administration of any other State or Federal Unemployment Compensation Law.

(11) Any employing unit subject to the provisions of the Federal Unemployment Tax Act within either the current or the preceding calendar year except for employment hereinafter excluded under paragraph (7) of subsection (i) of this section.

(i) (1) "Employment" means:

(A) Any service performed prior to January 1, 1972, which was employment as defined in the Unemployment Compensation Law (R. S. 43:21-1 et seq.) prior to such date, and, subject to the other provisions of this subsection, service performed on or after January 1, 1972, including service in interstate commerce, performed for remuneration or under any contract of hire, written or oral, express or implied.

(B) Service performed after December 31, 1971 by an individual in the employ of this State or any of its instrumentalities or in the employ of this State and one or more other States or their instrumentalities for a hospital or institution of higher education located in this State, if such service is not excluded from employment under paragraph (D) below.

(C) Service performed after December 31, 1971 by an individual in the employ of a religious, charitable, educational, or other organization, which is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306 (c) (8) of that act, if such service is not excluded from employment under paragraph (D) below.

(D) For the purposes of paragraphs (B) and (C), the term "employment" does not apply to services performed

(i) in the employ of (I) a church or convention or association of churches, or (II) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled or principally supported by a church or convention or association of churches;

(ii) by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;

(iii) in the employ of a school which is not an institution of higher education;

(iv) in a facility conducted for the purpose of carrying out a program of rehabilitation of individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work;

(v) as part of an unemployment work-relief or work-training program assisted in whole or in part by any Federal agency or an agency of a State or political subdivision thereof, by an individual receiving such work relief or work training; or

(vi) for a hospital in a State prison or other State correctional institution by an inmate of the prison or correctional institution.

(E) The term "employment" shall include the services of an individual who is a citizen of the United States, performed outside the United States (except in Canada or the Virgin Islands) after December 31, 1971 in the employ of an American employer (other than the service which is deemed employment under the provisions of paragraphs 43:21-19 (i) (2) or (5) or the parallel provisions of another State's Unemployment Compensation Law), if

(E) (i) The American employer's principal place of business in the United States is located in this State; or

(E) (ii) The American employer has no place of business in the United States, but (I) the American employer is an individual who is a resident of this State; or (II) the American employer is a corporation which is organized under the laws of this State; or (III) the American employer is a partnership or trust and the number of partners or trustees who are residents of this State is greater than the number who are residents of any other state; or

(E) (iii) None of the criteria of divisions (i) and (ii) of this subparagraph (E) is met but the American employer has elected to become an employer subject to the Unemployment Compensation Law (R. S. 43:21-1 et seq.) in this State, or the American employer having failed to elect to become an employer in any state, the individual has filed a claim for benefits, based on such service, under the law of this State.

(E) (iv) An "American employer" for the purposes of this subparagraph (E), means (I) an individual who is a resident of the United States; or (II) a partnership if $\frac{2}{3}$ or more of the partners are residents of the United States; or (III) a trust, if all the trustees are residents of the United States; or (IV) a corporation organized under the laws of the United States or of any state.

(F) Notwithstanding R. S. 43:21-19 (i) (2), all service performed after January 1, 1972 by an officer or member of the crew of an American vessel or American aircraft on or in connection with such vessel or aircraft, if the operating office from which the operations of such vessel or aircraft operating within, or within and without, the United States are ordinarily and regularly supervised, managed, directed, and controlled, is within this State.

(G) Notwithstanding any other provision of this subsection, service in this State with respect to which the taxes required to be paid under any Federal law imposing a tax against which credit may be taken for contributions required to be paid into a State unemployment fund or which as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act is required to be covered under the Unemployment Compensation Law (R. S. 43:21-1 et seq.).

(H) The term "United States" when used in a geographical sense in subsection R. S. 43:21-19 (i) includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

(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 employing unit for whom such services are performed files with the division an election that the entire service of such individual shall be deemed to be employment subject to this chapter (R. S. 43:21-1 et seq.).

(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) Provided that such services are also exempted under the Federal Unemployment Tax Act, as amended, or that contributions with respect to such services are not required to be paid into a State Unemployment Fund as a condition for a tax offset credit against the tax imposed by the Federal Unemployment Tax Act, as amended, 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 except as provided in R. S. 43:21-19 (i) (1) (B) above, and service in the employ of the South Jersey Port Commission or its successors;

(E) Service performed in the employ of any other state or its political subdivisions or of an instrumentality of any other state or states or their political subdivisions: to the extent that such instrumentality is with respect to such service exempt under the Constitution of the United States from the tax imposed under the Federal Unemployment Tax Act, as amended, except as provided in R. S. 43:21-19 (i) (1) (B) above;

(F) Service performed in the employ of the United States Government or of an instrumentality of the United States exempt under the Constitution of the United States from the contributions imposed by the Unemployment Compensation Law, except that to

the extent that the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a State Unemployment Compensation Law, all of the provisions of this act shall be applicable to such instrumentalities, and to service performed for such instrumentalities, in the same manner, to the same extent and on the same terms as to all other employers, employing units, individuals and services; provided, that if this State shall not be certified for any year by the Secretary of Labor of the United States under section 3304 of the Federal Internal Revenue Code (26 U. S. C., sec. 3304), the payments required of such instrumentalities with respect to such year shall be refunded by the division from the fund in the same manner and within the same period as is provided in R. S. 43:21-14 (f) with respect to contributions erroneously paid to or collected by the division;

(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 a member of the board of directors, a board of trustees, a board of managers, or a committee of any bank, building and loan or savings and loan association, incorporated or organized under the laws of this State or of the United States, where such services do not constitute the principal employment of the individual;

(I) Service with respect to which unemployment insurance is payable under an unemployment insurance program established by an Act of Congress;

(J) Service 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 performed for or in behalf of the owner or operator of any theatre, ballroom, 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;

(O) Services performed in the sale or distribution of merchandise by home-to-home salespersons or in-the-home demonstrators whose remuneration consists wholly of commissions or commissions and bonuses.

(P) Service performed in the employ of a foreign government, including service as a consular, nondiplomatic representative, or other officer or employee;

(Q) Service performed in the employ of an instrumentality wholly owned by a foreign government if (i) the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof, and (ii) the division finds that the United States Secretary of State has certified to the United States Secretary of the Treasury that the foreign government with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar services performed in the foreign country by the employees of the United States Government and of instrumentalities thereof;

(R) Service in the employ of an international organization entitled to enjoy the privileges, exemptions and immunities under the International Organization Immunities Act (22 U. S. C. 288 et seq.);

(S) Service covered by an election duly approved by an agency charged with the administration of any other state or Federal Unemployment Compensation or Employment Security Law, in accordance with an arrangement pursuant to R. S. 43:21-21 during the effective period of such election;

(T) Service performed in the employ of a school, college, or university if such service is performed (i) by a student enrolled at such school, college, or university on a full-time basis in an

educational program or completing such educational program leading to a degree at any of the severally recognized levels, or (ii) by the spouse of such a student, if such spouse is advised at the time such spouse commences to perform such service that (I) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (II) such employment will not be covered by any program of unemployment insurance;

(U) Service performed by an individual under the age of 22 who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this subparagraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(V) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital; service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and regularly attending classes in a nurses' training school approved under the laws of this State; and service performed as an intern in the employ of a hospital by an individual who has completed a 4-year course in a medical school approved pursuant to the law of this State.

(8) If $\frac{1}{2}$ or more of the services in any pay period performed by an individual for an employing unit constitutes employment, all the services of such individual shall be deemed to be employment; but if less than $\frac{1}{2}$ of the service in any pay period performed by an individual for an employing unit does not constitute employment, then none of the service of such individual shall be deemed to be employment. As used in this paragraph, the term "pay period" means a period of not more than 31 consecutive days for which a payment for service is ordinarily made by an employing unit to individuals in its employ.

(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 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. If a worker receives gratuities regularly in the course of his employment from others than his employer, his "wages" shall also include the gratuities so received if reported in writing to his employer in accordance with regulations of the Division of Employment Security, and if not so reported, his "wages" shall be determined in accordance with the minimum wage rates prescribed under any labor law or regulation of this State or of the United States, or the amount of remuneration actually received by the employee from his employer, whichever is the higher.

(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.

(y) "Institution of higher education" means an educational institution which

(1) admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) is legally authorized in this State to provide a program of education beyond high school;

(3) provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of post-graduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and

(4) is a public or other nonprofit institution.

Notwithstanding any of the foregoing provisions of this subsection, all colleges and universities in this State are institutions of higher education for purposes of this section.

(z) "Hospital" means an institution which has been licensed, certified or approved under the law of this State as a hospital.

C. 43:21-19.5 Repealed.

11. Section 12 of chapter 30 of the laws of 1967 (C. 43:21-19.5) is hereby repealed.

12. R. S. 43:21-21 is amended to read as follows:

Reciprocal benefit arrangements.

43:21-21. Reciprocal benefit arrangements. (a) The commissioner is hereby authorized to enter into arrangements with the appropriate agencies of other states or the Federal Government whereby potential rights to benefits accumulated under the unemployment compensation laws of several states or under such a law

of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commissioner finds will be fair and reasonable as to all affected interests and will not result in any loss to the fund.

(b) The commissioner is authorized to enter into arrangements with the appropriate agencies of other states or of the Federal Government, or both, (1) whereby remuneration, upon the basis of which an individual may become entitled to benefits under the Unemployment Compensation Law of another state or of the Federal Government, shall be deemed to be wages for the purposes of this chapter (R. S. 43:21-1 et seq.), and (2) whereby wages, on the basis of which an individual may become entitled to benefits under this chapter (R. S. 43:21-1 et seq.) shall be deemed to be remuneration on the basis of which benefits are payable under the Unemployment Compensation Law of another state or of the Federal Government. No such arrangement shall be entered into unless it contains provision for reimbursement to the fund for such portion of benefits paid under this chapter (R. S. 43:21-1 et seq.) on the basis of such remuneration, and provision for reimbursement from the fund for that portion of benefits paid under such other law on the basis of such wages, as the commissioner finds will be fair and reasonable as to all affected interests. Subsection (f) of 43:21-5 of this chapter (R. S. 43:21-1 et seq.) shall be inapplicable to an individual who files a claim for benefits under any such arrangement. The commissioner shall participate in any arrangements for the payment of benefits on the basis of combining an individual's wages and employment covered under the Unemployment Compensation Law of New Jersey with his wages in employment covered under the Unemployment Compensation Laws of other states which are approved by the United States Secretary of Labor in consultation with the State unemployment compensation agencies as reasonably calculated to assure the prompt and full payment of benefits in such situations and which include provisions for (1) applying the base period of a single State law to a claim involving the combining of an individual's wages and employment covered under two or more State Unemployment Compensation Laws, and (2) avoiding the duplicate use of wages and employment by reason of such combining. Reimbursements paid from the fund pursuant to such arrangements shall be deemed to be benefits for the purposes of this chapter (R. S. 43:21-1 et seq.). The commissioner is hereby authorized to make to other state or Federal agencies, and to receive from such other state or Federal

agencies, reimbursements from or to the fund in accordance with arrangements pursuant to this section.

(c) The commissioner is authorized to enter into reciprocal agreements with the appropriate agencies of other states covering services on vessels engaged in interstate or foreign commerce whereby such services performed for a single employer, under any contract of hire, partly within and partly without this State, shall be deemed to be performed in their entirety either within or without this State.

(d) The commissioner is authorized to enter into reciprocal arrangements with the appropriate and duly authorized agency of any other state or of the United States whereby (i) moneys due the commissioner for contributions, interest and penalties and paid to such agency shall be deemed to have been paid into the unemployment compensation fund of this State as of the date of payment to such agency and (ii) vice versa; provided, that such arrangements contain provisions for the reciprocal transfers of such moneys.

(e) The commissioner is authorized to enter into reciprocal arrangements with appropriate and duly authorized agencies of other states or of the Federal Government, or both, whereby services performed by an individual for a single employing unit for which services are customarily performed by such individual in more than one state shall be deemed to be services performed entirely within any one of the states (i) in which any part of such individual's services is performed or (ii) in which such individual has his residence or (iii) in which the employing unit maintains a place of business; provided, there is in effect, as to such services, an election, approved by the agency charged with the administration of such state's Unemployment Compensation Law, pursuant to which all the services performed by such individual for such employing unit are deemed to be performed entirely within such state.

(f) To the extent permissible under the laws, treaties and Constitution of the United States, the commissioner is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this chapter (R. S. 43:21-1 et seq.), and facilities and services provided under the Employment Security Law of any foreign government may be utilized for the taking of claims and payment of benefits under the Employment Security Law of this State or under a similar law of such foreign government.

13. Section 3 of chapter 110 of the laws of 1948 (C. 43:21-27) is amended to read as follows:

C. 43:21-27 Definitions.

3. As used in this act, unless the context clearly requires otherwise:

(a) "Covered employer" 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, who is an employer subject to the chapter to which this act is a supplement, designated as the Unemployment Compensation Law (R. S. 43:21-1 et seq.), except the State, its political subdivisions, and any instrumentality of the State (including hospitals and institutions of higher education), unless (i) such employer, subject to the Unemployment Compensation Law, elects to become subject to the Temporary Disability Benefits Law, or (ii) such employing unit became an employer subject to the Unemployment Compensation Law prior to January 1, 1972.

(b) "Covered individual" means any person who is in employment, as defined in the chapter to which this act is a supplement, for which he is entitled to remuneration from a covered employer, or who has been out of such employment for less than 2 weeks.

(c) "Division" or "commission" means the Division of Employment Security of the Department of Labor and Industry, and any transaction or exercise of authority by the director of the division shall be deemed to be performed by the division.

(d) "Day" shall mean a full calendar day beginning and ending at midnight.

(e) "Disability" shall mean such disability as is compensable under section 5 of this act.

(f) "Disability benefits" shall mean any cash payments which are payable to a covered individual pursuant to this act.

(g) "Period of disability" with respect to any individual shall mean the entire period of time, during which he is continuously and totally unable to perform the duties of his employment, except that two periods of disability due to the same or related cause or condition and separated by a period of not more than 14 days shall be considered as one continuous period of disability; provided, the individual has earned wages during such 14-day period with the employer who was his last employer immediately preceding the first period of disability.

(h) "Wages" shall mean all compensation payable by covered employers to covered individuals for personal services, including commissions and bonuses and the cash value of all compensation payable in any medium other than cash.

(i) "Base week" means any calendar week during which an individual earned not less than \$15.00 from a covered employer, in employment as defined in the chapter to which this act is a supplement.

(j) "Average weekly wage" means the amount derived by dividing a covered individual's total wages earned from his most recent covered employer during the base weeks in the 8 calendar weeks immediately preceding the calendar week in which disability commenced, by the number of such base weeks. If this computation yields a result which is less than the individual's average weekly earnings in employment, as defined in the chapter to which this act is a supplement, with all covered employers, during the base weeks in such 8 calendar weeks, then the average weekly wage shall be computed on the basis of earnings from all covered employers during the 8 base weeks immediately preceding the week in which the disability commenced.

14. Section 11 of P. L. 1948, c. 110 (C. 43:21-35) is amended to read as follows:

C. 43:21-35 Termination of private plans.

(a) If the division is furnished satisfactory evidence that a majority of the employees covered by an approved private plan have made election in writing to discontinue such plan, the division shall withdraw its approval of such plan effective at the end of the calendar quarter next succeeding that in which such evidence is furnished. Upon receipt of a petition therefor signed by not less than 10% of the employees covered by an approved private plan, the division shall require the employer upon 30 days' written notice to conduct an election by ballot in writing to determine whether or not a majority of the employees covered by such private plan favor discontinuance thereof; provided, that such election shall not be required more often than once in any 12-month period.

(b) Unless sooner permitted, for cause, by the division, no approved private plan shall be terminated by an employer, in whole or in part, until at least 30 days after written notice of intention so to do has been given by the employer to the division and after notices are conspicuously posted so as reasonably to assure their being seen, or after individual notices are given to the employees concerned.

(c) The division may after notice and hearing withdraw its approval of any approved private plan if it finds that there is danger that the benefits accrued or to accrue will not be paid, that the security for such payment is insufficient, or for other good cause shown. No employer, and no union or association representing employees, shall so administer or apply the provisions of an approved private plan as to derive any profit therefrom. The division may withdraw its approval from any private plan which is administered or applied in violation of this provision.

(d) No termination of an approved private plan shall affect the payment of benefits, in accordance with the provisions of the plan, to disabled employees whose period of disability commenced prior to the date of termination. Employees who have ceased to be covered by an approved private plan because of its termination shall, subject to the limitations and restrictions of this act, become eligible forthwith for benefits from the State Disability Benefits Fund for disability commencing after such cessation, and contributions with respect to their wages shall immediately become payable as otherwise provided by law. Any withdrawal of approval of a private plan pursuant to this section shall be reviewable by writ of certiorari or by such other procedure as may be provided by law.

(e) Anything in this act to the contrary notwithstanding a covered employer who, under an approved private plan, is providing benefits at least equal to those required by the State plan on December 31, 1971, may modify the benefits under the private plan so as to provide, beginning January 1, 1972, benefits not less than the benefits required by the State plan on January 1, 1972; provided, that effective January 1, 1972, individuals covered under such plan shall not be required to contribute to such plan at a rate exceeding $\frac{3}{4}$ of 1% of the first \$4,200.00 of wages paid to each covered individual in any calendar year. Notification of such proposed modification shall be given by the employer to the division and to the individuals covered under such plan, on or before May 1, 1972.

C. 43:21-24 Repealed.

15. Chapter 111 of the laws of 1938 (C. 43:21-24) is hereby repealed.

16. This act shall take effect on January 1, 1972, but the Commissioner of Labor and Industry and the Division of Employment Security are authorized to take such action prior to January 1, 1972 as may be necessary to implement the provisions thereof.

Approved December 13, 1971.

CHAPTER 347

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, 1972, and regulating the disbursement thereof,” approved June 24, 1971 (P. L. 1971, c. 240).

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

1. The following sum is hereby appropriated out of the General State Fund, or such other sources of funds specifically indicated or as may be applicable, for the purposes herein specified:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER RESOURCES

Supplemental requirement for fiscal year 1971-72 for the administration of the “Water Conservation Fund,” established by (c. 127, P. L. 1969)	\$250,000
Total Appropriation, Department of Environmental Protection	\$250,000

2. This act shall take effect immediately.
Approved December 13, 1971.

CHAPTER 348

AN ACT concerning fees collected by the Department of Labor and Industry, and amending R. S. 34:7-14.

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

1. R. S. 34:7-14 is amended to read as follows:

Boilers subject to test and inspection; fees.

34:7-14. a. All steam or hot water boilers or similar equipment potentially capable of generating steam, except steam boilers having adequate relief devices set to discharge at a pressure not

greater than 15 pounds per square inch, gage, or hot water boilers having adequate relief devices set to discharge at a pressure not greater than 160 pounds per square inch, gage, and which hot water boilers are reliably limited to temperatures not exceeding 250 degrees Fahrenheit, when such steam or hot water boilers serve dwellings of less than six-family units or other dwellings with accommodations for less than 25 persons, shall be inspected and be subject to a hydrostatic test, if necessary, at least once in each year, at 12-month intervals, by an inspector of the Mechanical Inspection Bureau, excepting, however, such as may be insured after having been regularly inspected in accordance with the terms of this article by insurance companies, whose inspectors shall have satisfactorily passed an examination or received certificates of competency approved by the commissioner. Such inspection shall be as completely internal and external as construction permits. The inspection of any equipment described in this chapter by a certified inspector of an insurance company shall be acceptable in lieu of State inspection. This article shall not apply to any boiler having less than 10 square feet of heating surface or a heat input of less than 10 kilowatts or 40,000 British Thermal Units per hour or to equipment under the jurisdiction and control of the United States Government, the inspection of which is actively regulated by a Federal agency, or to equipment used solely for the propulsion of motor vehicles regulated by the Motor Vehicle Act, Title 39, of the Revised Statutes.

b. All other pressure vessels may be inspected and be subject to test after installation and periodically at such intervals as the commissioner may by rule establish. Inspection and test shall be performed by an inspector of the Mechanical Inspection Bureau, excepting, however, such as may be insured after having been regularly inspected in accordance with the terms of this article, by insurance companies, whose inspectors shall have satisfactorily passed an examination or received certificates of competency approved by the commissioner, or such as may be regularly inspected by a certified user-inspector of a registered inspection agency approved by the commissioner. Such user-inspector shall have passed an examination or received a certificate of competency from the commissioner, and the inspection shall be conducted in such manner as the commissioner may by rule provide. The inspection of any equipment described in this subsection by a certified inspector of an insurance company or a certified user-inspector of a registered inspection agency shall be acceptable in lieu of State inspection where such inspections are recorded with the Mechanical Inspection Bureau accompanied by fees in accordance with the following

schedule: one to 25 vessels, \$3.00 each; 26 to 100 vessels, \$2.50 each; 101 to 500 vessels, \$2.00 each; and over 500 vessels, \$1.50 each. These fees are to be collected from the owner or user but payable by the inspection agency to the Department of Labor and Industry. This subsection shall not apply to any pressure vessel:

(1) Subject to internal or external pressure not exceeding 15 psig; or

(2) Having inside diameter not exceeding 6 inches; or

(3) Used for water storage purposes serving dwellings of less than six-family units or other dwellings with accommodations for less than 25 persons, when none of the following limitations is exceeded:

(a) 200 degrees Fahrenheit

(b) 120 gallons water containing capacity

(c) 160 psig; or

(4) Under the jurisdiction and control of the United States Government, the inspection of which is actively regulated by a Federal agency; or to equipment used solely for the propulsion of motor vehicles regulated by the Motor Vehicle Act, Title 39, of the Revised Statutes.

2. This act shall take effect on the first day of the month following enactment.

Approved December 13, 1971.

CHAPTER 349

AN ACT to amend the "Legislative Activities Disclosure Act of 1971," approved June 2, 1971 (P. L. 1971, c. 183).

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

1. Section 6 of P. L. 1971, c. 183 (C. 52:13C-23) is amended to read as follows:

C. 52:13C-23 Attorney General's duties.

6. The Attorney General shall:

a. permit public inspection of all statements filed pursuant to this act;

b. compile and summarize information contained in statements filed pursuant to this act, and report the same to the Legislature and the Governor;

c. ascertain whether any persons have failed to file statements as required by this act, or have filed incomplete or inaccurate statements, and give notice to such persons to file such statements as will conform to the requirements of this act;

d. investigate and prosecute violations of this act, and report to the Legislature and the Governor thereon;

e. make such recommendations to the Legislature and the Governor as will tend to further the objectives of this act and take such other action as shall be necessary and proper to effectuate the purposes of this act;

f. report to the Legislature and the Governor annually on the administration of this act;

g. develop and prescribe methods and forms for statements required to be filed by this act, and require the use of such forms by persons subject to this act;

h. compile and publish quarterly a list of all legislative agents then registered, together with the information contained in their notices of representation and last quarterly report, which compilation shall be distributed to all members of the Legislature and the Governor, and published in the New Jersey Register;

i. prepare and publish a summary and explanation of the registration and reporting requirements of this act for the use and guidance of those persons who may be required to file statements under this act;

j. in accordance with a fee schedule adopted by him as a rule or regulation establish and charge reasonable fees for the filing of notices of representation and quarterly reports pursuant to this act; provided that such fees shall not apply to the organizations which qualify under section 9(b) of chapter 30 of the laws of 1966, as amended (C. 54:32B-9(b));

k. during periods when the Legislature is in session, report monthly to the members of the Legislature and the Governor and his staff all new notices of representation, notices of termination and other notices filed pursuant to this act during the preceding month.

2. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 350

A SUPPLEMENT to “An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1972, and regulating the disbursement thereof,” approved June 24, 1971 (P. L. 1971, c. 240).

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

1. The following sum is hereby appropriated out of the General State Fund, for the purpose herein specified:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF MARINE SERVICES

420-102-501. BUREAU OF MARINE LANDS MANAGEMENT

Extraordinary:

Wetlands-Inventory, mapping and administration. . \$250,000.00

2. This act shall take effect immediately.

Approved December 13, 1971.

CHAPTER 351

AN ACT providing for the establishment of a statewide highway safety program, and supplementing Title 27 of the New Jersey Statutes.

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

C. 27:5F-1 Short title.

1. This act shall be known and may be cited as the “New Jersey Highway Safety Act of 1971.”

C. 27:5F-2 Legislature’s findings.

2. The Legislature hereby finds and determines that the rising tolls of deaths and injuries resulting from highway accidents is a matter of State concern. Although the State and local governments presently are active in virtually all areas of highway safety, a formal mechanism should exist for the integration and coordination

of existing safety efforts. The establishment of a statewide highway safety program under the guidance and direction of the Governor, will provide this needed mechanism to coordinate State and local efforts in the struggle to reduce highway deaths and injuries.

C. 27:5F-3 Definitions.

3. As used in this act:

a. "State highway safety program" means all highway safety programs conducted by the State and political subdivisions of the State.

b. "Approved local highway safety program" means a program established by a political subdivision which has been approved pursuant to the provisions of this article.

c. "Political subdivision" means any local political subdivision of this State, including but not limited to, a municipality, a county, a township, a district, or a special district.

d. "Governor" means the Governor of the State or the public officer of the State of New Jersey designated by the Governor to act in his behalf in carrying out the provisions of this act. Such officer shall be selected from among officials of the State agencies which have responsibilities in the area of highway safety.

e. "Manager" shall mean the manager of the Office of Highway Safety of the State of New Jersey.

f. "Volunteer first aid, rescue and ambulance squad" means a first aid, rescue and ambulance squad which provides emergency medical services without receiving payment therefor.

g. "Nonvolunteer first aid, rescue and ambulance squad" means a first aid, rescue and ambulance squad which provides emergency medical services on a paid basis.

C. 27:5F-4 Coordination of activities.

4. a. The Governor shall coordinate the highway safety activities of State and local agencies, other public and private agencies, and of interested organizations and individuals and shall be the official of this State having the ultimate responsibility of dealing with the Federal Government with respect to the highway safety program. In order to effectuate the purposes of this act he shall:

(1) Prepare for this State, the New Jersey Highway Safety Program, which shall consist of a comprehensive plan in conformity with the laws of this State to reduce traffic accidents and deaths, injuries, and property damage resulting therefrom.

(2) Promulgate rules and regulations establishing standards and procedures relating to the content, coordination, submission and approval of the local highway safety programs.

(3) Adopt training programs, guidelines and standards for members of nonvolunteer first aid, rescue and ambulance squads providing emergency medical service programs.

(4) Contract and do all things necessary or convenient in behalf of the State in order to insure that all departments of State Government and local political subdivisions secure the full benefits available under the "U. S. Highway Safety Act of 1966" and any acts amendatory or supplemental thereto.

b. The said New Jersey Highway Safety Program, rules and regulations and training programs, guidelines and standards shall comply with uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U. S. Highway Safety Act of 1966" (Public Law 89-564) and any acts amendatory or supplemental thereto.

C. 27:5F-5 Training program for first aid, rescue and ambulance squads.

5. The New Jersey Highway Safety Program shall in addition to other provisions, include the training program for members of volunteer first aid, rescue, and ambulance squads, adopted by the New Jersey State First Aid Council, which program shall comply with the uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U. S. Highway Safety Act of 1966" (Public Law 89-564) and any acts amendatory or supplemental thereto.

C. 27:5F-6 Qualification for Federal funds.

6. Each political subdivision shall qualify for receipt of Federal funds upon application to the Governor, provided:

a. Such political subdivisions submit to the Governor a local highway safety program in accordance with and meeting the standards established and the rules and regulations promulgated pursuant to sections 4 and 5 of this act.

b. Such political subdivisions submit to the Governor such other information as may be required to carry out the purposes of this act.

C. 27:5F-7 Use of grants.

7. The Department of the Treasury shall accept and receive any and all grants of money awarded to the State and its political subdivisions under the "U. S. Highway Safety Act of 1966," and acts amendatory or supplemental thereto. All moneys so received

shall be deposited by the Department of the Treasury and shall be used exclusively for establishing, administering and fulfilling highway safety programs pursuant to the provisions of this act. Such money shall be paid from said fund or funds upon audit and warrant of the Director, Division of Budget and Accounting, on vouchers of or certification by the Governor.

C. 27:5F-8 Apportionment of Federal funds.

8. At least 40% of the Federal funds so received, or such lesser amount as may be authorized pursuant to Federal law, shall be expended by or for the benefit of political subdivisions.

C. 27:5F-9 Applications for grants.

9. The Governor may also accept applications from political subdivisions made on behalf of hospitals, volunteer and non-volunteer first aid, rescue and ambulance squads or other local entities serving a public purpose for grants of money to implement emergency medical service programs. A political subdivision shall submit promptly to the Governor all such applications.

C. 27:5F-10 Responsibility for training; certification of qualification.

10. The officers of each volunteer and nonvolunteer first aid, rescue and ambulance squad providing emergency medical service programs shall be responsible for the training of its members and shall notify the governing body of the political subdivision in which it is located or the person designated for this purpose by the governing body that particular applicants for membership, qualified pursuant to sections 5 and 4 a. (3) respectively, ambulances and ambulance equipment meet the standards required by this act. Upon receipt of such notification the governing body or person designated shall certify the applicant, ambulances and ambulance equipment as being qualified for emergency medical service programs, and issue a certificate therefor at no charge. Each member and piece of equipment of such volunteer and non-volunteer first aid, rescue and ambulance squad shall comply with the requirements for certification annually.

Any person who is a member of a volunteer and nonvolunteer first aid, rescue and ambulance squad providing emergency medical service programs on the effective date of this act shall, if application is made to the appropriate municipality within 90 days of the effective date hereof, be certified by the governing body or designated person as being qualified for emergency medical service programs for a period of 2 years. At the end of such period he shall comply with the requirements for certification annually.

C. 27:5F-11 Use of Federal funds for highway safety purposes.

11. The Federal funds apportioned and allocated to the State pursuant to the Federal Highway Safety Act of 1966, or any other Federal law, rule or regulation shall be utilized for such highway safety purposes as the Governor shall deem appropriate.

In the event that Federal funds are apportioned and allocated to the State pursuant to the Federal Highway Safety Act of 1966 on the basis of existing State and local highway safety programs and activities, the Governor is authorized, in his discretion and subject to the approval of the appropriate Federal agency with respect to the allocation and payment of the local share of such Federal funds, to do whatever must be done to avail the State of said Federal funds.

C. 27:5F-12 Office of Highway Safety; appointment and duties of manager.

12. a. There is hereby created an Office of Highway Safety in the Division of Motor Vehicles in the Department of Law and Public Safety.

b. The office shall be under the immediate supervision of a manager who shall be qualified to direct the work of such office. The manager shall be appointed by, and serve at the pleasure of, the Governor.

The manager:

(1) Shall administer the work of the office under the direction and supervision of the Governor;

(2) Shall perform such functions, in addition to the work of the office, as the Governor may prescribe;

(3) Shall organize and reorganize the office;

(4) Shall assign and reassign personnel to employment within the office;

(5) Shall perform or cause to be performed the work of the office in such manner and pursuant to such program as he may deem necessary and appropriate;

(6) Shall employ as necessary the services of several departments and agencies of State Government and of the employees of such departments and agencies, in such manner and to such extent as may be agreed upon by the chief executive officer of such department or agency and the Governor;

(7) Shall assist the localities in the development and formulation of local highway safety programs;

(8) Shall receive and process applications from local and State agencies for highway safety project grants.

(9) Shall cause to be made a periodic review of local highway safety programs and training programs of first aid, rescue and ambulance squads to insure they comply with the standards, guidelines and rules and regulations provided for by this act.

C. 27:5F-13 Construction of act.

13. Nothing in this act shall be construed as granting to the Governor or any other state or local official any power to promulgate any regulation which may restrict any volunteer and non-volunteer first aid, rescue or ambulance squad of the State in the proper performance of its duties. The provisions of this section may not be waived notwithstanding any other language of this act.

C. 27:5F-14 Highway Safety Policy Advisory Council.

14. The Governor shall establish a Highway Safety Policy Advisory Council which shall be representative of the Department of Transportation, Department of Health, Division of Motor Vehicles of the Department of Law and Public Safety, State Police, law enforcement agencies, local government, medical associations, hospital associations, The Red Cross, New Jersey State First Aid Council and volunteer and nonvolunteer first aid, rescue and ambulance associations.

The Director of the Division of Motor Vehicles shall be chairman of the said council.

The Highway Safety Policy Advisory Council shall make recommendations to the Governor to assist him in preparing the New Jersey Highway Safety Program and the rules and regulations and standards, guidelines and other programs provided for by this act.

C. 27:5F-15 Appointment of Governor's representative.

15. The Director of the Division of Motor Vehicles is hereby appointed as the Governor's Representative to the National Highway Traffic Safety Administration of the United States Department of Transportation.

C. 27:5F-16 Annual report.

16. On or before November 20, 1972 and the same day in each year thereafter, the Governor shall submit a report to the Legislature through such interim committee or committees as may be designated by legislative resolution. Such report shall include a detailed presentation of the New Jersey Highway Safety Program, a statement concerning the progress made implementing the program and recommendations concerning possible legislative action deemed necessary or desirable to implement the program.

C. 27:5F-17 Executive Orders superseded; powers and duties transferred.

17. Executive Orders No. 31 of 1951 and 39 of 1968 are hereby superseded. The "State Coordinating Council on Traffic and Safety" established pursuant to Executive Order No. 31 of 1951 and the "Interdepartmental Highway Safety Program Committee" established pursuant to Executive Order No. 39 of 1968 are hereby abolished and the terms of office of the members thereof are hereby terminated. The functions, powers and duties of the office of Highway Safety Liaison in the Department of Transportation established pursuant to Executive Order No. 39 of 1968 are hereby transferred to the office of Highway Safety in the Division of Motor Vehicles in the Department of Law and Public Safety established hereunder.

18. This act shall take effect immediately.

Approved December 15, 1971.

CHAPTER 352

AN ACT relating to special motor vehicle identification lights for volunteer firemen and civil defense-disaster control personnel 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*:

C. 39:3-54.1 Display of special identification light.

1. Any active member in good standing of a recognized volunteer fire company may display on a motor vehicle owned by him and registered in his name a special identification light as provided in this act.

C. 39:3-54.2 Illumination of light.

2. The special identification light may be illuminated only while the vehicle is responding to a fire alarm and is in the custody of the volunteer fireman.

C. 39:3-54.3 Specifications of light.

3. The special identification light shall be of the flashing type, not more than 7½ inches in diameter, equipped with a blue lens and a lamp of not more than 21 candlepower and shall be controlled by a switch installed inside the vehicle.

C. 39:3-54.4 Installation of light.

4. No more than one special identification light shall be installed on a vehicle and it shall be installed on the front of the vehicle so that the top of the special identification light is no higher than the top of the vehicle's headlights. The special identification light shall not interfere with the operation or with the use of any equipment of the vehicle required by law.

C. 39:3-54.5 Certificate of authorization required.

5. A certificate of authorization for the use of a special identification light, issued by the chief executive officer of the department or company, must be carried by the volunteer fireman while a special identification light is displayed on his vehicle.

C. 39:3-54.6 Unlawful display or use of light; penalty.

6. Any person authorized to display a special identification light pursuant to this act who willfully displays or uses such special identification light in violation of the provisions of this act, shall be fined the sum of \$50.00 for the first offense, and \$100.00 for the second offense and each subsequent offense thereafter.

7. This act shall take effect immediately.

Approved December 15, 1971.

CHAPTER 353

AN ACT to amend "An act concerning roadside advertising, amending chapter 191, laws of 1959, approved December 15, 1959, and supplementing Title 27 of the Revised Statutes," approved June 10, 1963 (P. L. 1963, c. 93).

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

1. Section 1 of P. L. 1963, c. 93 (C. 27:7A-11) is amended to read as follows:

C. 27:7A-11 Purpose of act.

1. The purpose of this act is to establish a system of control by the State of New Jersey of roadside advertising in areas adjacent to the Federal Interstate and Primary Systems, and to authorize the Commissioner of Transportation to enter into agreements with the United States Secretary of Transportation in order

to obtain Federal funds available to the State under Title 23 of the United States Code, "Highways."

The Legislature finds and declares that in order to promote the safety, convenience and enjoyment of travel on, and protection of the recreational value and public investment in highways within this State and to preserve and enhance the natural scenic beauty or aesthetic features of the highways and adjacent areas, it is the policy of this State that the erection and maintenance of outdoor advertising in areas adjacent to the rights-of-way of the Interstate and Primary Systems within this State shall be regulated in accordance with the terms of this act and the regulations promulgated by the State Transportation Commissioner pursuant thereto and finds that all outdoor advertising which does not conform to the requirements of this act should be removed. It is the intention of the Legislature in this act to provide a statutory basis for regulation of outdoor advertising consistent with the public policy relating to areas adjacent to the Interstate and Primary Systems declared by Congress in Title 23, United States Code, "Highways."

2. Section 2 of P. L. 1963, c. 93 (C. 27:7A-12) is amended to read as follows:

C. 27:7A-12 Definitions.

2. As used in this act:

(a) "Interstate System" means those highways constructed within this State and approved by the Secretary of Transportation 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.

(b) "Primary System" means any highway so designated by the State of New Jersey and approved by the Federal authorities pursuant to Title 23 of the United States Code.

(c) "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.

(d) "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 the Interstate System or Primary System within this State.

(e) "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 Department of Transportation, wherein panels for the display of advertising and informational signs may be erected and maintained.

(f) "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 or the Primary Systems.

(g) "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.

(h) "Main-traveled way" means the traveled way of a highway on which through traffic is carried. It does not include such facilities as frontage roads, turning roadways, or parking areas.

3. Section 3 of P. L. 1963, c. 93 (C. 27:7A-13) is amended to read as follows:

C. 27:7A-13 Erection or maintenance of signs within Interstate and Primary Systems right-of-way prohibited; exception.

3. No roadside signs shall be erected or maintained within the right-of-way of any portion of the Interstate and Primary Systems within this State, except that this prohibition shall not apply to signs, public notices, or markers, erected or maintained by the Department of Transportation, or the signs erected or maintained at the "informational sites" designated by the Commissioner of Transportation pursuant to section 8 of this act.

4. Section 4 of P. L. 1963, c. 93 (C. 27:7A-14) is amended to read as follows:

C. 27:7A-14 Erection of certain signs; permit; conditions.

4. Any roadside signs permitted by section 6 of this act shall be by permit from the Commissioner of Transportation as provided in section 7 of this act and pursuant to the conditions set forth in such permit, which conditions will be consistent with the following:

(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, except as may be authorized by agreement between the Commissioner of Transportation and the United States Secretary of Transportation.

(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.

(f) No roadside sign may be painted, drawn, erected or maintained upon trees, rocks or other natural features.

5. Section 5 of P. L. 1963, c. 93 (C. 27:7A-15) is amended to read as follows:

C. 27:7A-15 Permit for signs in protected areas; limitation.

5. No permit shall be issued by the Commissioner of Transportation for roadside signs to be erected or maintained in any protected area visible from the main-traveled way of any portion of the Interstate and Primary Systems except such signs used for the purposes set forth in section 6 of this act.

6. Section 6 of P. L. 1963, c. 93 (C. 27:7A-16) is amended to read as follows:

C. 27:7A-16 Signs permitted in protected areas.

6. In protected areas only the following signs shall be permitted subject to regulations to be promulgated by the Commissioner of Transportation:

(a) Directional and other official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, and which shall conform to national standards promulgated by the United States Secretary of Transportation;

(b) Signs, displays and devices advertising the sale or lease of property on which they are located;

(c) Signs, displays and devices advertising activities conducted on the property on which they are located;

(d) In portions of protected areas on the Interstate System the following may also be permitted:

(i) Signs, displays and devices located in commercial or industrial zones within the boundaries of incorporated municipalities as those boundaries existed on September 21, 1959, and all other areas where the land use as of September 21, 1959, was clearly established by State law as commercial or industrial within 660 feet of the nearest edge of the right-of-way;

(ii) Signs, displays and devices located in zoned and unzoned commercial and industrial areas within 660 feet of the nearest edge of the right-of-way, any part of which was acquired on or before July 1, 1956;

(e) In protected areas on the primary system only the following may also be permitted:

(i) Signs, displays and devices in areas which are zoned industrial or commercial under the authority of State law;

(ii) Signs, displays and devices located in unzoned commercial or industrial areas which shall be defined in an agreement between the State Commissioner of Transportation and the United States Secretary of Transportation.

7. Section 7 of P. L. 1963, c. 93 (C. 27:7A-17) is amended to read as follows:

C. 27:7A-17 Promulgation of regulations; fees and charges; deposit and use of funds.

7. (a) The Commissioner of Transportation is hereby authorized, following public hearings, to promulgate regulations governing roadside advertising which shall include space, size, lighting and other requirements pertaining to the issuance or denial of permits for the erection or maintenance of roadside signs within protected areas of the Interstate and Primary Systems, 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.

(b) In the promulgation of regulations pursuant to this section, the Commissioner of Transportation 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 Commissioner of Transportation 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 Commissioner of Transportation to defray the expenses of administering the provisions of this act.

8. Section 8 of P. L. 1963, c. 93 (C. 27:7A-18) is amended to read as follows:

C. 27:7A-18 Establishment and maintenance of safety rest areas or informational sites.

8. The Commissioner of Transportation is hereby authorized to designate certain roadside areas as "safety rest areas" or "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 Commissioner of Transportation is authorized to use existing right-of-way, notwithstanding any prohibition against such use set forth in section 3 herein, or safety or roadside rest areas, as in his judgment is needed for this purpose. The use of such land for safety rest areas or informational sites is hereby declared to be a "highway purpose" under the laws of this State.

9. Section 9 of P. L. 1963, c. 93 (C. 27:7A-19) is amended to read as follows:

C. 27:7A-19 Agreements with Secretary of Transportation; expenditures; acceptance of federal allotments.

9. The Commissioner of Transportation is hereby authorized to enter into agreements with the Secretary of Transportation 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 and Primary Systems, 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 of money by the Commissioner of Transportation in connection with agreements authorized by this section shall be payable from any funds available to him. The Commissioner of Transportation 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 Commissioner of Transportation and the Secretary of Transportation of the United States relating to control of roadside advertising in areas adjacent to the Interstate and Primary Systems.

10. Section 11 of P. L. 1963, c. 93 (C. 27:7A-21) is amended to read as follows:

C. 27:7A-21 Acquisition of property or right to maintain roadside signs.

11. The Commissioner of Transportation is hereby authorized to acquire, by gift, purchase or condemnation, real and personal property, or the right to maintain roadside signs in any protected area of the Interstate and Primary Systems 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, except by gift to the State, pursuant to this act shall receive just compensation therefor.

11. Section 12 of P. L. 1963, c. 93 (C. 27:7A-22) is amended to read as follows:

C. 27:7A-22 Unlawful signs; abatement; removal.

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 Commissioner of Transportation 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.

12. Any act or regulation inconsistent with this act is hereby repealed to the extent of such inconsistency.

13. This act shall take effect immediately.

Approved December 15, 1971.

CHAPTER 354

AN ACT to amend and supplement the "Transportation Benefits Tax Act," approved June 17, 1971 (P. L. 1971, c. 222), and repealing certain sections thereof.

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

1. Section 2 of c. 222 of the laws of 1971 (C. 54:8A-59) is amended to read as follows:

C. 54:8A-59 Imposition of tax; levy; collection; payment.

2. Imposition of tax; levy; collection; payment. A temporary tax is hereby imposed, and shall be levied, collected and paid annually, at the rate specified in this act,

(a) upon every resident of this State, who is not a resident of another critical area state under and pursuant to its laws, upon and with respect to the classes of income as defined in this act and subject to taxation under this act, for the taxable year, derived from sources within a critical area state other than New Jersey; and

(b) upon and with respect to the classes of income as defined in this act and subject to taxation under this act, for the taxable year, derived from sources within this State by natural persons who are not residents of this State and who are residents of another critical area state under and pursuant to the law of such state.

2. Section 3 of c. 222 of the laws of 1971 (C. 54:8A-60) is amended to read as follows:

C. 54:8A-60 Rate of tax.

3. Rate of tax. The tax imposed by this act shall be levied and imposed annually upon each taxpayer at the rate of 2.3% upon each of the classes of income hereinafter enumerated in section 16 (C. 54:8A-73).

3. Section 4 of c. 222 of the laws of 1971 (C. 54:8A-61) is amended to read as follows:

C. 54:8A-61 Definitions.

4. (a) Definitions. "Critical area state" means this State and such other state bordering thereon within which there exists part of an area, another part of which is in this State, and within which area there is, as of January 1 of any year, a severe transportation

problem in respect to the transportation of persons and property interstate.

(b) The Legislature finds and declares that a severe transportation problem exists in connection with transportation interstate between this State and another state bordering thereon due to the number of daily commuters between said states as to create a severe peak-load demand requiring facilities and services, by any means or mode of transportation far in excess of those needed for normal travel outside of usual commuter hours, caused by the carrying on of activities in one of the states by persons residing in another, from which activities such persons derive income or gain from sources within the state other than that in which they reside.

The Legislature finds and declares that whenever the total number of annual crossings by persons residing in one of such states who are employed, or carry on a trade, business, occupation or profession in the other state plus the number of annual crossings by persons residing in the other state who are employed, or carry on a trade, business, occupation or profession in the first state exceeds 100,000,000 but is less than 300,000,000, that fact reasonably demonstrates that a severe transportation problem exists. If the number of annual crossings as set forth in this section is found to exist by the Commissioner of Transportation in accordance with subsection (c) hereof, the provisions of this act shall take effect and the provisions of the Emergency Transportation Tax Act, P. L. 1961, c. 32 (C. 54:8A-1 et seq.) shall not be applicable to persons subject to tax under this act.

(c) On or before December 31, 1971, and within 40 days after the first day of each year hereafter, so long as this act shall remain in effect, the State Transportation Commissioner shall certify to the State Treasurer his findings with respect to the existence of the conditions herein set forth and the identity of any states which he determines to come within the definition in this section. Upon receipt of such certification, the State Treasurer shall cause public notice thereof to be given, by publication in such newspaper or newspapers, and in such form, as he shall find will fairly apprise all persons subject to taxation under this act, of the making of said certification and of the significance thereof to such persons. Any certification so made shall be effective for the entire calendar year as of the first day of which it ascertains the facts.

4. Section 5 of c. 222 of the laws of 1971 (C. 54:8A-62) is amended to read as follows:

C. 54:8A-62 "Derived from sources within" defined.

5. "Derived from sources within" defined. "Derived from sources within" one state or another, as applied to the classes of income enumerated in section 16 (C. 54:8A-73), means such income and gain from all property owned and from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, and from all business, trade, profession or occupation carried on, in the particular state. No person who is not a dealer holding property primarily for sale to customers in the ordinary course of his trade or business, shall be deemed to carry on a business, trade, profession or occupation in a state solely by reason of the purchase and sale of property for his own account.

5. Section 16 of c. 222 of the laws of 1971 (C. 54:8A-73) is amended to read as follows:

C. 54:8A-73 "Taxable income" defined.

16. "Taxable income" defined. The classes of taxable income are as follows:

(a) (1) Compensation. All salaries, wages, commissions, bonuses and incentive payments whether based on profits or otherwise, fees, tips and similar remuneration received for services rendered whether directly or through an agent and whether in cash or in property.

(2) Net profits. The net income from the operation of a business, profession, or other activity, after provision for all costs and expenses incurred in the conduct thereof, determined either on a cash or accrual basis in accordance with accepted accounting principles and practices but without deduction of taxes based on income.

(3) Net gains or income from disposition of property. Net gains or net income, less net losses, derived from the sale, exchange or other disposition of property, including real or personal, whether tangible or intangible but only to the extent that the amount of such net gain or income exceeds the taxpayer's actual or attributed base as determined in accordance with accepted accounting principles and practices.

The term "net gains or income" shall not include gains or income derived from obligations which are statutorily free from State or local taxation under the laws of the taxpayer's State of residence or under the laws of the United States.

(4) Net gains or income derived from or in the form of rents, royalties, patents and copyrights.

(5) Dividends.

(6) Interest derived from obligations which are not statutorily free from state or local taxation under the laws of the taxpayer's state of residence or under the laws of the United States.

(7) Gambling and lottery winnings, except prizes received pursuant to the provisions of the State Lottery Law, P. L. 1970, c. 13.

(8) Net gains or income derived through estates or trusts.

(b) To the extent that income or gain is subject to tax under one of the classes of income enumerated in this section such income or gain shall not be subject to tax under another of such enumerated classes.

(c) The Director, Division of Taxation, is empowered to issue rules and regulations governing the determination of items entering into the computations of taxable income pursuant to this section.

6. Section 18 of c. 222 of the laws of 1971 (C. 54:8A-75) is amended to read as follows:

C. 54:8A-75 Allocated income defined.

18. Allocated income defined. "Allocated income" means that portion of each class of a taxpayer's income derived from sources within his source state.

7. Section 20 of c. 222 of the laws of 1971 (C. 54:8A-77) is amended to read as follows:

C. 54:8A-77 Inclusions in and exclusions from income.

20. Inclusions in and exclusions from income. (a) Income from intangible personal property, including annuities, dividends, interest, and gains from the disposition of intangible personal property, shall constitute income derived from sources within the taxpayer's source state only to the extent that such income is from property employed in a business, trade, profession, or occupation carried on in his source state.

(b) Compensation paid by the United States for service in the Armed Forces of the United States, performed by an individual during an induction period, shall not constitute income derived from sources within his source state.

(c) There shall be excluded from income all amounts received:

(1) as a pension or retirement allowance,

(2) under a life insurance contract payable by reason of death,

(3) under a workmen's compensation act for personal injuries or sickness,

(4) through accident and health insurance for personal injuries or sickness except to the extent that such amounts are paid by or are attributable to contributions by the employer,

- (5) by gift, bequest, devise or inheritance,
- (6) as periodic payments for sickness and disability other than regular wages received during a period of sickness or disability,
- (7) prizes received pursuant to the provisions of the State Lottery Law, P. L. 1970, c. 13 shall be exempt from the tax imposed by this act,
- (8) as payments commonly known as public assistance or unemployment compensation payments by any governmental agency; or
- (9) as payments to reimburse actual expenses; or
- (10) as payments made by employers or labor unions for programs covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, social security and retirement.

8. Section 36 of c. 222 of the laws of 1971 (C. 54:8A-93) is amended to read as follows:

C. 54:8A-93 Individuals of partnership liable for tax; computing; liquidation payments.

36. Individuals of partnership liable for tax; computing; liquidation payments. (a) Individuals carrying on business in partnerships shall be liable for tax under this act only in their individual capacity. Each partner shall include in his income his distributive share, whether distributed or not, of the partnership's net income and net loss for the taxable year, or, where his taxable year is different, then for the taxable year of the partner in which ends the taxable year of the partnership.

(b) If a partner's entire interest is sold, exchanged or liquidated, his distributive share of such income, gain or loss shall be included in his taxable year in which ends the partnership period ending with such transaction. Under this subsection, a partner's death does not constitute such liquidation.

Payments made in liquidation of the interest of a partner who retires or dies shall be taxed as a sale or exchange of such partner's interest in partnership assets, to the extent that they represent such interest, and the balance shall be taxed as the partner's distributive share of partnership income. Under this subsection, amounts paid for unrealized receivables or good will of the partnership shall not be included in payments representing a partner's interest in partnership assets except to the extent that the partnership agreement provides for payment with respect to good will.

(c) In determining the extent to which a partner's distributive share is derived from sources within his source state, no effect shall be given to a provision in the partnership agreement which

(1) characterizes payments to the partner as being for services or for the use of capital, or

(2) allocates to the partner, as income or gain derived from sources outside his source state, a greater proportion of his distributive share of partnership income or gain than the ratio of partnership income or gain derived from sources outside his source state to partnership income or gain from all sources, except as authorized in subsection (d), or

(3) allocates to the partner a greater proportion of a partnership item of loss or deduction derived from sources within his source state than his proportionate share of partnership loss or deduction from all sources, except as authorized in subsection (d).

(d) The Division of Taxation may adopt regulations to authorize the use of such other methods of determining a partner's portion of partnership items derived from sources within his source state, and the modifications related thereto, as may be appropriate and equitable to insure that only that portion of a partner's distributive share derived from sources within his source state shall be included within such share.

9. Section 40 of c. 222 of the laws of 1971 (C. 54:8A-97) is amended to read as follows:

C. 54:8A-97 Returns: of whom required; personal liability; report of changes.

40. Returns; of whom required; personal liability; report of changes. (a) On or before the filing date prescribed in section 41 of this act, an income tax return shall be made and filed by or for every individual having income derived from sources within his source state.

(b) (1) If the Federal income tax liability of husband or wife is determined on a separate Federal return, their New Jersey income tax liabilities and returns shall be separate.

(2) If the Federal income tax liabilities of husband and wife (other than a husband and wife described in paragraph (3)) are determined on a joint Federal return, or if neither files a Federal return:

(A) They shall file a joint New Jersey income tax return, and their tax liabilities shall be joint and several, or

(B) They may elect to file separate New Jersey income tax returns on a single form if they comply with the requirements of the Division of Taxation in setting forth information, and in such event their tax liabilities shall be separate.

(3) If either husband or wife is a resident and the other is a non-resident, they shall file separate New Jersey income tax returns on such single or separate forms as may be required by the Division of Taxation, and in such event their tax liabilities shall be separate.

(c) The return for any deceased individual shall be made and filed by his fiduciary or other person charged with his property.

(d) The return for an individual who is unable to make a return by reason of minority or other disability shall be made and filed by his fiduciary or other person charged with the care of his person or property (other than a receiver in possession of only a part of his property), or by his duly authorized agent.

(e) Any tax under this act, and any increase, interest or penalty thereon, shall, from the time it is due and payable, be a personal debt of the person liable to pay the same, to the State of New Jersey.

(f) If the amount of taxable income for any year of any taxpayer as returned to the United States Treasury Department or to an appropriate State officer is changed or corrected by the taxpayer or the Commissioner of Internal Revenue or other officer of the United States or other competent authority; or where a renegotiation of a contract or subcontract with the United States results in a change in taxable income, such taxpayer shall report such change or corrected taxable income, or the results of such renegotiation, within 90 days after the final determination of such change or correction renegotiation, or as required by regulation, and shall concede the accuracy of such determination or state wherein it is erroneous. Any taxpayer filing an amended return with such department or officer shall also file within 90 days thereafter an amended return in this State which shall contain such information as the regulations shall require.

10. Section 41 of c. 222 of the laws of 1971 (C. 54:8A-98) is amended to read as follows:

C. 54:8A-98 Time of filing return; extensions.

41. Time of filing return; extensions. With respect to each taxpayer, the tax imposed by this act shall be due and payable annually hereafter, in the manner provided in this section:

(a) Every taxpayer shall annually pay the tax imposed by this act with respect to all or any part of each of his fiscal or calendar accounting years beginning after June 1, 1971 to be computed as in this act provided, for such fiscal or calendar accounting year or part thereof, on a return which shall be filed, in the case of a tax-

payer reporting on a calendar year basis, on or before April 15 following the close of such calendar year, or, in the case of a taxpayer reporting on a fiscal year basis, on or before the fifteenth day of the fourth month following the close of such fiscal year, and the full amount of the tax shall be due and payable on or before the date prescribed herein for the filing of the return.

(b) Every taxpayer shall pay a like tax with respect to all or any part of the period beginning June 1, 1971 and extending through any subsequent part of his first fiscal or calendar accounting year ending after said date, to be computed as in this act provided, for such period, on a return which shall be filed on or before April 15, 1972, and the full amount of the tax shall be due and payable on or before the date prescribed herein for the filing of the return. In the case of a taxpayer reporting on an accounting period ending after December 31, 1971, the return for such period shall be filed on or before the fifteenth day of the fourth month following the close of such period, and the full amount of the tax shall be due and payable on or before the date prescribed herein for the filing of the return.

(c) Each return shall carry a certificate signed by the taxpayer to the effect that all statements contained therein are true, under the same penalties as for perjury committed. Blank forms of return shall be furnished on application, but failure to secure the form shall not relieve any taxpayer of the obligation of making any return herein required. Subject to regulations under this act and in such form as may be indicated thereby, taxpayers whose taxable income taxable under this act is or may be subject to tax under a similar law of another jurisdiction may be permitted to file a simple, short form return attached to a copy of his return as filed or about to be filed by him in such other jurisdiction.

Subject to regulations under this act, reasonable extensions of time for good cause shown, may be granted for not more than 6 months unless exceptional circumstances justify a longer period, within which returns may be filed.

In addition, persons in active service with the Armed Forces of the United States, who may be prevented by distance or injury or hospitalization arising out of such service, may be allowed such extension of time for the filing of returns, without interest or penalty, as may be fixed by regulations under this act.

11. Section 43 of c. 222 of the laws of 1971 (C. 54:8A-100) is amended to read as follows:

C. 54:8A-100 Taxable year; accounting method.

43. Taxable year; accounting method. (a) A taxpayer's taxable year under this act shall be the same as his taxable year for Federal income tax purposes.

(b) If a taxpayer's taxable year is changed for Federal income tax purposes, his taxable year for purposes of this act shall be similarly changed.

(c) A taxpayer's method of accounting under this act shall be the same as his method of accounting for Federal income tax purposes. Taxable income shall be computed under such method as shall be prescribed by the Division of Taxation.

(d) (1) If a taxpayer's method of accounting is changed for Federal income tax purposes, his method of accounting for purposes of this act shall be similarly changed.

(2) If a taxpayer's method of accounting is changed, other than from an accrual to an installment method, any additional tax which results from adjustments determined to be necessary solely by reason of the change shall not be greater than if such adjustments were ratably allocated and included for the taxable year of the change and the preceding taxable years, not in excess of 2, during which the taxpayer used the method of accounting from which the change is made.

(3) If a taxpayer's method of accounting is changed from an accrual to an installment method, any additional tax for the year of such change of method and for any subsequent year which is attributable to the receipt of installment payments properly accrued in a prior year, shall be reduced by the portion of tax for any prior taxable year attributable to the accrual of such installment payments, in accordance with regulations of the Division of Taxation.

12. Section 44 of c. 222 of the laws of 1971 (C. 54:8A-101) is amended to read as follows:

C. 54:8A-101 Employer to withhold tax.

44. Employer to withhold tax. (a) General. From and after January 1, 1972, every employer in this State of a taxpayer subject to tax in respect of wages, salaries or commissions derived from sources within this State shall deduct and withhold upon the same for each payroll period an amount computed in such manner as to result, as far as practicable, in withholding during each calendar year a sum substantially equivalent to the amount of tax reasonably estimated to be due under this act. Methods for determining the

amount to be withheld shall be prescribed by regulation, as shall procedures and requirements for the furnishing by the employer of written statements showing the total compensation, the amount withheld and other specified information.

(b) Withholding agreements. The director may enter into agreements with the tax departments of other states (which require income tax to be withheld from the payment of wages and salaries) so as to govern the amounts to be withheld from the wages and salaries of residents of such states under provisions of this act. Such agreements may provide for recognition of anticipated tax credits in determining the amounts to be withheld and, under regulations prescribed by the director, may relieve employers in this State from withholding income tax on wages and salaries paid to nonresident employees. The agreements authorized by this subsection are subject to the condition that the tax department of such other states grant similar treatment to residents of this State.

13. Section 53 of c. 222 of the laws of 1971 (C. 54:8A-110) is amended to read as follows:

C. 54:8A-110 Information returns.

53. Information returns. The director may prescribe regulations and instructions requiring returns of information to be made and filed on or before February 28 of each year by any person making payment or crediting in any calendar year the amounts of \$10.00 or more to any person who may be subject to the tax imposed under this act. Such returns may be required of any person, including lessees or mortgagors of real or personal property, fiduciaries, employers, and all officers and employees of this State, or of any municipal corporation or political subdivision of this State, having the control, receipt, custody, disposal or payment of dividends, interest, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable gains, profits, or income, except interest coupons payable to bearer. A duplicate of the statement as to tax withheld on wages, required to be furnished by an employer to an employee, shall constitute the return of information required to be made under this section with respect to such wages.

14. Section 59 of c. 222 of the laws of 1971 (C. 54:8A-116) is amended to read as follows:

C. 54:8A-116 Administration of act.

59. Administration of act. (a) The Division of Taxation in the Department of the Treasury shall administer the provisions of this act, adopt regulations necessary or desirable to effectuate its purposes or to make explicit the treatment of various items, authorize appropriate systems of accounting and computation, provide for the allocation of income, gains and losses in cases where the source or connection thereof may be partly within and partly without the source state of the taxpayer, and prepare instructions for the guidance and information of taxpayers. Whenever possible, consistent with reasonable application of the provisions of this act, the division shall so prepare its regulations, forms, instructions and other acts to reduce the burden of making computations and returns under this act differently from similar computations and returns required of the same taxpayer with respect to the same income and gain to some other jurisdiction. The division shall also make procedural regulations for its review and correction of returns of taxpayers, the making of refunds or additional assessments of tax on such review or correction, and the assessment of the tax where no return is filed, as well as the method and time of giving due notice thereof and providing suitable methods for appropriate protest or hearing.

In addition to objects mentioned elsewhere in this act, such regulations may describe the treatment to be accorded to items of exchange of property and the recognition or nonrecognition thereof, the deferment of gains from the sale of a personal residence, war losses, employee stock options, inclusions, exclusions and exemptions from gross income, pensions, common trust funds, and may provide for the determination and assessment of interest or penalties, extensions of time for performing any act or making any payment, suspension of penalty or interest or both for limited periods, waiver or reduction of additional taxes, gathering of information and filing of reports for information, and all other matters reasonably required for the fair, impartial and practical administration of this act.

(b) Except as otherwise provided, the amount of tax due on any return shall be determined by the division within 3½ years after the return was made. When the return omits an amount greater than 25% of the taxable income reported, and which should have been included, such determination shall be made within 6½ years after the return was made. When no return is made, or when a return is made willfully false or fraudulent with intent to evade

the tax, or if taxpayer fails to report a change or correction made by another taxing jurisdiction or fails to file an amended return when required to by this act, the amount of the tax may be determined at any time. Where, for 1 taxable year, a deduction disallowed appears to have been allowable in some other taxable year not more than 5 years prior thereto, the return for such earlier year may be revised and the tax for said year resettled, and if the same shall result in a lower tax for said earlier year, the overpayment may be allowed as a credit against, but not in excess of, any assessment resulting from the disallowance for the later year.

Repealer.

15. Sections 10, 11, 15, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 38 and 39 of P. L. 1971, c. 222 are repealed.

16. This act shall take effect immediately and shall be applicable with respect to classes of income specified in section 16 (C. 54:8A-73) received or accrued on or after June 1, 1971.

Approved December 16, 1971.

CHAPTER 355

AN ACT relating to the donation of blood by certain minors.

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

C. 9:17A-6 Donation of blood by certain minors.

1. Any person of the age of 18 years or over can consent to donate blood in any voluntary and noncompensatory blood program without the necessity of obtaining parental permission or authorization. Such consent shall be valid and binding as if the person had achieved his majority, and shall not be subject to later disaffirmance because of minority.

2. This act shall take effect immediately.

Approved December 20, 1971.

CHAPTER 356

AN ACT to prohibit unfair practices in franchising and supplementing Title 56 of the Revised Statutes.

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

C. 56:10-1 Short Title.

1. This act shall be known and may be cited as the "Franchise Practices Act."

C. 56:10-2 Legislature's findings.

2. The Legislature finds and declares that distribution and sales through franchise arrangements in the State of New Jersey vitally affects the general economy of the State, the public interest and the public welfare. It is therefore necessary in the public interest to define the relationship and responsibilities of franchisors and franchisees in connection with franchise arrangements.

C. 56:10-3 Definitions.

3. As used in this act:

a. "Franchise" means a written arrangement for a definite or indefinite period, in which a person grants to another person a license to use a trade name, trade mark, service mark, or related characteristics, and in which there is a community of interest in the marketing of goods or services at wholesale, retail, by lease, agreement, or otherwise.

b. "Person" means a natural person, corporation, partnership, trust, or other entity and, in case of an entity, it shall include any other entity which has a majority interest in such entity or effectively controls such other entity as well as the individual officers, directors, and other persons in active control of the activities of each such entity.

c. "Franchisor" means a person who grants a franchise to another person.

d. "Franchisee" means a person to whom a franchise is offered or granted.

e. "Sale, transfer or assignment" means any disposition of a franchise or any interest therein, with or without consideration, to include but not limited to bequest, inheritance, gift, exchange, lease or license.

f. "Place of business" means a fixed geographical location at which the franchisee displays for sale and sells the franchisor's goods or offers for sale and sells the franchisor's services. Place of business shall not mean an office, a warehouse, a place of storage, a residence or a vehicle.

C. 56:10-4 Application of act.

4. This act applies only to a franchise (1) the performance of which contemplates or requires the franchisee to establish or maintain a place of business within the State of New Jersey, (2) where gross sales of products or services between the franchisor and franchisee covered by such franchise shall have exceeded \$35,000.00 for the 12 months next preceding the institution of suit pursuant to this act, and (3) where more than 20% of the franchisee's gross sales are intended to be or are derived from such franchise.

C. 56:10-5 Termination, cancellation or failure to renew franchise.

5. It shall be a violation of this act for any franchisor directly or indirectly through any officer, agent, or employee to terminate, cancel, or fail to renew a franchise without having first given written notice setting forth all the reasons for such termination, cancellation, or intent not to renew to the franchisee at least 60 days in advance of such termination, cancellation, or failure to renew, except (1) where the alleged grounds are voluntary abandonment by the franchisee of the franchise relationship in which event the aforementioned written notice may be given 15 days in advance of such termination, cancellation, or failure to renew; and (2) where the alleged grounds are the conviction of the franchisee in a court of competent jurisdiction of an indictable offense directly related to the business conducted pursuant to the franchise in which event the aforementioned termination, cancellation or failure to renew may be effective immediately upon the delivery and receipt of written notice of same at any time following the aforementioned conviction. It shall be a violation of this act for a franchisor to terminate, cancel or fail to renew a franchise without good cause. For the purposes of this act, good cause for terminating, canceling, or failing to renew a franchise shall be limited to failure by the franchisee to substantially comply with those requirements imposed upon him by the franchise.

C. 56:10-6 Transfer, assignment or sale of franchise.

6. It shall be a violation of this act for any franchisee to transfer, assign or sell a franchise or interest therein to another person unless the franchisee shall first notify the franchisor of such in-

tention by written notice setting forth in the notice of intent the prospective transferee's name, address, statement of financial qualification and business experience during the previous 5 years. The franchisor shall within 60 days after receipt of such notice either approve in writing to the franchisee such sale to proposed transferee or by written notice advise the franchisee of the unacceptability of the proposed transferee setting forth material reasons relating to the character, financial ability or business experience of the proposed transferee. If the franchisor does not reply within the specified 60 days, his approval is deemed granted. No such transfer, assignment or sale hereunder shall be valid unless the transferee agrees in writing to comply with all the requirements of the franchise then in effect.

C. 56:10-7 Unlawful practices.

7. It shall be a violation of this act for any franchisor, directly or indirectly, through any officer, agent or employee, to engage in any of the following practices:

a. To require a franchisee at time of entering into a franchise arrangement to assent to a release, assignment, novation, waiver or estoppel which would relieve any person from liability imposed by this act.

b. To prohibit directly or indirectly the right of free association among franchisees for any lawful purpose.

c. To require or prohibit any change in management of any franchisee unless such requirement or prohibition of change shall be for good cause, which cause shall be stated in writing by the franchisor.

d. To restrict the sale of any equity or debenture issue or the transfer of any securities of a franchise or in any way prevent or attempt to prevent the transfer, sale or issuance of shares of stock or debentures to employees, personnel of the franchisee, or heir of the principal owner, as long as basic financial requirements of the franchisor are complied with, and provided any such sale, transfer or issuance does not have the effect of accomplishing a sale of the franchise.

e. To impose unreasonable standards of performance upon a franchisee.

f. To provide any term or condition in any lease or other agreement ancillary or collateral to a franchise, which term or condition directly or indirectly violates this act.

C. 56:10-8 Application of act.

8. This act shall not apply to a franchise granted prior to the effective date of this act, provided, however, that a renewal of a franchise or an amendment to an existing franchise shall not be excluded from the application of this act.

C. 56:10-9 Defense for franchisor.

9. It shall be a defense for a franchisor, to any action brought under this act by a franchisee, if it be shown that said franchisee has failed to substantially comply with requirements imposed by the franchise and other agreements ancillary or collateral thereto.

C. 56:10-10 Action by franchisee.

10. Any franchisee may bring an action against its franchisor for violation of this act in the Superior Court of the State of New Jersey to recover damages sustained by reason of any violation of this act and, where appropriate, shall be entitled to injunctive relief. Such franchisee, if successful, shall also be entitled to the costs of the action including but not limited to reasonable attorney's fees.

C. 56:10-11 Severability of law.

11. If any provision of this law or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the law which can be given effect without the invalid provision or application, and to this end the provisions of this law are severable.

C. 56:10-12 Liability of franchisor.

12. No liability on the part of and no cause of action of any nature other than as provided by this act shall arise against any franchisor, its officers, agents or employees furnishing information as to reasons for termination, cancellation, intent not to renew, failure to renew, unacceptability of a proposed transferee, or relating to the character, financial ability or business experience of a proposed transferee, or for statements made or evidence submitted at any hearing or trial conducted in connection therewith.

13. This act shall take effect immediately.

Approved December 21, 1971.

CHAPTER 357

AN ACT to authorize the borough of Butler in the county of Morris to make permanent the appointment of Paul Struble to the police department of the borough of Butler.

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

Private act.

1. The borough of Butler in the county of Morris is authorized to make permanent the appointment of Paul Struble to the police department of the borough of Butler notwithstanding that the height of Paul Struble is less than the minimum height required for appointment thereto pursuant to the rules and regulations of the Civil Service Commission.

This act shall take effect upon due adoption and publication of an ordinance of the borough of Butler for the purpose of adopting same.

Approved December 21, 1971.

CHAPTER 358

AN ACT to authorize the town of Boonton in the county of Morris to make permanent the appointment of Arthur Lefkowitz to the police department of the town of Boonton.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948 (C. 1:6-10 et seq.), under which a petition for a special law has been filed with the Legislature, the town of Boonton in the county of Morris is authorized to make permanent the appointment of Arthur Lefkowitz to the police department of the town of Boonton notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in N. J. S. 40A:14-127.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the town of Boonton for the purpose of adopting same.

Approved December 21, 1971.

CHAPTER 359

AN ACT to amend the "New Jersey Conflicts of Interest Law," approved June 2, 1971 (P. L. 1971, c. 182).

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

1. Section 2 of P. L. 1971, c. 182 (C. 52:13D-13) is amended to read as follows:

C. 52:13D-13 Definitions.

2. As used in this act, and unless a different meaning clearly appears from the context, the following terms shall have the following meaning:

a. "State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency. A county or municipality shall not be deemed an agency or instrumentality of the State.

b. "State officer or employee" means any person, other than a member of the Legislature, holding an office or employment in a State agency, excluding special State officers or employees as defined in subsection e. of this section.

c. "Member of the Legislature" means any person elected to serve in the General Assembly or the Senate.

d. "Head of a State agency" means (1) in the case of the Executive Branch of government, the department head or, if the agency is not assigned to a department, the Governor, and (2) in the case of the Legislative Branch, the chief presiding officer of each house of the Legislature.

e. "Special State officer or employee" means (1) any person holding an office or employment in a State agency for which office or employment no compensation is authorized or provided by law, or no compensation other than a sum in reimbursement of expenses, whether payable per diem or per annum, is authorized or provided by law and (2) any person, not a member of the Legislature, holding a part-time elective or appointive office or employment in the Legislative branch.

f. "Person" means any natural person, association or corporation.

g. "Interest" in a corporation means the ownership or control of more than 10% of the stock of the corporation.

h. "Cause, proceeding, application or other matter" means a specific cause, proceeding or matter and does not mean or include determinations of general applicability or the preparation or review of legislation which is no longer pending before the Legislature or the Governor.

2. Section 5 of P. L. 1971, c. 182 (C. 52:13D-16) is amended to read as follows:

C. 52:13D-16 Certain representations prohibited; exceptions.

5. a. No special State officer or employee, nor any partnership, firm or corporation in which he has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before the particular office, bureau, board, council, commission, authority, agency, fund or system in which such special State officer or employee holds office or employment.

b. No State officer or employee or member of the Legislature, nor any partnership, firm or corporation in which he has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any cause,

proceeding, application or other matter pending before any State agency; provided, however, this subsection shall not be deemed to prohibit a member of the Legislature from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member of the Legislature, whether directly or indirectly nor shall anything contained herein be deemed to prohibit any such partnership, firm or corporation from appearing on its own behalf.

c. Nothing contained in this section shall be deemed to prohibit any legislator, or any State officer or employee or special State officer or employee from representing, appearing for or negotiating on behalf of, or agreeing to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any proceeding pending before any court of record of this State, any proceeding in regard to a claim for compensation arising under chapter 15 of Title 34 of the Revised Statutes (Workmen's Compensation), any proceeding in connection with the determination or review of transfer inheritance or estate taxes, any proceeding before the Division of Tax Appeals, any proceeding in connection with the filing of corporate or other documents in the office of the Secretary of State, any proceeding before the Division of Civil Rights, the New Jersey State Board of Mediation or the New Jersey Public Employment Relations Commission, or any successor thereof or any proceeding on behalf of a county, municipality or school district, or any authority, agency or commission of any thereof except where the State is an adverse party in the proceeding and provided he is not holding any office or employment in the State agency in which any such proceeding is pending.

3. Section 6 of P. L. 1971, c. 182 (C. 52:13D-17) is amended to read as follows:

C. 52:13D-17 Certain representations prohibited; penalty.

6. No State officer or employee or special State officer or employee, subsequent to the termination of his office or employment in any State agency, shall represent, appear for or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, whether by himself or through any partnership, firm or corporation in which he has an interest or through any partner, officer or employee thereof, any person or party other than the State in connection with any cause, proceeding, application or other matter with respect to which such State officer or employee or special State officer or employee shall have made any investigation, rendered any ruling, given any opinion, or been otherwise sub-

stantially and directly involved at any time during the course of his office or employment. Any person who willfully violates the provisions of this section is a disorderly person, and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed 6 months, or both.

4. This act shall take effect January 11, 1972.

Approved December 21, 1971.

CHAPTER 360

AN ACT concerning the powers of local boards of health, and amending R. S. 26:3-31.

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

1. R. S. 26:3-31 is amended to read as follows:

Enumeration of specific powers and duties.

26:3-31. The local board of health shall have power to pass, alter or amend ordinances and make rules and regulations in regard to the public health within its jurisdiction, for the following purposes:

a. To protect the public water supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes, and to prevent the use of or to close any well, the water of which is polluted or detrimental to the public health.

b. (1) To prohibit the cutting, sale or delivery of ice in any municipality without obtaining a permit from the local board. No person shall cut, sell or deliver ice in any municipality without obtaining such permit.

(2) To refuse such permit or revoke any permit granted by it when in its judgment the use of any ice cut, sold or delivered under the permit would be detrimental to the public health. Upon the refusal or revocation of a permit by the local board, an appeal may be taken to the State department. Upon order of the State department a permit shall be granted or the revocation set aside.

(3) To prohibit the importation, distribution or sale of any impure ice which would be detrimental to the public health.

c. To license and regulate the sanitary conditions of hotels, restaurants, cafes, and other public eating houses and to provide

for the posting of ratings or score cards setting forth the sanitary condition of any public eating house after inspection of the same and to post the rating or score card in some conspicuous or public place in such eating house.

d. To compel any owner of property along the line of any sewer to connect his house or other building therewith. This paragraph shall be enforced by the local board within its jurisdiction and it shall by ordinance provide a fine of \$25.00 to be imposed upon any person who shall not comply with any order issued under the authority of this paragraph, within 30 days after notice by the proper officer of the board to make the required connections. An additional fine of \$10.00 shall be provided for each day of delay, after the expiration of the 30 days, in which the provisions of the order or notice are not complied with. Such notice may be served upon the owner personally or by leaving it at his usual place of abode with a member of his family above the age of 18 years.

e. To regulate the practice of plumbing, to issue licenses and to create an examining board to determine the qualification of any applicant for a license to practice plumbing. The board shall consist of 3 persons, of whom one shall be a plumbing inspector in the employ of the local board, one a master plumber, and one a journeyman plumber. No such ordinance or rule or regulation adopted thereunder shall require the obtaining of a license by any person, firm or corporation licensed in accordance with the "State Plumbing License Law of 1968."

f. To regulate, control, and prohibit the accumulation of offal and any decaying or vegetable substance.

g. (1) To regulate the location, construction, maintenance, method of emptying or cleaning, and the frequency of cleaning of any privy or other place used for the reception or storage of human excrement, and to prohibit the construction or maintenance of any privy or other such place until a license therefor shall have been issued by the board, which license shall continue in force for 1 year from the date of issue.

(2) To fix the fee, not exceeding \$5.00, for such license, and to use the fees so collected in supervising and maintaining said privies or other places and in removing and disposing of the excrement therefrom.

(3) To revoke such license at any time if the owner or tenant of the property on which any privy or other such place is located, maintains the same in violation of law, or of the State sanitary code, or any ordinance or rule of the board.

h. To regulate, control, or prohibit the cleaning of any sewer, the dumping of garbage, the filling of any sunken lot or marsh land, and to provide for the filling up of any such lot or land, which has become filled with stagnant water and is located in any built-up area.

i. (1) To license and regulate the business of cleaning cesspools and privies, which license shall continue for the term of 1 year from the date of granting, and to fix the fee that shall be charged for such license, not exceeding \$20.00 for each vehicle or conveyance.

(2) To prohibit unlicensed persons from engaging in such business.

(3) To require any vehicle or conveyance used in such business within its jurisdiction to be approved by it.

(4) To revoke such license if any licensee or his employee or agent shall violate any ordinance or rule of the board in cleaning any cesspool or privy, or in removing the contents thereof.

j. To aid in the enforcement of laws as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any meat or vegetable that is unwholesome or unfit for food.

k. To regulate, control, or prohibit the keeping or slaughtering of animals.

l. To license and regulate the keeping of boarding houses for infants and children and to fix a license fee for the same and to prevent unlicensed persons from keeping such boarding houses. This paragraph shall not apply to:

(1) The Bureau of Children's Services.

(2) Any children's home, orphan asylum, or children's aid society incorporated under the laws of this State.

(3) Any aid society of a properly organized and accredited church or fraternal society organized for aid and relief to its members.

(4) Any charitable society incorporated under the laws of this State having as one of its objects the prevention of cruelty to children or the care and protection of children.

m. To require in buildings, designed to be occupied, or occupied, as residences by more than two families and when the owners have agreed to supply heat, that from October 1 of each year to the next succeeding May 1, every unit of dwelling space and every habitable room therein shall be maintained at least at 68° F. whenever the outside temperature falls below 55° during daytime hours from 6 a.m. to 11 p.m. At times other than those specified interiors of

units of dwelling space shall be maintained at least at 55° F. whenever the outside temperature falls below 40°.

In meeting the aforesaid standards, the owner shall not be responsible for heat loss and the consequent drop in the interior temperature arising out of action by the occupants in leaving windows or doors open to the exterior of the building. The owner shall be obligated to supply required fuel or energy and maintain the heating system in good operating condition so that it can supply heat as required herein notwithstanding any contractual provision seeking to delegate or shift responsibility to the occupant or third person, except that the owner shall not be required to supply fuel or energy for heating purposes to any unit where the occupant thereof agrees in writing to supply heat to his own unit of dwelling space and the said unit is served by its own exclusive heating equipment for which the source of heat can be separately computed and billed.

n. To regulate the practice of midwifery, but the exercise of such authority shall not conflict with the provisions of chapter 10 of the Title Professions and Occupations (§ 45:10-1 et seq.).

o. To enforce the making of returns or reports to the local board on the part of any person charged with such duty under any law and to take cognizance of any failure to make such returns and deal with the same in an effective manner.

p. To act as the agent for a landlord in the engaging of repairmen and the ordering of any parts necessary to restore to operating condition the furnace, boiler or other equipment essential to the proper heating of any residential unit rented by said landlord, provided, however, that at least 24 hours have elapsed since the tenant has lodged a complaint with the local board of health, prior to which a bona fide attempt has been made by the tenant to notify the landlord of the failure of the heating equipment, and the landlord has failed to take appropriate action, and the outside air temperature is less than 55° F.

Any person who supplies material or services in accordance with this section shall bill the landlord directly and by filing a notice approved by the local board of health, with the county clerk, shall have a lien on the premises where the materials were used or services supplied.

2. This act shall take effect immediately.

Approved December 21, 1971.

CHAPTER 361

AN ACT to regulate the ascertainment and payment of compensation for property condemned or taken for public purposes and repealing chapter 1 of Title 20 of the Revised Statutes, chapter 14 of the laws of 1942, and certain other parts of the statutory law.

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

ARTICLE I

SHORT TITLE

C. 20:3-1 Short title.

1. This act shall be known and may be cited as the "Eminent Domain Act of 1971."

ARTICLE II

DEFINITIONS

C. 20:3-2 Definitions.

2. When used in this act, unless the context or subject matter otherwise requires, the following words shall have the meanings ascribed to them under this section:

(a) "Condemn" means to take private property for a public purpose under the power of eminent domain;

(b) "Condemnor" means the entity, public or private, including the State of New Jersey, which is condemning private property for a public purpose under the power of eminent domain;

(c) "Condemnee" means the owner of an interest in the private property being condemned for a public purpose under the power of eminent domain;

(d) "Property" means land, or any interest in land, and (1) any building, structure or other improvement imbedded or affixed to land, and any article so affixed or attached to such building, structure or improvement as to be an essential and integral part thereof, (2) any article affixed or attached to such property in such manner that it cannot be removed without material injury to itself or to the property, (3) any article so designed, constructed, or specially adapted to the purpose for which such property is used that (a) it is an essential accessory or part of such property; (b) it is not capable of use elsewhere; and (c) would lose substantially all its value if removed from such property;

- (e) "Court" means Superior Court of New Jersey;
- (f) "Rules" means the applicable rules governing the courts of the State of New Jersey as promulgated from time to time by the Supreme Court of New Jersey;
- (g) "Action" means the legal proceeding in which
 - (1) property is being condemned or required to be condemned;
 - (2) the amount of compensation to be paid for such condemnation is being fixed;
 - (3) the persons entitled to such compensation and their interests therein are being determined; and
 - (4) all other matters incidental to or arising therefrom are being adjudicated.
- (h) "Compensation" means the just compensation which the condemnor is required to pay and the condemnee is entitled to receive according to law as the result of the condemnation of property;
- (i) "Award" means the award of compensation made by the commissioners provided for herein;
- (j) "Judgment" means the adjudication by the court of any issue of fact or law, or both, arising under this act. The adjudication of the right to condemn shall be a final judgment. All other judgments shall be interlocutory or final, according to law, or as may be prescribed by the rules;
- (k) "Recording office" means the county office of each county in which the property being condemned, or any part thereof, is located, in which office conveyances of real property may be recorded;
- (l) "Days" means calendar days, calculated in accordance with the rules of court;
- (m) "Public utility" means and includes every public utility, as the same are enumerated in Revised Statutes 48:2-13, and every natural gas pipeline utility as defined in P. L. 1952, chapter 166 (C. 48:10-2 et seq.) vested with the power of eminent domain and subject to regulation under State or Federal law.
- (n) Words used in the singular shall include the plural and vice versa. Words used in the neuter gender shall include masculine and feminine gender, as the case may be.

ARTICLE III

SEVERABILITY—EFFECTIVE DATE

C. 20:3-3 Severability.

3. Severability. If any provision or clause of this act, or the application thereof to any person or circumstance is held to be 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.

C. 20:3-4 Effective date.

4. Effective date. This act shall take effect immediately following the approval thereof, and shall apply to all actions instituted thereafter, and to all proceedings taken subsequent thereto in all actions pending on such effective date; except that judgments theretofore entered or awards theretofore made pursuant to law from which no appeal is pending on such effective date, shall not be affected by the provisions hereof.

ARTICLE IV

COURT JURISDICTION AND PROCEDURE

C. 20:3-5 Jurisdiction.

5. Jurisdiction. The court shall have jurisdiction of all matters in condemnation, and all matters incidental thereto and arising therefrom, including, but without limiting the generality of the foregoing, jurisdiction to determine the authority to exercise the power of eminent domain; to compel the exercise of such power; to fix and determine the compensation to be paid and the parties entitled thereto, and to determine title to all property affected by the action.

C. 20:3-6 Application of act.

6. Application of act. Whenever any condemnor shall have determined to acquire property pursuant to law, including public property already devoted to public purpose, but cannot acquire title thereto or possession thereof by agreement with a prospective condemnee, whether by reason of disagreement concerning the compensation to be paid or for any other cause, the condemnation of such property and the compensation to be paid therefor, and to whom payable, and all matters incidental thereto and arising therefrom shall be governed, ascertained and paid by and in the manner provided by this act; provided, however, that no action to condemn

shall be instituted unless the condemnor is unable to acquire such title or possession through bona fide negotiations with the prospective condemnee, which negotiations shall include an offer in writing by the condemnor to the prospective condemnee holding the title of record to the property being condemned, setting forth the property and interest therein to be acquired, the compensation offered to be paid and a reasonable disclosure of the manner in which the amount of such offered compensation has been calculated, and such other matters as may be required by the rules. Prior to such offer the taking agency shall appraise said property and the owner shall be given an opportunity to accompany the appraiser during inspection of the property. Such offer shall be served by certified mail. In no event shall such offer be less than the taking agency's approved appraisal of the fair market value of such property. A rejection of said offer or failure to accept the same within the period fixed in written offer, which shall in no case be less than 14 days from the mailing of the offer, shall be conclusive proof of the inability of the condemnor to acquire the property or possession thereof through negotiations. When the holder of the title is unknown, resides out of the State, or for other good cause, the court may dispense with the necessity of such negotiations. Neither the offer nor the refusal thereof shall be evidential in the determination of compensation.

C. 20:3-7 Procedure.

7. (a) Rules of procedure. The procedure governing the action shall be in accordance with the rules.

(b) Multiple proceedings. The condemnation of 10 or less parcels of property lying wholly within the same county may be joined in one action; provided that a separate award, judgment and appeal shall be made, entered and taken with respect to each parcel; more than 10 parcels may be joined in one action only with leave of court.

(c) Amendments. Amended and supplemental pleadings, descriptions, surveys, plans, declarations of taking and the like, may be permitted and parties added or eliminated, in accordance with the rules.

C. 20:3-8 Commencement of action.

8. Commencement of action. The action shall be instituted by filing of a verified complaint in form and content specified by the rules and shall demand judgment that condemnor is duly vested with and has duly exercised its authority to acquire the property being condemned, and for an order appointing commissioners to fix the compensation required to be paid.

C. 20:3-9 Process.

9. Process. After the filing of the complaint, the condemnor shall issue and with due diligence, cause process to be served or published in accordance with the rules. Notice given and process served or published in accordance with the rules shall be effective to bind all condemnees.

C. 20:3-10 Lis pendens.

10. Lis pendens. Within 14 days after the filing of the complaint, the condemnor shall cause to be filed and recorded in the recording office, a notice of the pendency of the action, in form and content specified by the rules. Such notice shall include the title of the action; the docket number thereof, if known; the date of the commencement of the action, a description of the property and the interests therein being condemned, as set forth in the complaint; and the names and addresses of all condemnees known to the condemnor and the nature of their alleged interests in said property. The lis pendens shall be indexed by the recording official, listing the condemnees as grantors and the condemnor as grantee. In default of such record, persons acquiring an interest in or lien upon the property without actual notice of the action, shall not be bound thereby but the failure to comply with the provisions of this section shall not otherwise affect such proceedings.

C. 20:3-11 Denial of authority to condemn.

11. Denial of authority to condemn. Failure to deny the authority of the condemnor to condemn in the manner provided for by the rules, shall constitute a waiver of such defense. When the authority to condemn is denied, all further steps in the action shall be stayed until that issue has been finally determined.

C. 20:3-12 Appointment of commissioners and hearings.

12. Appointment of commissioners and hearings.

(a) Waiver of appointment of commissioners. By stipulation filed in the cause, the condemnor and all condemnees may waive the appointment of commissioners and in such event, the action shall proceed to trial before the court.

(b) Appointment and qualification of commissioners. Upon determination that the condemnor is authorized to and has duly exercised its power of eminent domain, the court shall appoint 3 commissioners to determine the compensation to be paid by reason of the exercise of such power. Such commissioners shall be residents of the county in which any part of the property being condemned is located or, in the case of the commissioner who must be

an attorney, be actively engaged in the practice of law in the county. One of such commissioners shall be an attorney, admitted to practice in this State for at least 10 years, who shall preside at all hearings and rule on all questions of evidence and procedure, subject to a review by a majority of the commissioners. The commissioners shall take and subscribe an oath faithfully and impartially to perform their duties, and to make a true award to the best of their skills and understanding, which oath shall be filed with their award. Should a commissioner die, become disqualified, unable, neglect or refuse to act, the remaining 2 commissioners shall perform the duties of office with the same authority as if all commissioners were acting. The court may fill any vacancy in office, and for cause, may vacate any appointment and appoint a successor in office.

(c) Hearings—subpœna. Upon notice of at least 10 days, the commissioners shall hold hearings at which the parties and their witnesses may be heard, under oath, administered by any commissioner. The conduct of the hearings shall be governed by the rules of evidence except that testimony as to comparable sales shall be considered an exception to the hearsay rule. The compulsory attendance of witnesses and production of records thereat may be compelled by the commissioners. At the request of any party, and at his expense, a stenographic record of the hearing shall be maintained. A majority of commissioners shall be in attendance at all hearings.

(d) Limited discovery. At least 15 days prior to the hearing the parties shall exchange a list of comparable sales intended to be introduced by them setting forth as to each comparable sale the following information: name of seller and purchaser; location of property by block, lot and municipality; date of sale; the consideration; and book and page of recording. No party shall be permitted to offer testimony of any comparable sale not set forth in said list unless consented to by all other parties. There shall be no discovery on the issue of the authority to condemn except by leave of court.

(e) Proof. At the hearing, the condemnor shall proceed first to offer proof of the nature and extent of the taking, and its opinion of the compensation payable by reason thereof.

(f) Inspection of property. Commissioners may inspect the property being condemned, and shall so inspect when requested by any party, and in addition, when requested by any party, the commissioners shall inspect two of the comparable sales testified to by said party. Such inspection may be in the absence of the parties,

unless attendance at inspection is requested by the parties, or any of them. This right of inspection shall exist notwithstanding that the structures on the property may have been demolished and the site altered.

(g) Award of commissioners. Within 4 months next following their appointment, or within any extended period in accordance with the rules, the commissioners, or a majority of them, shall make and file in form and content fixed by the rules, an award fixing and determining the compensation to be paid by the condemnor. The requirements respecting the time of filing of such award shall be directory and not mandatory, and a failure to make and file the same within the time specified, shall not invalidate the award or oust the commissioners of jurisdiction to complete their duties. Upon its own motion, or on application of any party, made within 60 days after the filing of the award, the court may authorize the commissioners to amend, supplement, modify, or correct their award.

(h) Judgment. Any award as to which no appeal is taken in accordance with the rules, shall become final as of course, and shall constitute a final judgment. If not paid within 60 days after final judgment, execution may issue as in other actions at law.

(i) Commissioners' fees and expenses. The court, upon application of any party, including the commissioners, shall fix reasonable fees, costs and expenses of the commissioners, clerks and other persons performing any of their duties, all of which shall be paid by the condemnor.

C. 20:3-13 Appeal.

13. Appeal.

(a) Parties. Any party who has appeared at the hearings of the commissioners, either personally or through an attorney, may appeal from the award of the commissioners. Such appeal shall be taken within the period and in the manner provided by the rules. The necessary parties to the appeal shall be only such parties who have appeared at the commissioners' hearings. Other parties may be admitted by the court pursuant to the rules.

(b) Hearing on appeal. The hearing on appeal shall be a trial de novo, as in other actions at law, without a jury, unless a jury be demanded. The award of the commissioners shall not be admitted in evidence.

(c) Limited discovery. A valuation expert who has not testified at the hearing before the commissioners shall not be permitted to testify at the trial de novo, unless, within 15 days before trial the

party offering such testimony gives notice to the other parties to the appeal of the name and address of such expert and his opinion of the amount of compensation and information relative to comparable sales as required by the rules. The information required by the rules shall be supplied as to all additional comparable sales not previously testified to before commissioners.

(d) Payment of amount of judgment on appeal; right to possession; lien; other remedies. The amount of the judgment on the appeal, or so much thereof as shall not have been paid, shall be paid to the parties entitled thereto or paid into court.

If possession shall not have been taken theretofore, the condemnor, upon payment as aforesaid, may notwithstanding any further appeal or other proceedings, take possession of the lands or other property for the purposes for which the same was authorized to be taken.

C. 20:3-14 Agreement as to compensation.

14. Agreement as to compensation. At any time during the pendency of the action, the condemnor and the condemnees may agree upon all or any part or any item of compensation to be paid, and then proceed to have those parts or items not agreed upon, fixed and determined as herein provided. The condemnor may make payment of any part or item thereof agreed upon, and condemnees may accept such payment, without prejudice, and proceed to fix and determine the parts and items remaining in dispute.

ARTICLE V

POSSESSION OF PROPERTY AND VESTING OF TITLE

C. 20:3-15 Exclusion.

15. Exclusion. The provisions of this article shall not apply to individuals or private corporations vested with the authority of condemnation.

C. 20:3-16 Preliminary entry.

16. Preliminary entry. Prior to the commencement of any action, a prospective condemnor and its employees and agents, during reasonable business hours, may enter upon any property which it has authority to condemn for the purpose of making studies, surveys, tests, soundings, borings and appraisals, provided notice of the intended entry for such purpose is sent to the owner and the occupant of the property by certified mail at least 10 days prior thereto. No tests, soundings or borings shall be made on property in which there exists a pipeline or other underground utility in-

stallation except in the presence of a representative designated by the public utility owning or using the same. If an action to condemn is not commenced within 2 years after such preliminary entry, any damages sustained as a result thereof, shall be paid by the condemnor to the person or persons so damaged. The amount of such damages, if any, and the person or persons entitled thereto, shall be determined by the court in a summary action pursuant to the rules.

C. 20:3-17 Possession of property and declaration of taking.

17. Possession of property and declaration of taking. At any time contemporaneous with or after the institution of an action and service of process, the condemnor may file in the action, when empowered to do so by law, and if so filed, shall also file in the recording office, a declaration of taking, duly executed by an executive official of the condemnor, in form and content specified by the rules, including the following:

- (a) a statement that possession of all or some part of the property being condemned is thereby being taken by the condemnor;
- (b) a specific reference to the statute, article and section thereof, under which the action and declaration of taking is authorized;
- (c) a description and plot plan of the property being condemned, and, if not the entire property, the portion thereof of which possession is being taken, sufficient for identification thereof, specifying the municipality or municipalities in which the same is located; the street number of the property, if any; the lot and block number of the property as designated upon the current assessment map, if any. In case of a partial taking, the information above specified shall include the entire property of the condemnee, and the portion thereof being taken;
- (d) the names and addresses of all condemnees known to the condemnor after reasonable investigation, and the nature of their interests in the property;
- (e) a statement of the estate or interest therein being condemned;
- (f) a statement of the sum of money estimated by the condemnor to be just compensation for the taking, which sum shall be not less than the amount of the offer, in writing, provided for in section 6 hereof.
- (g) Any other matter required by the rules.

C. 20:3-18 Deposit of estimated compensation.

18. Deposit of estimated compensation. Simultaneously with the filing of the declaration of taking, the condemnor shall deposit the amount of such estimated compensation with the clerk of the court.

The amount so deposited shall be not less than the amount offered pursuant to section 6 hereof, and if an award has been made by commissioners hereunder, or a judgment determining compensation has been entered at the time of the filing of such declaration, the amount so deposited shall be not less than the amount of such award or judgment.

Any amount so deposited shall not be subject to the fees set forth in N. J. S. 22A :2-20.

C. 20:3-19 Right to possession and vesting of title.

19. Right to possession and vesting of title. A copy of the declaration of taking and notice of the filing thereof and of the making of the aforesaid deposit, shall be served upon the condemnee and all occupants of the property in accordance with the rules, and proof of such service shall be filed in the action. Thereupon, the right to the immediate and exclusive possession and title to the property described in the declaration of taking shall vest in the condemnor, free and discharged of all right, title, interest and liens of all condemnees without the necessity of further process; provided, however, that the court may, upon application and good cause shown, stay the taking of possession of the land or other property, or authorize possession to be taken upon prescribed conditions. A property owner who refuses to vacate said property or yield possession and remains in possession more than 20 days after service of notice shall be deemed a trespasser and shall be then liable for rents, issues and profits 20 days after service. The court, upon notice and after determining that the property owner has had adequate opportunity to obtain any funds payable to him under sections 23 and 26 of this act and any other expenses to which he may be entitled to as a matter of law, shall enter an order for possession directed to the sheriff of the county in which the property is located. If the owner or tenant occupies the property with the condemnor's permission on a rental basis for a short term or for a period subject to termination on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short term occupier. Such right, title and interest shall be transferred and shall attach to the compensation determined to be payable hereunder, to the same extent and in the same order of priority as existed at the date of vesting of title in condemnor. The pendency of an appeal from an award or judgment hereunder shall not interfere with such vesting of title.

C. 20:3-20 Nature of title condemned.

20. Nature of title condemned. The title to property condemned and acquired by the condemnor hereunder, shall be a title in fee simple, free and discharged of all right, title, interest and liens of all condemnees, and shall include all the right, title and interest of each condemnee therein; provided, however, that if the complaint or any amendment thereof shall specify a lesser title, the lesser title so specified shall be the title condemned and acquired.

C. 20:3-21 Date of vesting of title.

21. Date of vesting of title. Title to the property condemned shall vest in the condemnor as of the earliest date of the happening of any of the following events:

(a) Filing and recording the declaraiton of taking and depositing funds pursuant to sections 17 and 18 of this act;

(b) Filing and recording in the recording office of the report of commissioners and payment of the award;

(c) Filing in the action and recording in the recording office, an agreement between condemnor and condemnee fixing the date as of which title shall vest;

(d) Paying and satisfying of record a final judgment fixing compensation payable hereunder.

C. 20:3-22 Appeal not to affect right to possession and vesting of title.

22. Appeal not to affect right to possession and vesting of title. The pendency of an appeal with respect to any issue other than the authority to condemn, shall not affect the right to possession and vesting of title in the condemnor.

C. 20:3-23 Withdrawal of funds.

23. Withdrawal of funds. Upon application of any condemnee, or any other party in interest, and on notice to all parties to the action, including the condemnor, the court may direct that the estimated compensation on deposit, or any part thereof, be paid to the person or persons entitled thereto, on account of the compensation to which they may be entitled in the action; provided, that if the award or judgment fixing such compensation be less than the amount paid pursuant hereto, the person to whom such payment has been made shall repay the same, together with interest at a rate to be fixed by the court from the date of payment to such person, and the court, after hearing in a summary manner, may enter judgment therefor; and provided, further, that if the award or judgment fixing such compensation be more than the amount

deposited, condemnor shall pay the excess to the condemnee entitled thereto, with interest at a rate to be fixed by the court from the date of the deposit, and the court, after hearing in a summary manner, may enter judgment therefor against the condemnor. The court, upon notice to all parties, shall enter appropriate orders distributing any balances on deposit.

C. 20:3-24 Revesting of title and restoration of possession.

24. Revesting of title and restoration of possession. If, after the filing of a declaration of taking, a judgment shall be entered dismissing the action, title to and possession of the property shall revert in the condemnee, subject to the same right, title, interest and liens as existed as of the date of the filing of the declaration of taking. In such event, condemnor shall file and record the judgment and pay any damages sustained by the condemnee as a result of the action of the condemnor, and the expenses of the condemnee.

C. 20:3-25 Compelling condemnor to file declaration of taking.

25. Compelling condemnor to file declaration of taking. If within 6 months from the date of appointment of commissioners, the condemnor fails to file a declaration of taking, the court, upon application of any condemnee, and on notice to all parties in interest, may require the condemnor, at its election, to either file a declaration of taking and make the deposit hereinabove provided, or abandon the proceedings pursuant to section 35 hereof. For good cause and upon terms, the court may extend the time for the filing of such declaration of taking, but not more than 3 months after the commencement of the action.

C. 20:3-26 Reimbursement for certain expenses.

26. a. The condemnor, as soon as practicable after the date of payment of the acquisition price or the date of deposit in court of funds to satisfy the award of compensation, whichever is earlier, shall reimburse the owner for actual expenses he necessarily incurred for

(1) recording fees, transfer taxes and similar expenses incidental to conveying such real property to the condemnor; and

(2) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting title in the condemnor, or the effective date of possession of such real property by the condemnor, whichever is earlier.

b. If the court renders final judgment that the condemnor cannot acquire the real property by condemnation or, if the condemnation

action is abandoned by the condemnor, then the court shall award the owner of any right, or title to, or interest in such real property, such real property, such sum as will reimburse such owner for his reasonable costs, disbursements and expenses actually incurred, including reasonable attorney, appraisal, and engineering fees.

c. When a plaintiff shall have brought an action to compel condemnation against a defendant having the power to condemn, the court or representative of the defendant in case of settlement shall, in its discretion, award such plaintiff his reasonable costs, disbursements, and expenses, including reasonable appraisal, attorney and engineering fees actually incurred regardless of whether the action is terminated by judgment or amicable agreement of the parties.

C. 20:3-27. Deposit and withdrawal of funds not prejudicial.

27. Deposit and withdrawal of funds not prejudicial. Neither the making of the deposit nor any withdrawal thereof pursuant to this article, shall affect or prejudice the rights of either the condemnor or the condemnee in the determination of compensation. The amount of such deposit and any withdrawal thereof, shall not be evidential in such determination.

C. 20:3-28 Fees of clerk of the court.

28. Fees of clerk of the court. Where the clerk of the court is authorized to charge and deduct statutory fees or commissions by reason of the deposit and disbursement of funds pursuant to this article, such fees and commissions shall be paid by the condemnor.

ARTICLE VI

COMPENSATION AND DATE OF DETERMINATION THEREOF

C. 20:3-29 Compensation.

29. Compensation. The condemnee shall be entitled to compensation for the property, and damages, if any, to any remaining property, together with such additional compensation as provided for herein, or as may be fixed according to law.

C. 20:3-30 Date as of which compensation shall be determined.

30. Date as of which compensation shall be determined. Just compensation shall be determined as of the date of the earliest of the following events: (a) the date possession of the property being condemned is taken by the condemnor in whole or in part; (b) the date of the commencement of the action; (c) the date on which action is taken by the condemnor which substantially affects the use and enjoyment of the property by the condemnee.

ARTICLE VII

INTEREST

C. 20:3-31 Payment of interest.

31. Payment of interest. Interest as set by the court upon the amount of compensation determined to be payable hereunder shall be paid by the condemnor from the date of the commencement of the action until the date of payment of the compensation; provided, however, that there shall be excluded from the amount upon which interest shall be calculated, all moneys deposited pursuant to Article V hereof; and provided, further, that interest payable hereunder shall be subject to abatement for rents and profits derived from the property by the condemnee during the period for which interest is payable hereunder, and/or for the fair rental value of such property or any portion thereof occupied by the condemnee during such period.

C. 20:3-32 Disputes as to interest.

32. Disputes as to interest. Unless agreed upon by the parties, the amount of such interest shall be fixed and determined by the court in a summary manner after final determination of compensation, and shall be added to the amount of the award or judgment, as the case may be.

ARTICLE VIII

MISCELLANEOUS

C. 20:3-33 Possession by individuals or private corporations.

33. Possession by individuals or private corporations. Individuals and private corporations vested with the authority of condemnation may, upon the filing of the report of the commissioners and upon payment, to the parties entitled thereto or into court, of the amount awarded as provided in this act, take possession of the land or other property for the purposes for which the same was authorized to be taken.

The report of the commissioners, together with the order or judgment appointing them, or a copy thereof certified by the clerk of the court, and proof of such payment of the amount awarded shall be plenary evidence of the right of the condemnor to have, hold, use, occupy, possess and enjoy the land and other property.

C. 20:3-34 Deposit of funds where ownership in dispute.

34. Deposit of funds where ownership in dispute. If the condemnee entitled to receive the award or judgment upon tender

thereof, shall refuse to receive the same, or shall be out of the State, or under any legal disability; or in case several condemnees interested in the fund shall not agree as to the distribution thereof; or in case the property condemned shall be encumbered by mortgage, judgment or other liens; or if for any other reason the condemnor cannot reasonably pay the award or judgment to any person, the amount thereof may be deposited with the clerk of the court, to be distributed to the parties entitled thereto according to law. The procedure for distributing the funds shall be in accordance with the rules.

C. 20:3-35 Abandonment of proceedings.

35. Abandonment of proceedings. Any action hereunder may be abandoned at any time before or within 30 days after the filing of the award of commissioners; or in the event of an appeal from such award, at any time before or within 30 days after the entry of judgment; or in the event that a hearing before commissioners shall have been waived, at any time before or within 30 days after judgment has been entered in said action; provided, however, that no such action shall be abandoned after the filing of a declaration of taking pursuant to Article V hereof, or after the vesting of title in any condemnor pursuant hereto; and provided further, that (a) a discharge of the notice of lis pendens is filed, and (b) the condemnor shall pay the expenses of all condemnees who have appeared in the action. Nothing herein shall preclude abandonment at any time by mutual consent of the parties.

C. 20:3-36 Method of abandonment.

36. Method of abandonment. The abandonment shall be effected by filing and serving notice of abandonment.

C. 20:3-37 Uneconomic remnants.

37. Uneconomic remnants. If as a result of a partial taking of property, the property remaining consists of a parcel or parcels of land having little or no economic value, the condemnor, in its own discretion or at the request of the condemnee, shall acquire the entire parcel.

C. 20:3-38 Blighted areas.

38. Blighted areas. The value of any land or other property being acquired in connection with development or redevelopment of a blighted area shall be no less than the value as of the date of the declaration of blight by the governing body upon a report by a planning board.

C. 20:3-39 Housing authority or redevelopment agency; declaration of taking.

39. Housing authority or redevelopment agency; declaration of taking. Upon the institution of an action by a housing authority or redevelopment agency to fix the compensation to be paid, or at any time thereafter, a duly authorized officer or agent of the housing authority or redevelopment agency may file with the Clerk of the Superior Court a declaration of taking in the manner provided by this act.

C. 20:3-40 Acquisitions by State colleges; declaration of taking.

40. Acquisitions by State colleges; declaration of taking. Whenever a State college is authorized by law to acquire lands or rights therein, the Director of the Division of Purchase and Property may acquire such lands or right therein by gift, devise, purchase, or by condemnation in the manner provided by this act.

C. 20:3-41 Lands etc. needed for defense or for airports; declaration of taking.

41. Lands etc. needed for defense or for airports; declaration of taking. Whenever the State or any commission, official, board or body thereof or any county or municipality shall determine to acquire lands, easements, rights-of-way or other property to be used by the United States of America, the State of New Jersey or said county or municipality, for furthering national or State defense, or for developing or building airports or providing surface or aerial approaches thereto, by condemnation pursuant to this act, and shall represent to the court that it is necessary for such purposes that the plaintiff enter into possession of the same immediately, the plaintiff may, with leave of court, file with the Clerk of the Superior Court a declaration of taking in the manner provided for by this act.

C. 20:3-42 Recovery of taxes or other municipal liens or charges.

42. Recovery of taxes or other municipal liens or charges. The provisions of this act shall not be construed to prevent any municipality from retaining from or recovering out of any moneys paid by it into court, under this act, any sum or sums due to such municipality, for taxes or other municipal liens or charges against any property taken in condemnation.

C. 20:3-43 Right of owner to recover amount awarded; lien.

43. Right of owner to recover amount awarded; lien. The report of the commissioners together with the order or judgment appointing them, or a copy thereof certified by the clerk of the court, shall be plenary evidence of the right of the owner of the land or other property taken to recover the amount awarded with interest and

costs, in the action or in an action in any court of competent jurisdiction to be instituted against the plaintiff after failure to pay the same for 20 days after the filing of the report, and shall from the time of filing the report be enforceable as a lien upon the land or property taken and any improvements thereon.

C. 20:3-44 Payment of amount of judgment on appeal; right to possession; lien, other remedies.

44. Payment of amount of judgment on appeal; right to possession; lien, other remedies. The amount of the judgment on the appeal, or so much thereof as shall not have been paid, shall be paid to the parties entitled thereto or paid into court as provided in section 34 of this act.

If possession shall not have been taken theretofore, the plaintiff, upon payment as aforesaid, may, notwithstanding any further appeal or other proceedings, take possession of the lands or other property for the purposes for which the same was authorized to be taken.

The persons entitled to receive payment of the judgment shall be entitled to the same lien as is provided in section 34 of this act for the collection of awards of commissioners and shall have such other remedies as may be appropriate for the recovery of the same.

C. 20:3-45 Condemnation of public utility property by municipality; after-acquired property and improvements.

45. Condemnation of public utility property by municipality; after-acquired property and improvements. Where an award has been made in an action by a municipality for the condemnation of property of a public utility company and the award has been paid to the parties entitled thereto or the amount thereof paid into court, the municipality, in addition to having the right to take possession of the property so condemned, may take possession of such other property as the company has acquired, and any improvements made in its plant, since the commencement of the action, in advance of making compensation therefor, provided the municipality cannot acquire said property and improvements by agreement with the owner, either by reason of disagreement as to price, or the legal incapacity or absence of the owner, or his inability to convey valid title, or by reason of any other cause.

Upon a municipality exercising this right and entering upon and taking the after-acquired property and improvements in advance of making compensation therefor, the municipality shall apply to the commissioners therefore appointed in the action to fix the compensation to be paid the persons interested for the after-acquired

property and improvements. Thereupon the commissioners shall make a just and equitable appraisal of the value of all such after-acquired property and improvements and damages if any, in accordance with this act. Upon the making of the award the municipality shall pay the amount thereof unless an appeal is taken therefrom to the Superior Court as provided for in section 13 of this act, in which case the amount of the award shall be paid upon final determination thereof.

C. 20:3-46 Sidewalks; lands condemned for highways to include; condemnation of land for sidewalks.

46. Sidewalks; lands condemned for highways to include; condemnation of lands for sidewalks. Unless otherwise particularly specified in the resolution, map, complaint and other proceedings for the acquiring of land or rights-of-way, or both, for public highways in the manner set forth in this act the boundary lines of the said road and highways, or portion thereof so taken and acquired, shall include within the boundaries thereof all land necessary and desired for the locating of sidewalks or other space then needed, or thereafter to be utilized as sidewalk, and whether the same shall then or thereafter be intended to be paved for use by pedestrians as sidewalks.

All land lying outside of and adjoining the outer boundary lines of any public road or highway, the boundaries of which have been established according to law prior to April 28, 1931, and which lands or the use thereof shall be required for the purpose of laying out, grading and constructing sidewalks for the use of pedestrians, shall be taken, acquired and occupied from and as against the rightful owner thereof, only in accordance with this act and upon paying compensation therefor, to be fixed and determined in the manner prescribed by this act.

Nothing in this section shall limit or impair or deprive any municipality or county of the right to ordain or order the grading and the construction of a paved surface for any sidewalk above referred to, and the assessing of the proportionate cost thereof, against the owner of the property thereby improved as a local public improvement in the manner now provided by law.

C. 20:3-47 Land or property taken for public improvement.

47. Where land or other property is taken or to be taken by a municipal corporation or other public body for public improvement and payment of the compensation for the land or other property and damages is authorized by statute to be set off against or made wholly or partially in benefits to be assessed for the same improve-

ment, the municipal corporation or other body may elect to proceed under such statute and on such election the proceeding shall not be governed by this chapter, except as provided by such statute.

ARTICLE IX

REPEALER

C. 20:3-48 Meaning of certain references.

48. Any reference to Title 20 of the Revised Statutes or to any section or sections thereof or any amendment or supplement thereof in any other statute, in effect on the effective date of this act, shall hereafter be given effect as though reference therein were made to this act or the applicable provisions thereof.

C. 20:3-49 Repealer; effect of act.

49. Chapter 1 of Title 20 of the Revised Statutes and P. L. 1942, chapter 14 are repealed as of the effective date hereof; provided, however, that this act shall not affect statutes insofar as they regulate the ascertainment and payment of compensation for property condemned or taken by bodies organized and administered as a result of or under compacts between States.

C. 20:3-50 Repeal of inconsistent acts; application of act.

50. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed. This act shall apply to every agency, authority, company, utility or any other entity having the power of eminent domain exercisable within the State of New Jersey except as exempted in section 49 of this act.

Approved December 21, 1971.

CHAPTER 362

AN Act providing for relocation payments and relocation advisory assistance to persons displaced by certain activities of the taking agencies and repealing certain parts of the statutory law.

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

C. 20:4-1 Short title.

1. This act shall be known and may be cited as the "Relocation Assistance Act."

C. 20:4-2 Declaration of policy.

2. Declaration of policy. The purpose of this act is to establish a uniform policy for the fair and equitable treatment of persons displaced by the acquisition of real property by State and local land acquisition programs, by building code enforcement activities, or by a program of voluntary rehabilitation of buildings or other improvements conducted pursuant to governmental supervision. Such policy shall be uniform as to a. relocation payments, b. advisory assistance, c. assurance of availability of standard housing, and d. State reimbursement for local relocation payments under State assisted and local programs.

C. 20:4-3 Definitions.

3. Definitions. As used in this act the term:

a. "Taking agency" means the entity, public or private, including the State of New Jersey, which is condemning private property for a public purpose under the power of eminent domain.

b. "Person" means any individual partnership, corporation, or association.

c. "Displaced person" means any person who, on or after the effective date of this act, moves from real property, or moves his personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project undertaken by a taking agency; and solely for the purposes of sections 4 a. and b. and section 7 of this act, as a result of the acquisition of or as the result of the written order of the acquiring agency to vacate other real property, on which such person conducts a business or farm operation, for such program or project.

d. "Business" means any lawful activity, excepting a farm operation, conducted primarily:

(1) for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property;

(2) for the sale of services to the public;

(3) by a nonprofit organization; or

(4) solely for the purposes of section 4 a. of this act for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted.

e. "Farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

f. The term "commissioner" shall mean the Commissioner of the Department of Community Affairs.

C. 20:4-4 Moving and related expenses.

4. Moving and related expenses.

a. If a taking agency acquires real property for public use, it shall make fair and reasonable relocation payments to displaced persons and businesses as required by this act, for:

(1) actual reasonable expenses in moving himself, his family, business, farm operation, or other personal property;

(2) actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the taking agency; and

(3) actual reasonable expenses in searching for a replacement business or farm.

b. Any displaced person eligible for payments under subsection a. of this section who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection a. of this section may receive a moving expense allowance, determined according to a schedule established by the taking agency, not to exceed \$300.00, and a dislocation allowance of \$200.00.

c. Any displaced person eligible for payments under subsection a. of this section who is displaced from his place of business or from his farm operation and who elects to accept the payment authorized by this subsection in lieu of the payment authorized by subsection a. of this section, may receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall not be less than \$2,500.00 nor more than \$10,000.00. In the case of a business no payment shall be made under this subsection unless the taking agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not a part of a commercial enterprise having at least one other estab-

lishment not being acquired by the taking agency, which is engaged in the same or similar business. For purposes of this subsection, the term "average annual net earnings," means $\frac{1}{2}$ of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the 2 taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, or during such other period as such agency determines to be more equitable for establishing such earnings, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such period.

C. 20:4-5 Replacement housing for homeowners.

5. Replacement housing for homeowners.

a. In addition to payments otherwise authorized by this act, the taking agency shall make an additional payment not in excess of \$15,000.00 to any displaced person who is displaced from a dwelling actually owned and occupied by such displaced person for not less than 180 days prior to the initiation of negotiations for the acquisition of the property. Such additional payment shall include the following elements:

(1) The amount, if any, which when added to the acquisition cost of the dwelling acquired, equals the reasonable cost of a comparable replacement dwelling which is a decent, safe, and sanitary dwelling adequate to accommodate such displaced person, reasonably accessible to public services and places of employment and available on the private market. All determinations required to carry out this subparagraph shall be determined by regulations issued pursuant to section 10 of this act.

(2) The amount, if any, which will compensate such displaced person for any increased interest costs which such person is required to pay for financing the acquisition of any such comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be determined by regulations issued pursuant to section 10 of this act.

(3) Reasonable expenses incurred by such displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

(4) Penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record as provided by law on the date of approval by taking agency of the location of such project.

(5) The pro rata portion of real property taxes payable during the calendar year in which the property was acquired which are allocable to the period of the year subsequent to the date of vesting of title in the taking agency, or the effective date of the possession of such real property by the taking agency, whichever is earlier.

b. The additional payment authorized by this section shall be made only to such a displaced person who purchases and occupies a replacement dwelling which is decent, safe, and sanitary not later than the end of the one year period beginning on the date on which he receives final payment of all costs of the acquired dwelling, or on the date on which he moves from the acquired dwelling, whichever is the later date.

C. 20:4-6 Replacement housing for tenants and certain others.

6. Replacement housing for tenants and certain others. In addition to amounts otherwise authorized by this act, a taking agency shall make a payment to or for any displaced person displaced from any dwelling not eligible to receive a payment under section 5 which dwelling was actually and lawfully occupied by such displaced person for not less than 90 days prior to the initiation of negotiations for acquisition of such dwelling. Such payment shall be either:

a. the amount necessary to enable such displaced person to lease or rent for a period not to exceed 4 years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, and reasonably accessible to his place of employment, but not to exceed \$4,000.00; or

b. the amount necessary to enable such person to make a down-payment (including incidental expenses described in section 5 a. (3)) on the purchase of a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, but not to exceed \$4,000.00, the first \$2,000.00 of which is to be paid without contribution from the displaced

person, but thereafter such payments will only be made on a matching dollar-for-dollar basis with the displaced person.

C. 20:4-7 Relocation assistance advisory programs.

7. Relocation assistance advisory programs.

a. Whenever the acquisition of real property for a program or project undertaken by a taking agency will result in the displacement of any person on or after the effective date of this section, such agency shall provide a relocation assistance advisory program for displaced persons which shall offer the services prescribed herein. If the taking agency determines that any person occupying property immediately adjacent to the real property acquired is caused substantial economic injury because of the acquisition, it may offer such person relocation advisory services under such program.

b. Each relocation assistance program required by subsection a. shall include such measures, facilities, or services as may be necessary or appropriate in order (1) to determine the needs of displaced persons, business concerns, and nonprofit organizations for relocation assistance; (2) to assist owners of displaced business and farm operations in obtaining and becoming established in suitable business locations or replacement farms; (3) to supply information concerning programs of the Federal, State and local governments offering assistance to displaced persons and business concerns; (4) to assist in minimizing hardships to displaced persons in adjusting to relocation; and (5) to secure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

C. 20:4-8 Assurance of availability of standard housing.

8. Assurance of availability of standard housing. Whenever the acquisition of real property for a program or project undertaken by a taking agency will result in the displacement of any person on or after the effective date of this section, such agency shall assure that, within a reasonable period of time, prior to displacement, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe and sanitary dwellings equal in number to the number of and available to such displaced persons who require such dwellings and reasonably accessible to their places of employment; except

that regulations issued pursuant to section 10 of this act may prescribe situations when these assurances may be waived.

C. 20:4-9 Use of project funds to provide housing.

9. If a project cannot proceed to actual construction because comparable replacement sale or rental housing is not available, and the head of the taking agency determines that such housing cannot otherwise be made available he may take such action as is necessary or appropriate to provide such housing by use of funds authorized for such project.

C. 20:4-10 Authority of the commissioner.

10. Authority of the commissioner.

a. The commissioner shall adopt such rules and regulations as may be necessary to assure:

(1) that the payments and assistance authorized by this act shall be administered in a manner which is fair and reasonable, and as uniform as practicable;

(2) that a displaced person who makes proper application for a payment authorized for such person by this act shall be paid promptly after a move or, in hardship cases, be paid in advance; and

(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this act, or the amount of a payment, may have his application reviewed by the head of the taking agency or other appropriate officer.

b. The commissioner may prescribe such other regulations and procedures, consistent with the provisions of this act, as he deems necessary or appropriate to carry out this act.

C. 20:4-11 Administration.

11. Administration. In order to prevent unnecessary expense and duplication of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons, the commissioner may authorize any taking agency to enter into contracts with any individual, firm, association or corporation for services in connection with such programs, or may carry out its functions under this act through any Federal or State agency or instrumentality having an established organization for conducting relocation assistance programs.

C. 20:4-12 Fund availability.

12. Fund availability. Funds appropriated or otherwise available to any taking agency for the acquisition of real property or any interest therein for a particular program or project shall be

available also for obligation and expenditure to carry out the provisions of this act as applied to that program or project.

C. 20:4-13 State participation in cost of local relocation payments and services.

13. State participation in cost of local relocation payments and services. If a unit of local government acquires real property, and State financial assistance is available to pay the cost, in whole or part, of the acquisition of such real property, or of the improvement for which such property is acquired, the cost to the unit of local government of providing the payments and services prescribed by this act shall be included as part of the costs of the project for which State financial assistance is available to such unit of local government, and shall be eligible for State financial assistance in the same manner and to the same extent as other project costs.

C. 20:4-14 Displacement by code enforcement or voluntary rehabilitation.

14. Displacement by code enforcement or voluntary rehabilitation. A person who moves or discontinues his business or moves other personal property, or moves from his dwelling on or after the effective date of this act as the direct result of code enforcement activities, or a program of rehabilitation of buildings conducted pursuant to a governmental program, is deemed to be a displaced person for the purposes of this act.

C. 20:4-15 Payments not to be considered as income or resources.

15. Payments not to be considered as income or resources. No payment received by a displaced person under this act shall be considered as income or resources for the purpose of determining the eligibility or extent of eligibility of any person for assistance under any State Law or for the purposes of determining the eligibility or extent of eligibility of any person for assistance under any State law or for the purposes of the State's corporation tax law or other tax laws. Such payments shall not be considered as income or resources of any recipient of public assistance and such payments shall not be deducted from the amount of aid to which the recipient would otherwise be entitled.

C. 20:4-16 Effect of payment required by law of eminent domain.

16. No payment or assistance under this act shall be required or included as a program or project cost under this act if the displaced person receives a payment required by the State law of eminent domain which is determined by such taking agency head to have substantially the same purpose and effect as such payment under this act, and to be part of the cost of the program or project for which Federal or State assistance is available.

C. 20:4-17 Loans to facilitate construction or rehabilitation of housing.

17. In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of displaced persons who are displaced from dwellings because of any Federal or State, or Federal or State financially assisted project, the head of the Federal or State agency administering such project is authorized to make loans as a part of the cost of any such project, or to approve loans as a part of the cost of any such project receiving Federal financial assistance, to nonprofit, limited dividend, or cooperative organizations or to public bodies, for necessary and reasonable expenses, prior to construction, for planning and obtaining Federally insured mortgage financing for the rehabilitation or construction of housing for such displaced persons. Notwithstanding the preceding sentence, or any other law, such loans shall be available for not to exceed 80% of the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing, prior to the availability of such financing, including, but not limited to, preliminary surveys and analysis of market needs, preliminary site engineering, preliminary architectural fees, site acquisition, application and mortgage commitment fees, and construction loan fees and discounts. Loans to an organization established for profit shall bear interest at a market rate established by the head of such Federal or State agency. All other loans shall be without interest. Such Federal or State agency head shall require repayment of loans made under this act, under such terms and conditions as he may require, upon completion of the project or sooner, and except in the case of a loan to an organization established for profit, may cancel any part or all of a loan if he determines that a permanent loan to finance the rehabilitation or the construction of such housing cannot be obtained in an amount adequate for repayment of such loan. Upon repayment of any such loan, the Federal or State share of the sum repaid shall be credited to the account from which such loan was made, unless the Department of the Treasury determines that such account is no longer in existence, in which case such sum shall be returned to the treasury and credited to miscellaneous receipts.

C. 20:4-18 Construction of payments authorized in act.

18. The payments authorized in this act shall not be construed as creating in any condemnation proceeding brought under the power of eminent domain any element of damages not in existence on the effective date of this act and such payments are to be in addition to the just compensation established in the condemnation

proceedings but only to the extent they are not otherwise included within the condemnation award.

C. 20:4-19 Appeal procedure.

19. Appeal procedure. Any person or business concern aggrieved by final administrative determination, concerning eligibility for relocation payments authorized by this act may appeal such determination to the Superior Court.

C. 20:4-20 Partial invalidity.

20. If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

C. 20:4-21 Repeal of inconsistent acts.

21. All acts and parts of acts inconsistent with any of the provisions of this act are, to the extent of such inconsistency, hereby repealed.

C. 20:4-22. Application of act.

22. The provisions of this act shall not apply to the State Department of Transportation; provided, however, that the State Department of Transportation shall supplement its existing relocation assistance program designed to minimize the hardships of persons and business concerns displaced as a result of the acquisition by said State Department of Transportation of any real property for a public use, by July 1, 1972. Said supplemented program shall be in compliance with the rules and regulations of the Federal Highway Administration relating to relocation assistance so as to fully qualify the Department of Transportation for Federal aid reimbursement and to equal or exceed the requirements of this statute. For purposes of coordinating and formulating uniform relocation programs of the State, the Commissioner of Transportation shall consult with the Commissioner of the Department of Community Affairs in order that said relocation assistance program will be in general conformity with any rules and regulations promulgated by the Commissioner of the Department of Community Affairs pursuant to P. L. 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and amendments thereto.

23. Effective date. This act shall take effect January 1, 1972.

Approved December 21, 1971.

CHAPTER 363

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 134 of P. L. 1948, c. 67 (C. 17:9A-134) is amended to read as follows:

C. 17:9A-134 Merger agreement; authorization.

134. Merger agreement; authorization.

The boards of directors of the several banks proposing to merge shall authorize the execution of a merger agreement which shall contain

- (1) the name of each merging bank and the location of the principal office and branch offices of each merging bank;
- (2) the name of the receiving bank and the location of its principal office and branch offices;
- (3) the name by which the receiving bank will be known after the merger is effected;
- (4) the names of the persons who will be the directors of the receiving bank;
- (5) the names of the persons who will be the officers of the receiving bank;
- (6) the location then occupied by the principal office or a branch office of a merging bank or the receiving bank at which the principal office of the receiving bank will be maintained;
- (7) the locations then occupied by the principal offices and branch offices of the merging banks and the receiving bank which will be continued as branch offices of the receiving bank;
- (8) the effective date of the merger;
- (9) the amount of the capital stock, the number of shares into which it will be divided, the par value of each share, and the amount of the surplus which the receiving bank will have after the merger is effected;
- (10) the basis upon which shares of each merging bank will be exchanged for shares of the receiving bank or of a company as such term is defined in P. L. 1957, c. 70, s. 1 (C. 17:9A-344), as amended, owning more than 25% of the capital stock of such receiving bank after the merger is effected;

(11) such other provisions, not inconsistent with the provisions of this act, as may be necessary or appropriate to effect the merger.

2. This act shall take effect immediately.

Approved December 27, 1971.

CHAPTER 364

AN ACT to amend "An act concerning disorderly persons and supplementing chapter 170 of Title 2A of the New Jersey Statutes," approved May 10, 1965 (P. L. 1965, c. 41).

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

1. Section 4 of the act of which this act is amendatory (C. 2A:170-25.12) is amended to read as follows:

C. 2A:170-25.12 Sale of certain substances; limitation.

4. No person shall sell, or offer to sell, to any other person any container of any substance containing any chemical material having the property of releasing toxic vapors or fumes, (a) if he has reasonable cause to suspect that the product sold, or offered for sale, will be used for the purpose set forth in section 2 of this act; or (b) which does not include an additive approved or designated by the Commissioner of the State Department of Health; and the term "additive" shall mean any element or compound approved or designated by the Commissioner of the State Department of Health for use as a safe and effective ingredient of substances containing any chemical material having the property of releasing toxic vapors or fumes for the purpose of discouraging the intentional smelling or inhaling the fumes of such substances. This act shall not apply to adhesives manufactured only for industrial consumption.

2. This act shall take effect on the first day of the fifth month following enactment.

Approved December 28, 1971.

CHAPTER 365

AN ACT to authorize the borough of Norwood in the county of Bergen to make permanent the appointment of William Atanasio to the police department of the borough of Norwood.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the borough of Norwood in the county of Bergen is authorized to make permanent the appointment of William Atanasio to the police department of the borough of Norwood notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in section 40:47-4 of the Revised Statutes.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policemen, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the borough of Norwood for the purpose of adopting same.

Approved December 28, 1971.

CHAPTER 366

AN ACT prohibiting the use of lead paint under certain circumstances, providing remedies and penalties for violations thereof, and supplementing Title 24 of the Revised Statutes.

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

C. 24:14A-1 Application of lead paint to toys, furniture and certain surfaces prohibited.

1. No person shall knowingly apply lead paint to toys, furniture or the exposed interior surfaces of any dwelling, dwelling unit,

rooming house, rooming unit or facility occupied or used by children. Such exposed interior surfaces include but are not limited to window sills, window frames, doors, door frames, walls, ceilings, stair rails and spindles or other appurtenances.

C. 24:14A-2 Sale of lead-painted toys or furniture prohibited.

2. No person shall knowingly sell or offer to sell toys or furniture to which lead paint has been applied.

C. 24:14A-3 Penalty.

3. Any person violating the provisions of this act shall be a disorderly person.

C. 24:14A-4 Definitions.

4. For purposes of this act:

a. "Approved" means satisfactory compliance as determined and recorded by the Department of Health.

b. "Department" means the State Department of Health.

c. "Lead paint" means any pigmented, liquid substance applied to surfaces by brush, roller, spray or other means in which the total nonvolatile ingredients contain more than 1% of lead, by weight, calculated as metallic lead.

d. "Dwelling" means any building or structure or portion thereof which is occupied in whole or in part as the home, residence, or sleeping quarters of one or more persons.

e. "Board" means local board of health, regional health commission or other locally constituted health agency having primary jurisdiction to enforce this act.

C. 24:14A-5 Declaration of public nuisance.

5. The presence of lead paint upon the interior of any dwelling causing a hazard to the occupants of such dwelling is hereby declared to be a public nuisance.

C. 24:14A-6 Enforcement of act.

6. The board in each municipality or other area of jurisdiction, shall have the primary responsibility for investigation of violations under this act and the enforcement of this act, and shall make reports of all such violations and enforcement procedures to the State Department of Health.

C. 24:14A-7 Order for removal and disposition of paint.

7. When the board of health having primary jurisdiction under this act finds that there is lead paint on the interior walls, ceilings, doors, floors, baseboards or window sills and frames of any dwelling, it may order the removal and appropriate disposition of such

lead paint, under such safety conditions as it may specify, and as shall be approved by the department.

C. 24:14A-8 Order to abate nuisance; notice.

8. When the board of health having primary jurisdiction hereunder finds that there is lead paint on the interior walls, ceilings, doors, floors, baseboards or window sills and frames of any dwelling and further finds that the blood-lead level of any person residing in such dwelling is 60 micrograms per 100 milliliters or higher, it shall at once notify the owner that he is maintaining a public nuisance and order him to abate the nuisance and refinish such interior surface of the dwelling within 5 days in accordance with regulations specified by the commissioner, and dispose of any lead paint residues in an approved area. In lieu of removal of the lead paint the accessible surface may be covered by such a durable material and in a manner approved by the department. Repainting a surface with a nonleaded paint without complete removal of the existing lead paint shall not be deemed to be satisfactory compliance with this act.

A duplicate of the notice shall be left with one or more of the tenants or occupants of the dwelling. If the owner resides out of the State or cannot be so notified speedily, a notice left at the house or premises shall suffice.

C. 24:14A-9 Failure to comply with notice or order of the board.

9. If the owner so notified shall not comply with the notice or order of the board of health having primary jurisdiction hereunder within the time specified, the board shall proceed to remove the nuisance and make the necessary repairs, bill the owner therefor, and, if necessary, to recover the expense in a civil action against the owner. The unpaid expense of the board shall become a lien on the real property immediately upon removal of the nuisance and completion of necessary repairs.

C. 24:14A-10 Failure to enforce act.

10. If the department finds that any board having primary jurisdiction under this act is not enforcing the provisions of this act or any rules and regulations promulgated thereunder, the department may cause a disorderly person's complaint to be made against persons violating the provisions of this act, or may bring action requiring such board to show cause why it is not enforcing this act.

C. 24:14A-11 Rules and regulations.

11. The commissioner of the department shall have the power to prescribe rules and regulations establishing criteria for the

identification of areas and conditions involving high risk of lead poisoning, specifying methods of detection of lead in dwellings, and standards for the repair of premises containing lead paint, and other rules and regulations necessary to effectuate the purposes of this act.

C. 24:14A-12 Program to control lead poisoning.

12. The department shall have the responsibility for the development, implementation and coordination of a program to control lead poisoning by promoting research into methods of identifying areas wherein there is a high risk of the presence of lead paint in a dwelling, by setting up screening procedures for the detection of the presence of lead in persons and dwellings and stimulating professional and public education concerning the condition of lead poisoning.

13. This act shall take effect on the first day of the month following enactment.

Approved December 28, 1971.

CHAPTER 367

AN ACT to amend the "New Jersey Controlled Dangerous Substances Act," approved October 19, 1970 (P. L. 1970, c. 226).

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

1. Section 2 of P. L. 1970, c. 226 (C. 24:21-2) is amended to read as follows:

C. 24:21-2 Definitions.

2. Definitions. As used in this act:

"Administer" means the direct application of a controlled dangerous substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner (or, in his presence, by his lawfully authorized agent), or (2) the patient or research subject at the lawful direction and in the presence of the practitioner.

"Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser but

does not include a common or contract carrier, public warehouseman, or employee thereof.

“Bureau of Narcotics and Dangerous Drugs” means the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice.

“Commissioner” means the State Commissioner of Health.

“Controlled dangerous substance” means a drug, substance, or immediate precursor in Schedules I through V of article 2 of this act. The term shall not include distilled spirits, wine, malt beverages, as those terms are defined or used in R. S. 33:1-1 et. seq., or tobacco and tobacco products.

“Counterfeit substance” means a controlled dangerous substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed or dispensed such substance and which thereby falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser.

“Deliver” or “delivery” means the actual, constructive, or attempted transfer from one person to another of a controlled dangerous substance, whether or not there is an agency relationship.

“Dispense” means to deliver a controlled dangerous substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for that delivery. “Dispenser” means a practitioner who dispenses.

“Distribute” means to deliver other than by administering or dispensing a controlled dangerous substance. “Distributor” means a person who distributes.

“Drugs” means (a) substances recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and (b) substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and (c) substances (other than food) intended to affect the structure or any function of the body of man or other animals; and (d) substances intended for use as a component of any article specified in subsections (a), (b) and (c) of this section; but does not include devices or their components, parts or accessories.

“Drug dependent person” means a person who is using a controlled dangerous substance and who is in a state of psychic or physical dependence, or both, arising from the use of that controlled dangerous substance on a continuous basis. Drug dependence is characterized by behavioral and other responses, including but not limited to a strong compulsion to take the substance on a recurring basis in order to experience its psychic effects, or to avoid the discomfort of its absence.

“Hashish” means the resin extracted from any part of the plant *Cannabis sativa* L.

“Marihuana” means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

“Manufacture” means the production, preparation, propagation, compounding, conversion or processing of a controlled dangerous substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a controlled dangerous substance by an individual for his own use or the preparation, compounding, packaging, or labeling of a controlled dangerous substance: (1) by a practitioner as an incident to his administering or dispensing of a controlled dangerous substance in the course of his professional practice, or (2) by a practitioner (or under his supervision) for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale.

“Narcotic drug” means any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

- (a) Opium, coca leaves, and opiates;
- (b) A compound, manufacture, salt, derivative, or preparation of opium, coca leaves, or opiates;

(c) A substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically indetical with any of the substances referred to in subsections (a) and (b), except that the words "narcotic drug" as used in this act shall not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine.

"Official written order" means an order written on a form provided for that purpose by the Attorney General of the United States or his delegate, under any laws of the United States making provisions therefor, if such order forms are authorized and required by the Federal law, and if no such form is provided, then on an official form provided for that purpose by the State Department of Health.

"Opiate" means any dangerous substance having an addiction-forming or addition-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under section 3 of this act, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). It does include its racemic and levorotatory forms.

"Opium poppy" means the plant of the species *Papaver somniferum* L., except the seeds thereof.

"Person" means any corporation, association, partnership, trust, other institution or entity or one or more individuals.

"Pharmacist" means a registered pharmacist of this State.

"Pharmacy owner" means the owner of a store or other place of business where controlled dangerous substances are compounded or dispensed by a registered pharmacist; but nothing in this chapter contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.

"Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

"Practitioner" means a physician, dentist, veterinarian, scientific investigator, laboratory, pharmacy, hospital or other person licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled dangerous substance in the course of professional practice or research in this State.

(a) "Physician" means a physician authorized by law to practice medicine in this or any other State and any other person authorized by law to treat sick and injured human beings in this or any other State and

(b) "Veterinarian" means a veterinarian authorized by law to practice veterinary medicine in this State.

(c) "Dentist" means a dentist authorized by law to practice dentistry in this State.

(d) "Hospital" means any Federal institution, or any institution for the care and treatment of the sick and injured, operated or approved by the appropriate State department as proper to be entrusted with the custody and professional use of controlled dangerous substances.

(e) "Laboratory" means a laboratory to be entrusted with the custody of narcotic drugs and the use of controlled dangerous substances for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health.

"Production" includes the manufacture, planting, cultivation, growing, or harvesting of a controlled dangerous substance.

"Immediate precursor" means a substance which the State Department of Health has found to be and by regulation designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled dangerous substance, the control of which is necessary to prevent, curtail, or limit such manufacture.

"State" means the State of New Jersey.

"Ultimate user" means a person who lawfully possesses a controlled dangerous substance for his own use or for the use of a member of his household or for administration to an animal owned by him or by a member of his household.

2. Section 7 of P. L. 1970, c. 226 (C. 24:21-7) is amended to read as follows:

C. 24:21-7 Schedule III.

7. Schedule III. a. Tests. The commissioner shall place a substance in Schedule III if he finds that the substance: (1) has a potential for abuse less than the substances listed in Schedules I and II; (2) has currently accepted medical use in treatment in the United States; and (3) abuse may lead to moderate or low physical dependence or high psychological dependence.

b. The controlled dangerous substances listed in this section are included in Schedule III, subject to any revision and republishing by the commissioner pursuant to section 3d., and except to the extent provided in any other schedule.

c. Any material, compound, mixture, or preparation which contains any quantity of the following substances associated with a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.

(2) Phenmetrazine and its salts.

(3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers.

(4) Methylphenidate.

d. Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

(1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules

(2) Chlorhexadol

(3) Glutethimide

(4) Lysergic acid

(5) Lysergic acid amide

(6) Methypylon

(7) Phencyclidine

(8) Sulfondiethylmethane

(9) Sulfonethylmethane

(10) Sulfonmethane.

e. Nalorphine.

f. Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than 1.80 grams of codeine or any of its salts per 100 milliliters or not more than 90 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium.

(2) Not more than 1.80 grams of codeine or any of its salts per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amount.

(3) Not more than 300 milligrams of dihydrocodeinone or any of its salts per 100 milliliters or not more than 15 milligrams per

dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.

(4) Not more than 300 milligrams of dihydrocodeinone or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(5) Not more than 1.80 grams of dihydrocodeine or any of its salts per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(6) Not more than 300 milligrams of ethylmorphine or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(7) Not more than 500 milligrams of opium or any of its salts per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(8) Not more than 50 milligrams of morphine or any of its salts per 100 milliliters or per 100 grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

g. The commissioner may by regulation except any compound, mixture, or preparation containing any stimulant or depressant substance listed in subsections a. and b. of this schedule from the application of all or any part of this act if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system; provided, that such admixtures shall be included therein in such combinations, quantity, proportion, or concentration as to vitiate the potential for abuse of the substances which do have a stimulant or depressant effect on the central nervous system.

3. Section 20 of P. L. 1970, c. 226 (C. 24:21-20) is amended to read as follows:

C. 24:21-20 Prohibited acts B.; possession, use or being under influence; penalties.

20. Prohibited acts B.—Possession, use or being under influence—Penalties. a. It is unlawful for any person, knowingly or intentionally, to obtain, or to possess, actually or constructively, a controlled dangerous substance unless such substance was obtained directly, or pursuant to a valid prescription or order from a practitioner, while acting in the course of his professional practice, or

except as otherwise authorized by this act. Any person who violates this section with respect to:

(1) A substance classified in Schedule I or II which is a narcotic drug and any other controlled dangerous substance classified in Schedule I, II, III or IV is guilty of a high misdemeanor and shall be punished by imprisonment for not more than 5 years, a fine of not more than \$15,000.00, or both, except as provided in subsection a. (3) below;

(2) Any controlled dangerous substance classified in Schedule V is guilty of a misdemeanor and shall be punished by imprisonment of not more than 1 year, a fine of not more than \$5,000.00, or both; or

(3) Possession of more than 25 grams of marihuana, including any adulterants or dilutants, or more than 5 grams of hashish is guilty of a high misdemeanor and shall be punished by imprisonment for not more than 5 years, a fine of not more than \$15,000.00, or both; provided, however, that any person who violates this section with respect to 25 grams or less of marihuana, including any adulterants or dilutants, or 5 grams or less of hashish is a disorderly person.

b. Any person who uses or who is under the influence of any controlled dangerous substance, as defined in this act, for a purpose other than the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings, is a disorderly person.

In a prosecution under this subsection, it shall not be necessary for the State to prove that the accused did use or was under the influence of any specific narcotic drug or drugs, but it shall be sufficient for a conviction under this subsection for the State to prove that the accused did use or was under the influence of some controlled dangerous substance or counterfeit controlled dangerous substance as defined in this act, by providing that the accused did manifest physical and physiological symptoms or reactions caused by the use of any controlled dangerous substance.

c. In addition to the general penalty prescribed for a disorderly person's offense pursuant to N. J. S. 2A:169-4, every person adjudged a disorderly person for a violation of this subsection shall, at the discretion of the sentencing judge, forthwith forfeit his right to operate a motor vehicle over the highways of this State for a period of not more than 2 years from the date of his conviction and until such privilege shall be restored to him by the Director of Motor Vehicles upon application to and after certification by a

physician to the director that such person is not a drug dependent person within the meaning of this act. The court before whom any person is convicted of a violation of this section shall cause a report of such conviction to be filed with the Director of Motor Vehicles.

4. This act shall take effect immediately.

Approved December 28, 1971.

CHAPTER 368

AN ACT to amend "An act concerning insurance, regulating the making and applying of insurance rates, and providing for the licensing of rating organizations, and repealing sections 17:29-1, 17:29-2, 17:29-3, 17:29-4, 17:29-5, 17:29-6, 17:29-8 and 17:29-9 of the Revised Statutes," approved March 9, 1944 (P. L. 1944, c. 27).

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

1. Section 3 of P. L. 1944, c. 27 (C. 17:29A-3) is amended to read as follows:

C. 17:29A-3 Insurers as members of rating organizations.

3. Every rating organization shall make reasonable provision in its bylaws, rules, constitution, or otherwise, to permit any insurer engaged in the kind of insurance for which rate-making is done by such rating organization, to become a member thereof, or a subscriber for any kind of insurance or subdivision of a kind of insurance found by the commissioner to be a proper basis for service by the rating organization upon application therefor by such insurer. No insurer shall be a member of or a subscriber to more than one rating organization for the purpose of making rates for the same kind or for the same subdivision of a kind of insurance. No rating organization shall discriminate unfairly between insurers in the condition imposed for admission as subscribers, or in the services rendered to either members or subscribers. The refusal of any rating organization to admit an insurer as a subscriber shall, at the request of such insurer, be reviewed by the commissioner at a hearing held upon at least 10 days' notice to such rating organization and such insurer. If the commissioner shall find that the insurer

has been refused admittance to such rating organization as a subscriber without justification, he shall make an order directing such rating organization to admit such insurer as a subscriber. If he shall find that the action of the rating organization in refusing admittance to an insurer as a subscriber is justified, he shall make an order affirming its action.

2. Section 5 of P. L. 1944, c. 27 (C. 17:29A-5) is amended to read as follows:

C. 17:29A-5 Rules and regulations.

5. The commissioner shall promulgate rules and regulations as to statistical plans, reasonably adapted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience, in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether such rating systems comply with the standards set forth in this chapter. Such rules and regulations shall provide for the recording and reporting of loss experience of this State and of any combination of states where such combined experience is used in any manner for ratemaking, and may provide for the recording and reporting of expense experience of this State for items of expense which are specially applicable to this State. In promulgating such rules and regulations the commissioner shall give due consideration to the rating systems on file with him and in order that such rules and regulations may be as uniform as is practicable among the several states, to the rules and statistical plans used for such rating systems in other states. The commissioner shall designate the format in which such reports shall be prepared and he may require, in his discretion, that reports of experience be accompanied by punch cards or other means used for data processing, or such other source material as he deems appropriate.

The commissioner may designate one or more agencies to assist him in gathering such experience. The commissioner shall give preference in such designation to entities organized by and functioning on behalf of the insurance companies operating in this State for the kinds of insurance to which the chapter applies. If the commissioner, in his judgment, determines that one or more of such organizations designated as statistical agent is unable or unwilling to perform its statistical functions according to reason-

able requirements established from time to time by him, he may, after consultation with such statistical agent and upon 20 days' notice to any affected companies, designate another person to act on his behalf in the gathering of statistical experience. The commissioner shall in such case establish the fee to be paid to such designated person by the affected companies in order to pay the total cost of gathering and compiling such experience. Agencies designated by the commissioner shall assist him in making compilations of the reported data, and such compilations shall be made available, subject to reasonable rules and regulations promulgated by the commissioner, to insurers, rating organizations and any other interested parties.

3. Section 10 of P. L. 1944, c. 27 (C. 17:29A-10) is amended to read as follows:

C. 17:29A-10 Application for uniform change of rates.

10. A member of or subscriber to a rating organization may make a written application to the commissioner for permission to file a uniform percentage decrease or increase to be applied to the premiums produced by the rating system filed on its behalf by such rating organization for a kind of insurance, a subdivision of a kind of insurance or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase, or otherwise deviate from the rating plans or rules so filed. The commissioner shall, make an order approving the application if he shall deem it consistent with the establishment and maintenance of reasonable, adequate, and nondiscriminatory rates. If the commissioner shall find that such increase or decrease will result in rates that are unreasonable, inadequate, or unfairly discriminatory, he shall make an order denying the application.

4. This act shall take effect immediately.

Approved December 28, 1971.

CHAPTER 369

AN ACT to regulate the use of safety glazing material, directing the Commissioner of Community Affairs to promulgate standards for safety glazing material, and providing penalties for the violation of this act.

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

C. 51:12-1 Definitions.

1. As used in this act:

a. "Safety glazing material" means any glazing material, such as tempered glass, laminated glass, wire glass or rigid plastic, which meets the test requirements of the United States of America Standards Institute code number Z-97.1-1966 and Z-97.1-1971, or the stricter thereof, and such further requirements as shall be adopted by the Department of Community Affairs after notice and hearing required by the "Administrative Procedure Act," approved January 14, 1969 (P. L. 1968, c. 410), and which are so constructed, treated, or combined with other materials as to minimize the likelihood of cutting and piercing injuries resulting from human contact with the glazing material.

b. "Hazardous locations" means those installations, glazed or to be glazed, in residential, commercial and public buildings subject to this act, known as sliding glass doors, framed or unframed glass doors and adjacent fixed glazed panels which may be mistaken for means of ingress or egress, storm doors, shower doors, and tub enclosures, whether or not the glazing in such doors, panels or enclosures is transparent, and in any other area wherein the use of other than safety glazing materials would constitute a hazard as the Commissioner of Community Affairs may determine after notice and hearings as required by the "Administrative Procedure Act," approved January 14, 1969 (P. L. 1968, c. 410).

C. 51:12-2 Labeling of safety glazing material.

2. a. Each light of safety glazing material manufactured, distributed, imported, or sold for use in hazardous locations or installed in such a location within the State shall be permanently labeled by such means as etching, sandblasting or firing ceramic material on the safety glazing material. The label shall identify the labeler, whether manufacturer, fabricator or installer, and the nominal thickness and the type of safety glazing material and whether said material meets or exceeds the test requirements of the United States of America Standards Institute code Z-97.1-1966 and such further requirements as may be adopted by the Department of Community Affairs.

The label must be legible and visible after installation.

b. Such safety glazing labeling shall not be used on other than safety glazing materials.

C. 51:12-3 Sale or installation of certain glazing materials prohibited.

3. After the effective date of this act no person shall within the State knowingly sell, fabricate, assemble, glaze, install, consent or cause to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location. For purposes of this section the terms "install" or "installed" shall not be deemed to mean or refer to the changing of storm doors or windows on existing buildings subject to this act on its effective date.

C. 51:12-4 Posting or marking glass doors or adjacent fixed glass panels.

4. All transparent glass doors or adjacent fixed glass panels subject to this act, and all doors or adjacent fixed glass panels which may reasonably be mistaken for a means of egress or ingress constructed of safety glazing material shall be posted, painted or otherwise marked in such a manner as to alert any person attempting to pass through the doorway that such door is opened or closed, or that such adjacent fixed glass panel, is, in fact, not a door. Such doors or adjacent fixed glass panels shall be marked in accordance with rules and regulations prescribed by the Commissioner of the Department of Community Affairs.

C. 51:12-5 Rules and regulations.

5. The Commissioner of the Department of Community Affairs is authorized to promulgate, amend and repeal rules and regulations necessary for the administration of this act.

C. 51:12-6 Penalties.

6. Any person who shall violate any provisions of this act, or any rule or regulation of the commissioner promulgated pursuant to this act shall be subject to a penalty of not more than \$200.00 for a first offense and not more than \$2,000.00 for each subsequent offense. Proceedings to collect and enforce such penalties shall be summary pursuant to the State Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.) in the Superior Court, County Court, county district court, or a municipal court, all of which shall have jurisdiction to enforce said Penalty Enforcement Law in connection with this act.

C. 51:12-7 Application of act.

7. This act shall not apply to buildings and structures which are subject to the Hotel and Multiple Dwelling Health and Safety Law, P. L. 1967, c. 76 (C. 55:13A-1 et seq.); the Worker Health and Safety Act, P. L. 1965, c. 154 (C. 34:6A-1 et seq.); or Title 18A, Education, and which are subject to rules and regulations promulgated thereunder establishing standards for safety glazing materials.

C. 51:12-8 Liability under act.

8. No liability under this act shall be created as to workmen who are employees of a contractor, subcontractor, or other employer responsible for compliance with this act.

C. 51:12-9 Certain municipal ordinances not superseded; enforcement of act.

9. This act shall not supersede any municipal ordinance or parts thereof relating to the subject matter hereof more stringent than the requirements of this act. This act and all rules and regulations promulgated hereunder shall be enforced by the Department of Community Affairs, by every local building inspector, and by any municipal officer charged with or responsible for the enforcement of building codes.

10. This act shall take effect 90 days after enactment.

Approved December 28, 1971.

CHAPTER 370

AN ACT concerning the taxation of and exemption from taxation of real property acquired by the State or a State agency, or by an authority created by the State, in certain cases.

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

C. 54:4-3.3a Exemption of State property during period following acquisition.

1. Real property acquired by the State or by a State agency, or by an authority created by the State, shall not be exempt from taxation during the period or periods following such acquisition, as prescribed in this act.

C. 54:4-3.3b Exemption of State property following date of acquisition; provisos.

2. Where real property is acquired by the State or by a State agency, or by an authority created by the State, by purchase, condemnation or otherwise, such property shall become tax exempt on January 1 of the calendar year next following the date of acquisition, provided that the tax assessor of the municipality in which such property is located is given written notice of the acquisition by certified mail on or before January 10 of said calendar year next following; provided further that if real property is acquired

between January 1 and January 10 inclusive and the prescribed notice is given on or before January 10, such real property shall become tax exempt as of the date of acquisition.

C. 54:4-3.3c Right of possession or vesting of title deemed acquisition.

3. For the purposes of this act, the right of possession, subject to L. 1970, c. 214, section 1, or vesting of title, whichever shall first occur, shall be deemed to be the acquisition with respect to such real property.

C. 54:4-3.3d Reimbursement for taxes.

4. When, at the time of any such acquisition, the owner has paid the taxes for the current tax year in full or for a period beyond the date of the acquisition by the State or by a State agency, or by an authority created by the State, the owner shall be entitled to reimbursement for the taxes paid by him for the remaining portion of the calendar year beyond the date of acquisition, and if such taxes for the said remaining portion of the year shall not have been paid by the owner, they shall be paid to the municipality wherein the real property is located, by the State or by the State agency, or by the authority created by the State, acquiring the real property, as the case may be.

C. 54:4-3.3e Determination of court.

5. In the event of any dispute between the owner and the State or State agency, or such authority, as the case may be, in respect to the apportionment and payment of the said taxes or proportion thereof, the Superior Court shall have jurisdiction to determine the matter in a summary manner on the application of either the owner or of the State, State agency, or authority, as the case may be, and make any order as may be required and appropriate to carry out the court's determination.

C. 54:4-3.3f Construction of act.

6. Nothing contained in this act shall be deemed to grant any tax exemption in respect to real property acquired and owned by the State, or by a State agency, or by an authority created by the State, nor to relieve the State or any State agency, or any authority created by the State, from the payment of taxes where such payment is required by the provisions of any law, nor shall it be construed to prohibit payment of or agreements for the payment of fair and reasonable sums in lieu of taxes as provided by law. In the event of any conflict between the provisions of this act and the provisions of an act providing for the acquisition of real property by the State or by a State agency, or by an authority

created by the State for a specific purpose or purposes, as to the payment of taxes to a municipality or for the prorating of taxes as between the owner and the State or a State agency, or an authority created by the State, the provisions of this act shall not be deemed to supersede the provisions of such other act.

7. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 371

AN ACT concerning county and municipal planning and amending P. L. 1968, chapter 285 and the "Municipal Planning Act (1953)," approved September 18, 1953 (P. L. 1953, c. 433).

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

1. Section 5 of P. L. 1968, chapter 285 (C. 40:27-6.3) is amended to read as follows:

C. 40:27-6.3 Subdivision application; planning board action.

5. Each subdivision application shall be submitted to the county planning board for review and, where required, approval prior to approval by the local municipal approving authority. County approval of any subdivision application affecting county road or drainage facilities shall be limited by and based upon the rules, regulations and standards established by and duly set forth in a resolution adopted by the board of chosen freeholders. The municipal approval authority shall either defer taking final action on a subdivision application until receipt of the county planning board report thereon or approve the subdivision application subject to its timely receipt of a favorable report thereon by the county planning board. The county planning board shall report to the municipal authority within 30 days from the date of receipt of the application. If the county planning board fails to report to the municipal approving authority within the 30-day period, said subdivision application shall be deemed to have been approved by the county planning board unless, by mutual agreement between the county planning board and municipal approving authority, with approval of the applicant, the 30-day period shall be extended

for an additional 30-day period, and any such extension shall so extend the time within which a municipal approving authority shall be required by law to act thereon.

2. Section 14 of P. L. 1953, chapter 433 (C. 40:55-1.14) is amended to read as follows:

C. 40:55-1.14 Regulation of subdivisions; approval of plats.

14. The governing body may by ordinance provide for the regulation of subdivisions within the municipality by requiring the approval of the governing body, by resolution, of all plats after favorable referral by the planning board before such plats may be filed with the county recording officer and may authorize and empower the planning board to review plats in accordance with regulations, requirements and standards established by the governing body and may further fix filing fees to be paid for by any applicant for subdivision approval.

In any ordinance creating a planning board or in any amendment or supplement thereto, provision may be made for the regulation of subdivisions within the municipality by approval of the planning board acting in lieu of the governing body of all plats before such plats may be filed with the county recording officer, provided such ordinance regulating subdivisions establishes regulations, requirements, and standards for plat approval by the planning board. If such power of approval is granted to the planning board, the procedures of the planning board under this act shall be required in connection with such approval, and the signature of the chairman of the planning board shall have the same force as the signature of the mayor.

Any such ordinance may require as a condition for local municipal approval the submission of proof that no taxes or assessments for local improvements are due or delinquent on the property for which any subdivision application is made.

Any such ordinance may exempt from the requirement of local municipal approval, subdivisions wherein the number of new lots is less than a designated number, or plats that do not involve new streets, or such other classes of subdivisions as such ordinance shall designate. In all cases involving such exempted subdivisions, the mayor or planning board chairman, as the case may be, and the municipal clerk shall certify the exemption on the plat, deed, or instrument to be filed with the county recording officer, but no such certification shall be construed to constitute a waiver of any requirement for the submission of subdivision applications to the county planning board for review and approval.

Within 30 days after the adoption of any subdivision ordinance, regulation or of any amendment thereto, a copy of said document shall be transmitted to the county planning board for its information and files.

Each subdivision application or site plan review application where required pursuant to section 8 of P. L. 1968, c. 285 (C. 40:27-6.6), shall be submitted to the county planning board for review and approval prior to approval by the local municipal approving authority.

The municipal approval authority shall either defer taking action on a subdivision application until receipt of the county planning board report thereon or approve the subdivision application subject to the receipt of a favorable report thereon by the county planning board or approval by the county planning board by its failure to report thereon within the required time period. The county planning board shall report to the municipal authority within 30 days from the date of receipt of the application. If the county planning board fails to report to the municipal approving authority within the 30-day period, said subdivisions shall be deemed to have been approved by the county planning board unless by mutual agreement between the county planning board and municipal approving authority, with approval of the applicant, the 30-day period may be extended for an additional 30-day period, and any such extension shall so extend the time within which a municipal approving authority shall be required by law to act thereon.

3. Section 18 of P. L. 1953, chapter 433 (C. 40:55-1.18) is amended to read as follows:

C. 40:55-1.18 Approval or recommendation of approval of plat; submission to governing body for approval; tentative approval; final approval.

18. The planning board, after hearing, may approve the plat, if so authorized, or may recommend approval by giving favorable referral to the governing body or may disapprove such plat. If the planning board disapproves any plat, the findings and reasons for disapproval shall be stated upon the records of the planning board and the applicant shall be given a copy. If the planning board requires any substantial amendment in the layout of improvements proposed by the subdivider that have been the subject of a hearing, an amended plat must be submitted, and proceeded upon as in the case of the original plat.

The planning board shall take action under this section within 45 days after the submission of the final plat for approval or, if the

same was required to be submitted to the county planning board, within 45 days of receipt of the report thereon by the county planning board or approval by the county planning board by its failure to report thereon within the required time period, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been given favorable approval or referral to the governing body, and the certificate of the municipal clerk as to the date of the submission of the plat for approval or referral and as to the failure of the planning board to report action thereon within either of the aforesaid 45-day periods or such further time as agreed to by the applying party shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written indorsement or other evidence of favorable approval or referral herein required.

Following favorable referral by the planning board where referral is required, the plat shall be submitted to the governing body for approval. The governing body shall take action under this section not later than the second regular meeting after the planning board submits the plat to the municipal clerk for transmission to the governing body, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been approved, and the certificate of the municipal clerk as to the date of the submission of the plat for approval by the governing body, and as to the failure of the governing body to act thereon not later than the second regular meeting or such further time as agreed to by the applying party, shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written indorsement or other evidence of approval herein required. If the governing body disapproves any plat, the findings and reasons for such action shall be stated upon the records of the governing body, and the applicant shall be given a copy.

The governing body or the planning board, as the case may be, may tentatively approve a plat showing new streets or roads or the resubdivision of land along a mapped street. This tentative approval shall confer upon the applicant the following rights for a 3-year period from the date of the tentative approval:

- (1) That the general terms and conditions upon which the tentative approval was granted will not be changed.
- (2) That the said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

The final approval by the governing body or the planning board, as the case may be, of a plat showing a new street or the resub-

division of land along a mapped street shall expire 90 days from the date of such approval, unless within the period such plat shall have been duly filed by the owner or his agent with the county recording officer. The governing body for good cause shown may extend the time for plat filing for a period not to exceed 90 days.

4. This act shall take effect July 1, 1971.

Approved December 30, 1971.

CHAPTER 372

AN ACT to amend and supplement the "Radiation Protection Act," approved July 8, 1958 (P. L. 1958, c. 116, C. 26:2D-1 et seq.).

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

1. Section 2 of P. L. 1958, c. 116 (C. 26:2D-2) is amended to read as follows:

C. 26:2D-2 Definitions.

2. As used in this act, unless the context indicates another or different meaning or intent:

(a) "Commission" means the Commission on Radiation Protection created pursuant to this act;

(b) "Department" means the Department of Environmental Protection;

(c) "Unnecessary radiation" means the use of electromagnetic radiation including microwave, infrared, visible, ultraviolet, X-ray, and gamma-ray; sonic, infrasonic, or ultrasonic waves; and particle radiation including alphas, betas, high energy electrons, neutrons, protons and other atomic or nuclear particles in such manner as to be or tend to be injurious or dangerous to the health of the people or the industrial or agriculture potentials of the State, or to the ecology of the State and its wildlife.

2. Section 3 of P. L. 1958, c. 116 (C. 26:2D-3) is amended to read as follows:

C. 26:2D-3 Creation of commission.

3. There is hereby created in the Department of Environmental Protection the Commission on Radiation Protection which shall consist of eight members, three of whom shall be the Commissioner

of Environmental Protection, the Commissioner of Health, and the Commissioner of Labor and Industry, or their designees, who shall serve ex officio and five members with scientific training in medicine, radiology, nonionizing radiation, infrasonics, ultrasonics, radiation physics, atomic energy or biology or engineering to be appointed by the Governor, with the advice and consent of the Senate.

3. Section 6 of P. L. 1958, c. 116 (C. 26:2D-6) is amended to read as follows:

C. 26:2D-6 Organization of commission; officers; quorum.

6. The commission annually shall organize as soon as possible after July 1, and shall elect a chairman, vice-chairman and a secretary from its own membership. Four members of the commission shall constitute a quorum to transact its business. Codes, rules and regulations shall be adopted, amended or repealed by an affirmative vote of at least five members.

C. 26:2D-11.1 Embargoing of hazardous or dangerous articles.

4. Notwithstanding any other remedy available to the department, whenever an agent of the department finds or has probable cause to believe that any material, machine, appliance, apparatus or device, or any part thereof, is a radiation hazard or danger of such nature as to constitute a threat to public health or welfare, he may embargo such article by affixing thereto a tag or other appropriate marking, giving notice that such article is, or is suspected to be, a radiation hazard or danger and has been detained or embargoed, and warning all persons not to use, remove or dispose of such article by sale or otherwise until permission for use, removal or disposal is given by the department. It shall be a violation of this act for any person to remove or dispose of such detained or embargoed article by sale or otherwise without such permission.

C. 26:2D-11.2 Hearing.

5. Any person aggrieved by an embargo imposed under the provisions of this act who shall apply therefor within 30 days after the imposition of such embargo, shall be granted a hearing before the department. Pending the determination by the department before or after such hearing, the department may stay the operation of the embargo upon such terms and conditions, including performance bonds, as it may deem proper.

C. 26:2D-11.3 Penalties.

6. Any person who uses, removes, or disposes of any property in violation of an embargo imposed under the provisions of this act shall be liable to a penalty of not more than \$2,500.00 for each

offense, to be collected by a summary proceeding under The Penalty Enforcement Law (N. J. S. 2A:58-1 et seq.) or in any case before a court of competent jurisdiction wherein injunctive relief has been requested. The Superior Court, County Court, and county district court shall have jurisdiction to enforce said Penalty Enforcement Law. If the violation is of a continuing nature, each day which it continues shall constitute an additional, separate and distinct offense.

The department 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 department as may appear appropriate and equitable under all of the circumstances.

7. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 373

AN ACT concerning the effect of death, disability or incapacity of a principal upon a power of attorney.

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

C. 46:2B-8 Effect of death, disability or incapacity of principal.

1. a. Whenever a principal designates another his attorney in fact or agent by a power of attorney in writing and the writing contains the words "This power of attorney shall not be affected by disability of the principal," or "This power of attorney shall become effective upon the disability of the principal," or similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding his disability, the authority of the attorney in fact or agent is exercisable by him as provided in the power on behalf of the principal notwithstanding later disability or incapacity of the principal at law or later uncertainty as to whether the principal is dead or alive. All acts done by the attorney in fact or agent pursuant to the power during any period of disability or incompetence or uncertainty as to whether the principal is dead or alive have the same effect and inure to the benefit of and bind the principal or his heirs, devisees and personal representative as if the principal were alive, competent and not disabled. If a guardian is appointed for the

principal, the attorney in fact or agent, during the continuance of the appointment, shall account to the guardian rather than the principal. The guardian has the same power the principal would have had to revoke the power of attorney or agency.

b. A principal shall be under a disability if he is unable to manage his property and affairs effectively for reasons such as mental illness, mental deficiency, physical illness or disability, advanced age, chronic use of drugs, chronic intoxication, confinement, detention by a foreign power, or disappearance.

C. 46:2B-9 Agency not revoked or terminated by death, disability, or incompetence of principal.

2. The death, disability, or incompetence of any principal who has executed a power of attorney in writing other than a power as described by section 1 hereof, does not revoke or terminate the agency as to the attorney in fact, agent or other person who, without actual knowledge of the death, disability, or incompetence of the principal, acts in good faith under the power of attorney or agency. Any action so taken, unless otherwise invalid or unenforceable, binds the principal and his heirs, devisees, and personal representatives.

An affidavit, executed by the attorney in fact or agent stating that he did not have, at the time of doing an act pursuant to the power of attorney, actual knowledge of the revocation or termination of the power of attorney by death, disability or incompetence, is, in the absence of fraud, conclusive proof of the nonrevocation or nontermination of the power at that time. If the exercise of the power requires execution and delivery of any instrument which is recordable, the affidavit when authenticated for record is likewise recordable.

This section shall not be construed to alter or affect any provision for revocation or termination contained in the power of attorney.

3. This act shall take effect January 1, 1972.

Approved December 30, 1971.

CHAPTER 374

AN ACT concerning descent and distribution of intestate property and amending N. J. S. 3A:4-8.

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

1. N. J. S. 3A:4-8 is amended to read as follows:

Advancements to certain persons.

3A:4-8. If a person shall die intestate as to all of his estate, any real or personal property which in his life-time he gave to a person entitled under this chapter to the property whereof a decedent died intestate shall be treated as an advancement against that person's share of the estate only if so declared in a contemporaneous writing by the decedent or acknowledged in writing as such by the recipient. The property advanced shall be valued as of the time the recipient came into possession or enjoyment of the property or as of the time of the death of the decedent, whichever occurs first. If the recipient fails to survive the decedent the value of the property shall not be taken into account in computing the intestate share to be received by his issue unless the declaration or acknowledgment provides otherwise.

2. This act shall take effect January 1, 1972.

Approved December 30, 1971.

CHAPTER 375

AN ACT concerning the organization and reorganization of the State Government, relating to the transfer of functions, powers and duties from one agency to another by law, and supplementing Title 52 of the Revised Statutes.

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

C. 52:14D-1 Short title.

1. This act shall be known as the "State Agency Transfer Act."

C. 52:14D-2 Definitions.

2. As used in this act:

"Agency" means and includes any department, division, bureau, board, commission, agency, office, authority or institution of the executive branch of the State Government, whether or not it receives legislative appropriations, or parts thereof.

“Transfer” means and includes the assignment, reassignment, consolidation or merger of all or part of the functions, powers and duties of one or more agencies.

C. 52:14D-3 Application of act.

3. Whenever by law an agency of the State Government is transferred, the provisions of this act shall apply unless otherwise provided by the act effecting such transfer.

C. 52:14D-4 Transfer of appropriations, grants and moneys.

4. All appropriations, grants and other moneys available and to become available to the agency, are transferred to the agency to which the functions, powers and duties are transferred and shall be available for the objects and purposes for which appropriated, subject to any terms, restrictions, limitations or other requirements imposed by State or Federal law.

C. 52:14D-5 Transfer of employees; tenure and retirement rights protected.

5. The employees of the agency are transferred to the agency to which such functions, powers and duties are transferred. The transfer of employees shall not deprive any person of any tenure rights or of any right or protection provided him by Title 11 of the Revised Statutes, Civil Service, or any pension law or retirement system.

C. 52:14D-6 Orders, rules or regulations not affected by transfer.

6. The transfer shall not affect any order, rule or regulation made or promulgated by the agency prior to the effective date of the transfer; but such orders, rules and regulations shall continue with full force and effect until amended or repealed pursuant to law.

C. 52:14D-7 Actions or proceedings not affected by transfer.

7. The transfer shall not affect actions or proceedings, civil or criminal, brought by or against the agency; nor shall the transfer affect any order or recommendation made by, or other matters or proceedings before the agency.

C. 52:14D-8 Transfer of files, records and equipment.

8. All files, books, papers, records, equipment and other property of the agency are transferred to the agency to which such transfer is made.

9. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 376

AN ACT concerning indecency and obscenity and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

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

C. 2A:115-6 Application of penalties imposed by chapter.

1. The penalties imposed by the provisions of chapter 115 of Title 2A of the New Jersey Statutes shall not apply to a motion picture operator, or assistant operator, who is employed in a motion picture theatre, in connection with a motion picture show exhibited in said theatre, provided that such operator or assistant operator, has no financial interest in the motion picture theatre wherein he is so employed other than his wages owed and has no decision-making authority or responsibility with respect to the selection of the motion picture show which is exhibited.

2. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 377

AN ACT concerning education and amending section 18A:13-50 of the New Jersey Statutes.

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

1. Section 18A:13-50 of the New Jersey Statutes is amended to read as follows:

Funds and records transferred.

18A:13-50. Upon the dissolution of any local district the officer having custody of the funds of such district shall deliver all of the funds of the dissolved district in his possession to the secretary of the successor regional district who shall give his receipt therefor and shall immediately turn the same over to the custodian of school moneys of the regional district.

All personal property, books, papers, vouchers and other documents belonging to any district, being dissolved, shall be trans-

ferred to the secretary of said regional district who shall cause a complete inventory to be made on all assets, real and personal, received by the regional school district. Upon and after the date of dissolution of the district all proceeds of taxes of any nature raised or to be levied for use or benefit of each dissolving school district and rights and claims with respect thereto, and all the property, funds, moneys and assets of each dissolving district shall vest in the regional district and the regional district shall be subject to all the contracts, debts and other obligations of each dissolving district. Upon said date all bonds and notes, of each dissolving district, theretofore issued and outstanding and all bonds and notes theretofore issued and outstanding of any municipality constituting or comprised within any dissolving district which were issued for the purpose of acquiring property which is vesting on said date in the regional district shall be and shall constitute obligations of and payable as to both principal and interest by the regional district, and, unless otherwise required or provided for by law, in the same manner and to the same extent as if such bonds and notes had been issued by the board of the regional district. The regional board shall cause an audit and settlement of all accounts of officers of the former district or districts to be made forthwith. The official bonds of such officers shall be continued in full force and effect until the completion of such audit and satisfactory financial settlement of said accounts shall have been made.

2. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 378

AN ACT concerning pensioners in public employment with respect to the laws governing the retirement systems of the counties of Essex, Hudson and Passaic and of the cities of Newark and Jersey City, amending P. L. 1943, chapter 160, P. L. 1948, chapter 310, P. L. 1954, chapter 218 and repealing R. S. 43:10-16 and P. L. 1964, chapter 275, section 17.

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

1. Section 15 of P. L. 1943, chapter 160 (C. 43:10-18.15) is amended to read as follows:

C. 43:10-18.15 Dependency of widower of employee; entitlement to more than one pension; workmen's compensation; conviction of crime; semimonthly payments; interest; remarriage.

15. The following provisions shall apply to all members of the retirement system:

(a) No pension shall be paid to the surviving husband of a deceased member of the retirement system unless he is and continues to remain dependent upon the income which the member was receiving at the time of her death, nor unless he is and continues to remain physically or mentally incapable of pursuing a gainful occupation. The pension commission shall determine the question of the dependency of the surviving husband as well as the ability of a surviving husband to pursue a gainful occupation.

(b) Where a husband and a wife are each receiving a pension as a retired employee from any retirement system supported wholly or in part by the county, upon the death of either the husband or the wife, if the survivor is entitled to receive another pension on account of such death, said survivor shall elect to accept one or the other of the two pensions but in no case shall a beneficiary receive more than one pension at the same time.

(c) Where any employee or other beneficiary is entitled to receive two pensions under the provisions of this act, such employees or other beneficiary shall elect to receive one or the other of the two pensions and in no case shall receive more than one pension.

(d) The rights of any employee or beneficiary to receive any payments under the Workmen's Compensation Act of New Jersey shall not be affected or impaired by any of the provisions of this act.

(e) Where the service of an employee is terminated by reason of imposition of a sentence upon him of actual commitment to a penal institution on account of conviction of an indictable offense involving moral turpitude, no pension under this act shall be paid to any such employee; provided, however, that no member of this retirement system who shall have served honorably as a county employee for a period of 20 years and shall have attained the age of 60 years shall be deprived of his pension privileges because of any violation of the rules and regulations established for the government of such county employment, but he may be fined, reprimanded or discharged.

(f) Where any pension or other benefit shall be payable from the pension fund herein provided to any retired employee or other

beneficiary who is or shall be confined in a penal institution as the result of a conviction of a crime involving moral turpitude, the pension commission may pay such pension or any part of it or other benefit to the wife, husband, minor children, mother or father of the confined person if it determines the same is necessary for their maintenance during such confinement.

(g) All payments of pension shall be made semimonthly and payments of pensions, refunds or other benefits under this act shall be made without interest.

(h) Upon and after the adoption of this act the benefits hereunder shall not extend to the widow or widower of any county employee who shall remarry, or shall have married such employee after such employee has retired or attained the age of 50 years, nor to any children of such marriages. No such widow or widower shall be eligible to benefits hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage if such marriage occurs hereafter while the employee is a member of this retirement system, nor shall any children of such marriages be eligible for said benefits.

2. Section 15 of P. L. 1948, chapter 310 (C. 43:10-18.64) is amended to read as follows:

C. 43:10-18.64 Dependency of widower of employee; entitlement to more than one pension; workmen's compensation; conviction of crime; semimonthly payments; interest; remarriage.

15. The following provisions shall apply to all members of the retirement system:

(a) No pension shall be paid to the surviving husband of a deceased member of the retirement system unless he is and continues to remain dependent upon the income which the member was receiving at the time of her death, nor unless he is and continues to remain physically or mentally incapable of pursuing a gainful occupation. The pension commission shall determine the question of the dependency of the surviving husband as well as the ability of a surviving husband to pursue a gainful occupation.

(b) Where a husband and wife are each receiving a pension as a retired employee from any retirement system supported wholly or in part by the county, upon the death of either the husband or the wife, if the survivor is entitled to receive another pension on account of such death, said survivor shall elect to accept one or the other of the two pensions but in no case shall a beneficiary receive more than one pension at the same time.

(c) Where any employee or other beneficiary is entitled to receive two pensions under the provisions of this act, such em-

ployees or other beneficiary shall elect to receive one or the other of the two pensions and in no case shall receive more than one pension.

(d) The rights of any employee or beneficiary to receive any payments under the Workmen's Compensation Act of New Jersey shall not be affected or impaired by any of the provisions of this act.

(e) Where the service of an employee is terminated by reason of imposition of a sentence upon him of actual commitment to a penal institution on account of conviction of an indictable offense involving moral turpitude, no pension under this act shall be paid to any such employee; provided, however, that no member of this retirement system who shall have served honorably as a county employee for a period of 20 years and shall have attained the age of 55 years shall be deprived of his pension privileges because of any violation of the rules and regulations established for the government of such county employment, but he may be fined, reprimanded or discharged.

(f) Where any pension or other benefit shall be payable from the pension fund herein provided to any retired employee or other beneficiary who is or shall be confined in a penal institution as the result of a conviction of a crime involving moral turpitude, the pension commission may pay such pension or any part of it or other benefit to the wife, husband, minor children, mother or father of the confined person if it determines the same is necessary for their maintenance during such confinement.

(g) All payments of pensions shall be made semimonthly. Payments of pensions, refunds or other benefits under this act shall be made without interest.

(h) Upon and after the adoption of this act the benefits hereunder shall not extend to the widow or widower of any county employee who shall remarry, or shall have married such employee after such employee has retired or attained the age of 50 years, nor to any children of such marriage. No such widow or widower shall be eligible to benefits hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage if such marriage occurs hereafter while the employee is a member of this retirement system, nor shall any children of such marriage be eligible for said benefits.

(i) Persons who may become entitled to pensions under this act shall be paid on the first and fifteenth day of each month, or at the same time as all persons permanently employed by the county.

3. Section 26 of P. L. 1954, chapter 218 (C. 43:13-22.28) is amended to read as follows:

C. 43:13-22.28 Dependency of widower of employee; payment to estate; entitlement to more than one pension; workmen's compensation; conviction of crime; semimonthly payments; interest; remarriage.

26. The following provisions shall apply to all members of the retirement system:

(a) The commission shall determine the question of the dependency of the surviving dependent widower.

(b) When a member of the retirement system dies leaving no beneficiary him surviving as aforementioned, there shall be paid to his or her estate a sum equivalent to 50% of his contribution to the retirement system, without interest.

(c) Where a husband and wife are each receiving a pension as a retired employee from any retirement system supported wholly or in part by the city, except as otherwise herein provided, then upon the death of either the survivor shall elect to accept one or the other of the two pensions, but in no case shall said survivor receive more than one pension at the same time. If the deceased was a member of the retirement system created hereby, the surviving widow or surviving dependent widower may continue to receive the pension being paid to him by reason of his membership in any other pension system or fund and in that event he shall be entitled to receive from the pension fund created hereby a sum equal to 50% of the total contributions paid into the pension fund by the said deceased husband or wife, as the case may be, less any actuarial and pension benefits received by the deceased member, as determined by the commission.

(d) Where any employee or other beneficiary is entitled to receive two pensions under the provisions of this act, such employee or other beneficiary shall elect to receive one or the other of the two pensions, and in no case shall receive more than one pension.

(e) The rights of any employee or beneficiary to receive compensation under the Workmen's Compensation Act of New Jersey shall not be affected or impaired by any of the provisions of this act.

(f) Where the service of an employee is terminated by reason of conviction of a crime involving moral turpitude, no pension under this act shall be paid to any such employee; provided, however, that no member of this retirement system who shall have served honorably as a city employee for a period of 25 years and shall have attained the age of 60 years, or who has served honorably as a city employee for a period of 30 years and has attained the age of 55 years, shall be deprived of his pension privileges because of any violation of the rules and regulations established for the

government of such city employees not involving conviction of a crime involving moral turpitude as aforesaid.

(g) Where any pension or other benefit shall be payable from the retirement system herein provided to any retired employee or other beneficiary who is or shall be confined in a penal institution as a result of conviction of a crime involving moral turpitude, the pension commission may pay such pension or any part of it or other benefit to the wife, husband, minor children, mother or father of the confined person, if it determines the same is necessary for their maintenance during such confinement.

(h) All payments of pension shall be made semimonthly, and payments of pensions, refunds or other benefits of this act shall be made without interest.

(i) The benefits of this act shall not extend to the widow or widower of any city employee or of any pensioner who shall remarry or shall have married such employee or pensioner after such employee or pensioner has retired or attained the age of 55 years, nor to any children of such marriage.

Repealer.

4. Section 43:10-16 of the Revised Statutes is repealed.

C. 43:13-22.66 Repealed.

5. Section 17 of P. L. 1964, chapter 275 is repealed.

6. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 379

AN ACT to supplement the "General Noncontributory Pension Act," approved January 11, 1956 (P. L. 1955, c. 263).

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

C. 43:8B-9 Definitions.

1. As used in this act "retirant" means any former employee who is receiving a pension from his former employer under the provisions of the General Non-Contributory Pension Act, P. L. 1955, chapter 263, and any acts or parts of acts repealed thereby.

"Calendar year" means the 12-month period beginning January 1 and ending December 31.

“Retirement year” is the calendar year 1967 for all retirants who retired before the calendar year 1968; for all retirants who retired after 1967, “retirement year” is the actual calendar year of retirement.

“Index” shall mean the annual average over a calendar year of the Consumer Price Index for Urban Wage Earners and Clerical Workers, All Items Series A, of the United States Department of Labor (1957-1959 = 100). Should the reference base of said index be changed, the index used to determine the Consumer Price Index as defined herein will be the index converted to the new base by standard statistical methods.

“Retirement year index” shall be the index of the calendar year 1967 for all retirants who retired prior to January 1, 1968 and the index for the calendar year of retirement for all retirants who retired thereafter.

C. 43:8B-10. Increase of monthly pension.

2. The monthly pension originally granted to any retirant shall be increased in accordance with the provisions of this act.

Pension increases shall not be paid to retirants who are not receiving their regular, full, monthly pensions. The increase granted under the provisions of this act shall be effective only on the first day of a month, shall be paid in monthly installments, and shall not be decreased, increased, revoked or repealed except as otherwise provided in this act. No increase shall be due to a retirant or his beneficiary unless it constitutes a payment for an entire month.

C. 43:8B-11 Ratio of increase; calculation.

3. The “ratio of increase” which shall apply to the pension originally granted to a retirant shall be calculated in accordance with the following percentages as determined by the calendar year in which the retirement became effective.

Year of Retirement	Ratio of Increase	Year of Retirement	Ratio of Increase
1915	219%	1935	137%
1916	198%	1936	134%
1917	153%	1937	126%
1918	116%	1938	130%
1919	88%	1939	134%
1920	62%	1940	132%
1921	82%	1941	120%
1922	94%	1942	99%

Year of Retirement	Ratio of Increase	Year of Retirement	Ratio of Increase
1923	90%	1943	88%
1924	90%	1944	85%
1925	85%	1945	80%
1926	84%	1946	66%
1927	87%	1947	45%
1928	89%	1948	35%
1929	89%	1949	36%
1930	94%	1950	35%
1931	113%	1951	25%
1932	138%	1952	22%
1933	151%	1953	21%
1934	143%	1954	21%

C. 43:8B-12 Appropriation and payment of cost of increase by employer.

4. The employer shall bear the cost of the increase in the pensions payable to retirants who retired from the employ of such employer. The employer shall appropriate the amount, in the fiscal year next following, taking into account payments made to retirants of such employer and prospective payments to be made to such retirants in the following year.

C. 43:8B-13 Annual review and determination by Director.

5. On or before October 1, 1970 and by the same date in each subsequent year, the Director of the Division of Pensions of the State Department of the Treasury shall review the index and determine the percentum of change in the index from the retirement year index pursuant to the provisions of the Pension Increase Act (P. L. 1969, c. 169) (C. 43:3B-1 et seq.). The percentage of adjustment in the pensions shall be $\frac{1}{2}$ of the percentum of change. The director shall notify the employer of the percentage of adjustment for the applicable year.

In no instance shall the amount of the pension originally granted and payable to any retirant be reduced as a result of this adjustment.

For purposes of this section a "retirant" shall include all retirants except those whose pension commenced within the 3 calendar years prior to the first of the month in which the adjustment is to become effective in any year.

C. 43:8B-14 Effect of blanket increase.

6. If legislation is adopted providing for a blanket increase in the original pensions or for minimum pensions to any group of

retirants eligible for benefits under this act, all increases provided under this supplementary act shall be terminated on the first of the month when such blanket increases or minimum pensions are payable, except in those instances where the retirant's original pension plus the increases provided under this act will exceed the amounts payable to such retirants as a result of such other legislation; in such event the amount payable under this act shall be the difference between the new pension payable as a result of such other legislation and the amount which would otherwise have been paid under this act. Any subsequent annual review of amounts payable under this act for such retirants shall continue to be determined on the basis of the original pension as granted by the employer prior to any blanket increase or provision for minimum pension for any group of retirants eligible for benefits under this act.

C. 43:8B-15 Rules and regulations; annual report.

7. The Director of the Division of Pensions of the State Department of the Treasury shall promulgate such rules and regulations, not inconsistent with the provisions of the Pension Increase Act (P. L. 1969, c. 169) (C. 43:3B-1 et seq.) and this act, as he shall deem necessary for the effective operation of the program. He shall include a report of the operation of the Pension Increase Act (P. L. 1969, c. 169) (C. 43:3B-1 et seq.) and this act in his annual report submitted to the Governor and the Legislature regarding all of the operations of the Division of Pensions.

8. This act shall be effective immediately but the first adjustment as contemplated by this supplementary act shall be effective January 1, 1971, provided that funds are appropriated.

Approved December 30, 1971.

CHAPTER 380

AN ACT concerning resignations from certain county offices and amending section 38 of P. L. 1953, chapter 37.

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

1. Section 38 of P. L. 1953, chapter 37 (C. 40:21-17.1) is amended to read as follows:

C. 40:21-17.1 Resignation of elective county officer.

38. Any elective county officer desirous of resigning shall send his resignation, in writing, to the Governor. All such resignations shall

be filed in the office of the Secretary of State. No resignation made in any other way or pretended to be made, shall be valid.

2. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 381

AN ACT concerning fish and game, amending R. S. 23:3-3 and "An act providing that persons before obtaining their initial hunting license must have a course of instruction on gun safety, and supplementing Title 23 of the Revised Statutes," approved June 23, 1954 (P. L. 1954, c. 57) and "An act providing that persons before obtaining their initial bow and arrow hunting license must take a course of instruction in bow and arrow safety and proficiency, and supplementing Title 23 of the Revised Statutes," approved December 13, 1957 (P. L. 1957, c. 195).

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

1. R. S. 23:3-3 is amended to read as follows:

Children's hunting license; completion of gun or bow and arrow safety course; fee.

23:3-3. The division may, in its discretion, issue a license to a citizen of the United States above 10 years and below 14 years of age, who has successfully completed a course in gun or bow and arrow safety, as the case may be, as required in accordance with this title, when applied for by his parent or legal guardian, authorizing him to hunt only when accompanied by a holder, above 21 years of age, of a regular residents' or nonresidents' firearm or bow and arrow license, as the case may be. This license shall be void after December 31 next succeeding its issuance. The fee for this license shall be \$2.00. These fees shall be remitted to the State Treasurer, and placed to the credit of the "hunters' and anglers' license fund," and be disbursed by the State Treasurer on vouchers certified by the division.

2. Section 1 of P. L. 1954, chapter 57 (C. 23:3-4.2) is amended to read as follows:

C. 23:3-4.2 Applicants above the age of 10; completion of gun safety course; submission of license of a previous year.

1. Notwithstanding any provisions contained in sections 23:3-1 to 23:3-22 of the Revised Statutes, concerning the issuance of resident or nonresident hunting licenses, at the time an application for license is made by an applicant above the age of 10, to whom a license has not previously been issued, such applicant shall present to the issuing agent a certificate stating that the applicant has satisfactorily completed a course in gun safety, which shall be signed by an agent of the Division of Fish, Game and Shell Fisheries designated for the purpose whose fitness to give instructions in safe gun handling has been determined by the Division of Fish, Game and Shell Fisheries of the Department of Environmental Protection. A person above the age of 10 who previously has had a license to engage in hunting issued to him shall not be entitled to purchase another such license in a subsequent year unless at the time of making application he shall submit to the license issuing agent his license of a previous year, or a certification from the Division of Fish, Game and Shell Fisheries stating that he held such a license.

3. Section 5 of P. L. 1954, chapter 57 (C. 23:3-4.6) is amended to read as follows:

C. 23:3-4.6 Issuance of juvenile licenses; completion of gun safety course.

5. This act shall also apply to the issuance of juvenile licenses under section 23:3-3 of the Revised Statutes, and all applicants for such licenses shall be required to first complete the gun safety course.

4. Section 6 of P. L. 1954, chapter 57 (C. 23:3-4.7) is amended to read as follows:

C. 23:3-4.7 Issuance of licenses to persons above the age of 10; submission of license of a previous year or certificate showing completion of gun safety course; penalty for obtaining license under false information.

6. No license issuing agent shall issue a hunting license to a person above the age of 10, who has not submitted his hunting license of a previous year, or a certificate showing that he has successfully completed a course in gun safety given by an individual duly designated by the New Jersey Division of Fish, Game and Shell Fisheries, and any person above the age of 10 who obtains a hunting license under false information within the scope of this act shall

be subject to a fine of not less than \$20.00 nor more than \$200.00 for each offense.

5. Section 5 of P. L. 1957, chapter 195 (C. 23:3-7.5) is amended to read as follows:

C. 23:3-7.5 Issuance of juvenile licenses; completion of bow and arrow safety course.

5. This act shall also apply to the issuance of juvenile licenses under section 23:3-3 of the Revised Statutes, and all applicants for such licenses shall be required to first complete the bow and arrow safety and proficiency course.

6. This act shall take effect on the first day of the month following enactment.

Approved December 30, 1971.

CHAPTER 382

AN ACT concerning pension funds of school district employees in first class counties, and amending N. J. S. 18A:66-110, N. J. S. 18A:66-111, N. J. S. 18A:66-113, and supplementing chapter 66 of Title 18A of the New Jersey Statutes.

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

1. N. J. S. 18A:66-110 is amended to read as follows:

Retirement on pension.

18A:66-110. Pensions shall be paid from the fund in the manner following:

a. A member of the pension fund who was a member on or before June 26, 1962 and who has or shall hereafter have credit in the pension fund for 30 years or more as an employee of a board of education in a county wherein the fund has been established and maintained shall, upon application to the board of trustees of the pension fund be retired by such board of trustees and shall thereupon receive annually from the fund, for and during the remainder of his or her life, by way of pension, an amount equal to $\frac{1}{60}$ of the average annual compensation received in the last 3 years of credit-

able service, immediately preceding his or her retirement multiplied by the number of years he or she has credit in the pension fund, the amount to be determined by resolution of the board.

b. Upon the retirement of a member who has reached the age of 60 years, the person so retired shall be entitled to receive during his or her life, by way of pension, $\frac{1}{60}$ of the average annual compensation received in the 3 years of creditable service immediately preceding his or her retirement multiplied by the number of years for which he or she has credit in the pension fund, the amount to be determined by resolution of the board. Upon the receipt of proper proofs of death of a member who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate an amount equal to $\frac{1}{2}$ of the compensation received by the member in the last year of creditable service.

c. A member of the fund who has credit therein for 10 years, who shall become incapacitated, either mentally or physically, and who cannot perform the regular duties of employment, or who is found unfit for the performance of his or her duties, upon the application of his employer or upon his own application or the application of someone acting in his behalf shall be retired by the board of trustees of the pension fund and thereupon shall receive annually from the fund a retirement allowance as described in subsection b. of this section if he has reached or passed age 60 and if he is under age 60 an amount equal to $\frac{1}{10}$ of $\frac{1}{60}$ of the average annual compensation received in the last 3 years of creditable service immediately preceding the retirement multiplied by the number of years of creditable service; provided, however, that in no event shall the pension be based upon less than 17 years nor more than 30 years of service unless the member would have had less than 17 years of service at age 60, in which event he shall be given credit for the years to age 60; however, a member who has not attained age 70 who shall become incapacitated, either mentally or physically, as a result of personal injuries sustained in an accident occurring in the performance of his or her duties of such employee, shall, upon the application of his employer or upon his own application or the application of someone acting in his behalf, be retired by the board of trustees of the pension fund, and, thereupon, if a report of the accident, in a form acceptable to the board of trustees of the pension fund is filed with the said board of trustees within 60 days next following the accident and the application for retirement is filed

with the said board of trustees within 2 years of the date of the accident, shall receive annually from the fund an amount equal to one half of the annual salary being received by such employee on the date of the accident. The board of trustees may waive strict compliance with the time limits within which a report of the accident and an application for retirement must be filed with the board if it is satisfied: (1) that a report of the accident from which the disability is claimed to have resulted was filed with the employing board of education with reasonable promptitude and in no event later than 60 days after the accident, and (2) the applicant shall show that his failure to file a report with the board of trustees or to file his application for retirement within the time limited by law was due to mistake, inadvertence, ignorance of fact or law, inability, or to the fraud, misrepresentation or deceit of any person, or to a delay in the manifestation of the incapacity, or to any other reasonable cause or excuse, and (3) that the application for retirement was filed in good faith and the circumstances justify its favorable consideration.

The trustees of the pension fund shall have the power to determine whether or not any employee is permanently and totally disabled, and whether or not a disability of an employee is the result of an accident at some definite time and place in the performance of his or her duties as such employee. The claimant shall have the right to present physicians, witnesses or other testimony in his or her behalf before the board of trustees. The chairman, or any other member of the board of trustees, may administer oaths to any physician or other persons called before the trustees regarding the employee's disability. The board of trustees shall decide, by resolution, whether the applicant is entitled to the benefit of this article.

Once in each year, the board of trustees may, and upon the member's application shall, require any member retired for a disability who is under the age of 60, to undergo medical examination by a physician or physicians designated by the board of trustees. The examination shall be made at the residence of the pensioner or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board of trustees that the disabled pensioner is not permanently and totally incapacitated, either mentally or physically, for the performance of duty, and the board finds that said member is engaged in a gainful occupation, or could be engaged in a gainful occupation, and if the board concurs in the report, then the amount of the pension shall be reduced to an amount which, when added to the amount then being earned by him

or her or an amount which he or she could earn if gainfully employed, shall not exceed the amount of compensation received by him or her at the time of his or her retirement. If subsequent examination of such pensioner shows that his or her earnings have changed since the date of his or her last examination, then the amount of the pension shall be further altered, but the new pension shall not exceed the amount of the pension originally granted, nor shall the new pension, when added to the amount then being earned by the pensioner, exceed the salary or compensation received by him or her at the time of his or her retirement.

d. At the time of retirement, any member may elect to receive his or her benefits in a retirement allowance payable throughout life, or he or she may, on retirement, elect to convert the benefits, otherwise payable to him or her, into a retirement allowance of the equivalent actuarial value computed on the basis of such mortality tables as shall be adopted by the board of trustees, in accordance with one of the optional forms following:

Option 1. A reduced retirement allowance, payable during life, with a provision that in the case of death, before the total pension payments have equaled the actuarial value computed as aforesaid, the balance shall be paid to his or her surviving designated beneficiary, duly acknowledged and filed with the board of trustees; and if none, then to the executor or administrator of his or her estate.

Option 2. A reduced retirement allowance, payable during the retired member's life, with the provision that after his or her death it will continue during the life of and be paid to his or her designated beneficiary, if such person survives him or her.

Option 3. A reduced retirement allowance, payable during the retired member's life, with the provision that after his or her death, an allowance at one half of the rate of his or her reduced allowance will be continued during the life of and be paid to his or her designated beneficiary, if such person survives him or her.

Option 4. A reduced retirement allowance, payable during the retired member's life, with some other benefit payable after his or her death, provided, the benefit is approved by the board of trustees.

No optional selection shall be effective in case a member dies within 30 days after retirement and such a member shall be considered an active member at the time of death until the first payment on account of any benefit becomes normally due.

The board of trustees shall, from time to time and as often as they deem it necessary, employ an actuary who shall recommend, and the board shall keep in convenient form, such data as shall be nec-

essary for actuarial valuations of the various funds created by this article. At least once in every 5-year period, or more frequently as determined by the board of trustees the actuary shall make an actuarial investigation into the mortality, service and salary experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the various funds thereof, and upon the basis of such investigation the board of trustees shall:

(a) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary.

(b) Certify the rate of contribution which shall be made by each board of education to the pension fund as provided by this article.

2. N. J. S. 18A:66-111 is amended to read as follows:

Option to retire after referendum; amount of pension.

18A:66-111. When a majority of the members of any pension fund established pursuant to article 16 of chapter 5 of Title 18 of the Revised Statutes vote affirmatively on a referendum held pursuant to chapter 38 of the laws of 1955, any member of such fund who was in the employ of one of such boards of education on March 25, 1935 and has been continuously in the employ of one or more of such boards of education thereafter and has heretofore established credit in such pension fund for all service rendered subsequent to such date shall have the option to retire from such fund, to be exercised prior to the date of termination of the fund pursuant to referendum held in accordance with chapter 38 of the laws of 1955 and to receive during his or her natural life by way of pension $\frac{1}{60}$ of the average annual compensation received in the last 3 years of creditable service immediately preceding his or her retirement, multiplied by the number of years of creditable service. If such option is exercised, the pension payable under this act shall be in lieu of all other rights to which the member might otherwise be entitled under said fund.

3. N. J. S. 18A:66-113 is amended to read as follows:

Deferred retirement allowances; when permitted; amount; reenrollment in retirement system.

18A:66-113. A member of the pension fund who has 15 years of service credit in the pension fund and who separates voluntarily or involuntarily before attaining the age of 60 years, and not by removal for cause on charges of misconduct or delinquency, may elect to receive a deferred retirement allowance beginning at the age of 60 years, equal to $\frac{1}{60}$ of the average annual compensation

received by him during the 3 years immediately preceding his separation from service multiplied by the number of years of credited service, with optional privileges as provided for in subsection d. of section 18A:66-110.

Such member shall advise the board of trustees of his election of such a deferred retirement allowance in writing, and shall complete such forms as shall be specified by the board of trustees in its administration of this section.

Subsequent to making such an election, but prior to attaining age 60 a member may later elect to withdraw all payments which he has made to the pension fund together with simple interest at the rate of 2% per annum figured on such employee contributions. Upon such withdrawal of contributions, no further benefits shall be payable on behalf of said employee by the pension fund. If such a member should die before attaining the age of 60 years, all payments which he has made, together with simple interest at the rate of 2% per annum figured on such employee's contributions to the fund from the date of membership, shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate.

Any member who, having elected to receive a deferred retirement allowance, again becomes an employee covered by the retirement system while under the age of 60, shall thereupon be reenrolled. He shall be credited with all service as a member standing to his credit at the time of his election to receive a deferred retirement allowance.

C. 18A:66-113.1 Retirement after 25 years of service before reaching age 60.

4. Should a member resign after having established 25 years of creditable service before reaching age 60, he may elect "early retirement," provided that such election is communicated by such member to the retirement system by filing a written application, duly attested, stating at what time subsequent to the execution and filing thereof he desires to be retired. He shall receive in lieu of any other payment provided for in section 18A:66-113 retirement allowance of $\frac{1}{60}$ of his average annual compensation received in the last three years of creditable service preceding his retirement for each year of service credited reduced by $\frac{1}{2}$ of 1% for each month that the member lacks of being age 60 except that in the case of a member who has not attained age 53, the reduction is equal to 42% plus $\frac{1}{6}$ of 1% for each month the member lacks of being age 53.

5. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 383

AN ACT concerning motor vehicles, and amending section 39:3-84 of the Revised Statutes.

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

1. Section 39:3-84 of the Revised Statutes is amended to read as follows:

Dimensional restrictions; outside width; height; over-all length; weight.

39:3-84. No commercial motor vehicle, tractor, trailer or semi-trailer 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 overall length of which exceeds 35 feet either for a two-axle four-wheeled vehicle, inclusive of load, or 35 feet either for a three-axle six-wheeled vehicle, inclusive of load, 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 overall 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, in excess of a total overall length, inclusive of load, of 55 feet 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 combination of vehicles designed, built and used to transport other motor vehicles may carry a load which exceeds the 55 feet overall length, provided, however, the total load overhang shall be limited to 5 feet and may not exceed 3 feet at either the front or rear and that the overhang shall be above the height of the average passenger car.

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 two parallel transverse vertical planes less than 40 inches apart, extending across the full width of the vehicles.

The combined gross weight imposed on the highway by all wheels of all axles whose centers are on or between two 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.

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.

2. This act shall take effect immediately.

Approved December 30, 1971.

CHAPTER 384

AN ACT relating to the organization and reorganization of the Department of Institutions and Agencies, creating the State Board of Institutional Trustees, and revising and repealing parts of the statutory law.

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

1. R. S. 30:1-1 is amended to read as follows:

Definitions.

30:1-1. As used in this Title:

“Commissioner” means the Commissioner of Institutions and Agencies.

“Department” means the State Department of Institutions and Agencies.

“State board” means the State Board of Institutional Trustees.

2. R. S. 30:1-2 is amended to read as follows:

Department continued and constituted; composition.

30:1-2. The Department of Institutions and Agencies created by an act entitled “An act concerning the charitable, hospital, relief, training, correctional, reformatory and penal institutions, boards

and commissions located and conducted in this State, which are supported in whole or in part from county, municipal or State funds," approved February 28, 1918 (L. 1918, c. 147, p. 343, as amended by L. 1919, c. 97, p. 222), is continued and is hereby constituted a principal department in the Executive Branch of the State Government. Such department shall consist of the Commissioner of Institutions and Agencies, who shall be the head of the department and its principal executive officer, and the State Board of Institutional Trustees, with such divisions, bureaus, branches, committees, officers and employees specifically referred to in said act, or as may be constituted or employed by virtue of this Title.

3. R. S. 30:1-7 is amended to read as follows:

Institutions enumerated.

30:1-7. The charitable, hospital, relief and training institutions and noninstitutional agencies of this State, within the meaning of this Title, shall include the following, and, as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

Trenton Psychiatric Hospital,
Greystone Park Psychiatric Hospital,
Marlboro Psychiatric Hospital,
Ancora Psychiatric Hospital,
New Jersey Neuropsychiatric Institute,
New Jersey Hospital for Chest Diseases,
North Jersey Training School at Totowa,
New Lisbon State School,
Woodbine State School,
Vineland State School,
Woodbridge State School,
Hunterdon State School,
New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows at Vineland,
Diagnostic Center at Menlo Park,
Arthur Brisbane Child Center at Allaire,
Board of Public Welfare,
Commission for the Blind and Visually Impaired.

The correctional institutions of this State, within the meaning of this Title, shall include the following, and as well, any institution established hereafter for any similar purpose, as now established

and as the same are to be hereafter maintained and operated pursuant to law:

State Prison, Trenton,
State Prison, Rahway,
State Prison, Leesburg,
Youth Reception and Correction Center, Yardville,
Youth Correctional Institution, Bordentown,
Correctional Institution for Women, Clinton,
Youth Correctional Institution, Annandale,
Training School for Boys, Jamesburg,
Training School for Girls, Trenton,
Training School for Boys, Skillman.

4. R. S. 30:1-8 is amended to read as follows:

Commissioner; appointment, salary.

30:1-8. The commissioner shall be appointed by the Governor, after consultation with the State board, with the advice and consent of the Senate, and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The commissioner shall receive such salary as shall be provided by law. He shall devote his entire time to the performance of his duties. Appointment of a commissioner shall not be restricted to residents of the State.

5. R. S. 30:1-9 is amended to read as follows:

Divisions; directors; acting Commissioner.

30:1-9. The commissioner may create within the department such divisions as he may deem necessary. Each division shall be under the supervision of a director, who shall be qualified by training and experience, appointed by and receive the compensation fixed by the commissioner, except where otherwise provided by statute, and shall devote his entire time to the performance of his duties.

The commissioner may in his discretion combine the duties of two or more divisions under one head.

The division directors shall perform such services and exercise such powers at such times and places as the commissioner shall prescribe.

The commissioner may from time to time designate one of the division directors to exercise the powers and perform the duties of the commissioner during his disability or absence.

6. R. S. 30:1-10 is amended to read as follows:

Secretaries and assistants.

30:1-10. A secretary and the necessary clerks, stenographers and assistants shall be appointed, and their compensation shall be fixed by the commissioner, subject to the provisions of Title 11, Civil Service, except where otherwise provided by statute.

7. R. S. 30:1-11 is amended to read as follows:

Commissioner's powers; "appointing authority."

30:1-11. The commissioner shall be the official agent of the department for all purposes. Except as otherwise provided by law the commissioner shall be considered the "appointing authority" of the department within the contemplation of the Civil Service laws. He shall likewise be the budget officer, and, unless some other official be designated by him for the purpose, he shall be its fiscal officer. He shall have general charge and supervision of the work of the department.

8. R. S. 30:1-12 is amended to read as follows:

Commissioner's powers; rules and regulations; specialized facilities and services.

30:1-12. The commissioner shall have power to determine all matters relating to the unified and continuous development of the institutions and noninstitutional agencies within his jurisdiction. He shall determine all matters of policy and shall have power to regulate the administration of the institutions or noninstitutional agencies within his jurisdiction, correct and adjust the same so that each shall function as an integral part of a general system. The rules, regulations, orders and directions issued by the commissioner pursuant thereto, for this purpose shall be accepted and enforced by the executive having charge of any institution or group of institutions or noninstitutional agencies or any phase of the work within the jurisdiction of the department.

In order to implement the public policy of this State concerning the provision of charitable, hospital, relief and training institutions established for diagnosis, care, treatment, training, rehabilitation and welfare of persons in need thereof, for research and for training of personnel, and in order that the personnel, buildings, land, and other facilities provided be most effectively used to these ends and to advance the public interest, the commissioner is hereby empowered to classify and designate from time to time the specific functions to be performed at and by any of the aforesaid institutions under his jurisdiction and to designate, by general classifica-

tion of disease or disability, age or sex, the classes of persons who may be admitted to, or served by, these institutions or agencies.

In addition to and in conjunction with its general facilities and services for the mentally ill, mentally retarded and tuberculous, the department may at its discretion establish and maintain specialized facilities and services for the residential care, treatment and rehabilitation of persons who are suffering from chronic mental or neurological disorders, including, but not limited to alcoholism, drug addiction, epilepsy and cerebral palsy.

9. R. S. 30:1-13 is amended to read as follows:

Personal attention by State board and Commissioner; inspections.

30:1-13. The commissioner and the State board shall arrange for personal contact with each of the institutions and the work of the noninstitutional agencies, by visitations and by such other means as they may determine to be necessary and proper, so that they may be as nearly as is practicable continually in touch with and informed concerning the general condition and progress of the several institutions and noninstitutional agencies and the general results of the management thereof and the condition and welfare of the inmates and other persons committed or admitted. The commissioner and the State board shall, personally or by their designated representative, visit and inspect each institution at least semiannually, at periods which shall not be fixed in advance.

10. R. S. 30:1-14 is amended to read as follows:

Supervision of local and private institutions and organizations.

30:1-14. In addition to the jurisdiction and power conferred upon the commissioner over the institutions and noninstitutional agencies named in section 30:1-7 of this Title, he shall have supervision over all institutions and organizations, whether county, municipal, public or private, to which payments are made from the treasury of the State, directly or indirectly, for or on account of the board and maintenance of any persons admitted or committed thereto, with the right of visitation and inspection at any and all times, for the purpose of determining the conditions, circumstances and surroundings under which such persons so admitted or committed are lodged, boarded, cared for and maintained. In the execution of this power any member of the State board, the commissioner, or his duly authorized agent, shall have the right of admission to all parts of any building or buildings in which such persons are lodged, cared for or treated, as often as may be necessary. The books, records and accounts of such institution or organization shall be

open to his inspection, or for inspection and audit by the State Auditor, or any of his subordinates, in so far as they relate to the receipt and expenditure of State moneys, in order to determine whether the amount so paid by the State is a proper charge, which question the commissioner shall determine, and also to determine whether such persons so admitted or committed are properly and adequately boarded, lodged, treated, cared for and maintained. The extent and results of such supervision and inspection shall be included in the annual or any special report of the commissioner with such recommendations as he may deem necessary.

11. R. S. 30:1-15 is amended to read as follows:

Inspection of local and private institutions; reports.

30:1-15. The commissioner and the State board shall have the power of visitation and inspection of all county and city jails or places of detention, county or city workhouses, county penitentiaries, county mental and tuberculosis hospitals, poor farms, almshouses, county and municipal schools of detention, and privately maintained institutions and noninstitutional agencies for the care and treatment of the mentally ill, the blind, the deaf, the mentally retarded, or other institutions, and noninstitutional agencies conducted for the benefit of the physically and mentally defective, or the furnishing of board, lodging or care for children. The commissioner or his duly authorized agent, and any member of the State board shall be admitted to any and all parts of any such institutions at any time, for the purpose of inspecting and observing the physical condition thereof, the methods of management and operation thereof, the physical condition of the inmates, the care, treatment and discipline thereof, and also to determine whether such persons so admitted or committed are properly and adequately boarded, lodged, treated, cared for and maintained. The commissioner and the State board may make such report with reference to the result of such observation and inspection and recommendation with reference thereto, as they may determine.

12. R. S. 30:1-16 is amended to read as follows:

Court order to remedy improper conditions.

30:1-16. If it shall appear after any such investigation of any of the institutions or noninstitutional agencies enumerated in sections 30:1-14 and 30:1-15 of this Title, that the laws relating to the construction, management and affairs of any such institution, and the care, treatment, government and discipline of its inmates or

patients are being violated, or that inmates or patients in any such institution are cruelly, negligently or improperly treated or inadequate provision is made for their sustenance, clothing, care, supervision or other condition necessary to their suitable and proper well-being, the commissioner or the State board may institute a civil action in any court of competent jurisdiction against the proper superintendent, commissioner, agent, medical director, warden, manager, keeper, chief executive officer or other officer of such institution or in control thereof, or responsible for such violation or omission. The court may proceed in the action in a summary manner or otherwise and may direct him to modify any treatment or to apply such remedy, or both, or carry out the requirements of the commissioner or the State board as may be just and effectual.

13. R. S. 30:1-17 is amended to read as follows:

Action against officials in charge of institution; notice; county prosecutor's duties.

30:1-17. The rights and powers conferred upon the State board and the commissioner by sections 30:1-14, 30:1-15 and 30:1-16 of this Title, so far as they relate to the investigation of the institutions and noninstitutional agencies enumerated therein may be enforced by a civil action against the officer or board having charge of the institution, brought in the County Court of the county in which the institution is situated, or the Superior Court. The court may proceed in the action in a summary manner or otherwise.

If, in the opinion of the commissioner or the State board, any matter with regard to the management or affairs of any such institution or any inmate or person in any way connected with either required legal investigation or action of any kind, notice thereof may be given by the commissioner or the State board to the county prosecutor of the county, and he shall thereupon make inquiry and take such proceedings in the premises as he may deem necessary and proper. It shall be the duty of the county prosecutor when so required to furnish such legal assistance, counsel or advice as the commissioner or the State board may require in the discharge of his or its duties.

14. Section 1 of P. L. 1956, c. 223 (C. 30:1-23) is amended to read as follows:

C. 30:1-23 Surplus or unsuitable lands; sale to municipality; conveyance of title by Department.

1. When any lands of the Department of Institutions and Agencies have been declared by the Commissioner of the Department of

Institutions and Agencies to be surplus or unsuitable for use for the purposes of the Department of Institutions and Agencies, and the sale of such lands is authorized by the Governor, such lands may be sold to the municipality in which same are situate, at such fair price and upon such terms and conditions as shall be fixed by the State House Commission.

Upon acceptance by the municipality of the terms and conditions fixed by the State House Commission, and performance by the municipality of such of the terms and conditions as the State House Commission may require to be performed prior to the conveyance of title, the Commissioner of the Department of Institutions and Agencies, on behalf of the State, shall be authorized to convey to such municipality title to said property.

15. R. S. 30:2-1 is amended to read as follows:

Appropriations.

30:2-1. All appropriations of money from the State treasury for the uses and purposes of the several institutions and noninstitutional agencies included within the provisions of section 30:1-7 of this Title, and for all expenses incidental thereto or connected therewith, as well as appropriations for the uses and purposes of the department, shall be made to the department as one item.

The several institutions and noninstitutional agencies included within the provisions of section 30:1-7 of this Title shall submit their requests for appropriations to the commissioner in the form and at the time prescribed by law. The commissioner shall be the sole agency for the transmission of the requests for appropriations on behalf of the department and the institutions and noninstitutional agencies included within the provisions of said section 30:1-7, with such modifications of the requests of the several institutions as he may determine. The commissioner shall be the sole agent authorized to submit a request for appropriations on behalf of any of the charitable, hospital, relief and training institutions or correctional institutions or noninstitutional agencies included within the provisions of said section 30:1-7. Appropriations for working capital for all institutions and noninstitutional agencies included within the provisions of section 30:1-7 of this Title shall be made in bulk and may be allotted by the commissioner or used as a general fund, as he may determine.

16. R. S. 30:4-1 is amended to read as follows:

Boards of trustees; appointment, terms, vacancies, expenses, organization.

30:4-1. The State board, with the approval of the Governor, shall appoint a board of trustees for each institution or agency within

the department or for each group or class thereof as it may determine.

Whenever the establishment or assumption of jurisdiction over an additional institution, or the acquisition of a site therefor, is authorized by the Legislature the State board, with the approval of the Governor, may appoint a board of trustees therefor or may authorize or designate any existing board of trustees to assume jurisdiction thereof. Each board of trustees of an institution shall be known as "the board of trustees" naming the institution or group or class for which the board is appointed. The State board, with the approval of the Governor, shall determine the names of the boards of noninstitutional agencies.

Except as otherwise specifically provided by statute, the boards of trustees shall consist of not less than five nor more than seven members appointed with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. At least two women shall be members of each board in charge of the Training School for Boys, Jamesburg, the Home for Disabled Soldiers, Sailors, Marines and their Wives and Widows, and the institutions or agencies for the blind, feebleminded, the tubercular, the epileptic and the insane and at least two members of the Commission for the Blind and Visually Impaired shall themselves be legally blind but they shall not be employees, or related by blood, marriage or adoption to any employee, of said commission. At least a majority of the members of each board in charge of the Training School for Girls, Trenton, and the women's reformatory shall be women.

The term of each board member shall be 3 years commencing on July 1 and ending on June 30 of the third year thereafter. A vacancy shall be filled by the commissioner for the unexpired term only.

The members of new or additional boards of trustees shall at the time of their appointment be divided into groups so that the terms of two members shall expire on June 30 of the year next succeeding appointment; the terms of two others on June 30 of the second year succeeding appointment; the term of the fifth member and in case of larger boards the term of the sixth member, on June 30 of the third year succeeding appointment; the term of the seventh member of a board having seven members, on June 30 of the fourth year succeeding appointment. Their successors shall be appointed for 3-year terms.

The members of such boards shall receive no compensation for services but shall be reimbursed for actual expenditures incurred in the performance of duty. They shall be subject to removal by the commissioner at any time for good and sufficient cause.

On or before July 1 of each year each such board shall reorganize by the election from among its members of a chairman and vice chairman and shall appoint a secretary, with the approval of the chief executive officer of the institution, who shall be an employee of the department and shall serve at the pleasure of the board without additional compensation. The term of office of the chairman and vice chairman shall be until June 30 of the following year or until their successors are elected and qualified.

17. R. S. 30:4-3 is amended to read as follows:

Institutional officers and employees.

30:4-3. Unless and until otherwise provided by the commissioner by rule, regulation or order formally adopted, each board of trustees may determine the number, qualifications, powers and duties of the officers and employees of its respective institution or agency, and their compensation except as the same is fixed by statute or otherwise determinable by law. The commissioner, with the approval of the Board of Trustees, shall appoint the chief executive officer of each institution or agency in his charge, and determine his official title. The chief executive officer shall appoint, with the approval of the commissioner, all officers and employees of the institution or agency.

C. 30:4-1.1 Powers and duties of boards of trustees.

18. It shall be the duty of the local boards of trustees to advance long-range planning for the medical care, correctional and training programs at their respective institutions; and maintain general oversight of the institution. The board shall not administer the individual institutions.

The board of trustees shall have power to:

- a. Review institutional needs;
- b. Exercise visitorial supervision over the institution under the supervision or control of the department. Its visitorial general powers of supervision are hereby defined as visiting such institution to examine into its manner of conducting its affairs and to advise the commissioner on the observance and enforcement of the laws of the State;
- c. Develop with the commissioner and his staff and jointly promulgate and maintain a comprehensive master plan which shall

be long-range in nature and be regularly revised and updated, including priorities for the construction of new institutions and the development of new programs;

d. Recommend and advise the commissioner on building programs of the institution as required by the master plan, provided that provision is made therefor in the annual or a supplemental or special appropriation act of the Legislature or otherwise;

e. Review and comment upon budget requests from the institution;

f. Encourage harmonious and cooperative relationship with other similar institutions in the area, public and private;

g. Review periodically existing programs of care, training, rehabilitation, research and public service in the institution, and in similar institutions of other states, and advise the State board and the commissioner as to any desirable change;

h. Make to the commissioner such recommendations as it deems necessary with regard to services, lands, buildings, and equipment to be furnished by the institution;

i. Authorize such studies and require such reports from the chief executive officer of the institution as it may deem necessary from time to time;

j. Advise the institutional head;

k. Control and determine the use of patient or inmate welfare funds within the general regulation of the State board;

l. Interpret the mandate and work of the institution to the public;

m. Carry out such other duties as the commissioner or the State board may assign to the board or to its individual members.

19. R. S. 30:4-4 is amended to read as follows:

Management vested in chief executive officer.

30:4-4. Subject to the supervision of the commissioner, the management of the several institutions and noninstitutional agencies shall be vested in the chief executive officer thereof who shall be responsible to the commissioner for their efficient, economical and scientific operation.

C. 30:1-2.2 State Board of Institutional Trustees; creation, composition, appointment, terms, vacancies, compensation, organization.

20. The State Board of Control of Institutions and Agencies established pursuant to R. S. 30:1-2 is continued as the State Board of Institutional Trustees. The members of the board in office on the effective date of this act shall continue in office for the duration of the terms for which they were respectively appointed and until the appointment of their successors.

There is hereby created in the Department of Institutions and Agencies a State Board of Institutional Trustees. The State board shall be composed of 12 members, residents of this State, including the Governor or officer administering the State Government, the Commissioner of the Department, and the Commissioner of Health who shall be ex-officio members of the State board during their respective terms of office. The members of the State board shall be appointed by the Governor, without regard to political affiliation, subject to confirmation by the Senate, and shall be subject to removal by the Governor at any time for good and sufficient cause.

The members appointed by the Governor pursuant to this act shall be appointed for terms of 4 years. All appointed members shall serve after the expiration of their terms until their respective successors are appointed and shall qualify. Vacancies shall be filled for the unexpired term.

Members of the State board shall receive no compensation for services, but shall be reimbursed for actual expenditures incurred in the performance of their duties.

On and after July 1 of each year the State board shall reorganize by the election from among its appointed members of a chairman and vice chairman. The board may appoint a secretary, with the approval of the commissioner, who shall be an employee of the department and shall serve at the pleasure of the board without additional compensation. The term of office of the chairman and vice chairman shall be until June 30 of the following year or until their successors are elected and qualified.

C. 30:1-2.3 Powers and duties of State Board of Institutional Trustees.

21. It shall be the duty of the State Board of Institutional Trustees to advance long-range planning and policy for the system of State institutions of medical care, correctional and training institutions, State charitable and relief institutions, training institutions and noninstitutional agencies of the State; establish general policy for the governance of the separate institutions; coordinate the activities of the individual institutions; and maintain general oversight of the State system of institutions. The board shall not administer the department or its individual institutions.

The board of institutional trustees shall have power to:

- a. Conduct research on institutional needs;
- b. Develop with the commissioner and his staff and jointly promulgate and maintain a comprehensive master plan which

shall be long-range in nature and be regularly revised and updated, including priorities for the construction of new institutions and the development of new programs;

c. Recommend and advise the commissioner on the establishment of new institutions as required by the master plan, provided that provision is made therefor in the annual or a supplemental or special appropriation act of the Legislature or otherwise;

d. Review and comment upon budget requests from the institutions;

e. Encourage harmonious and cooperative relationship between public and private institutions;

f. Review periodically existing programs of care, training, rehabilitation, research, and public service in the public institutions of this State and other states and as to new developments in the various fields of the department's responsibility and advise such institutions and the commissioner of desirable change;

g. Consult with and make to the commissioner such recommendations as it deems necessary with regard to services, lands, buildings, and equipment to be furnished by the department and its institutions;

h. Exercise visitorial supervision over such institutions under the supervision or control of the department; its visitorial general powers of supervision are hereby defined as visiting such institutions to examine into their manner of conducting their affairs and to advise the commissioner on the observance and enforcement of the laws of the State;

i. Review and make recommendations with respect to budget requests to be submitted by the commissioner;

j. Authorize such studies and require such reports from the commissioner as it may deem necessary from time to time; and

k. Make an annual report to the commissioner and the Governor and such other reports as it may deem proper from time to time or as may be requested by the commissioner.

22. Section 3 of P. L. 1965, c. 59 (C. 30:1-15.1) is amended to read as follows:

C. 30:1-15.1 Residential facilities for mentally ill; duty to inspect; report.

3. Inspection and approval of all residential facilities within the State providing diagnosis, care or treatment of the mentally ill or the mentally retarded shall be a responsibility of the department. The commissioner shall have the duty and is hereby authorized to set standards, and through his agents, including professionally qualified persons, to visit and inspect as often as is necessary, but

at least once a year, all residential facilities which provide diagnosis, care or treatment of the mentally ill or mentally retarded, whether State, county, municipal, public or private, in order to determine the conditions under which such persons are lodged, cared for, maintained or treated, and in order to assure that adequate standards of care and treatment are maintained, that civil liberties of individuals receiving care are preserved and that the public may be informed of the adequacy of these facilities.

The State board and the commissioner, or their agents, shall have the right of admission to all parts of any building or buildings in which mentally ill or mentally retarded persons are lodged, cared for or treated, as often as may be necessary. The extent and results of such visitation and inspection shall be included in the annual or any special report of the commissioner or the State board with such recommendations as they may deem necessary. Such report shall be available to the public.

23. Section 4 of P. L. 1965, c. 59 (C. 30:1-15.2) is amended to read as follows:

C. 30:1-15.2 Books, records and accounts of facilities for care and treatment of mentally ill; inspection and audit; consultative services.

4. The premises, books, records and accounts of any facility or organization to which payments are made from the treasury of the State, directly or indirectly, for or on account of the diagnosis, care, treatment, rehabilitation, or maintenance of any mentally ill or mentally retarded persons shall be open to the inspection of the commissioner or his agents; such books, records and accounts shall be available for inspection and audit by the State Auditor or any of his agents insofar as they relate to the receipt and expenditure of State moneys, in order to determine whether the amount so paid by the State is a proper charge, which question the commissioner shall determine.

In order to encourage the continual improvement of standards of care, the commissioner shall make available, within the limits of appropriations therefor, professional consultative services to those facilities in the State which minister to the mentally ill and the mentally retarded.

C. 30:1-2.1 Meaning of certain references.

24. Whenever in any law, rule, regulation, contract, document, judicial or administrative proceeding or otherwise, reference is made to the State Board of Control, the same shall mean and refer to the Commissioner of Institutions and Agencies.

C. 30:4-4a Meaning of certain references.

25. Whenever in any law, rule, regulation, contract, document, judicial or administrative proceeding or otherwise, reference is made to the board of managers of any institution, the same shall mean and refer to the chief executive officer of the institution.

Repealer.

26. R. S. 30:1-3, 30:1-4, 30:1-5 and 30:1-6 are hereby repealed.

27. This act shall take effect immediately.

Approved January 5, 1972.

CHAPTER 385

AN ACT to amend "An act concerning construction safety and establishing a Construction Safety Council in the Department of Labor and Industry, supplementing Title 34 of the Revised Statutes and repealing sections 34:3-1 to 34:3-20, inclusive, section 34:3-23, sections 34:5-1 to 34:5-23, inclusive, sections 34:5-33 to 34:5-162, inclusive, sections 34:5-164 and 34:5-165, of the Revised Statutes," approved May 15, 1962 (P. L. 1962, c. 45).

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

1. Section 7 of P. L. 1962, c. 45 (C. 34:5-172) is amended to read as follows:

C. 34:5-172 Construction safety council; membership, appointment, terms, vacancies, compensation, duties, meetings.

7. There is hereby established within the department a Construction Safety Council. The council shall consist of 16 members; 15 appointed by the Governor, and the commissioner who shall serve as chairman. Members appointed by the Governor shall be appointed for a 4-year term commencing on July 1 of the year of appointment except that of those first appointed, four shall be appointed for a term of 1 year, four for a term of 2 years, three for a term of 3 years and three for a term of 4 years, which terms shall commence on July 1, 1962. Each member shall hold over

after the expiration of his term until his successor has been appointed and has qualified.

Of the members appointed by the Governor; two members shall be selected to represent the public, one member shall be selected from a list of names submitted by the Associated General Contractors Association of New Jersey, one member from a list of names submitted by the Building Contractors Association of New Jersey, one member from a list of names submitted by the National Electrical Contractors Association, New Jersey Chapter, Inc., one member from a list of names submitted by the Mechanical Contractors Association of N. J., Inc., one member from a list of names submitted by the New Jersey Home Builders Association, one member from a list of names submitted by the Structural Steel & Ornamental Iron Association, five members from a list of names submitted by the New Jersey State Building and Construction Trades Council, one member from a list of names submitted by the New Jersey Society of Professional Engineers, one member from a list of names submitted by the New Jersey Society of Architects, and one member from a list of names submitted by the Utility Contractors Association of New Jersey, Inc. At least three names shall be submitted by each organization for each member that is to be appointed from its list.

Vacancies shall be filled only for the unexpired term and in the manner provided for the original appointment.

The members of the council shall serve without compensation except for the actual expenses incurred while engaged in their duties as members of the council. It shall be the duty of the council to advise the commissioner in matters relating to the administration of this act. The council shall meet at least every 6 months and at such time as the commissioner may designate at the time and place selected by him. A meeting of the council shall be called by the commissioner when requested by any three members of the council. The head of the Bureau of Engineering and Safety shall serve as secretary of the council.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 386

AN ACT to amend and supplement "The Realty Improvement Sewerage and Facilities Act (1954)," approved July 28, 1954 (P. L. 1954, c. 199).

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

1. Section 2 of P. L. 1954, c. 199 (C. 58:11-24) is amended to read as follows:

C. 58:11-24 Definitions.

2. As used in this act, unless the context clearly indicates otherwise, the following words shall have the following meanings:

(a) "Approved potable water supply" means water supply which has been approved by the State Department of Environmental Protection pursuant to Title 58 of the Revised Statutes, or any other law.

(b) "Approved sewer system" means a sanitary sewer system which has been approved by the State Department of Environmental Protection pursuant to Title 58 of the Revised Statutes, or any other law.

(c) "Water supply system" means any installation or structure designed to provide domestic or potable water supply.

(d) "Sewerage facilities" means any installation or structure designed to provide for the collection and disposal of sewage.

(e) "Realty improvement" means any proposed new residence or other building the useful occupancy of which shall require the installation or erection of a water supply system or sewerage facilities, other than one which is to be served by an approved water supply and an approved sewerage system. For the purposes of this act, each family unit in proposed multiple family dwelling shall be construed to be a separate realty improvement.

(f) "Board" or "board of health" means the board of health of any municipality or the boards, bodies or officers in such municipality lawfully exercising any of the powers of a board of health under the laws governing such municipality, and includes any consolidated board of health or county board of health created and established pursuant to law.

(g) "State department" means the State Department of Environmental Protection.

(h) "Professional engineer" means a person licensed to practice professional engineering in this State.

C. 58:11-25.1 Compliance with State standards.

2. No subdivision approval shall be granted by any municipal or other authority in the State to cover 50 or more realty improvements until the State Department of Environmental Protection has certified that the proposed water supply and sewerage facilities for realty improvements comply with applicable State standards.

3. Section 9 of P. L. 1954, c. 199 (C. 58:11-31) is amended to read as follows:

C. 58:11-31 Denial or revocation of certification; hearing.

9. In case any certification is denied by the board of health or is denied or revoked by the State department, a hearing shall be held thereon before the board or the State department, as the case may be, within 15 days after request therefor is made by the applicant and upon such hearing the board of health or the State department, as the case may be, shall affirm, alter or rescind its previous determination and take action accordingly within 15 days after the date of such hearing.

4. Section 10 of P. L. 1954, c. 199 (C. 58:11-32) is amended to read as follows:

C. 58:11-32 Inspections and tests; right of entry.

10. A board of health or the State department shall have power to make, or cause to be made, such inspections and tests as may be necessary to carry out the purposes of this act and its authorized representatives shall at all times have the right to enter upon lands of realty improvements for said purposes.

5. Section 19 of P. L. 1954, c. 199 (C. 58:11-41) is amended to read as follows:

C. 58:11-41 Injunction.

19. In case any water supply system or sewerage facilities or any part thereof is about to be, or is, or has been, erected or installed after the effective date of this act in violation of any of the provisions of this act as aforesaid, such erection or installation is hereby declared to be a nuisance and the State department or the board having jurisdiction in the municipality in which the realty improvement is situate, may institute a civil action for an injunction to prohibit the further violations of this act in any court of competent jurisdiction, which court shall have power to

order an abatement of such nuisance, and to prevent its further maintenance, and any further violation of this act, by injunction or otherwise according to the practice of said court, and the court may proceed in a summary manner.

6. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 387

AN ACT concerning park police pension funds in certain counties,
and amending R. S. 40:37-163.

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

1. R. S. 40:37-163 is amended to read as follows:

Pension entitlement based on permanent disability.

40:37-163. Every member of the county park police force or department having paid into the fund the full amount of the annual assessments or contributions required of him and who shall have received permanent disability from injury or sickness incurred while in actual service, so as to incapacitate him from duty, shall upon the certificate of the police surgeon or other physician, or of a board of physicians designated by a board consisting of two members of the commission, two members of the police force and a fifth member to be chosen by the four other members, be so pensioned and retired if said injury was incurred in the performance of duty, and shall be paid an annual pension equal to $\frac{2}{3}$ of his average annual salary for the last 3 years of his employment, but if said injury shall have been incurred while in service but not in the performance of duty and said member has served for 25 years or more in the police force or department, he shall be paid an annual pension equal to $\frac{1}{2}$ of his average annual salary for the last 3 years of his employment.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 388

AN ACT concerning park police pension funds in certain counties,
and amending R. S. 40:37-161.

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

1. R. S. 40:37-161 is amended to read as follows:

Return of assessments in certain cases; widow's pension.

40:37-161. If any member of the police force, who is a member of said fund, in good standing shall voluntarily retire therefrom and his resignation be accepted, the commission shall return to him all the assessments which he has paid into the fund; and in case of the death of any such member of the police force, while in the employ of the commission, whose death did not occur in the performance of duty and who at his death was not receiving a pension as provided for in sections 40:37-157 to 40:37-168 of this Title, the commission shall return to his legal representatives all the assessments by him paid into the fund if he left no widow or minor child or children surviving him, but if he left a widow surviving him the park commission shall pay the widow of any such member, an annual pension equal to $\frac{1}{2}$ of the average annual salary being paid such member for the last 3 years of his employment prior to the time of his death, under the same terms and conditions as prescribed for widows of members of the police force or department retired and pensioned as provided in section 40:37-165 of this Title.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 389

AN ACT to validate certain proceedings for the issuance of bonds of school districts and any bonds or other obligations issued or to be issued in pursuance of such proceedings.

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

Validating act.

1. All proceedings heretofore had or taken by any school district or at any school district 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 any proposal adopted by the legal voters at such 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 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 18A:24-19 of Title 18A, Education, of the New Jersey 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 sections 18A:24-20 and 18A:24-22 of Title 18A, Education, of the New Jersey Statutes, or notwithstanding that supplemental debt statements or school debt statements required by section 18A:24-16 of Title 18A, Education, of the New Jersey Statutes were not prepared and filed as required by section 18A:24-17 of Title 18A, Education, of the New Jersey Statutes, or notwithstanding that notices relating to such election were not published as required by the provisions of the Absentee Voting Law (1953), as amended, or notwithstanding that notice of such election was not published in accordance with section 18A:14-19 of Title 18A, Education, of the New Jersey Statutes, provided, however, that supplemental debt statements and school debt statements prepared as of a date on or prior to the date of such election shall have been made, sworn to and filed in the places required by law prior to the issuance of such bonds; and provided further, 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 election were forwarded to the clerk of the county in which such school district is located; and provided further, that notices of such election were posted prior to the election as required by law; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such proceedings 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 heretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 390

AN ACT to provide for the medical examination of school pupils who may be under the influence of drugs or certain toxic chemical compounds, and supplementing chapter 40 of Title 18A of the New Jersey Statutes.

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

C. 18A:40-4.1 Pupils appearing to be under the influence of certain substances; examination, notification, reports.

1. Whenever it shall appear to any teaching staff member, school nurse or other educational personnel of any public school in this State that a pupil may be under the influence of a controlled dangerous substance as defined in P. L. 1970, chapter 226, section 2 (C. 24:21-2) or any chemical or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system including but not limited to glue containing a solvent having the property of releasing toxic vapors or fumes, as defined in P. L. 1965, chapter 41, section 1, (C. 2A:170-25.9) taken for purposes other than the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat the sick and injured human beings, such teaching staff member, school nurse or other educational personnel shall report the matter as soon as possible to the school nurse or medical inspector, as the case may be and to the principal or, in his absence, to his designee. The principal or his designee, shall immediately notify the parent or guardian and the superintendent of schools, if there be one, or the administrative principal and arrange for an immediate examination of the pupil by a doctor selected by the parent or guardian, or if such doctor is not immediately available, by the medical inspector, if he is available. If such doctor or medical inspector is not immediately available, the pupil shall be taken to the emergency room of the nearest hospital for examination accompanied by a member of the school staff designated by the principal and a parent or guardian of the pupil if available. The pupil shall be examined as soon as possible for the purpose of diagnosing whether or not the pupil is under such influence. A written report of said examination shall be furnished within 24 hours by the examining physician to the parent or guardian of the pupil and to

the superintendent of schools or administrative principal. If such diagnosis is positive, the pupil shall be returned to his home as soon as possible and appropriate data shall be furnished to the Department of Health pursuant to the "Controlled Dangerous Substances Registry Act of 1970," P. L. 1970, chapter 227 (C. 26:2G-17 et seq.). The pupil shall not resume attendance at school until he submits to the principal a written report certifying that he is physically and mentally able to return thereto, which report shall be prepared by his personal physician, the medical inspector or the physician who examined him pursuant to the provisions of this act.

C. 18A:40-4.2 Action not to lie against certain personnel; proviso.

2. No action of any kind in any court of competent jurisdiction shall lie against any teaching staff member, school nurse or other educational personnel, medical inspector, examining physician or any other officer or agent of the board of education or personnel of the emergency room of a hospital because of any action taken by virtue of the provisions of this act, provided the skill and care given is that ordinarily required and exercised by other such teaching staff members, nurses, educational personnel, medical inspectors, physicians or other officers or agents of the board of education or emergency room personnel.

3. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 391

AN ACT to amend "An act concerning the deposit of public moneys by the State Treasurer in certain cases and publication of notice thereof, supplementing chapter 18 of Title 52 of the Revised Statutes, repealing sections 52:18-17 and 52:18-18 of the Revised Statutes, and amending section 52:18-21 of the Revised Statutes," approved December 20, 1956 (P. L. 1956, c. 174).

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

1. Section 1 of P. L. 1956, chapter 174 (C. 52:18-16.1) is amended to read as follows:

C. 52:18-16.1 Deposit of public moneys; interest.

1. The State Treasurer shall, except as otherwise provided, deposit to his credit as treasurer all public moneys coming into his hands, within 3 days after receiving the same, in such of the national banks located in this State, and institutions authorized by this State to carry on a banking business, as he may select, that will allow interest on all balances. All interest so earned shall be credited to the State. When in the judgment of the State Treasurer it is not compatible with the working capital requirements of the State or with public safety to deposit public moneys or portion thereof, upon interest bearing terms, as heretofore provided in this section, the State Treasurer may deposit the same without interest or open time accounts with interest subject to withdrawal upon notice, conforming with Federal laws and regulations governing the same, in such of the national banks located in this State and institutions authorized by this State to carry on a banking business as he may select, until such a condition has, in his judgment, ceased to exist.

In all cases where a deposit is made, pursuant to this section, the State Treasurer shall require from any such institution a deposit of bonds, notes, certificates of indebtedness or bills or other obligations of or guaranteed by the United States; or bonds or other obligations of or guaranteed by the State of New Jersey; or any other obligations now or hereafter authorized by law as security for public deposits; designed to secure any deposit made pursuant to this section; provided, that such requirement shall be deemed to be met if the Federal Reserve Bank of New York or the Federal Reserve Bank of Philadelphia or any other banking institution with total assets in excess of \$300,000,000.00 located within the Second or Third Federal Reserve Districts and approved for such purpose by the State Treasurer certifies to the State Treasurer that, pursuant to authority given by the depository, it holds obligations, owned by the depository, of the kind and in the amount required by the State Treasurer to secure any such deposit. No bank shall be permitted to hold securities, of the kind held hereinbefore described, as security for public moneys on deposit in the same bank.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 392

AN ACT concerning license fees for taking oysters or clams and amending R. S. 50:2-3.

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

1. R. S. 50:2-3 is amended to read as follows:

License fee.

50:2-3. The license fee shall be fixed by the Division of Fish, Game and Shell Fisheries from time to time, subject to approval of the Commissioner of the Department of Environmental Protection, at not less than one nor more than \$10.00 for residents, and shall be \$25.00 for nonresidents.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 393

AN ACT concerning railroad grade crossings, amending R. S. 39:4-128 and supplementing chapter 12 of Title 48 and chapter 4 of Title 39 of the Revised Statutes.

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

1. R. S. 39:4-128 is amended to read as follows:

Full stop at grade crossings; exceptions; notice to railroad of intention to cross with certain vehicles or machinery; penalties; municipal regulations; orders of public utility commissioners.

39:4-128. (a) The driver of any omnibus, designed for carrying more than six passengers, or of any school bus carrying any school child or children, or of any vehicle carrying explosive substance or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad shall stop such vehicle within 50 feet but not less than 15 feet from the nearest rail of such railroad and while so stopped listen and look in both directions along such track or tracks, for any approaching train, and for sig-

nals indicating the approach of a train. After stopping as required herein and upon proceeding when it is safe to do so, the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while transversing such crossing and the driver shall not shift gears while crossing the track or tracks. This section shall not apply to grade crossings which are no longer used for railroad traffic and which have been abandoned by the railroad company provided that appropriate signs have been posted to indicate that such grade crossing has been abandoned or no longer used for any railroad traffic. This section shall also not apply to grade crossings where the railroad track has been removed or paved over and the warning signs erected by the railroad in accordance with R. S. 48:12-58 have been removed, provided that in such case written notice is given to the Board of Public Utility Commissioners and to the appropriate State or local authority having jurisdiction over the highway, road, or street prior to the undertaking of such removal or paving of railroad track.

(b) No person shall operate or move any crawler-type tractor, wheel tractor, tractor engine with or without trailer or trailers attached, steam shovel, derrick, roller, self-propelled concrete mixer, or any self-propelled vehicle, equipment, machinery, apparatus or structure having a normal operating speed of 10 or less miles per hour or a vertical body or load clearance of less than $\frac{1}{2}$ inch per foot of the distance between any two adjacent axles or in any event of less than 9 inches, measured above the level surface of a roadway, upon or across any track or tracks at a railroad grade crossing without first complying with the following requirements.

Notice of any such intended crossing shall be given to the nearest superintendent, station agent, station attendant, or track supervisor of such railroad. Such notice shall specify the approximate time of crossing and a reasonable time shall be given to such railroad to provide proper protection at such crossing.

After concluding satisfactory arrangements with the proper officer of the railroad and before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than 15 feet nor more than 50 feet from the nearest rail of such railroad, and while so stopped shall listen and look in both directions along such track or tracks for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the

immediate approach of a railroad train or car. If the flagman is provided by the railroad, movement over the crossing shall be made under his jurisdiction.

(c) Any person violating the provisions of this section shall be punished by a fine of not more than \$50.00 for the first offense and for the second offense a fine of not more than \$100.00, or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

(d) This section shall not be construed as limiting the authority of any municipality to adopt police regulations governing the operation of omnibuses and to provide penalties for their violation, or to relieve the owner or operator of such omnibus subject to the jurisdiction of the Board of Public Utility Commissioners from any penalty prescribed by the laws of this State for violation of orders of such board.

C. 48:12-58.1 Signs at abandoned grade crossings.

2. Whenever a railroad company has discontinued or discontinues all traffic on any line or part thereof, and has abandoned or abandons the use of such line and the grade crossings thereon, said company shall notify the Board of Public Utility Commissioners and the Director of the Division of Motor Vehicles of its action. The Board of Public Utility Commissioners shall order the removal of the warning sign erected by the railroad in accordance with R. S. 48:12-58 and the installation in its place of a sign of such standard and design as shall be approved by the board, with the inscription "Abandoned Grade Crossing." When the railroad track has been removed or paved over at an abandoned grade crossing, no sign shall be required.

C. 39:4-183.21a Removal of advance warning signs.

3. The Director of the Division of Motor Vehicles shall, upon receiving notice from a railroad company that it has abandoned a particular line and the grade crossings thereon, order the removal of any advance warning signs erected pursuant to section 22 of P. L. 1941, c. 345 (C. 39:4-183.21).

4. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 394

AN ACT concerning committees of boards of directors of business corporations and amending N. J. S. 14A:6-9.

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

1. N. J. S. 14A:6-9 is amended to read as follows:

Executive committee; other committees.

14A:6-9. (1) If the certificate of incorporation or the bylaws so provide, the board, by resolution adopted by a majority of the entire board, may appoint from among its members an executive committee and one or more other committees, each of which shall have one or more members. To the extent provided in such resolution, or in the certificate of incorporation or in the bylaws, each such committee shall have and may exercise all the authority of the board, except that no such committee shall

- (a) make, alter or repeal any bylaw of the corporation;
- (b) elect or appoint any director, or remove any officer or director;

- (c) submit to shareholders any action that requires shareholders' approval; or

- (d) amend or repeal any resolution theretofore adopted by the board.

(2) The board, by resolution adopted by a majority of the entire board, may

- (a) fill any vacancy in any such committee;

- (b) appoint one or more directors to serve as alternate members of any such committee, to act in the absence or disability of members of any such committee with all the powers of such absent or disabled members;

- (c) abolish any such committee at its pleasure; and

- (d) remove any director from membership on such committee at any time, with or without cause.

(3) Actions taken at a meeting of any such committee shall be reported to the board at its next meeting following such committee meeting; except that, when the meeting of the board is held within 2 days after the committee meeting, such report shall, if not made at the first meeting, be made to the board at its second meeting following such committee meeting.

(4) The designation of any such committee and the delegation thereto of authority shall not operate to relieve the board, or any member thereof, of any responsibility imposed by law.

2. This act shall take effect immediately.

Approved January 7, 1972.

CHAPTER 395

AN ACT to amend "An act concerning insurance, creating the 'New Jersey Insurance Underwriting Association,' prescribing the powers, duties and functions thereof and supplementing Title 17 of the Revised Statutes," approved July 2, 1968 (P. L. 1968, c. 129).

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

1. Section 5 of P. L. 1968, c. 129 (C. 17:35A-5) is amended to read as follows:

C. 17:37A-5 Board of directors; election and appointment.

5. The association shall be governed by a board of 13 directors, 11 of whom shall be elected annually by the members of the association, whose votes in such election shall be weighted in accordance with each member's participation in the association pursuant to section 6 of this act. One of whom shall be appointed annually by the commissioner from and among the officers of the various domestic mutual insurance companies, and one of whom shall be appointed annually by the commissioner from among the officers of the various domestic stock insurance companies. The first board shall be elected at a meeting of the members, or their authorized representatives, which shall be held within 30 days after the effective date of this act, at a time and place designated by the commissioner.

2. This act shall take effect immediately.

Approved January 10, 1972.

CHAPTER 396

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 175 of P. L. 1948, c. 67 (C. 17:9A-175) is amended to read as follows:

C. 17:9A-175 Federal, State, county and municipal securities.

175. 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 cooperatives 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, debentures or other obligations issued by The United States Postal Service under the Postal Reorganization Act, Public Law 91-375, 84 Stat. 719, as amended or supplemented from time to time;

(10) 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

(11) 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), (8) or (9) 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 (10) 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.

C. A savings bank may make short term investments limited to a 1-year term in

(1) certificates of deposit in any bank whose stock qualifies as legal investment for savings banks;

(2) in United States Government securities and bonds or obligations of United States Governmental agencies otherwise legal investments hereunder, subject to repurchase agreements.

2 This act shall take effect immediately.

Approved January 10, 1972.

CHAPTER 397

AN ACT concerning workmen's compensation and amending section 34:15-34 of the Revised Statutes.

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

1. Section 34:15-34 of the Revised Statutes is amended to read as follows:

Time for claiming compensation for occupational disease.

34:15-34. All claims for compensation for compensable occupational disease shall be barred unless a petition is filed in duplicate with the secretary of the division in Trenton, within 2 years after the date on which the employee ceased to be exposed in the

course of employment with the employer to such occupational disease as hereinabove defined, or within 1 year after the employee knew or ought to have known the nature of his disability and its relation to his employment, whichever period is later in duration. In case an agreement of compensation for compensable occupational disease has been made between such employer and such claimant, then an employee's claim for compensation shall be barred unless a petition for compensation is duly filed with such secretary within 2 years after the failure of the employer to make payment pursuant to the terms of such agreement; or in case a part of the compensation has been paid by such employer, then within 2 years after the last payment of compensation.

Notwithstanding any provision of this section hereinabove set forth, all claims for compensation for compensable occupational disease hereunder shall be forever barred unless a petition is filed in duplicate with the secretary of the Division of Workmen's Compensation, in Trenton, within 5 years after the date on which the employee ceased to be exposed in the course of employment with the employer to such occupational disease; provided, however, that in the event of death of an employee who has been paid compensation on account of a compensable occupational disease, a petition on behalf of dependents, as defined in section 34:15-13f of the Revised Statutes, shall be timely if filed within 2 years after the date of last payment to the employee notwithstanding such period of 2 years or any part thereof extends beyond the 5-year period hereinabove set forth.

A payment or agreement to pay by the insurance carrier shall, for the purpose of this section, be deemed a payment or agreement by the employer.

In any case wherein claim is made for radiation poisoning, siderosis, anthracosis, silicosis, mercury poisoning, beryllium poisoning, chrome poisoning or lead poisoning, as an occupational disease more than 2 years after the date upon which the employee ceased to be exposed in the course of employment with exposure to such occupational disease, the aforesaid 5-year limitation shall not apply, excepting, however, that the claim petition must be filed in duplicate with the Secretary of the Division of Workmen's Compensation within 1 year after the employee knew or ought to have known the nature of the claimed disability and its relation to his employment.

2. This act shall take effect immediately.

Approved January 10, 1972.

CHAPTER 398

AN ACT to amend and supplement "An act to provide for exemption from taxation in certain cases, and supplementing chapter 4 of Title 54 of the Revised Statutes," approved July 21, 1948 (P. L. 1948, c. 259).

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 (C. 54:4-3.30) is amended to read as follows:

C. 54:4-3.30 Exemption of dwellings of veterans having certain disabilities; exceptions; widows' rights.

1. The dwelling house and the lot or curtilage whereon the same is erected, of any 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 who has been or shall be declared by the United States Veterans Administration or its successors to have a service-connected disability from paraplegia, sarcoidosis, osteochondritis resulting in permanent loss of the use of both legs, or permanent paralysis of both legs and lower parts of the body, or from hemiplegia and has permanent paralysis of one leg and one arm or either side of the body, resulting from injury to the spinal cord, skeletal structure, or brain or from disease of the spinal cord not resulting from any form of syphilis; or from total blindness; or from amputation of both arms or both legs, or both hands or both feet, or the combination of a hand and a foot; or from other service-connected disability declared by the United States Veterans Administration or its successor to be a total or 100% permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, or accident, or resulting from disease contracted while in such active service shall be exempt from taxation, on proper claim made therefor, and such exemption shall be in addition to any other exemption of such person's real and personal property which now is or hereafter shall be prescribed or allowed by the Constitution or by law but no taxpayer shall be allowed more than one exemption under this act.

The widow of any such citizen and resident of this State who at the time of his death was entitled to and had the exemption

provided under this act, shall be entitled, on proper claim made therefor, to the same exemption as her husband so had, during her widowhood and while a resident of this State, for the time that she is the legal owner thereof and actually occupies the said dwelling house on the premises to be exempted.

Nothing in this act shall be intended to include paraplegia or hemiplegia resulting from locomotor ataxia or other forms of syphilis of the central nervous system, or from chronic alcoholism, or to include other forms of disease resulting from the veteran's own misconduct which may produce signs and symptoms similar to those resulting from paraplegia, osteochondritis, or hemiplegia.

C. 54:4-3.33a "Active service in time of war" defined.

2. For the purposes of this act and the act hereby amended and supplemented "active service in time of war" means the periods of time set forth in section 1 (a) of chapter 171 of the laws of 1963, and chapter 165 of the laws of 1965, except that "active service in time of war" for World War II means active service at some time during December 7, 1941 to December 31, 1946.

3. This act shall take effect immediately.

Approved January 10, 1972.

CHAPTER 399

AN ACT to protect the rights of retail buyers, amending and supplementing the "Retail Installment Sales Act of 1960," approved June 9, 1960 (P. L. 1960, c. 40).

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

1. Section 1 of P. L. 1960, chapter 40 (C. 17:16C-1) is amended to read as follows:

C. 17:16C-1 Definitions.

1. In this act, unless the context otherwise requires, the following words and terms shall have the following meanings:

(a) "Goods" means all chattels personal having a cash price of \$7,500.00 or less, but not including money or choses in action or goods sold for commercial or business use.

(b) "Retail installment contract" means any contract entered into in this State between a retail seller and a retail buyer evidenc-

ing an agreement to pay the retail purchase price of goods, or any part thereof, in two or more installments over a period of time. This term includes a chattel mortgage, conditional sales contract, or other similar instrument and any contract for the bailment or leasing of goods by which the bailee or lessee agrees to pay as compensation a sum substantially equivalent to or in excess of the value of the goods, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of such goods upon full compliance with the terms of such retail installment contract.

(c) "Retail seller" means a person who sells or agrees to sell goods under a retail installment contract to a retail buyer, and shall include a motor vehicle installment seller.

(d) "Retail buyer" means a person who buys or agrees to buy goods from a retail seller not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(e) "Person" means an individual, partnership, firm, corporation, banking institution, association or any other group of individuals however organized.

(f) "Sales finance company" means and includes any person engaging in this State in the business of acquiring or arranging for the acquisition of retail installment contracts by purchase, discount, pledge or otherwise, and any person engaging, directly or indirectly, in the business of soliciting the purchase of retail installment contracts, or in the business of aiding the retail seller in selling, assigning or arranging for the sale or assignment of retail installment contracts.

(g) "Motor vehicle" includes all vehicles used for transportation upon a highway propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

(h) "Motor vehicle installment seller" means a dealer in motor vehicles, who is required to be licensed under chapter 10 of Title 39 of the Revised Statutes and who sells or offers to sell a motor vehicle to a retail buyer under a retail installment contract.

(i) "Cash price" means the minimum price for which the goods subject to the retail installment contract or other goods of like kind and quality may be purchased for cash from the seller by the buyer, as stated in the retail installment contract.

(j) "Down payment" means all payments made in cash or in goods or partly in cash and partly in goods, received by the retail seller prior to or substantially contemporaneous with either the

execution of the retail installment contract or the delivery of the goods, whichever occurs later.

(k) "Official fees" means the filing or other fees required by law to be paid to a public officer to perfect the interest or lien, on the goods, retained or taken by a retail seller under a retail installment contract.

(l) "Time price differential" means that part of the time sales price as determined under section 27(i) by which the time sales price exceeds the aggregate of the cash price and the amount included in a retail installment contract, if a separate charge is made therefor, for insurance and other benefits and official fees.

(m) "Holder" means any person, including a retail seller, who is entitled to the rights of a retail seller under a retail installment contract.

(n) "Banking institution" means any bank or national banking association authorized to do business in this State.

(o) "Commissioner" means the Commissioner of Banking of New Jersey and includes his deputies or any salaried employee of the Department of Banking named or appointed by the said commissioner to perform any function in the administration or enforcement of this act.

(p) "Payment -period" means the period of time scheduled by a retail installment contract to elapse between the days upon which installment payments are scheduled to be made on such contract; except that, when installment payments are scheduled to be omitted, pursuant to section 26, "payment-period" means the period of time scheduled by the contract to elapse between the days upon which installment payments are scheduled to be made during that portion of the contract period in which no installment payment is scheduled to be omitted.

(q) "Contract period" means the period beginning on the date of a retail installment contract and ending on the date scheduled by the contract for the payment of the final installment.

C. 17:16C-38.1 Relief of holder from certain liability prohibited.

2. No retail installment contract shall contain any provision relieving the holder, or other assignee, from liability for any civil remedy sounding in contract which the retail buyer may have against the retail seller under the retail installment contract or under any separate instrument executed in connection therewith.

C. 17:16C-38.2 Form, terms and conditions of note.

3. No retail installment contract shall require or entail the execution of any note unless such note shall have printed the words

“CONSUMER NOTE” in 10-point bold type or larger on the face thereof. Such a note with the words “CONSUMER NOTE” printed thereon shall be subject to the terms and conditions of the retail installment contract and shall not be a negotiable instrument within the meaning of chapter 3 (Commercial Paper) N. J. S. 12A:3-101 et seq., or a security interest within the meaning of chapter 9 (Secured Transactions) N. J. S. 12A:9-101 et seq. of the Uniform Commercial Code. Any subsequent holder of a consumer note shall be subject to all claims and defenses of the retail buyer against the retail seller arising out of the transaction but no such claim or defense may be asserted against such holder in excess of the time sales price under the retail installment contract for any sale, except that, in the case of the sale of a new motor vehicle, as defined in R. S. 39:10-2, no claim or defense may be asserted against such holder in excess of the time balance under the retail installment contract. No claim or defense which the retail buyer may have against the retail seller arising otherwise than out of the retail installment contract or any separate instrument executed in connection therewith shall be asserted against any subsequent holder.

C. 17:16C-38.3 Penalty.

4. Any person who procures the execution of a note in violation of this act shall be liable to a penalty of not more than \$500.00 for each offense.

C. 17:16C-38.4 Certain charges not recoverable in event of violation of act.

5. In the event that a note is executed in connection with a retail installment contract in violation of this act, no finance, delinquency, collection, repossession or refinancing charges may be recovered in any action or proceeding based on the contract or the consumer note.

6. This act shall take effect 90 days after enactment.

Approved January 10, 1972.

CHAPTER 400

A SUPPLEMENT to the “Farmland Assessment Act of 1964,” approved May 11, 1964 (P. L. 1964, c. 48, C. 54:4-23.1 et seq.).

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

C. 54:4-23.152 Mailing of form for continuance of valuation, assessment and taxation under act.

1. On or before July 1 the assessor shall mail to each taxpayer whose land has been valued, assessed and taxed for the then current tax year pursuant to the "Farmland Assessment Act of 1964" a copy of the form prescribed to claim a continuance of valuation, assessment and taxation under such act for the succeeding tax year together with a notice that the completed form is required to be filed with the assessor on or before August 1.

The failure of any taxpayer to receive a form for claiming continuance of a farmland assessment shall not relieve him of the requirement to claim and establish his right thereto as required by law.

2. This act shall take effect immediately.

Approved January 10, 1972.

CHAPTER 401

AN ACT to authorize the city of Sea Isle City in the county of Cape May to make permanent the appointment of Pasquale La Rosa to the police department of the city of Sea Isle City.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the city of Sea Isle City in the county of Cape May is authorized to make permanent the appointment of Pasquale La Rosa to the police department of Sea Isle City notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the city of Sea Isle City for the purpose of adopting same.

Approved January 10, 1972.

CHAPTER 402

AN ACT to authorize the city of Asbury Park in the county of Monmouth to make permanent the appointment of James R. Bernard, Genaro D. De Sane and Anthony S. Petillo to the police department of the city of Asbury Park.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the city of Asbury Park in the county of Monmouth is authorized to make permanent the appointment of James R. Bernard, Genaro D. De Sane and Anthony S. Petillo to the police department of Asbury Park notwithstanding their ages are greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the city of Asbury Park for the purpose of adopting same.

Approved January 10, 1972.

CHAPTER 403

AN ACT concerning jurors, requiring leaves of absence from certain types of employment for jury service, without loss of compensation in certain cases, and amending N. J. S. 22A:1-3.

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

C. 2A:69-5 Excuse from employment for jury service; compensation.

1. Any person employed by the State, county or municipality or by any mass transportation facility who is summoned for ser-

vice as a grand juror or petit juror in any court of this State or in the United States District Court for New Jersey shall be excused from his employment on all days he is required to be present in court in response to the summons for jury service. Any full-time employee shall be entitled to receive from his employer his usual compensation for each day he is excused for jury service, or at least his actual compensation, less the amount of per diem fee for each day of such jury service as shown on a statement issued to the juror by the sheriff or other court officer making payment of juror fees.

C. 2A:69-6 "Mass transportation facility" defined.

2. For purposes of this act "mass transportation facility" shall include railroads operated by steam, electricity or other power, rapid transit lines and buses.

3. N. J. S. 22A:1-3 is amended to read as follows:

Account and statement of per diem juror fees and mileage allowance.

22A:1-3. The sheriff of each county shall keep a true account of all per diem juror fees and mileage allowance paid by him pursuant to section 22A:1-1 of this Title and shall submit such account for examination to the clerk of the county who shall examine the account and certify the same, if found correct. Upon production of the account, so certified, to the county treasurer, with an affidavit annexed thereto that the account is true and the amount claimed by the sheriff is justly and honestly due to him, the sheriff shall be paid the amount so due him by the county treasurer, which amount the county treasurer shall be allowed in the settlement of his accounts with the board of chosen freeholders.

The sheriff shall provide each juror with a statement of the number of days of his juror service, the amounts of per diem and mileage fees to which he is entitled.

4. This act shall take effect 45 days after enactment.

Approved January 11, 1972.

CHAPTER 404

AN ACT respecting the issuance of trapping licenses and amending
R. S. 23:3-4.

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

1. R. S. 23:3-4 is amended to read as follows:

Licenses; residents', nonresidents' and aliens'; fees; term of license.

23:3-4. The licenses issued under this article shall be as follows:

a. A license issued to citizens of the United States above 14 years of age, who have an actual and bona fide domicile in this State at the time of the application for the license and who have had an actual and bona fide domicile in this State for at least 6 months immediately prior thereto, provided that for residents' trapping licenses such person may be above 12 years of age. These licenses shall be of five kinds and designated as the residents' firearm hunting license, the residents' bow and arrow license, the residents' trapping license, the residents' fishing license and the residents' family fishing license. The Fish and Game Council in the Division of Fish, Game and Shell Fisheries of the Department of Environmental Protection shall have the authority to adopt and promulgate regulations for said family fishing licenses.

The residents' firearm hunting license shall authorize its holder to hunt with hounds and firearms only, and a fee of \$7.00 and an issuance fee of \$0.25 shall be charged therefor. The residents' bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of \$7.00 and an issuance fee of \$0.25 shall be charged therefor. The residents' trapping license shall authorize its holder to trap only, and a fee of \$7.00 and an issuance fee of \$0.25 shall be charged therefor. The residents' fishing license shall authorize its holder to fish only, and a fee of \$6.00 and an issuance fee of \$0.25 shall be charged therefor except that in any case where the applicant is 70 or more years of age and is otherwise qualified no fee shall be charged. The residents' family fishing license shall authorize the parents or guardians and their children, foster children or wards between the ages of 14 and 18, named therein, to fish only. The fee for the parent license permitting fishing only by the father or mother, or both, or the guardian shall be \$12.00 with an issuance fee of \$0.25; and each child, foster child or ward named therein shall be required to have and shall be issued an individual supplementary license as a member of such family at a fee of \$1.00 and an issuance fee of \$0.25. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto hereunder. Any person, a resident of this State, who is afflicted with total blindness, upon application to the Division of Fish, Game and Shell Fisheries shall be entitled to a residents' fishing license without fee or charge.

b. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to trap or to hunt. These licenses shall be designated as the nonresidents' and aliens' fire-arm hunting license, the nonresidents' and aliens' bow and arrow license, and the nonresidents' and aliens' trapping license. The fee for each of these licenses shall be \$25.00, and an issuance fee of \$0.25.

c. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to fish only. These licenses shall be designated as the nonresidents' and aliens' fishing license and the nonresidents' and aliens' 3-day vacation fishing license valid for a period of 3 consecutive days and only obtainable after June 1 of each year. The fee for these licenses shall be \$10.00 for the annual fishing license, together with an issuance fee of \$0.25, and \$3.50 and an issuance fee of \$0.25 for the 3-day vacation fishing license.

Every license issued hereunder shall be void after December 31, next succeeding its issuance excepting the nonresidents' 1-day hunting license which shall expire on the date of issuance, and the nonresidents' and aliens' 3-day fishing license which is valid only for 3 consecutive days after date of issuance.

2. This act shall take effect January 1, 1972.

Approved January 20, 1972.

CHAPTER 405

AN ACT concerning trapping, prohibiting and regulating the use of certain traps in certain cases, amending R. S. 23:3-1 and supplementing article 6 of chapter 4 of Title 23 of the Revised Statutes.

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

1. R. S. 23:3-1 is amended to read as follows:

Hunters, trappers and fishermen to be licensed; penalty; exemptions.

23:3-1. No person shall at any time hunt for, take, kill or pursue, with a gun or any firearms of any kind or character, or with bow and arrow, a wild bird, animal or fowl, or take or attempt to take

any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap, or set a trap for any fur-bearing animal, and no person above the age of 14 years shall at any time take or attempt to take fish in any of the fresh waters of this State by the method commonly known as angling with a hand line or rod and line, unless he has first procured a proper license. Nor shall any person engage in hunting or trapping unless he has in addition first procured a button or tag showing the number of the license and whether the hunter or trapper is a resident or a nonresident; and such button or tag shall be worn in a conspicuous place on his outer clothing at the time of such hunting or trapping. A licensee shall exhibit his license and tag or button for inspection to any warden, deputy warden, police officer or other person requesting to see it. No person under 12 years of age shall be issued a trapping license.

Any person found hunting or trapping without his button or tag conspicuously displayed shall be liable to a penalty of \$5.00 and costs to be recovered pursuant to the provisions of Title 23, chapter 10, of the Revised Statutes.

A resident of this State, while he or she is on active duty with any branch of the armed service of the United States, shall be entitled to hunt and fish in this State in accordance with law without being licensed.

A nonresident, who is on active duty with any branch or department of the armed service of the United States, shall be entitled to hunt or fish upon obtaining the proper resident license therefor.

Nothing in this section shall prevent the occupant of a farm in this State, who actually resides thereon, or the immediate members of his family who also reside thereon, from hunting for, taking, killing or pursuing with a gun or firearm on the farm a wild bird, animal or fowl, from taking any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap or from setting a trap for a fur-bearing animal on the farm, or from taking fish on the farm with hand line or rod and line, in the manner provided by law during the time when it is lawful so to do, without being licensed hereunder. The exemption of this paragraph shall not apply to a person residing on the farm or in a tenant house thereon who is not a member of the occupant's family, nor to a servant of the occupant.

C. 23:4-38.1 Trapping of fur-bearing animals; limitations.

2. Except as authorized as to owners and agents of owners of dams or canals pursuant to R. S. 23:4-39, no person in any county of the first or second class and no person under the age of 14 years

in any other county shall take or attempt to take any skunk, mink, muskrat, otter or other fur-bearing animal by means of a trap of the steel-jaw leghold type, or set such a trap for any fur-bearing animal.

C. 23:4-38.2 Use of conibear or killer type trap; limitation.

3. No trap of the conibear or killer type shall be used in trapping unless such trap is submerged under water in accordance with rules and regulations promulgated by the Department of Environmental Protection.

C. 23:4-38.3 Penalty.

4. Any person violating the provisions of sections 2 or 3 of this act shall be subject to a fine of not more than \$50.00 for each offense and to the forfeiture of his license to trap.

5. This act shall take effect immediately but shall remain in-operative for 30 days thereafter.

Approved January 20, 1972.

CHAPTER 406

AN ACT to amend "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes," approved May 3, 1946 (P. L. 1946, c. 276).

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

1. Section 5 of P. L. 1946, c. 276 (C. 40:37-95.5) is amended to read as follows:

C. 40:37-95.5 Powers of commission; records; meetings.

5. The commission may sue and be sued, use a common seal, make bylaws and carry out the objects of this act as hereinafter set forth. It shall keep a record of its proceedings and shall maintain a suitable office where its maps, plans, papers, documents, accounts and other records shall be kept open to public inspection under reasonable regulation, subject to the limitations of section 16. Five members shall constitute a quorum for the transaction of business at any meeting of the commission, and the affirmative vote

of five members shall be necessary for the taking of any action. The meetings of the commission shall be public.

2. Section 9 of P. L. 1946, c. 276 (C. 40:37-95.9) is amended to read as follows:

C. 40:37-95.9 Office; expenditures; limitation; appropriation of moneys from revenue-producing facilities.

9. The board of chosen freeholders shall provide the commission with a suitable office and upon the establishment of the commission may make available for expenditures by the commission such sums as the board of chosen freeholders may by a majority vote approve. Except as provided in section 10 of this act, the amount so made available in any calendar year for the expenses of the commission shall not be greater than the excess, if any, of a sum equal to 1 mill on each dollar of the aggregate true or full value of all property in the several taxing districts of the county, as determined by the county board of taxation, over the amount to be paid by the county in such year for debt service on bonds or other obligations for park purposes issued by the county pursuant to said section 10. The board of chosen freeholders shall also have power to appropriate to the use of the commission, in addition to the sums appropriated for expenses as aforesaid, such moneys as may arise from revenue-producing facilities operated by the commission.

3. Section 13 of P. L. 1946, c. 276 (C. 40:37-95.13) is amended to read as follows:

C. 40:37-95.13 Powers.

13. The commission may:

a. Acquire, maintain and make available to the inhabitants of the county, public parks, playgrounds and recreation places;

b. Locate such public parks, playgrounds and recreation places at such point or points within the limits of the county as it may determine;

c. Preserve, care for, lay out, construct, maintain, and improve any such parks and places and by itself, or jointly with the State Highway Commission, board of chosen freeholders, or any municipality or other public body, provide for the construction, improvement or maintenance of any roadway or boulevard, within such park or parks or other places;

d. Lay out, construct and maintain such sidewalks, roadways, service ways, bridle paths, footpaths, or other ways within any such park or parks or other places;

e. Construct, reconstruct, alter, provide, renew and maintain such buildings or other structures, playgrounds and the equipment thereof, as it may determine;

f. Enter into contracts with any person, or municipality or other public body, with respect to the laying out, construction or maintenance thereof;

g. Engage, or contract for, the services of competent engineers or engineering firms, and do all other acts and things as may in the judgment of the commission be necessary or proper to effectuate and carry out the plan and purposes of this act, but such contract and employment shall not be for a longer period of time than 5 years; provided, however, that this provision shall not preclude the commission from extending any such contract and employment for a period of not exceeding 5 years from the date of such extension;

h. Whether or not a regularly organized full-time county park police department has been or shall hereafter be established pursuant to law, appoint and commission as many special policemen to patrol such county parks, playgrounds and recreation places as it may deem necessary and any such special policeman shall have the same powers therein as may be exercised by a municipal policeman pursuant to law and such special policeman shall be charged with the duty of preserving order and shall have power to arrest and to hold any offender against the public peace in such county parks, playgrounds and recreation places;

i. Subject to the approval of the board of chosen freeholders, lease to the highest bidder, after published advertisement not less than 10 days prior to award of lease, park lands or concessions therein to produce revenues from facilities required for or incidental to the operation of such public parks, playgrounds or recreation places; provided, however, that the period of any such lease shall not exceed 5 years.

4. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 407

AN ACT concerning ward commissioners and supplementing the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

C. 40:69A-199.1 Aid and assistance for ward commissioners.

1. In the performance of their duty to fix and determine ward boundaries, the ward commissioners shall be entitled to the aid and assistance of a surveyor or engineer and, when they deem necessary, may employ a competent surveyor or engineer and such other assistants to aid them in the discharge of their duties.

C. 40:69A-199.2 Compensation and reimbursement for expenses.

2. Each ward commissioner shall be entitled to be reimbursed for necessary expenses incurred in the performance of his duties and to such compensation, not to exceed \$500.00, as shall be determined by the municipal governing body. Upon certification of the ward commissioners, the municipal governing body shall provide for payment of the expenses of the ward commissioners, their compensation as determined by the governing body, and the expenses for the services of the surveyor, engineer or such other assistants as shall have been incurred by the ward commissioners.

3. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 408

AN ACT concerning the powers of municipalities in relation to the temporary closing of streets in certain cases and supplementing chapter 67 of Title 40 of the Revised Statutes.

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

C. 40:67-16.9 Temporary closing of streets for preservation of public safety, health or welfare.

1. The governing body of any municipality may, by ordinance, authorize the mayor or other chief executive officer of the municipality, or the officer, in charge of streets in any municipality not having a chief executive officer, to provide by regulation for the closing of any street or portion thereof to motor vehicle traffic on any day or days or during specified hours on any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health or welfare. Such ordinance and regulations promulgated thereunder shall provide for the posting of proper warning signs of such closing in any street or portion thereof during the time the same is closed in pursuance thereof and

shall provide penalties for the violation of such ordinance or any regulation promulgated thereunder.

C. 40:67-16.10 Approval of ordinance.

2. No ordinance or regulation adopted thereunder pursuant to this act shall become effective unless and until it shall have been approved by the Commissioner of Transportation of the Department of Transportation.

3. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 409

AN ACT to amend the title of "An act to define and regulate certain retail installment sales and to license and regulate motor vehicle installment sellers and sales finance companies and to repeal 'An act to define and regulate retail installment sales in the amount of or of the value of \$3,000.00 or less and to license and regulate sales finance companies,' approved September 29, 1948 (P. L. 1948, c. 419)," approved June 9, 1960 (P. L. 1960, c. 40), so that the same shall read "An act to define and regulate retail installment sales and to license and regulate motor vehicle installment sellers and sales finance companies, to repeal P. L. 1948, c. 419 and supplementing Title 17 of the Revised Statutes," and to amend and supplement 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 P. L. 1960, c. 40 is amended to read as follows: An act to define and regulate certain retail installment sales and to license and regulate motor vehicle installment sellers and sales finance companies, to repeal P. L. 1948, c. 419 and supplementing Title 17 of the Revised Statutes.

2. Section 1 of P. L. 1960, c. 40 (C. 17:16C-1) is amended to read as follows:

C. 17:16C-1 Definitions.

1. In this act, unless the context otherwise requires, the following words and terms shall have the following meanings:

(a) "Goods" means all chattels personal, including merchandise certificates and coupons to be exchanged for goods or services, having a cash price of \$7,500.00 or less, but not including money or other choses in action.

(b) "Retail installment contract" means any contract, other than a retail charge account or an instrument reflecting a sale pursuant thereto, entered into in this State between a retail seller and a retail buyer evidencing an agreement to pay the retail purchase price of goods or services, which are primarily for personal, family or household purposes, or any part thereof, in two or more installments over a period of time. This term includes a security agreement, chattel mortgage, conditional sales contract, or other similar instrument and any contract for the bailment or leasing of goods by which the bailee or lessee agrees to pay as compensation a sum substantially equivalent to or in excess of the value of the goods, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of such goods upon full compliance with the terms of such retail installment contract.

(c) "Retail seller" means a person who sells or agrees to sell goods or services under a retail installment contract or a retail charge account to a retail buyer, and shall include a motor vehicle installment seller.

(d) "Retail buyer" means a person who buys or agrees to buy goods or services from a retail seller, not for the purpose of resale, pursuant to a retail installment contract or a retail charge account.

(e) "Person" means an individual, partnership, firm, corporation, banking institution, association or any other group of individuals however organized.

(f) "Sales finance company" means and includes any person engaging in this State in the business of acquiring or arranging for the acquisition of retail installment contracts or obligations incurred pursuant to retail charge accounts by purchase, discount, pledge or otherwise from a retail seller which is not wholly owned by or does not wholly own such person, and any person engaging, directly or indirectly, in the business of soliciting the purchase of retail installment contracts or obligations incurred pursuant to retail charge accounts from a retail seller which is not wholly owned by or does not wholly own such person, or in the business of aiding the retail seller in selling, assigning or arranging for the sale or assignment of retail installment contracts or obligations incurred pursuant to retail charge accounts, and any person other than a

retail seller who enters into a retail charge account with a retail buyer.

(g) "Motor vehicle" includes all vehicles used for transportation upon a highway propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

(h) "Motor vehicle installment seller" means a dealer in motor vehicles, who is required to be licensed under chapter 10 of Title 39 of the Revised Statutes and who sells or offers to sell a motor vehicle to a retail buyer under a retail installment contract.

(i) "Cash price" means the minimum price for which the goods or services subject to a retail installment contract or a retail charge account or other goods or services of like kind and quality may be purchased for cash from the seller by the buyer, as stated in the retail installment contract, the retail charge account or an instrument reflecting a sale pursuant thereto.

(j) "Down payment" means all payments made in cash or in goods or partly in cash and partly in goods, received by the retail seller prior to or substantially contemporaneous with either the execution of the retail installment contract or the delivery of the goods, whichever occurs later.

(k) "Official fees" means the filing or other fees required by law to be paid to a public officer to perfect an interest or lien, on the goods, retained or taken by a retail seller under a retail installment contract and motor vehicle license and transfer fees paid to the State.

(l) "Time price differential" means the amount or amounts, however denominated or computed, in addition to the cash price or prices, to be paid by the retail buyer for the privilege of purchasing goods or services pursuant to a retail installment contract or a retail charge account. The term does not include the amount, if a separate charge is made therefor, for insurance and official fees.

(m) "Holder" means any person, including a retail seller, who is entitled to the rights of a retail seller under a retail installment contract or retail charge account.

(n) "Banking institution" means any bank or national banking association authorized to do business in this State.

(o) "Commissioner" means the Commissioner of Banking of New Jersey and includes his deputies or any salaried employee of the Department of Banking named or appointed by the said commissioner to perform any function in the administration or enforcement of this act.

(p) "Payment-period" means the period of time scheduled by a retail installment contract to elapse between the days upon which installment payments are scheduled to be made on such contract; except that, when installment payments are scheduled to be omitted, pursuant to section 26, "payment-period" means the period of time scheduled by the contract to elapse between the days upon which installment payments are scheduled to be made during that portion of the contract period in which no installment payment is scheduled to be omitted.

(q) "Contract period" means the period beginning on the date of a retail installment contract and ending on the date scheduled by the contract for the payment of the final installment.

(r) "Retail charge account" means any account, other than a retail installment contract or a home repair contract which is subject to the "Home Repair Financing Act" (P. L. 1960, c. 41; C. 17:16C-62 et seq.), established by an agreement which prescribes the terms under which a retail buyer may from time to time purchase or lease goods or services which are primarily for personal, family or household purposes, and under which the unpaid balance thereunder, whenever incurred, is payable in one or more installments and under which a time price differential may be added in each billing period as provided herein. Retail charge account also includes all accounts arising out of the utilization by the holder of a credit card, letter of credit or other credit identification issued by a sales finance company, giving the holder the privilege of using the credit card, letter of credit or other credit identification to become a retail buyer in transactions out of which debt arises: (1) by the sales finance company's payment or agreement to pay the retail buyer's obligations; or (2) by the sales finance company's purchase from the retail seller of the obligations of the user of the credit card, letter of credit or other credit identification as a retail buyer.

(s) "Services" means and includes work, labor and services for other than a commercial or business use, but does not include professional services nor services which are subject to the "Home Repair Financing Act," and insurance premiums financing which is subject to the "Insurance Premium Finance Company Act" (P. L. 1968, c. 221; C. 17:16D-1 et seq.).

(t) "Billing period" means the time interval between regular periodic billing statement dates. In the case of monthly billing periods, such intervals shall be considered equal intervals of time if the billing date of a billing period does not vary more than 4 days from the billing date of the immediately preceding billing

period. In the case of billing periods which are not monthly, the permissible variation in billing dates shall be that proportion of 4 days (adjusted to the nearest whole number) which the number of days in the billing period bears to 30.

3. Section 10 of P. L. 1960, c. 40 (C. 17:16C-10) is amended to read as follows:

C. 17:16C-10 Suspension, revocation or refusal to renew license; notice; grounds.

10. The commissioner may suspend, revoke or refuse to renew any license issued hereunder, upon 10 days' notice in writing, forwarded by registered or certified mail to the principal place of business of such licensee, stating the contemplated action and in general the grounds therefor, and after reasonable opportunity to be heard, if he shall find that the licensee or any owner, director, officer, member, partner, employee or agent of such licensee has:

- (a) Made any material misstatement in the application;
- (b) Knowingly or without the exercise of due care failed to comply with or violated any provisions of this or any other act relating to retail installment contracts or retail charge accounts;
- (c) Defrauded any retail buyer or willfully failed to perform any written agreement with any retail buyer;
- (d) Willfully misrepresented or failed to disclose any of the material particulars or the nature thereof required to be stated or furnished to the retail buyer under this act or any other laws of this State relating to retail installment contracts or retail charge accounts;
- (e) Knowingly taken any instrument evidencing a retail installment contract which was signed in blank; or
- (f) Otherwise demonstrated unworthiness, bad faith or dishonesty.

No license issued under this act to a motor vehicle installment seller shall be valid unless such seller is the holder of a valid and subsisting license issued pursuant to chapter 10 of Title 39 of the Revised Statutes.

4. Section 13 of P. L. 1960, c. 40 (C. 17:16C-13) is amended to read as follows:

C. 17:16C-13 Suspension, revocation or refusal to renew license not to impair certain obligations.

13. No suspension, revocation or refusal to renew any license shall impair or affect the obligation of any lawful retail installment contract or retail charge account acquired previously thereto by the licensee.

5. Section 30 of P. L. 1960, c. 40 (C. 17:16C-30) is amended to read as follows:

C. 17:16C-30 Insurance at retail buyer's expense; dual protection.

30. Where title to or a lien upon goods sold by the retail seller is retained or taken by the retail seller the retail buyer may be required to insure the goods at the retail buyer's expense for the protection of the retail seller or subsequent holder which insurance may be purchased by the holder. Such insurance shall be written for the dual protection of the retail buyer and the retail seller or subsequent holder to the extent of his interest in the goods and shall be limited to insurance against substantial risk of damage, destruction, or theft of such goods and shall be upon terms and conditions, which are reasonable and appropriate, considering the type and conditions of such goods. When the retail buyer fails or is unable to acquire insurance or the retail seller or subsequent holder is unable to purchase insurance covering the dual protection of the retail buyer and retail seller or subsequent holder, the retail seller or holder may purchase a single interest insurance policy on the goods and may collect the premium therefor from the retail buyer.

6. Section 35 of P. L. 1960, c. 40 (C. 17:16C-35) is amended to read as follows:

C. 17:16C-35 Prohibited contract provision; acceleration clause.

35. No retail installment contract or retail charge account or separate instruments executed in connection therewith shall contain any acceleration clause under which any part or all of the balance, not yet matured, may be declared immediately due and payable because the retail seller or holder deems himself to be insecure and any such provision shall be void and unenforceable.

7. Section 36 of P. L. 1960, c. 40 (C. 17:16C-36) is amended to read as follows:

C. 17:16C-36 Waiver of right of action by retail buyer against seller, holder, etc.

36. No retail installment contract or retail charge account or separate instruments executed in connection therewith shall contain any provisions whereby the retail buyer waives any right of action or defense against the retail seller, sales finance company, holder or other person acting on his or her behalf for any illegal act committed in the collection of the payments under the contract or account or in the repossession of the goods, the subject of the retail installment contract or retail charge account and any such provision shall be void and unenforceable.

8. Section 37 of P. L. 1960, c. 40 (C. 17:16C-37) is amended to read as follows:

C. 17:16C-37 Power of attorney to confess judgment; other powers of attorney.

37. No retail installment contract or retail charge account or separate instruments executed in connection therewith shall contain any power of attorney to confess judgment or any other power of attorney and any such provision shall be void and unenforceable.

9. Section 38 of P. L. 1960, c. 40 (C. 17:16C-38) is amended to read as follows:

C. 17:16C-38 Relief of retail seller from liability under contract.

38. No retail installment contract or retail charge account or separate instruments executed in connection therewith shall contain any provision relieving the retail seller from liability for any legal remedies which the retail buyer may have against the retail seller under the contract or account and any such provision shall be void and unenforceable.

10. Section 39 of P. L. 1960, c. 40 (C. 17:16C-39) is amended to read as follows:

C. 17:16C-39 Assignment of salary, wages, commissions or other compensation for services.

39. No retail seller, sales finance company or holder shall at any time take in a retail installment contract, a retail charge account or in a separate instrument, any assignment of or order for the payment of any salary, wages, commissions, or other compensation for services, or any part thereof, earned or to be earned and any such provision shall be void and unenforceable.

11. Section 40 of P. L. 1960, c. 40 (C. 17:16C-40) is amended to read as follows:

C. 17:16C-40 Loan of money, etc., in connection with retail installment contract or charge account except in accordance with act.

40. No retail seller, sales finance company or holder shall make any loan of money or advance of credit to a retail buyer on or in connection with any retail installment contract or retail charge account and charge, contract for or receive thereon a greater rate of interest than he would otherwise be permitted by law to charge except in accordance with the provisions of this act; provided, however, that nothing contained in this section shall prohibit a banking institution from making any loan which it otherwise is permitted by law to make.

12. Section 41 of P. L. 1960, c. 40 (C. 17:16C-41) is amended to read as follows:

C. 17:16C-41 Retail installment contracts; time price differential; rates, computation.

41. A retail seller and a motor vehicle installment seller, under the provisions of this act, shall have authority to charge, contract for, receive or collect a time price differential as defined in this act, on any retail installment contract evidencing the sale of goods or services which shall not exceed the rates for the respective classification as follows:

Class I. New motor vehicles, an amount not to exceed \$7.00 per \$100.00 per year;

Class II. Used motor vehicles of a model designated by the manufacturer by a year not more than 2 years prior to the year in which the sale is made, an amount not to exceed \$10.00 per \$100.00 per year;

Class III. Older used motor vehicles of a model designated by the manufacturer by a year more than 2 years prior to the year in which the sale is made, an amount not to exceed \$13.00 per \$100.00 per year;

Class IV. On all other goods or services, an amount not to exceed \$10.00 per \$100.00 per year.

The time price differential shall be computed on the amount of the principal balance as determined in section 27(f), from the date of the contract to the due date of the final installment, notwithstanding the fact that the contract is to be repaid in installments.

If the time price differential so computed is less than \$12.00, and if the due date of the last installment of the contract is more than 8 months after the date of the contract, a charge of not more than \$12.00 may be made in lieu of the time price differential. If the time price differential so computed is less than \$10.00, and if the due date of the last installment of the contract is 8 months or less after the date of contract, a charge of not more than \$10.00 may be made in lieu of the time price differential.

13. Section 42 of P. L. 1960, c. 40 (C. 17:16C-42) is amended to read as follows:

C. 17:16C-42 Delinquency or collection charge for default in payment; attorney's fees.

42. (a) The holder of any retail installment contract may collect a delinquency or collection charge for default in the payment of any such contract or any installment thereof, if provided for in the contract when such default shall have continued for a period of

10 days, such charge not to exceed 5% of each installment in default or the sum of \$5.00, whichever is the lesser. Such charge may be collected by the holder of the retail installment contract or charged to the buyer's retail installment contract account. If charged to the buyer's retail installment contract account, such charge shall be made within 35 days from the date of such default and then a written notification that such charge has been made shall be mailed to the retail buyer within 5 days from the date when such charge was made.

(b) The retail installment contract or retail charge account may provide for the payment of attorney's fees not exceeding 20% of the first \$500.00 and 10% on any excess of the amount due and payable under such contract or account when referred to an attorney, not a salaried employee of the holder of the contract or account, for collection.

14. Section 50 of P. L. 1960, c. 40 (C. 17:16C-50) is amended to read as follows:

C. 17:16C-50 Additional charges prohibited; exceptions.

50. No retail seller, sales finance company, or holder shall charge, contract for, collect or receive from any retail buyer, directly or indirectly, any further or other amount for costs, charges, insurance premiums, examination, appraisal service, brokerage, commission, expense, interest, discount, fees, fines, penalties or other things of value in connection with retail installment contracts or retail charge accounts other than the charges permitted by this act, except court costs, attorney fees and the expenses of retaking and storing repossessed goods which are authorized by law.

15. Section 54 of P. L. 1960, c. 40 (C. 17:16C-54) is amended to read as follows:

C. 17:16C-54 Unauthorized costs and charges.

54. Whenever, in any retail installment contract or retail charge account under this act, the retail seller, sales finance company or holder has knowingly charged, contracted for or received from the retail buyer any costs or charges not authorized by this act, all costs and charges in connection with such contract or account, other than for insurance authorized by this act, shall be void and unenforceable, and any such costs or charges other than for insurance authorized by this act shall be applied to the unpaid balance or, if the account has been fully paid, remitted to the retail buyer, and the retail buyer shall be entitled to recover all such costs or charges.

C. 17:16C-34.1 Entry into retail charge accounts; conditions.

16. (a) A retail charge account may be entered into between a retail buyer and a retail seller or a person wholly owned by or which wholly owns a retail seller or between a retail buyer and a sales finance company on its own behalf or on behalf of one or more retail sellers from whom the sales finance company may purchase or acquire the obligations of the retail buyer incurred pursuant to a retail charge account.

(b) A retail charge account shall be subject to such provisions not inconsistent with this act or otherwise prohibited by law which may be agreed upon, but shall be subject to the requirements for open end credit accounts as prescribed by regulations of the Board of Governors of the Federal Reserve System issued pursuant to Title I of the Consumer Credit Protection Act (Act of May 29, 1968, Public Law 90-321), referred to in this act as the "Truth in Lending Act and Regulations."

(c) A retail charge account shall become effective when an agreement is signed by the retail buyer or when the retail buyer or someone authorized by the retail buyer makes a purchase pursuant to the terms of the account.

C. 17:16C-44.1 Retail charge accounts; time price differential; rates; computation.

17. (a) Except as provided in subsection (d) of this section, a retail seller, sales finance company or holder may charge, receive and collect a time price differential in each billing period on obligations incurred pursuant to any retail charge account, which shall be determined as specified in the terms of the account, subject to the limitations provided herein. Such time price differential for each monthly billing period shall not exceed the amount resulting from applying the periodic rates provided herein to the greater of the following amounts (including unpaid time price differentials):

(i) The average daily balance of the account for such billing period, or

(ii) The balance of the account at the beginning or end of such billing period.

The periodic rates shall not exceed $1\frac{1}{2}\%$ on the first \$700.00 of any of the above amounts and 1% on the excess thereof.

Notwithstanding the foregoing limitation, if the terms of the account so provide, the time price differential may be computed on the median amount within a specified range. Such time price differential for each monthly billing period shall not exceed the amount resulting from applying the respective periodic rates specified

above to the median amount within the specified range in which the greater of the amounts specified in (i) and (ii) is included; provided, subject to the classifications and differentiations as may reasonably be established by the retail seller, sales finance company or holder, the same time price differential is charged on all balances within the specified range and provided further that the time price differential determined by applying the respective periodic rates specified above to the median amount within the range does not exceed by more than 8% the amount of the time price differential determined by applying the respective periodic rates specified above to the lowest amount in the range.

(b) If the billing period is not monthly, the maximum periodic rate shall be that rate which bears the same relation to the respective periodic rates per month specified above as the number of days in the billing period bears to 30.

(c) Notwithstanding the limitation provided in (a) above, for any monthly billing period in which a time price differential may be charged pursuant to the terms of the account a minimum time price differential of not more than \$0.50 may be charged; if the billing period is not monthly, a minimum time price differential may be charged in such amount which bears the same relation to \$0.50 as the number of days in the billing period bears to 30.

Notwithstanding the provisions of this section, the time price differential which a banking institution shall be entitled to charge, collect or receive in each billing period on obligations incurred pursuant to a retail charge account entered into between such banking institution and a retail buyer shall not exceed $1\frac{1}{4}\%$ on the first \$700 of the amounts in (a)(i) and (ii) of this section and 1% on the excess thereof.

C. 17:16C-58.1 Application and construction of act.

18. (a) The provisions of this act relating to retail charge accounts shall apply to such accounts in existence on the effective date of this act.

(b) Nothing in this act shall be construed to make invalid any retail charge account or retail installment contract, or any transaction thereunder, made prior to the effective date of this act.

(c) All retail sales of goods and services not specifically covered by this act, and not subject to the express provisions of any other law, are subject to the general usury law (C. 31:1-1 et seq.).

C. 17:16C-47.1 Purchase of retail installment contract.

19. A sales finance company may purchase a retail installment contract or obligations incurred pursuant to a retail charge account

from a retail seller or sales finance company on such terms and conditions and for such price as may be mutually agreed upon.

20. This act shall take effect 90 days from the date of its approval.

Approved January 20, 1972.

CHAPTER 410

AN ACT concerning the State Department of Transportation and adding a new route to the State highway system.

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

State highway route.

1. The Commissioner of Transportation shall, as soon as practicable, and in accordance with the procedures set forth in article 1 of chapter 7, Title 27, of the Revised Statutes, add to the present State highway system the following described route: Beginning at or in the vicinity of Morris street, south of the Erie-Lackawanna Railroad and proceeding in a northwesterly direction approximately parallel to the Erie-Lackawanna Railroad to a point on Speedwell avenue in the vicinity of Speedwell lake, all within the town of Morristown.

2. When this route is taken into the State highway system, as provided in section 1 of this act, the Commissioner of Transportation shall designate the said route by an appropriate route number as provided by law.

3. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 411

AN ACT to transfer the Bureau of Recreation and the Board of Recreation Examiners from the Department of Environmental Protection to the Department of Community Affairs and amending P. L. 1950, c. 338, s. 1 and P. L. 1966, c. 291, s. 2.

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

C. 52:27D-99 Bureau of Recreation and Board of Recreation Examiners continued and transferred.

1. a. The Bureau of Recreation established pursuant to P. L. 1950, c. 338, as amended and supplemented (C. 13:1B-15.1), together with all its functions, powers and duties, is continued, transferred and constituted in the Department of Community Affairs, subject to the reorganization powers of the Commissioner of Community Affairs.

b. The Board of Recreation Examiners, established pursuant to P. L. 1966, c. 291 (C. 13:1C-1 et seq.) together with all of its functions, powers and duties, is continued and transferred to the Department of Community Affairs. This act shall not affect the terms of office of the present members of the board. The members of the board shall continue to be appointed as provided by existing law.

C. 52:27D-100 Appropriations, grants and moneys transferred.

2. All appropriations, grants and other moneys available and to become available to the bureau and the board, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs, are hereby transferred to the Department of Community Affairs, and shall be available for the objects and purposes for which appropriated, subject to any terms, restrictions, limitations or other requirements imposed by State or Federal law.

C. 52:27D-101 Employees transferred; tenure and retirement rights protected.

3. a. Such employees of the bureau and the board, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs or to any agency designated, continued or constituted therein, are hereby transferred to the department or agency to which such functions, powers and duties have been herein assigned or transferred.

b. Nothing in this act shall be construed to deprive any person of any tenure rights or of any right or protection provided him by Title 11 of the Revised Statutes, Civil Service, or under any pension law or retirement system.

C. 52:27D-102 Files, records and equipment transferred.

4. All files, books, papers, records, equipment and other property of the bureau, and the board, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs, shall upon the effective date of this act be transferred to the department to which such assignment or transfer has been made hereunder.

5. Section 1 of P. L. 1950, c. 338 (C. 13:1B-15.1) is amended to read as follows:

C. 13:1B-15.1 Bureau of Recreation.

1. There shall be within the Department of Community Affairs a Bureau of Recreation, subject to the authority of the commissioner to reorganize the department. The Bureau of Recreation shall, under the supervision of the department and subject to the approval of the Commissioner of Community Affairs:

- a. Promote and encourage the expansion and development of recreational programs on a Statewide and local basis.
- b. Disseminate informational and related materials to governmental and other agencies engaged in fostering recreational programs.

6. Section 2 of P. L. 1966, c. 291 (C. 13:1C-2) is amended to read as follows:

C. 13:1C-2 Board of Recreation Examiners.

2. There is hereby established in the Department of Community Affairs the Board of Recreation Examiners of the State of New Jersey, which shall consist of five members to be appointed by the Governor with the advice and consent of the Senate.

C. 52:27D-103 Orders, rules and regulations continued.

7. This act shall not affect the orders, rules and regulations heretofore made or promulgated by the bureau or the board, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs; but such orders, rules and regulations shall continue with full force and effect until amended or repealed pursuant to law.

C. 52:27D-104 Pending actions or proceedings not affected by transfer.

8. This act shall not affect actions or proceedings, civil or criminal, brought by or against the bureau or the board, the functions, powers and duties of which have been herein assigned or transferred to the Department of Community Affairs and pending on the effective date of this act, but such actions or proceedings may be prosecuted or defended in the same manner and to the same effect by the department or agency to which such assignment or transfer has been made hereunder, as if the foregoing provisions had not taken effect; nor shall any of the foregoing provisions affect any order or recommendation made by, or other matters or proceedings before, the bureau or the board, the functions, powers and duties of which have been assigned or transferred to the Department of Community Affairs, and all such matters or pro-

ceedings pending before such bureau or board, on the effective date of this act shall be continued by the department or agency to which such assignment or transfer has not been made hereunder, as if the foregoing provisions had not taken effect.

C. 52:27D-105 Filing of reports and certifications.

9. Unless specifically otherwise provided in this act or by any operative law, whenever, pursuant to existing law, reports, certifications, applications or requests are required or permitted to be made to the bureau or the board, whose powers and duties are herein assigned or transferred, such reports and certifications shall hereafter be required to be filed with, and such applications or requests shall hereafter be made to, the department or agency to which such assignment or transfer has been made hereunder.

C. 52:27D-106 Meaning of references to Bureau of Recreation.

10. With respect to the functions, powers and duties hereby transferred to the Department of Community Affairs, whenever in any law, rule, regulation, contract, document, judicial or administrative proceeding or otherwise, reference is made to the Bureau of Recreation in the Department of Environmental Protection, the same shall mean and refer to the Bureau of Recreation in the Department of Community Affairs.

C. 52:27D-107 Meaning of references to Board of Recreation Examiners.

11. With respect to the functions, powers and duties hereby transferred to the Department of Community Affairs, whenever in any law, rule, regulation, contract, document, judicial or administrative proceeding or otherwise, reference is made to the Board of Recreation Examiners in the Department of Environmental Protection, the same shall mean and refer to the Board of Recreation Examiners in the Department of Community Affairs.

12. This act shall take effect at the beginning of the biweekly pay period next following enactment.

Approved January 20, 1972.

CHAPTER 412

AN ACT prohibiting purchases and assignments of salary, wages, commissions, pay and other compensation for services and providing punishment for violations.

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

C. 2A:150A-1 Purchases and assignments of salary, wages, etc. prohibited.

1. It shall be unlawful for any person to withhold or pay to another or purchase or have assigned to him, other than by order of court, any salary, wages, commissions, pay or other compensation for services, or any part thereof, due or to become due to any employee and any such purchase or assignment, whenever executed, shall be void and unenforceable.

C. 2A:150A-2 Penalty.

2. Any person violating this act, or attempting to do so, shall be guilty of a misdemeanor.

C. 2A:150A-3 Liability for amount withheld.

3. Any person withholding, paying or receiving any salary, wages, commissions, or other compensation for services performed in violation of this act, shall be liable to the employee for the amount thereof.

C. 2A:150A-4 "Person" defined.

4. The term "person" as used in this act shall include any natural person or his legal representative, partnership, corporation, company, trust, business entity or association, or any agent, employee, salesman, partner, officer, director, member, stockholder, or associate acting on behalf thereof.

C. 2A:150A-5 Inconsistent acts repealed.

5. All acts or parts of acts inconsistent herewith are to the extent of such inconsistency repealed.

6. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 413

AN ACT to provide for the qualification and certification of municipal finance officers, authorizing the creation by ordinance of the office of municipal finance officer, and supplementing chapter 46 of Title 40 of the Revised Statutes.

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

C. 40A:9-140.1 Definitions.

1. As used in this act:

a. "Director" means the Director of the Division of Local Finance.

b. "Municipal finance officer" means a municipal director of finance, municipal comptroller or municipal treasurer who is not a member of the governing body of a municipality.

C. 40A:9-140.2 Certification as municipal finance officer.

2. Commencing on the effective date of this act, the Director of the Division of Local Finance, hereinafter referred to as the director, shall accept applications for certification as municipal finance officer. An applicant shall present to the director written application on forms provided by the Division of Local Finance, showing that the applicant is not less than 21 years of age, is a citizen of the United States, is of good moral character, has obtained a certificate or diploma issued after at least 4 years of study in an approved secondary school or has received an academic education considered and accepted by the Commissioner of Education of this State as fully equivalent, and has graduated from a 4-year course at a college of recognized standing, with a major course of study in business administration, accounting or some related subject. An applicant who does not meet the college education requirement may substitute experience in a position as director of finance, comptroller or treasurer in any municipality on a year-for-year basis. Every applicant shall also furnish proof that he has received certificates indicating satisfactory completion of, or has been the instructor of, complete training courses in municipal current fund accounting, municipal capital and trust fund accounting, municipal utility fund accounting, municipal budget preparation and control, and principles of financial management, or such other training courses as are certified as their equivalent by Rutgers University,

The State University of New Jersey, and approved by the Division of Local Finance.

C. 40A:9-140.3 Issuance of certificate; fee.

3. Upon finding by the director that the applicant has met the qualifications as set forth in section 1 of this act, a municipal finance officer certificate shall be issued to the applicant, upon the payment of a fee of \$25.00 to the order of the Treasurer of the State of New Jersey.

C. 40A:9-140.4 Issuance of certificate to registered municipal accountant; fee.

4. Notwithstanding the qualifications established in section 1 of this act, a municipal finance officer certificate shall be issued to any person who is licensed as a registered municipal accountant in the State of New Jersey who shall make application as required in section 1 of this act, and who shall furnish proof that he has received a certificate indicating satisfactory completion or instruction of a training course in principles of financial management, or such other training course as is certified as its equivalent by Rutgers University, The State University of New Jersey, and approved by the Division of Local Finance of the State, upon payment of a fee of \$25.00 to the order of the Treasurer of the State of New Jersey.

C. 40A:9-140.5 Revocation or suspension of certificate; hearing.

5. Any municipal finance officer certificate may be revoked or suspended by the director for dishonest practices or failure, neglect or refusal to comply with the Constitution of the State of New Jersey or the laws relating to local finance, or other just cause. Request may be made to the director by any governing body of any municipality for a review of the behavior or practices of a certified finance officer when the governing body may feel his certificate should be revoked. No certificate shall be revoked or suspended except upon a proper hearing before the director or his designee, after 14 days notice to the finance officer. If the municipal finance officer certificate of a person serving as a director of finance, comptroller or treasurer in any municipality shall be revoked by the director, he shall not be entitled to any benefits pursuant to this act, nor may he make application for certification for a period of 5 years from the date of such revocation.

C. 40A:9-140.6 Membership on governing body prohibited.

6. No person shall serve as a municipal finance officer who is a member of the governing body of a municipality.

7. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 414

AN ACT granting doctors, teachers and certain school personnel immunity from civil suit for damages for certain actions in relation to persons addicted to or illegally using controlled dangerous substances.

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

C. 2A:62A-3 Medical personnel not liable for civil damages under certain circumstances.

1. Any fully licensed doctor of medicine or doctor of osteopathy, or registered nurse, and any resident or intern on the staff of a hospital, whether or not fully licensed, who in good faith treats or renders care to a person in an attempt to cure such person's dependency upon controlled dangerous substances as defined in P. L. 1970, chapter 226, section 2 (C. 24:24-2) or to curtail such person's illegal use of controlled dangerous substances, or any chemical or chemical compound which releases vapor or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including but not limited to glue containing a solvent having the property of releasing toxic vapors or fumes, as defined in P. L. 1965 chapter 41, section 1 (C. 2A:170-25.9) shall not be liable for any civil damages as a result of any of his acts or omissions in rendering such care, provided the skill and care given is that ordinarily required and exercised by others in the profession. The grant of immunity provided for herein shall also extend to the administrative personnel including all members of the medical staff and board of directors of hospitals and clinics treating such persons.

C. 2A:62A-4 Educational personnel not liable for civil damages under certain circumstances.

2. Any teacher, guidance counselor, psychologist, registered nurse or other educational personnel employed by or in any of the public or private schools of this State who in good faith reports a person to the principal or his designee or to the medical inspector or school physician or school nurse in an attempt to help such person cure his dependency upon or illegal use of controlled dangerous substances as defined in P. L. 1970, chapter 226, section 2 (C. 24:21-2), or such chemical or chemical compound as defined in P. L.

1965, chapter 41, section 1 (C. 2A:170-25.9), shall not be liable in civil damages as a result of making any such report.

3. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 415

AN ACT authorizing the summoning of grand and petit jurors by registered or certified mail, and amending N. J. S. 2A:72-5.

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

1. N. J. S. 2A:72-5 is amended to read as follows:

Summoning grand and petit jurors; service.

2A:72-5. Every grand and petit juror shall be summoned by the sheriff, his deputy, or by an elisor or by a peace officer or officer of a court deputized for that purpose. The summons shall be by notice in writing, under the hand or hands of the summoning officer or officers, served at least 30 days before the day on which such juror is required to appear. It shall require the person therein summoned to appear before a specified court at such time and place as shall be expressed therein, to serve upon a jury.

Each person drawn for jury service may be served personally or by leaving the same at the dwelling house of such juror, or by registered or certified mail addressed to such juror at his usual residence or business address. Unless the assignment judge specifically orders that another method be used, each person drawn for jury service shall be served by registered or certified mail addressed to such juror at his usual residence or business address. If the addressee refuses to claim or to accept delivery of the registered or certified mail, service may be made personally or by leaving the same at the dwelling house of such juror. Where service is made by mail, the summoning officer shall attach to his return the addressee's receipt for the registered or certified summons. Service by mail is **complete upon mailing**.

2. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 416

AN ACT concerning junior fire auxiliaries to volunteer fire departments, and amending R. S. 34:15-10.

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

1. R. S. 34:15-10 is amended to read as follows:

Employment of minors; extra compensation when illegally employed; exceptions.

34:15-10. In the employment of minors, this article shall be presumed to apply unless the notice be given by or to the parent or guardian of the minor. If the injured employee at the time of the accident or compensable occupational disease is a minor under 14 years of age employed in violation of the labor law or a minor between 14 and 18 years of age employed, permitted or suffered to work without an employment certificate or special permit if required by law or at an occupation prohibited at the minor's age by law, a compensation or death benefit shall be payable to the employee or his dependents which shall be double the amount payable under the schedules provided in sections 34:15-12 and 34:15-13 of this Title.

The possession of such duly issued employment certificate shall be conclusive evidence for an employer that the minor has reached the age certified to therein and no extra compensation shall be payable to any minor engaged in an employment allowed by the law for the age and sex certified to in such certificate. If the certificate presented by the employee as one issued to him shall have been really issued to another child and the real age of the employee shall be such that his employment in any capacity or in the particular capacity he was employed by the employer was prohibited and if the employer shall show to the satisfaction of the Division of Workmen's Compensation that he accepted the certificate in good faith as having been issued to the employee and could not have, despite reasonable diligence, discovered the fraud, in such event no extra compensation shall be paid to the employee illegally employed.

The employer alone and not the insurance carrier shall be liable for the extra compensation or death benefit which is over and above the amount of the compensation or death benefit provided under said sections 34:15-12 or 34:15-13. Any provision in an insurance

policy undertaking to relieve an employer from the liability for the extra compensation or extra death benefit shall be void.

Nothing in this chapter contained shall deprive an infant under the age of 18 years of the right or rights now existing to recover damages in a common law or other appropriate action or proceeding for injuries received by reason of the negligence of his or her master.

Nothing in this section regarding the payment of a compensation or death benefit in double the amount payable under the schedules provided in sections 34:15-12 and 34:15-13 of this Title shall apply to members of a junior firemen's auxiliary established pursuant to chapter 309 of the laws of 1958 (C. 40:47-30.6 et seq.) or to employees, of the age of 18 years or under, employed in summer camps operated by the Boy Scouts of America, the Girl Scouts of America, the Knights of Columbus, the Young Men's Christian Association, the Young Women's Christian Association, the Young Men's Hebrew Association, or any domestic corporation organized solely for religious or charitable purposes.

2. This act shall take effect immediately.

Approved January 20, 1972.

CHAPTER 417

AN ACT creating a Pinelands Environmental Council, prescribing its jurisdiction, powers and duties, providing for the engaging of an executive director and staff of said council, and making an appropriation therefor.

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

C. 13:18-1 Pinelands Environmental Council created.

1. The Pinelands Environmental Council is hereby created as an agency of the State of New Jersey. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the Pinelands Environmental Council is hereby allocated within the Department of Environmental Protection, but, notwithstanding said allocation, the council shall be independent of any supervision or control by the department or by the commissioner thereof.

C. 13:18-2 Purpose of council.

2. The purpose of the council shall be the protection of the water resources and other natural assets of the Pinelands region from misuse and pollution; the conservation of the scientific, educational, scenic, water resources and recreational values of the region, the encouragement of the continuation and development of compatible land uses in order to improve the over-all environmental and economic position of the area; and the preservation and promotion of the agricultural complex of the Pinelands region.

C. 13:18-3 Duties of council.

3. In carrying out its purposes, the council shall provide the leadership in developing a coordinative, comprehensive plan incorporating the best thinking of Federal, State and local government and private plans. It shall encourage and assist public and private agencies and persons to undertake projects and activities in accordance with the coordinative, comprehensive plan.

C. 13:18-4 Membership; appointment; qualifications; terms; compensation.

4. a. The council shall consist of 15 members composed as follows: one member of the board of chosen freeholders of the county of Burlington appointed by the director of said board; one member of the board of chosen freeholders of the county of Ocean appointed by the director of said board; three mayors, or mayors' representatives from communities within the Pinelands region to be appointed by the board of chosen freeholders of Burlington county, and three mayors, or mayors' representatives from communities within the Pinelands region to be appointed by the board of chosen freeholders of Ocean county; one citizen conservationist and one citizen sportsman who are residents of Burlington county and one citizen conservationist and one citizen sportsman who are residents of Ocean county to be appointed by the respective boards of chosen freeholders; one cranberry grower to be appointed by the American Cranberry Growers Association; one blueberry grower to be appointed by the cooperative representing the greatest number of blueberry growers within the region; and the Commissioner of Environmental Protection, or his representative.

b. The Commissioner of Environmental Protection or his representative shall serve during his term of office as such commissioner. The appointed members of the council shall serve for terms of 3 years commencing on June 1 and expiring on May 31 except that of the members first appointed the boards of chosen freeholders of Burlington and Ocean county shall by mutual agreement designate

four to be appointed for terms of 1 year, five to be appointed for terms of 2 years, and five to be appointed for terms of 3 years.

c. Members shall receive no compensation for their services but shall be entitled to be reimbursed for expenses actually and necessarily incurred by them in the performance of their duties, within the limits of any appropriation therefor.

C. 13:18-5 Organization; officers; meetings; voting; rules and regulations; minutes.

5. a. The council shall annually elect a chairman, vice-chairman, and secretary from its membership, who shall not be either freeholders or officials of the State of New Jersey.

b. The council shall meet no less than three times a year on dates to be determined by it. Meetings of the council may be called by the chairman of the council or upon the request of a majority of the members of the council as often as may be needed to carry out its duties; meetings shall be held within or close to the Pinelands region, and the offices of the council shall be located within the Pinelands region.

c. Each member of the council shall be entitled to one vote on all matters which may come before the council, and no action may be taken by the council on any matter affecting land or property within the region unless a majority of all the members shall approve the action.

d. The council may make rules and regulations relating to the exercise of its functions, powers and duties.

e. Three certified true copies of the minutes of every meeting of the council shall be forthwith delivered, by and under the certification of the secretary thereof, to the Governor.

C. 13:18-6 Pinelands region.

6. The Pinelands region shall consist of the following:

In Ocean County: All of Little Egg Harbor, Eagleswood, Stafford, Union, Ocean and Lacey Townships located westwardly of the Garden State Parkway, all of Manchester Township lying within the Lebanon State Forest, and all additional portions of Manchester Township lying southwardly of the line of the right-of-way of the Toms River branch of the Penn Central Railroad running westwardly from its junction with the Berkeley Township line to the Fort Dix Military Reservation boundary, and thence westwardly along the southern boundary of the military reservation to the Lebanon State Forest.

In Burlington County: All of Washington and Bass River Townships, all of Medford, Shamong and Tabernacle Townships lying

within the Wharton State Forest, and all of Pemberton Township lying within the Lebanon State Forest. Also included would be all of Woodland Township except for that portion lying westwardly of a straight line running northwardly from the intersection of the Woodland-Tabernacle Township line and Burlington County Route 532 to the center of the Four Mile Circle.

This act shall not be construed to apply to lands owned by the State of New Jersey.

C. 13:18-7 Powers.

7. The council shall have the following powers:

a. To adopt and use a corporate seal; to sue and be sued; to execute contracts and other instruments; to acquire, hold and dispose of real or personal property; to appoint and remove officers, agents and employees and determine their qualifications, duties and compensation; and to retain or employ counsel, private consultants, and independent contractors.

b. To provide assistance and encouragement for sound, coordinated planning and land use control throughout the Pinelands region to carry out the purposes of the council, to maintain liaison with any local, county, regional, State or Federal agencies having jurisdiction within the region and to give advice, guidance and direction to public and private agencies operating within the region and to encourage and assist compliance with the coordinative, comprehensive plan, including environmental considerations, to be adopted by the council under section 8 of this act.

c. To solicit, receive, hold, invest and administer appropriations, gifts and donations of any kind from any source.

d. To conduct such investigations, studies and hearings as it considers reasonably necessary for the discharge of its duties and responsibilities under this act.

e. To make recommendations to the Governor and the Legislature of the State of New Jersey.

f. To prepare, publish and disseminate information or reports concerning problems, needs and resources of the Pinelands region.

g. To do such other things, incidental to the express powers granted to it by this act, as may be necessary or proper for the effective performance of its functions.

C. 13:18-8 Duties.

8. The council shall provide the leadership in developing a coordinated, comprehensive plan for the preservation, enhancement and development of the scenic, historic, recreational and natural resources of the Pinelands region and for the encourage-

ment of compatible development of the commercial, industrial, agricultural, residential and other resources of the region.

C. 13:18-9 Provisions of comprehensive plan.

9. a. In order to promote coordination and continuity of planning by all parties within the region and to avoid when possible uncertainty or delay in the effectuation of public and private projects within the region, the comprehensive plan shall provide for the establishment of areas recommended primarily for scenic, historic, scientific, recreational, commercial, industrial, agricultural, residential or other use or for a combination of such uses.

b. Such plan may include recommendations for public or private projects of major benefit to the region.

c. Such plan may include recommendations for the establishment by the appropriate units of government of zoning and other land use and environmental control measures, and for the heightening of public awareness and acceptance of such measures.

C. 13:18-10 Consultation with public and private agencies; committees; hearings; adoption of plan.

10. a. The council shall formulate such coordinative, comprehensive plan in consultation and cooperation with affected public and private agencies and persons, including particularly representatives of units of local government. The council may invite any unit of local government within the Pinelands region to submit to the council a recommended plan or portion thereof for the area within the jurisdiction of such local government, and may invite any other public agency to submit to the council a plan or recommendations concerning matters within the jurisdiction of such agency. The council shall advise and consult with such local government or public agency concerning such plan or recommendations.

b. The council may appoint subcommittees, advisory committees or citizens' committees for consideration of particular aspects or portions of the plan.

c. The council shall hold public hearings before the adoption of the plan or any part or substantial revision thereof.

d. In order to allow adequate time for full participation in the preparation of the plan, the plan or any part thereof shall not be adopted until at least 1 year after the effective date of this act.

C. 13:18-11 Compliance with plan.

11. The council shall encourage compliance with the plan by all public and private agencies and persons.

C. 13:18-12 Filing of copies of final plan.

12. Copies of the final comprehensive plan for the Pinelands and any amendments or supplements thereof, when adopted by the council shall be filed with the county recording officers of the respective counties and with the clerk of each municipality in the Pinelands region and with any State department or agency represented on the council.

C. 13:18-13 Certain projects to be encouraged; project review; emergency projects; rules and regulations; filing.

13. a. The purposes of this section are to encourage public and private agencies and persons to undertake only projects which are compatible with sound resource utilization and management, the preservation of unique natural areas and the objectives of the council. It is also one of the purposes of this section to prevent the intrusion of land uses or projects which would pollute or contaminate the underground water supply or otherwise damage or destroy the environmental resources of the region.

To these ends, this section provides procedures for preliminary consultation with the council concerning a proposed project to avoid uncertainty or delay and for final review of projects by the council, with opportunity for public participation, and public disclosure of the effects of a project.

b. A project which would destroy or substantially impair significant historic or recreational resources or bring about a major change in the appearance or use of any area of the Pinelands region, shall be subject to review under this section.

c. This section shall not apply to any emergency project which is immediately necessary for the protection of life or property.

d. The council shall, after public hearing, adopt rules and regulations which shall establish standards and procedures, consistent with this section, for the review of projects under this section, and which may exclude specified kinds of projects or projects in specified areas from review under this section. Such rules may exclude or restrict a project or part of a project providing for the erection and maintenance of billboards, signs or other types of outdoor advertising. Copies of rules and regulations adopted by the council shall be filed with the county recording officers of the respective counties and with the clerk of each municipality in the Pinelands region and with any State department or agency represented on the council.

C. 13:18-14 Procedure for informal discussion.

14. The council shall establish a procedure for the informal discussion of preliminary and informal plans for a project subject to review under section 13 and for preliminary approval or recommendations by the council with respect to the project. Such informal discussion shall be optional with the agency or person proposing to undertake a project, and no such preliminary approval or recommendations by the council shall relieve any agency or person from complying with any provision of this act.

C. 13:18-15 Submission of description of project; review; authority to enjoin; application of section.

15. a. A public or private agency or person proposing to undertake a project subject to review under section 13 shall submit to the council a description of the project, which description shall be sufficient to enable the council to make the determinations required by paragraph c. of this section.

b. For a period of 30 days following the submission of such description, or until such earlier time as the council may specify, such agency or person shall not undertake or continue such project.

c. The description so submitted to the council shall be reviewed to determine whether the project is in substantial conformity with the coordinative, comprehensive plan adopted pursuant to this act, and to determine the effect of the project upon the scenic, historic, scientific, recreational and natural resources of the Pinelands region and the commercial, industrial, agricultural, residential or other benefits of the project.

d. If the council finds that such project may not be in substantial conformity with such plan or might have an unreasonably adverse effect upon such resources, the council may issue an order within such 30-day period to such agency or person directing that such agency or person not undertake or continue such project for an additional period of 60 days immediately following such 30-day period. During such 60-day period, the council shall further review such project and shall hold a public hearing concerning such project. On or before the conclusion of such 60-day period, the council shall report its findings to the agency or person proposing to undertake the project, to any public agency having the power of review or approval of such project, and, in a manner conducive to the wide dissemination of such findings, to the public.

e. The council may bring an action to enjoin any agency or person from violating any of the provisions of this act.

f. This section shall apply whether or not the council has adopted a comprehensive plan pursuant to section 8 hereof, but this section

shall not apply until review standards have been adopted pursuant to paragraph d. of section 13 of this act and shall not apply to any project on which actual construction has commenced prior to the effective date of this act.

g. To assist in the effectuation of these provisions the counties and municipalities within the region shall supply the council with copies of all their current zoning ordinances, building codes, subdivision regulations, master plans and other relevant documents and any amendments enacted thereafter.

C. 13:18-16 Annual budget.

16. The council shall annually prepare an operating budget to carry out the responsibilities set forth in this act and shall submit such budget through the normal budget procedure of the State and Local Governments.

C. 13:18-17 Fund established; grants for projects; receipt of grants, bequests or donations.

17. a. There is hereby established a capital account of the commission to be known as the Pinelands region fund and all appropriations and donations for capital expenditures shall be received by this fund. The council may make grants from the fund to units of local government or to the enacting governments or agencies thereof for capital projects for the preservation, enhancement and development of the scenic, historic, scientific, recreational and natural resources within the jurisdiction of the council.

b. The council is hereby authorized to solicit donations and accept grants, bequests, or other donations of money from Federal, private, State or other sources both in money, land, interests in land, or any credits or payments in lieu thereof for the purposes of this act.

C. 13:18-18 Prohibited financial activities; examination of accounts and books.

18. The council may not borrow money or issue notes or bonds; nor shall it have the power to pledge the credit of the State, directly or indirectly, either by tort, contract or otherwise.

The Director of the Division of Budget and Accounting of the Department of the Treasury of the State of New Jersey and his authorized representatives shall from time to time, and not less than once in every 3-year period, examine the accounts and books of the Pinelands Environmental Council, including: (a) its operations and accomplishments; (b) its receipts and disbursements, revenues and expenses, during such fiscal year in accordance with the categories and classifications established by the council for its

operating and capital outlay purposes, if any; (c) its assets and liabilities at the end of the fiscal year, including the status of reserve depreciation, special or other funds and including the receipts and disbursements of such funds; (d) and such other items referring to its financial standing as the director may deem proper.

Within 30 days of receipt thereof, the council shall submit to the Director of the Division of Budget and Accounting of the Department of the Treasury a copy of every independent audit or examination of its receipts, distribution, contracts, leases or investments.

C. 13:18-19 Annual reports.

19. The council shall report annually to the Governor, Legislature, boards of freeholders, and constituent municipalities with respect to its operations and finances.

C. 13:18-20 Executive director; appointment, duties.

20. At its organizational meeting, or as soon thereafter as possible, the council shall employ an executive director. The executive director shall be a qualified individual of proven executive experience with an understanding of environmental problems and municipal affairs. He shall serve at the pleasure of the council, and shall receive compensation in an amount to be determined by the council.

The executive director, subject to supervision and direction of the council, shall:

a. Be the administrative head of the offices of the Pinelands Environmental Council;

b. Prescribe the organization of the offices of the council and the duties of his subordinates and assistants, except as otherwise may be provided by the council;

c. Direct and supervise the activities of all employees of the council; and

d. Make an annual report to the council, the Governor and the Legislature and the boards of chosen freeholders of Burlington and Ocean counties and the constituent municipalities of the council on the operation of the offices of the council.

C. 13:18-21 Duties of professional staff.

21. The council shall engage a professional staff which shall be independent of any other government agency and which shall be committed to the interests of the Pinelands region. It shall be, among other things, the duty of the staff to establish liaison with the municipalities within the region; to review and evaluate all land development projects brought before it and present its findings

to the council; to consult with other public agencies on the effects of the proposed land developments; and to conduct public hearings on proposed projects when necessary.

22. There is hereby appropriated to the Pinelands Environmental Council the sum of \$100,000.00 to effectuate the purposes of this act for the fiscal year commencing July 1, 1971, and such sums as the Legislature, the municipalities and the boards of freeholders of the respective constituent counties shall annually appropriate, subject to the availability of funds therefor, not to exceed $\frac{1}{2}$ State share and $\frac{1}{2}$ local funds.

23. This act shall take effect 90 days after enactment, but anticipatory action may be taken in advance thereof, including the making of authorized appointments, and confirmation or approval thereof.

Approval January 24, 1972.

CHAPTER 418

AN ACT relating to the control and abatement of noise, empowering the State Department of Environmental Protection to promulgate codes, rules and regulations for such purposes, creating a Noise Control Council, and making an appropriation therefor.

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

C. 13:16-1 Short title.

1. This act shall be known and may be cited as the "Noise Control Act of 1971."

C. 13:16-2 Legislature's findings.

2. The Legislature finds and determines that the people of the State are entitled to and should be insured an environment free from noise which unnecessarily degrades the quality of life; that the levels of noise in the community have reached such a degree as to endanger the health, safety and welfare of the people of this State as well as the integrity of the environment; and that this threat can be abated by the adoption and enforcement of noise standards embodied in regulations.

C. 13:1G-3 Definitions.

3. For the purposes of this act, the following words shall have the following meanings:

a. "Commissioner" means the Commissioner of the State Department of Environmental Protection.

b. "Council" means the Noise Control Council created under this act.

c. "Department" means the State Department of Environmental Protection.

d. "Noise" means any sounds of such level and duration as to be or tend to be injurious to human health or welfare, or which would unreasonably interfere with the enjoyment of life or property throughout the State or in any portions thereof, but excludes all aspects of the employer-employee relationship concerning health and safety hazards within the confines of a place of employment.

e. "Person" means any corporation, company, association, society, firm, partnership, and joint stock company as well as individuals, and shall also include the State and all its political subdivisions and any agencies or instrumentalities thereof.

C. 13:1G-4 Codes, rules and regulations.

4. The department, in accordance with the "Administrative Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) shall, from time to time, adopt, amend, repeal and enforce reasonable codes, rules and regulations necessary to carry out the intent of this act. Such codes, rules and regulations may include, but shall not be limited to the following:

a. Antidegradation provisions which restrain noisemakers from raising their noise output to the maximum allowable limit.

b. Curfew provisions which prohibit particular noisemaking activities or operations during particular days or particular hours;

c. Spill-over provisions which consider noise only to the extent that it spills over a property line;

d. Zonal provisions which restrict particular noisemaking activities to specified areas;

e. Accessory provisions which prohibit the use of machines or vehicles without noise quieting devices and materials such as mufflers, insulation or isolators; and

f. License and permit provisions which limit or require compliance with performance standards as a condition to the installation or operation of machinery and equipment in the conduct of noisemaking activities.

C. 13:1G-5 Additional powers.

5. The department, in addition to its power to make and enforce codes, rules or regulations promulgated by it, and in furtherance of said power, shall also have the power to:

a. Conduct and supervise research programs for the purpose of determining the causes, effects and hazards of noise.

b. Conduct and supervise Statewide programs of noise control education, including the preparation and distribution of information relating to noise control.

c. Require the registration of persons involved in operations which may result in noise and the filing of reports by them containing information relating to the sources of said noise and such other information as the department shall prescribe. Such registration may be revoked or suspended or renewal withheld, for any violation of this act or of any codes, rules, regulations or orders promulgated hereunder. The department may in accordance with a fee schedule adopted as a rule or regulation establish and charge nonrefundable fees for registration which may be annual or periodic as the department shall determine. The registration fee shall not be less than \$10.00 nor more than \$250.00 based on criteria contained in the fee schedule.

d. Enter and inspect any building or place, except private residences, for the purpose of investigating an actual or suspected source of noise and ascertaining compliance or noncompliance of any code, rule and regulation of the department. Any information relating to secret processes or methods of manufacture or production obtained in the course of such inspection, investigation or determination shall be kept confidential and shall not be admissible in evidence in any court or in any other proceeding except to the extent herein provided. If tests of any type are made for the purpose of determining whether or not a violation has occurred, or for any other purpose in connection with such entry and inspection, a duplicate of the results of the tests shall be furnished promptly to the person suspected of violating the code, rule or regulation.

e. With the approval of the Governor, cooperate with and receive money from the Federal Government, the State Government or any county or municipal government or from private sources for the study and control of noise.

f. Receive or initiate complaints of noise, hold hearings in connection therewith and institute legal proceedings for the prevention of noise and for the recovery of penalties, in accordance with this act.

C. 13:1G-6 Control of noise from motor vehicles.

6. The department, after consultation with the Director of the Division of Motor Vehicles, shall have the power to formulate, promulgate, amend and repeal codes, rules and regulations establishing standards and requirements for the control of noise from motor vehicles.

C. 13:1G-7 Application of code to motor vehicles.

7. Any code, rule or regulation establishing standards and requirements for the control of noise from motor vehicles shall be applicable to such classification of motor vehicles as the department shall determine to be necessary to carry out the purpose of this act and shall apply to such motor vehicles not earlier than 180 days following the date of adoption.

C. 13:1G-8 Inspection of motor vehicles.

8. Any motor vehicle which is subject to inspection by the Division of Motor Vehicles or any other duly authorized body shall, as a condition of compliance with said inspection, pass such tests as may be required to demonstrate that the motor vehicle complies with any standards and requirements for the control of noise established by the New Jersey State Department of Environmental Protection which are applicable to such motor vehicle.

C. 13:1G-9 Penalty.

9. Any person who operates a motor vehicle or owns a motor vehicle which he permits to be operated upon the public highways of this State which generates noise in excess of standards adopted by the department shall be liable to a penalty of not less than \$25.00 nor more than \$1,000.00 which shall be enforced in accordance with the provisions of chapter 5 of Title 39 of the Revised Statutes.

C. 13:1G-10 Interference with performance of department personnel.

10. No person shall obstruct, hinder or delay, or interfere with by force or otherwise, the performance by the department or its personnel of any duty under the provisions of this act, or refuse to permit such personnel to perform their duties by refusing them, upon proper identification or presentation of a written order of the department, entrance to any premises.

C. 13:1G-11 Investigation and prosecution of violations; order for violation to cease; hearing.

11. Whenever the department has cause to believe that any person is violating any code, rule or regulation promulgated by the department, the department shall cause a prompt investigation to be made in connection therewith.

If upon inspection the department discovers a condition which is in violation of any provision of this act or any code, rule or regulation promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease.

The person responsible shall make the corrections necessary to comply with the requirements of this act or code, rule or regulation promulgated pursuant thereto within the time specified in the order.

Nothing herein shall be deemed to prevent the department from prosecuting any violation of this act or any code, rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with its order. The department shall not be prevented from directly prosecuting any violations of this act or any code, rule, regulation promulgated pursuant thereto, without the necessity of first issuing an order.

Any person aggrieved by an order of the department under this act may, upon application made within 15 days after notice thereof, be entitled to a hearing before the department which shall within 30 days thereafter hold a hearing of which at least 15 days' written notice shall be given to such persons. Within 30 days after such hearing the department shall issue an appropriate order modifying, approving or disapproving its prior order. A copy of such order shall be served upon all interested parties. Pending the determination by the department and upon application therefor the department may stay the operation of such order upon such terms and conditions as it may deem proper.

C. 13:1G-12 Conduct of hearing; copies of transcript.

12. The testimony taken at any hearing shall be under oath and recorded stenographically, but the parties shall not be bound by the strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearings shall be furnished to any party thereto upon request and at his expense.

C. 13:1G-13 Powers of hearing officer.

13. Any hearing required by this act to be held before the department shall be held before the commissioner or a member of the department designated by him, who shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to

any matter under investigation in any such hearing. The department, at the request of any respondent to a complaint made by it, or to it, pursuant to this act, shall subpoena and compel the attendance of such witnesses as the respondent may designate and require the production for examination of any books or papers relating to any matter under investigation in any such hearing.

C. 13:1G-14 Injunctive relief.

14. If any person violates any of the provisions of this act or any rule, regulation or order promulgated pursuant to the provisions of this act, the department may institute an action in a court of competent jurisdiction for injunctive relief to prohibit and prevent such violation or violations and the said court may proceed in the action in a summary manner.

Any person who violates the provisions of this act or any rule, regulation or order promulgated pursuant to this act shall be liable to a penalty of not more than \$3,000.00 for each offense, to be collected in a summary proceeding under the Penalty Enforcement Law (N. J. S. 2A :58-1 et seq.), and in any case before a court of competent jurisdiction wherein injunctive relief has been requested, except as provided in section 9 of this act. The Superior Court, County Court and county district court shall have jurisdiction to enforce said Penalty Enforcement Law. If the violation is of a continuing nature, each day during which it continues shall constitute an additional, separate and distinct offense. The department 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 department as may appear appropriate and equitable under all of the circumstances, including a rebate of any such penalty paid to the extent of 75% thereof where such person satisfies the department within 1 year or such other period as the department may deem reasonable that such violation has been eliminated or removed or that such order or injunction has been met or satisfied as the case may be.

C. 13:1G-15 Review.

15. Review of any final decision or action by the department or review of the validity of any code, rule or regulation of the department shall be in accordance with the rules of court.

C. 13:1G-16 Cooperation and agreements with other agencies.

16. The department shall cooperate with the Departments of Labor and Industry, Health, Community Affairs, Transportation, and Agriculture, with the State Division of Motor Vehicles, with

the Federal Aviation Administration and with any other appropriate governmental agency while preparing and before promulgating any codes, rules and regulations. The department shall also be empowered to enter into agreements with the above mentioned agencies to expedite the administration of said codes, rules and regulations and to reduce the number of inspections which any person or premise might be subjected to.

C. 13:1G-17 Noise control council; creation, membership, appointment, qualifications, terms, vacancies, removal, compensation, officers, quorum.

17. There is hereby created in the Department of Environmental Protection a Noise Control Council, which shall consist of 13 members, four of whom shall be the Commissioner of Community Affairs or a member of the Department of Community Affairs designated by him, the Commissioner of Health, or a member of the Department of Health designated by him, the Commissioner of Labor and Industry, or a member of the Department of Labor and Industry designated by him, and the Director of the Division of Motor Vehicles, or a member of the Division of Motor Vehicles designated by him, all of whom shall serve ex officio, and nine public members, all of whom shall be appointed by the Governor. The public members shall include a medical doctor, an industrialist, an ecologist, a civil engineer and a member of a local governing body.

Of the nine members first to be appointed by the Governor, two shall be appointed for a term of 1 year, two for a term of 2 years, two for a term of 3 years, and three for terms of 4 years beginning on January 1, 1972. Thereafter, all appointments shall be made for terms of 4 years beginning on January 1. All appointed members shall serve after the expiration of their terms until their respective successors are appointed and shall qualify, and any vacancy occurring in the appointed membership of the council, by expiration of term or otherwise, shall be filled in the same manner as the original appointment for the unexpired term only, notwithstanding that the previous incumbent may have held over and continued in office as aforesaid. The Governor may remove any appointed member of the council for cause after a public hearing.

Members of the council shall serve without compensation, but shall be reimbursed for expenses actually incurred in attending meetings of the council and in the performance of their duties as members thereof.

The council shall elect biannually a chairman and vice-chairman from its own membership, and seven members of the council shall constitute a quorum to transact its business.

C. 13:1G-18 Duties.

18. The Noise Control Council shall:

- a. Request from the commissioner information concerning the noise control program.
- b. Consider any matter relating to the preservation and improvement of the noise control program and advise the commissioner thereof.
- c. From time to time, submit to the commissioner any recommendations which it deems necessary for the proper conduct and improvement of the noise control program.
- d. Study the noise control program and make its recommendations thereon to the commissioner.
- e. Study the codes, rules and regulations promulgated by the department in regard to noise control and make its recommendations for their improvement to the commissioner.
- f. Study and investigate the state of the art and the technical capabilities and limitations of noise control and report its findings and recommendations thereon to the commissioner.
- g. Study and investigate the need for programs for the long-range technical support of the noise control program and report its findings and recommendations thereon to the commissioner.
- h. Hold public hearings at least once a year in regard to existing noise control statutes, codes, rules and regulations and upon the state of the art and technical capabilities and limitations in noise control and report its recommendations thereon to the commissioner.
- i. Be empowered to veto the adoption, amendment or repeal of any code, rule or regulation for the control of noise. By majority vote of the whole council, the council may vote its disapproval of any code, rule or regulation or any change therein. The council may exercise its veto at any time before the promulgation by the commissioner of any such code, rule or regulation.

C. 13:1G-19 Commissioner to consult with council.

19. The commissioner shall consult with the council to afford them an opportunity to express their opinion concerning any proposed code, rule or regulation at least 30 days prior to the public advertisement thereof.

C. 13:1G-20 Certain powers, duties and functions not limited by act.

20. The powers, duties and functions vested in State Government under the provisions of this act shall not be construed to limit in any manner the powers, duties and functions vested therein or in any person under any other provision of law or any civil or criminal

remedies now or hereafter available to any person related to community noise control.

C. 13:1G-21 Certain civil or criminal remedies, ordinances or resolutions not superseded by act.

21. No existing civil or criminal remedy now or hereafter available to any person shall be superseded by this act or any code, rules, regulations or orders promulgated pursuant thereto.

No ordinances or resolutions of any governing body of a municipality or county or board of health which establish specific standards for the level or duration of community noise more stringent than this act or any code, rules, regulations or orders promulgated pursuant thereto shall be superseded. Nothing in this act or in any code, rules, regulations or orders promulgated pursuant thereto shall preclude the right of any governing body of a municipality or county board of health, subject to the approval of the department, to adopt ordinances, resolutions or regulations which establish specific standards for the level or duration of community noise more stringent than this act or any code, rules or regulations promulgated pursuant thereto.

C. 13:1G-22 Construction of act.

22. This act shall be liberally construed to effectuate the purpose and intent thereof.

C. 13:1G-23 Partial invalidity.

23. If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

24. There is hereby appropriated for the purposes of this act the sum of \$100,000.00.

25. This act shall take effect immediately.

Approved January 24, 1972.

CHAPTER 419

AN ACT concerning the acquisition of lands for recreation and conservation purposes governing the expenditure of money for such purposes, appropriating \$20 million from the State Recreation and Conservation Land Acquisition Fund for such expenditure and supplementing Title 13 of the Revised Statutes.

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

C. 13:8A-19 Short title.

1. This act may be cited as the “New Jersey Green Acres Land Acquisition Act of 1971.”

C. 13:8A-20 Legislature’s findings.

2. The Legislature hereby finds that:

a. The provision of lands for public recreation and conservation of natural resources promotes the public health, prosperity and general welfare and is a proper responsibility of government;

b. Lands now provided for such purposes will not be adequate to meet the needs of an expanding population in years to come;

c. The expansion of population, while increasing the need for such lands, will continually diminish the supply and tend to increase the cost of public acquisition of lands available and appropriate for such purposes;

d. The State of New Jersey must act now to acquire and to assist local governments to acquire substantial quantities of such lands as are now available and appropriate so that they may be preserved and developed for such purposes;

e. Since the most critical need for open lands now exists in the urban sectors of the State, special attention should be focused on the provision of lands for such purposes;

f. Acquisition of lands actively devoted to agriculture shall be avoided whenever possible and in lieu thereof, whenever feasible, development rights, conservation easements and other interest less than a fee simple shall be acquired;

g. Of the approved \$80 million “New Jersey Green Acres Bond Act of 1971,” the sum of \$20 million is needed now to make such acquisition possible in order to effectively implement a continuing Open Land Conservation Program and to augment the lands acquired and set aside for the people of New Jersey under the combined State and Local Assistance Program completed under the 1961 State Recreation and Conservation Land Acquisition Fund;

h. Such sum will be made available by the sale of bonds authorized by the New Jersey Green Acres Land Acquisition Bond Act of 1971 approved by the people of the State of New Jersey;

i. It is desirable to appropriate said sum for prompt use and to specify the manner in which the Legislature now proposes that such sum, and such other funds as may be appropriated, shall be used for such purposes.

C. 13:8A-21 Definitions.

3. Except as the context may otherwise require:

a. "Commissioner" means the Commissioner of Environmental Protection or his designated representative;

b. "Local unit" means a municipality, county or other political subdivision of this State, or any agency thereof authorized to administer, protect and maintain lands for recreation and conservation purposes;

c. "Recreation and conservation purposes" means use of lands for parks, natural, and historic areas, forests, camping, fishing, water reserve, wildlife, hunting, boating, recreation centers, winter sports and similar uses for public recreation and conservation of natural resources;

d. "Land" or "lands" means real property, including improvements thereof or thereon, rights of way, water and other rights, easements, privileges and all other rights or interests of any kind or description in, relating to, connected with real property.

C. 13:8A-22 Use of appropriations.

4. The commissioner shall use the sum appropriated by this act from the proceeds of the sale of bonds under the New Jersey Green Acres Land Acquisition Act of 1971, and such other sums as may be appropriated from time to time for like purposes, to acquire lands for recreation and conservation purposes and to make grants to assist local units to acquire lands for such purposes, subject to the conditions and limitations prescribed by this act.

13:8A-23 Conditions for acquisition of lands.

5. In acquiring lands and making grants to assist local units to acquire lands the commissioner shall:

a. Seek to achieve a reasonable balance among all areas of the State in consideration of the relative adequacy of area recreation and conservation facilities at the time and the relative anticipated future needs for additional recreation and conservation facilities;

b. Insofar as practicable, limit acquisition to predominantly open and natural land and to minimize the cost of acquisition and the subsequent expense necessary to render land suitable for recreation and conservation purposes;

c. Wherever possible, select land for acquisition which is suitable for multiple recreation and conservation purposes;

d. Give due consideration to coordination with the plans of other departments of State Government with respect to land use or acquisition;

e. Acquisition of lands actively devoted to agriculture shall be avoided whenever possible and in lieu thereof, whenever feasible, development rights, conservation easements and other interests less than a fee simple shall be acquired.

C. 13:8A-24 Methods of acquiring lands.

6. Lands acquired by the State shall be acquired by the commissioner in the name of the State. They may be acquired by purchase or otherwise on such terms and conditions as the commissioner shall determine, or by the exercise of the power of eminent domain in the manner provided in chapter 1 of Title 20 of the Revised Statutes, except as otherwise provided by this act. This power of acquisition shall extend to lands held by any local unit.

Upon the institution of an action to fix the compensation to be paid, or at any time thereafter, the commissioner may file with the Clerk of the Superior Court a declaration of taking, declaring that the possession of one or more of the tracts or parcels of property described in the petition is thereby being taken by and for the use of the State. The declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of property to be taken; (2) a statement of the estate or interest in the said property being taken; and (3) a statement of the sum of money estimated by the commissioner to be just compensation for the taking. Upon the filing of said declaration, the commissioner shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration.

Upon the filing of the declaration and the depositing with the Clerk of the Superior Court of the amount of the estimated compensation as stated in the declaration, the State, without other process or proceedings shall be entitled to the exclusive possession and use of each tract or parcel of property described in the declaration and may forthwith enter into and take possession of said property, it being the intent of this provision that the action to fix the compensation to be paid or any other proceeding relating to the taking of such property or entering therein shall not delay the taking of possession and the use thereof by the State. The commissioner shall not abandon any condemnation proceeding subsequent to the date upon which the State has taken possession of the property as herein provided.

In the event that any party in possession fails to peaceably surrender the premises condemned within 30 days after service upon him of the notice set forth below, then, upon affidavit of the com-

missioner, a writ of possession shall issue forthwith from the Clerk of the Superior Court.

The commissioner shall cause notice of the filing of said declaration and the making of said deposit to 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, and upon each such party who resides out of the State by mailing 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 the newspaper published or circulating in the county or counties in which the property is located. Such service, mailing or publishing shall be made within 20 days after the filing of the declaration. Upon the application of any party in interest and after notice to other parties in interest, including the commissioner and the Director of the Division of Taxation, Department of the Treasury, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof to be paid forthwith, without deduction of any fees or commissions, to the person or persons entitled thereto for or on account of the just compensation to be awarded in such action; provided, that each person shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the action shall be less than the amount deposited, the court, after such notice as the court prescribes and a hearing, may determine the liability, if any, for the return of such difference or any part thereof and enter judgment therefor. In no event shall more than 75% of the money on deposit be paid unless the party in possession shall have vacated the premises condemned.

If the amount of the award as finally determined by the court shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the State 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 the making of 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 commissioner unless the amount of the deposit or any part thereof shall have thereto been distributed, in which event the court, upon application of the commissioner and notice to all parties interested in the award and affording them an opportunity to be heard, shall enter judgment in favor of the State for such difference against the party or parties liable for the return thereof.

C. 13:8A-25 Rules and regulations.

7. The commissioner shall prescribe rules and regulations governing the administration, operation and use of lands acquired by the State under this act to effect the purpose of this act.

C. 13:8A-26 Acquisition of lands by local unit.

8. Lands approved by the commissioner for acquisition by a local unit with State assistance shall be acquired by and in the name of the local unit and may be acquired in any manner authorized by law for the acquisition of lands for such purposes by the local unit.

C. 13:8A-27 Requirements for grant to assist local unit.

9. A grant to assist a local unit to acquire lands for recreation and conservation purposes shall not be made under this act until:

a. The local unit has applied to the commissioner on forms prescribed by him describing the land acquisition for which a grant is sought, stating the recreation and conservation purpose or purposes to which such lands will be devoted, stating the facts which give rise to the need for such lands for such purpose, enclosing a comprehensive plan for the development of the local unit or a comprehensive conservation or environment protection plan for the preservation of the local unit approved by its governing body, or both, and stating such other matters as the commissioner shall prescribe;

b. The commissioner shall have prescribed the terms and conditions under which the grant applied for will be made;

c. The local unit shall have filed with the commissioner its application for appropriate funding under the Federal Open Space Park and Recreation Program;

d. The local unit shall have filed with the commissioner its acceptance of such terms and conditions, and has otherwise complied with the provisions of this act.

C. 13:8A-28 Adoption of certain regulations by local unit.

10. A grant may not be made under this act until the local unit has adopted regulations governing the administration, use and development of the lands in question, and until the commissioner shall have approved such regulations. No such regulations may be altered thereafter without the approval of the commissioner.

C. 13:8A-29 Amount of grant.

11. Grants under this act shall be made by the State Treasurer upon certification of approval by the commissioner. Each grant

shall be in an amount equal to not more than 50% of the actual cost of the lands in question.

C. 13:8A-30 Authority to make certain acquisitions.

12. Without limitation of the definition of "lands" herein, the commissioner may acquire, or approve grants to assist a local unit to acquire:

- a. Lands subject to the right of another to occupy the same for a period measured in years or otherwise; or
- b. An interest or right consisting, in whole or in part, of a restriction on the use of land by others including owners of other interests therein; such interest or right sometimes known as a "conservation easement."

C. 13:8A-31 Use of acquired lands.

13. a. Lands acquired by a local unit with the aid of a grant under this act shall not be disposed of or diverted to a use for other than recreation and conservation purposes without the approval of the commissioner and the State House Commission and following a public hearing at least 1 month prior to any such approvals. Such approval of the State House Commission shall not be given unless the local unit shall agree to pay an amount equal to 50% of the current value of such land, as determined by the commission, into the State Recreation and Conservation Land Acquisition Fund, if the original grant shall have been made from that fund, or, if not, then into the State Treasury. Money so returned to said fund shall be deemed wholly a part of the portion of that fund available for grants to local units under this act.

b. Lands acquired by the State under this act with money from the State Recreation and Conservation Land Acquisition Fund shall not be disposed of or diverted to use for other than recreation and conservation purposes without the approval of the State House Commission. Such approval shall not be given unless the commissioner shall agree to pay an amount equal to the value of such land, as determined by the commission, into said fund. Money so returned to said fund shall be deemed wholly a part of the portion of that fund available for land acquisition by the State under this act.

c. If land acquired by the State under this act with money from the State Recreation and Conservation Land Acquisition Fund is subsequently developed for any water supply projects, the commissioner shall pay an amount equal to the current value of the land so developed, as said value is determined by the State House Commission, into said fund. Money so returned to the fund shall

be deemed wholly a part of the portion of that fund available for land acquisition by the State under this act. The commissioner shall make said payment from any funds available for such purpose in the State Water Development Fund or other water development moneys appropriated and available for such purpose.

C. 13:8A-32 Use of lands not to be restricted by certain conditions.

14. Use of lands acquired under this act by the State or with State assistance shall not be restricted by any conditions of race, creed, color or nationality, and shall not be restricted by any condition of residence except by direction of or with the approval of the commissioner.

C. 13:8A-33 Acquisition of lands at private sale.

15. Notwithstanding any other provision of law, lands to be acquired by the State under this act from any local unit may be sold to the State by the unit at private sale.

C. 13:8A-34 Authority to do certain things in executing act.

16. The commissioner, in executing this act, may do all things necessary or useful and convenient in connection with the acquisition of lands by the State or with the assistance of the State, including the following:

a. Make arrangements for and direct (1) engineering, inspection, legal, financial, geological, hydrological and professional services, estimates and advice; (2) and organizational, administrative and other work and services;

b. Enter on any lands for the purpose of making surveys, borings, soundings or other inspections or examinations;

c. Prescribe rules and regulations to implement any provisions of this act.

17. The money in the State Recreation and Conservation Land Acquisition Fund created by the New Jersey Green Acres Land Acquisition Act of 1971 is hereby appropriated to the Department of Environmental Protection for use in executing the provisions of this act, according to the following division:

a. With respect to acquisition of lands owned by the State under this act, \$10 million;

b. With respect to State grants under this act to assist local units to acquire lands, \$10 million.

18. This act shall take effect immediately.

Approved January 24, 1972.

CHAPTER 420

AN ACT authorizing the maintenance of habeas corpus proceedings by grandparents to obtain visitation rights in respect to their infant grandchildren in certain cases, and supplementing chapter 2 of Title 9 of the Revised Statutes.

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

C. 9:2-7.1 Visitation rights for grandparents of certain minors.

1. Where either or both of the parents of a minor child, residing within this State, is or are deceased, a grandparent or the grandparents of such child, who is or are the parents of such deceased parent or parents, may apply to the Superior Court for a writ of habeas corpus to have such child brought before such court; and on the return thereof, the court may make such order or judgment, as the best interest of the child may require, for visitation rights for such grandparent or grandparents in respect to such child.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 421

AN ACT to supplement "An act concerning counties, municipalities, school districts, or agencies thereof in relation to certain group insurance programs, and repealing sections 40:11-15 and 40:11-16 of the Revised Statutes," approved January 18, 1961 (P. L. 1960, c. 180).

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

C. 40A:9-14.1 Payment of certain insurance premiums for retired employees.

1. In providing for the continuance of coverage after retirement of employees and their dependents as authorized by subparagraph (B) of section 2 of the act to which this act is a supplement and notwithstanding any of the provisions of said section 2 to the con-

trary, the employer may assume the entire cost of such coverage and pay all the premiums for employees who have retired after 25 years or more service with the employer, including the premiums on their dependents, if any, under such uniform conditions as the governing body shall prescribe.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 422

AN ACT authorizing boards of chosen freeholders and governing bodies of municipalities to make appropriations for the support of nonprofit, approved child care centers.

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

C. 40:23-8.14 Appropriations for child care centers.

1. The board of chosen freeholders of any county and the governing body of any municipality may appropriate annually funds for the support of nonprofit child care centers possessing a valid certificate of approval or waiver in writing from said requirement issued by the Commissioner of Education pursuant to chapter 70 of Title 18A of the New Jersey Statutes, and located within said county or municipality.

C. 40:23-8.15 Contract requirement.

2. Any appropriation made pursuant to section 1 shall be made pursuant to a contract between the governing body of said county or municipality and the board of directors of the nonprofit child care center. Said contract shall describe the services to be rendered by the center in exchange for the appropriation and shall be approved by the Commissioner of Education and the Commissioner of Institutions and Agencies.

3. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 423

AN ACT to validate the creation of certain sewerage authorities.

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

Validating act.

1. All proceedings heretofore had or taken by any county or by the governing body or any other officials thereof for or in connection with the creation of a sewerage authority pursuant to the sewerage authorities law (P. L. 1946, c. 138), as amended, and the creation, organization and existence of such sewerage authority pursuant to such proceedings as a public body created pursuant to said law, and every resolution adopted by the governing body of a municipality within said county determining that such municipality shall not be a part of the district of such sewerage authority, are hereby validated, ratified and confirmed, whether or not a copy of the resolution for the creation of said sewerage authority, duly certified by an appropriate officer of the county, was filed in the office of the clerk of each municipality within the county within 10 days after the filing of a certified copy of such resolution in the office of the Secretary of State and whether or not said resolution determining that the municipality shall not be a part of the district was adopted or filed within 60 days after the filing in the office of the Secretary of State of a certified copy of the said resolution for the creation of said sewerage authority; provided, however, that a copy of said resolution for the creation of said sewerage authority was mailed to the clerk of each such municipality within 90 days after the filing of a certified copy of such resolution in the office of the Secretary of State; and provided further, that said resolution determining that the municipality shall not be a part of the district was adopted, and a copy thereof duly certified by the appropriate officer of the municipality was filed, in the office of the Secretary of State (a) within 60 days after the filing in the office of the Secretary of State of a certified copy of the said resolution for the creation of said sewerage authority, or (b) if no certified copy of said resolution for the creation of said sewerage authority was filed in the office of the clerk of the municipality within 10 days after such filing of a copy of said resolution in the office of the Secretary of State, then within 60 days after the mailing to the clerk of the municipality of a copy of said resolution or by February 11, 1971, whichever is later; and pro-

vided further, that no action, suit or other proceeding of any nature to contest the validity of the creation of such sewerage authority was 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 February 1, 1972.

CHAPTER 424

AN ACT relating to the valuation and revaluation of real property for assessment purposes, providing for the establishment of standards to be used by, and qualifications of, persons engaged in such business and requiring review and approval of municipal contracts for such services.

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

C. 54:1-35.35 Standards for valuation and revaluation of real property.

1. The Director of the Division of Taxation in the Department of the Treasury shall by rule establish standards to be used in the valuation and revaluation of real property to be used for assessment purposes and shall prescribe minimum qualifications for firms and individuals engaged in the business of valuing and revaluing all or designated portions of real property in a municipality under contract.

C. 54:1-35.36 Review and approval of proposed contract.

2. Any municipality proposing to contract for a valuation or revaluation of all or designated portions of the real property in the municipality shall submit the proposed contract to the Director of the Division of Taxation for his review and approval and accord with the standards for such work established by him and for a determination that the proposed contractor meets the prescribed qualifications. The director shall take action on the proposed contract within 30 days of its submission.

C. 54:1-35.37 Hearing.

3. Any municipality, firm or individual aggrieved by any determination of the Director of the Division of Taxation made pursuant to this act shall be entitled to a formal hearing before the director who shall render his decision within 30 days of the date of the hearing. Such hearings shall be conducted pursuant to the "Administrative Procedure Act" (P. L. 1968, c. 410, C. 52:14B-1 et seq.).

C. 54:1-35.38 Appeal.

4. Appeals of the decision of the Director of the Division of Taxation in the case of a formal hearing pursuant to section 3 of this act may be taken within 30 days from the date of that decision to the Division of Tax Appeals in the Department of the Treasury by filing a petition of appeal with said Division of Tax Appeals in the manner and form prescribed by the division. In such cases, the Division of Tax Appeals shall render its decision within 60 days from the date of its receipt of the petition of appeal.

5. This act shall take effect January 1, 1972.

Approved February 1, 1972.

CHAPTER 425

AN ACT to amend the "Local Lands and Buildings Law," approved June 9, 1971 (P. L. 1971, c. 199).

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

1. Section 16 of P. L. 1971, c. 199 (C. 40A:12-16) is amended to read as follows:

C. 40A:12-16 Exchanges of certain lands; exceptions.

16. Exchanges of certain lands; exceptions. The governing body of any county, by resolution, or any municipality, by ordinances may exchange any lands or any rights or interests therein owned by the county or municipality, except lands used for public highways or places, for other lands or rights or interests therein desired for public use. The county or municipality may exact and receive a cash consideration in addition to such other lands or rights or

interests therein when such exchange shall be authorized, and such governing body determines that the lands or rights or interests therein to be conveyed to such county or municipality or such lands or rights or interests therein and the cash consideration to be paid are at least of equal value to, and their acquisition is more advantageous to, the county or municipality for public use, than the lands or rights or interests therein to be conveyed by the county or municipality, and that it is in the public interest that such exchange of lands or rights or interests therein be consummated. Any prior dedication or determination for use for park purposes of such land or any part thereof, shall not preclude an exchange thereof or rights or interests therein under this section but where the lands or rights or interests therein to be exchanged by a municipality are lands or rights or interests therein that have been dedicated and determined for use for park purposes, or are rights or interests in lands so dedicated or determined, the lands or rights or interests therein received in exchange therefor by the municipality shall be used for the same purposes. For purposes of this section, any land or rights or interests therein to be exchanged by the county or municipality shall be valued at not less than the amount for which it was acquired or in the case of an acquisition by gift or devise, in an amount of not less than the "full and fair value" of the land or rights or interests therein as determined by the assessor of the municipality in which it is located pursuant to R. S. 54:4-23 for the tax year in which the land was acquired by the county or the municipality. Any land or rights or interests therein which shall be conveyed to the county or municipality in exchange for any county or municipal land or rights or interests therein shall be valued at no more than the "full and fair value" determined for the land or rights or interests therein by the assessor of the municipality in which the land or rights or interests therein is located pursuant to R. S. 54:4-23 for the then current tax year. In any case in which the value of the county or municipal land or rights or interests therein to be exchanged exceeds the value of the land or rights or interests therein to be received by the county or municipality, the county or municipality shall exact additional cash consideration, as authorized herein, equal to the difference of the two values as determined pursuant to this section.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 426

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding 800,000 inhabitants," approved April 8, 1943 (P. L. 1943, c. 160).

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

1. Section 1 of chapter 160 of the laws of 1943 (C. 43:10-18.1) is amended to read as follows:

C. 43:10-18.1 Definitions.

1. As used in this act:

"Service" shall always, unless otherwise stated, be considered as continuous or in the aggregate.

"Salary" or "compensation" when used solely for the purpose of fixing benefits under this act means the average annual salary or compensation earned by a member during his or her 5 years of service, or during his or her entire length of service if such service totaled less than 5 years, as a county employee immediately preceding death or retirement provided, however, that no benefit paid upon the death of any member under this act shall exceed 25% of the final compensation of such employee.

"Pension fund" or "fund" means the fund referred to in section 16 of this act, and is the fund from which pensions provided for in this act shall be paid.

"State" shall, unless otherwise stated, mean the State of New Jersey.

"His" shall be construed to mean both sexes.

"County employee" or "employee" means and includes all employees and officers in service in any county of this State having a population of more than 800,000 inhabitants and shall mean and include all employees and officers of any county board, body or commission, maintained out of county funds in any such county, including the official stenographic reporter and proxies of such official stenographic reporter of such county, and shall also mean and include employees and officers appointed by such county to employment on intercounty bridges, but the same term "county employee" or "employee" does not include members of the judiciary, or any laborers, unless the labor work is paid on an

hourly, daily, monthly, or annual salary basis for a continuous employment thereof and recognized as permanent appointees, it being the intent to exclude transient labor from the operation of this act. The pension commission shall determine whether or not the employment of an employee is permanent within the meaning of this act. "County employee" or "employee" shall also mean and include all elected and appointed officials of such county.

"Population" of a county shall mean the population of a county according to the Federal census of 1940.

"Widow" or "widower" means the surviving unremarried spouse of a county employee who married such employee prior to the retirement of such employee and prior to the time when such employee reached the age of 50 years. No such surviving spouse shall be eligible for any benefit hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage, if such marriage occurs hereafter while the employee is a member of this retirement system.

"Minor child" means an unmarried child under the age of 18 years.

"Permanent and total disability" means physical or mental incapacity of an employee to any longer perform the duties of his position or office.

"Employees' retirement system of (name of county)" shall be the name of the retirement system provided under the provision of this act. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made and all of its cash and securities and other property held.

2. Section 3 of chapter 160 of the laws of 1943 (C. 43:10-18.3) is amended to read as follows:

C. 43:10-18.3 Pension commission; election of county employee members; vacancies; annual meeting; secretary; physicians; legal adviser; actuary; powers.

3. There shall be authorized to carry out the provisions of this act and charged with the duty of administering the pension fund herein provided for, a pension commission composed of five members, consisting of the county supervisor or similar officer of the county, the treasurer of the county, two county employees who are members of the pension fund, and a citizen of the county who is not a public office holder in the county or any municipality therein and who shall be selected by the other four members of the commission. The two county employee members of the pension commission shall be elected within 60 days after the passage of this act at a meeting held by the county employees affected by this act after 30 days'

written notice of the time and place thereof has been given by the county supervisor or similar county officer to all such employees. Nominations shall be made only by written petitions filed with the secretary of the pension commission at least 15 days prior to such election and each containing at least 50 signatures of county employees who are members of the pension fund. The county supervisor shall provide a suitable method of balloting whereby secrecy shall be assured. Ballots shall be distributed among the county employees affected by this act at least 7 days prior to the election and the voted ballot shall be returned to the secretary of the pension commission at any time prior to 12 m. of the day fixed for the holding of the meeting and election. Employees who become members of the retirement system created by this act or who are members of any of the county employees' retirement systems referred to in section 7 of this act and merged thereunder shall be eligible to participate in such nomination and election of the two county employee members of the pension commission. The two county employees shall hold office until their successors are elected in the same manner as aforesaid at a meeting of the employees held on the third Wednesday of December of the second year following the adoption of this act. Thereafter two county employees shall be elected as members of the pension commission, in the same manner, on the third Wednesday of December every second year, for a term of 2 years commencing January 1 following their election.

In case of vacancy for any cause, the commission may fill it until the next election. Any member of said pension commission who shall leave the service of the county shall automatically cease to be a member of said commission.

The commission shall hold its annual meeting between January 1 and 15 in each year and elect its president and such other officers as it deems advisable. The commission shall serve without compensation, but shall be reimbursed for any necessary expenditures and shall suffer no loss of salary or other wages through service on such commission. The treasurer of the county, who shall be treasurer of the commission, shall appoint the secretary of this commission, who shall be some person chosen by him from among persons employed by such county who is versed in the affairs of the said treasurer's office and said treasurer shall fix the compensation of such appointee, subject to approval of the board of chosen freeholders. The commission shall secure the services of such physicians as shall be necessary to make the medical examinations required by this act.

The chief legal officer of the county shall be the legal adviser of and attorney for the said pension commission.

The pension commission shall have control and management of the funds and of the retirement of the county employees. The commission shall, from time to time, subject to the limitations of this act, establish rules and regulations for the transaction of its business and the administration of this act. Under the direction of the pension commission, the head of each county department shall furnish such information and shall keep such records as the commission may require for the discharge of its duties.

The pension commission may require each employee of the county to file a statement or statements, in such form as the said commission shall direct, concerning his service or other matters covered by this act.

The pension commission shall appoint an actuary who shall be the technical adviser of the commission on matters regarding the operation of the funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

The commission shall have power to compel witnesses to attend and testify before it upon any matter concerning the retirement system and allow fees not in excess of \$3.00 to any such witness for such attendance upon any 1 day. The president and other members of the said pension commission are empowered to administer oaths to such witnesses. All retirements shall be made and pensions allowed by the pension commission in accordance with the provisions of this act.

The pension commission shall be known as the "Pension Commission of the Employees' Retirement System of (name of county)."

3. Section 9 of chapter 160 of the laws of 1943 (C. 43:10-18.9) is amended to read as follows:

C. 43:10-18.9 Retirement on half pay; pension payments to surviving widow, widower or minor children.

9. (a) Subject to the other provisions of this act, any county employee who shall have served or who shall hereafter have served in the employ of such county continuously or in the aggregate for a period of 20 years, and who shall have attained the age of 60 years, or who shall regardless of age have served in the employ of such county continuously or in the aggregate for a period of 35 years, shall, upon his application, be retired on $\frac{1}{2}$ pay. Upon and after the death of such employee or pensioner, said retirement pension shall be paid to the surviving widow, so long as she remains un-

married, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be.

(b) (Deleted by amendment.)

(c) Should a member, after having completed 15 years of service for which credit has been established in the pension fund, be separated voluntarily or involuntarily from the service, before reaching age 60, and not by removal for cause or charges of misconduct or delinquency, he may elect to receive the payments provided for in section 18 of the act to which this act is amendatory and supplementary, or a deferred pension beginning at age 60, in the amount based on his years of service credited in the fund bear to the total number of years of service that he could have achieved had he continued to age 60 and qualified for the pension of $\frac{1}{2}$ of average annual salary.

Upon and after the death of such pensioner, said pension, which the pensioner was receiving prior to his death, shall be paid to the surviving widow, so long as she remains unmarried, surviving widower, so long as he remains unmarried, or minor children up to 18 years of age, as the case may be.

4. Section 15 of chapter 160 of the laws of 1943 (C. 43:10-18.15) is amended to read as follows:

C. 43:10-18.15 Dependency of widower or surviving children of female employee; workmen's compensation; conviction of crime; semi-monthly payments; interest; remarriage.

15. The following provisions shall apply to all members of the retirement system:

(a) No pension shall be paid to the surviving husband of a deceased member of the retirement system unless he is and continues to remain dependent upon the income which the member was receiving at the time of her death, nor unless he is and continues to remain physically or mentally incapable of pursuing a gainful occupation. No pension shall be paid to a minor child under the age of 18 years of a female member unless the child is and continues to remain dependent upon the income which the member was receiving at the time of her death. The pension commission shall determine the question of the dependency of the surviving husband or minor children as well as the ability of a surviving husband to pursue a gainful occupation.

(b) (Deleted by amendment.)

(c) (Deleted by amendment.)

(d) (Deleted by amendment.)

(e) The rights of any employee or beneficiary to receive any payments under the workmen's compensation act of New Jersey shall not be affected or impaired by any of the provisions of this act.

(f) Where the service of an employee is terminated by reasons of imposition of a sentence upon him of actual commitment to a penal institution on account of conviction of an indictable offense involving moral turpitude, no pension under this act shall be paid to any such employee; provided, however, that no member of this retirement system who shall have served honorably as a county employee for a period of 20 years and shall have attained the age of 60 years shall be deprived of his pension privileges because of any violation of the rules and regulations established for the government of such county employment, but he may be fined, reprimanded or discharged.

(g) Where any pension or other benefit shall be payable from the pension fund herein provided to any retired employee or other beneficiary who is or shall be confined in a penal institution as the result of a conviction of a crime involving moral turpitude, the pension commission may pay such pension or any part of it or other benefit to the wife, husband, minor children, mother or father of the confined person if it determines the same is necessary for their maintenance during such confinement.

(h) All payments of pension shall be made semimonthly and payments of pensions, refunds or other benefits under this act shall be made without interest.

(i) Upon and after the adoption of this act the benefits hereunder shall not extend to the widow or widower of any county employee who shall remarry, or shall have married such employee after such employee has retired or attained the age of 50 years, nor to any children of such marriages. No such widow or widower shall be eligible to benefits hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage if such marriage occurs hereafter while the employee is a member of this retirement system, nor shall any children of such marriages be eligible for said benefits.

5. Section 18 of chapter 160 of the laws of 1943 (C. 43:10-18.18) is amended to read as follows:

C. 43:10-18.18 Withdrawal from retirement system; separation from service; retirement on pension; death without surviving spouse or children.

18. From and after July 1, 1943, any employee who is or becomes a member of this retirement system may not withdraw therefrom and shall not be entitled to a refund of any moneys theretofore and

thereafter deducted from his salary hereunder; provided, however, that any employee who separates from the county service through his discharge, resignation, or for any other reasons other than retirement shall be entitled to a refund of all moneys theretofore deducted from his salary for the retirement system established hereunder; provided, however, that any member of the retirement system established hereunder who retires on pension under the provisions of any other act, shall be entitled, upon written application made therefore to the pension commission within 3 months after such retirement on pension, to a refund of the moneys theretofore deducted from his salary for the retirement system, and provided, further, that where the service of an employee is terminated by death of the employee, if such employee leaves no widow, dependent widower, or dependent children under 18 years of age, all moneys theretofore deducted from his salary for the retirement system established hereunder shall be paid to the person designated by said employee as his or her beneficiary and if no such designation has been made or if the beneficiary has predeceased said employee, all moneys deducted from his or her salary for the retirement system shall be paid to the estate of the deceased employee.

6. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 427

AN ACT concerning the carrying of concealed weapons by marine police in the Department of Environmental Protection, and amending N. J. S. 2A:151-43.

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

1. N. J. S. 2A:151-43 is amended to read as follows:

Carrying weapons without permit or identification card; exception of police, military personnel, jailers, retail dealers, etc.

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, 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 force or any county boulevard police force while engaged in the actual performance of his official duties and when specifically authorized by the governing body to carry firearms;

e. Any member of the State Police, or any motor vehicle inspector;

f. Any jailer, constable, railway police, or any other peace officer, when in discharge of his duties;

g. The members of the Fish and Game Council, or conservation officers, 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 while in the performance of his duties;

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 while in the performance of his duties;

l. Any officer of the society for the prevention of cruelty to animals while in the performance of his duties;

m. Any legally recognized military organization when under orders, or any member thereof when going to or from the place of meeting of the organization, carrying weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting as set forth in section 2A:151-42;

o. Members of government or civilian rifle or pistol 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; provided further that a copy of the char-

ter is filed with the superintendent and a list of the members of the club is submitted annually to the superintendent;

p. The director, deputy directors, inspectors and investigators of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety;

q. Employees of public utility corporations actually engaged in the transportation of explosives;

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;

s. Law enforcement officers employed by governmental agencies outside of the State of New Jersey who are engaged in their official duties provided that they have first notified the chief law enforcement officer of the municipality or the county prosecutor of the county in which they are engaged or the superintendent;

t. The full-time members of the marine patrol force, or any special marine patrolmen appointed by the Department of Environmental Protection, who are authorized to carry firearms by the Commissioner of Environmental Protection or his designated representative, while in the performance of their duties and while going to or from their places of duty; or

u. Licensed retail dealers in firearms and their registered employees during the course of their normal business while traveling to and from their place of business and other places for the purpose of demonstration, exhibition or delivery in connection with a sale; provided any such weapon so carried shall be unloaded and wrapped in a case, box or other container.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 428

AN ACT concerning traffic regulations, and amending R. S. 39:4-140.

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

1. R. S. 39:4-140 is amended to read as follows:

Designation of through highways and streets, stop intersections and yield intersections.

39:4-140. The Commissioner of Transportation with reference to State highways may by regulation and the local authorities with reference to any highway under their jurisdiction may by ordinance or resolution, subject to the approval of the commissioner designate through highways and erect "stop" signs or "yield" signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and may erect "stop" signs or "yield" signs at one or more entrances to such intersections.

The commissioner on his own motion may designate through streets, stop intersections and yield intersections, and upon the designation shall give notice thereof to the board or body charged with the maintenance of such streets or intersections. The board or body shall thereupon comply with section 39:4-141 of this Title. The commissioner may by appropriate order withdraw the designation of through streets, stop intersections or yield intersections and thereafter cause the removal of "stop" signs or "yield" signs indicating such streets or intersections.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 429

AN ACT to authorize the city of Bordentown in the county of Burlington to make permanent the appointment of Robert J. Campbell and John C. Platt to the police department of the city of Bordentown.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948 (C. 1:6-10 et seq.), under which a petition for a special law has been filed with the Legislature, the city of Bordentown in the county of Burlington is authorized to make permanent the appointment of Robert J. Campbell and John C. Platt to the police department of

the city of Bordentown notwithstanding their ages are greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the city of Bordentown for the purpose of adopting same.

Approved February 1, 1972.

CHAPTER 430

AN ACT concerning schools for industrial education, and amending
N. J. S. 18A:64E-8.

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

1. N. J. S. 18A:64E-8 is amended to read as follows:

Appropriation to establish and maintain schools in cities; building fund.

18A:64E-8. Whenever in any city the board of trustees of schools for industrial education shall acquire by gift, grant, devise, or otherwise, the sum of \$100,000.00, to be expended for the purchase of land and the erection and equipment of a building or buildings to be used for the purposes for which the board is constituted, and whenever such board of trustees shall have certified to the Governor that a sum of money not less than \$3,000.00 has been contributed by voluntary subscription of citizens, or otherwise as authorized in section 18A:64E-2, for the establishment in the city of a school or schools for industrial education, the Commissioner of Education shall cause to be drawn by warrant of the Director of the Division of Budget and Accounting, approved by himself, out of any moneys in the State Treasury, directly appropriated for such purpose, an amount equal to that so contributed by the city for such object.

When any such school or schools shall have been established in any city there shall be contributed annually by the State, in the

manner aforesaid, for the maintenance and support thereof a sum of money equal to that contributed each year in the city for such purpose.

The moneys contributed by the State as aforesaid shall not exceed in any 1 year the sum of \$30,000.00 for each school established and maintained as provided in this section.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 431

AN ACT to amend "An act concerning the adoption of children, their custody, control and rights of inheritance, and repealing subtitle 2 of Title 9 of the Revised Statutes," approved July 23, 1953 (P. L. 1953, c. 264).

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

1. Section 6 of P. L. 1953, c. 264 (C. 9:3-22) is amended to read as follows:

C. 9:3-22 Qualifications of plaintiff.

6. Each plaintiff, at the time of the institution of the action, shall have attained 21 years of age, shall be at least 10 years older than the child to be adopted except as hereinafter otherwise provided.

Whenever the plaintiff is related to the child as a brother, sister, aunt, uncle, or stepparent, the court, upon being satisfied that the best interests of the child would be promoted by the adoption, may waive the requirement that the plaintiff shall be at least 10 years older than the child to be adopted. If a husband and wife institute action jointly, only one shall be required to have attained 21 years of age at the time of the institution of the action. The court, upon being satisfied that the best interests of the child would be promoted by the adoption, may waive any and all of the above requirements. Every such waiver shall be recited in any judgment of adoption thereafter entered.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 432

AN ACT concerning education and amending N. J. S. 18A:7-2.

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

N. J. S. 18A:7-2 is amended to read as follows:

Disability or vacancy; designation of person to act.

18A:7-2. The commissioner may designate any one of his assistant commissioners or, with the approval of the State board, another suitable person to exercise the powers and perform the duties of the county superintendent without additional compensation:

a. During any period when a county superintendent shall be unable to perform his duties by reason of illness, physical disability or for any other cause; and

b. During any period when the office of county superintendent shall be vacant in any county by reason of the death or resignation of the incumbent or for any other cause.

2. This act shall take effect immediately.

Approved February 1, 1972.

CHAPTER 433

AN ACT to authorize the township of Matawan in the county of Monmouth to make permanent the appointment of Fiorendo Sigismondi to the police department of the township of Matawan.

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

Private act.

1. Pursuant to the provisions of chapter 199 of the laws of 1948, under which a petition for a special law has been filed with the Legislature, the township of Matawan in the county of Monmouth is authorized to make permanent the appointment of Fiorendo Sigismondi to the police department of the township of Matawan notwithstanding his age is greater than the maximum age limit for appointment thereto set forth in N. J. S. 40A:14-127.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the township of Matawan for the purpose of adopting same.

Approved February 1, 1972.

CHAPTER 434

AN ACT to authorize the town of Dover in the county of Morris to appoint Francis J. Coppinger to the police department of the town.

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

Private act.

1. The town of Dover in the county of Morris is authorized to appoint Francis J. Coppinger to the police department of the town, notwithstanding his height is less than the minimum established by State regulation for appointment.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of his appointment.

3. This act shall take effect upon the adoption and publication of an ordinance of the town of Dover for the purpose of adopting this act.

Approved February 1, 1972.

CHAPTER 435

AN ACT concerning education relating to suspension of employees and officers of a board of education, supplementing chapter 6 of Title 18A and amending 18A:6-14 of the New Jersey Statutes.

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

C. 18A:6-8.3 Suspension from employment.

1. Any employee or officer of a board of education in this State who is suspended from his employment, office or position, other than by reason of indictment, pending any investigation, hearing or trial or any appeal therefrom, shall receive his full pay or salary during such period of suspension, except that in the event of charges against such employee or officer brought before the board of education or the Commissioner of Education pursuant to law, such suspension may be with or without pay or salary as provided in chapter 6 of which this section is a supplement.

2. Section 18A:6-14 of the New Jersey Statutes is amended to read as follows:

Suspension upon certification of charge; reinstatement.

18A:6-14. Upon certification of any charge to the commissioner, the board may suspend the person against whom such charge is made, with or without pay, but, if the determination of the charge by the Commissioner of Education is not made within 120 calendar days after certification of the charges, excluding all delays which are granted at the request of such person, then the full salary (except for said 120 days) of such person shall be paid beginning on the one hundred twenty-first day until such determination is made. Should the charge be dismissed, the person shall be reinstated immediately with full pay from the first day of such suspension. Should the charge be dismissed and the suspension be continued during an appeal therefrom, then the full pay or salary of such person shall continue until the determination of the appeal. However, the board of education shall deduct from said full pay or salary any sums received by such employee or officers by way of pay or salary from any substituted employment assumed during such period of suspension. Should the charge be sustained on the original hearing or an appeal therefrom, and should such person appeal from the same, then the suspension may be continued unless

and until such determination is reversed, in which event he shall be reinstated immediately with full pay as of the time of such suspension.

3. This act shall take effect immediately.

Approved February 10, 1972.

CHAPTER 436

AN ACT concerning education and providing for continued employment of nontenure teaching staff members and supplementing Title 18A of the New Jersey Statutes.

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

C. 18A:27-10 Written offer or notice to nontenure teachers.

1. On or before April 30 in each year, every board of education in this State shall give to each nontenure teaching staff member continuously employed by it since the preceding September 30 either

a. A written offer of a contract for employment for the next succeeding year providing for at least the same terms and conditions of employment but with such increases in salary as may be required by law or policies of the board of education, or

b. A written notice that such employment will not be offered.

C. 18A:27-11 Failure to furnish offer or notice.

2. Should any board of education fail to give to any nontenure teaching staff member either an offer of contract for employment for the next succeeding year or a notice that such employment will not be offered, all within the time and in the manner provided by this act, then said board of education shall be deemed to have offered to that teaching staff member continued employment for the next succeeding school year upon the same terms and conditions but with such increases in salary as may be required by law or policies of the board of education.

C. 18A:27-12 Written notice of acceptance.

3. If the teaching staff member desires to accept such employment he shall notify the board of education of such acceptance, in writing, on or before June 1, in which event such employment shall continue as provided for herein. In the absence of such notice of

acceptance the provisions of this article shall no longer be applicable.

C. 18A:27-13 Application of act.

4. Notwithstanding the provisions of N. J. S. 18A:64A-13 the provisions of this act shall not apply to teaching staff employees of county colleges.

5. This act shall take effect September 1, 1972.

Approved February 10, 1972.

CHAPTER 437

AN ACT concerning child abuse and supplementing chapter 6 of Title 9 of the Revised Statutes.

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

C. 9:6-8.8 Purpose of act.

1. The purpose of this act is to provide for the protection of children under 18 years of age who have had serious injury inflicted upon them by other than accidental means. It is the intent of this legislation to assure that the lives of innocent children are immediately safeguarded from further injury and possible death and that the legal rights of such children are fully protected.

C. 9:6-8.9 Definitions.

2. For purposes of this act:

a. "Abused child" means a child under the age of 18 years who has been subjected to child abuse.

b. "Child abuse" means and shall include any of the acts described in section 9:6-1 of the Revised Statutes, including abuse, abandonment, cruelty and neglect, which acts result in serious physical or mental injury by other than accidental means.

C. 9:6-8.10 Reports of child abuse.

3. Any person having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall report the same promptly to the Bureau of Children's Services by telephone or otherwise. Such reports, where possible, shall contain the names and addresses of the child and his parent, guardian, or other person having custody and control of the child and, if known, the child's age, the nature and possible extent of the child's injuries, abuse or maltreatment, including any evidence of previous injuries,

abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.

C. 9:6-8.11 Action by Bureau of Children's Services.

4. Upon receipt of any such report the Bureau of Children's Services shall immediately take such action as shall be necessary to insure the safety of the child and to that end may request and shall receive appropriate assistance from local and State law enforcement officials. The bureau shall also, within 72 hours, forward a report of such matter to the Central Registry of the Bureau of Children's Services in Trenton. No information received in the central registry shall be considered as a public record within the meaning of P. L. 1963, c. 73.

C. 9:6-8.12 Maintenance of emergency telephone service.

5. The Bureau of Children's Services shall maintain in each of its districts on a 24 hour daily basis throughout each year an emergency telephone service for the receipt of child abuse calls.

C. 9:6-8.13 Immunity from liability.

6. Anyone acting pursuant to this act in the making of a report under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report.

C. 9:6-8.14 Penalty.

7. Any person knowingly violating the provisions of this act including the failure to report an act of child abuse having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person.

C. 9:6-8.15 Rules and regulations.

8. The Bureau of Children's Services shall from time to time promulgate such rules and regulations as may be necessary to effectuate the provisions of this act.

9. This act shall take effect immediately.

Approved February 10, 1972.

CHAPTER 438

AN ACT concerning county detectives in certain counties and supplementing chapter 157 of Title 2A of the New Jersey Statutes.

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

C. 2A:157-4.1 Additional lieutenants of county detectives in certain second-class counties.

1. In counties of the second class having a population in excess of 475,000 but less than 575,000, there may be designated from among the county detectives, two lieutenants of county detectives in addition to the number of lieutenants of county detectives that may be so designated pursuant to subsection (a) of N. J. S. 2A:157-4.

2. This act shall take effect immediately.

Approved February 10, 1972.

CHAPTER 439

AN ACT concerning widow's pension benefits in certain cases and amending P. L. 1944, c. 253 and P. L. 1944, c. 255.

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

1. Section 12 of P. L. 1944, c. 253 (C. 43:16-17) is amended to read as follows:

C. 43:16-17 Definitions.

12. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meaning:

(1) "Member" shall mean a person who on July 1, 1944, was a member of a municipal police department or paid or part-paid fire department or county police department or a paid or part-paid fire department of a fire district located in a township and who has contributed to the pension fund established under chapter 16 of Title 43 of the Revised Statutes and shall hereafter contribute to said fund.

(2) "Active member" shall mean any "member" who is a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles and who is subject to call for active service or duty as such.

(3) "Employee member" shall mean any "member" who is not subject to call for active service or duty as a policeman, fireman, detective, lineman, driver of police van, fire alarm operator or inspector of combustibles.

(4) "Commission" shall mean the board having the general responsibility for the proper operation of the pension fund created by this act, subject to the provisions of chapter 70 of the laws of 1955.

(5) "Physician or surgeon" shall mean the medical board composed of physicians who shall be called upon to determine the disability of members as provided by this act.

(6) "Employer" shall mean the county, municipality or agency thereof, by which a member is employed.

(7) "Service" shall mean service rendered while a member is employed by a municipal police department, paid or part-paid fire department, county police department or paid or part-paid fire department of a fire district located in a township prior to the effective date of this act for such service to such departments thereafter.

(8) "Pension" shall mean the amount payable to a member or his beneficiary under the provisions of this act.

(9) "Average salary" shall mean the average salary paid during the last 3 years of a member's service.

(10) "Beneficiary" shall mean any person or persons, other than a member, receiving or entitled to receive a pension or benefit as provided by this act.

(11) "Parent" shall mean the parent of a member who was receiving at least $\frac{1}{2}$ of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

(12) "County police" shall mean all police officers having supervision or regulation of traffic upon county roads.

(13) "Widower" shall mean the man to whom a member was married before the date of her retirement or at least 5 years before the date of her death and to whom she continued to be married until the date of her death and who was receiving at least $\frac{1}{2}$ of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a widower will be considered terminated by marriage of the widower subsequent to the death of the member.

(14) "Widow" shall mean the woman to whom a member was married before the date of his retirement or at least 5 years before the date of his death and to whom he continued to be married until the date of his death and who has not remarried.

(15) "Child" shall mean a deceased member's unmarried child either (a) under the age of 18 or (b) of any age who, at the time of the member's death, is disabled because of mental retardation or physical incapacity, is unable to do any substantial, gainful work because of the impairment and his impairment has lasted or can be expected to last for a continuous period of not less than 12 months, as affirmed by the examining physicians of the fund.

(16) "Regular interest" shall mean interest as determined annually by the State Treasurer after consultation with the Directors of the Divisions of Investment and Pensions and the actuary of the fund, as such will be considered by the actuary in determining the liabilities of the fund. It shall bear a reasonable relationship to the percentage rate of earnings on investments but shall not exceed 105% of such percentage rate.

2. Section 1 of P. L. 1944, c. 255 (C. 43:16A-1) is amended to read as follows:

C. 43:16A-1 Definitions.

1. As used in this act:

(1) "Retirement system" shall mean the Police and Firemen's Retirement System of New Jersey as defined in section 2 of this act.

(2) "Policeman or fireman" shall mean any permanent and full-time active uniformed employee, and any active permanent and full-time employee who is a detective, lineman, fire alarm operator or inspector of combustibles of any police or fire department of a municipality or a fire department of a fire district located in a township or a county police or park police department.

(3) "Member" shall mean any policeman or fireman included in the membership of the retirement system as provided in section 3 of this act.

(4) "Board of trustees" or "board" shall mean the board provided for in section 13 of this act.

(5) "Medical board" shall mean the board of physicians provided for in section 13 of this act.

(6) "Employer" shall mean the county, municipality or political subdivision thereof which pays the particular policeman or fireman.

(7) "Service" shall mean service as a policeman or fireman or county policeman paid for by an employer.

(8) "Creditable service" shall mean service rendered for which credit is allowed as provided under section 4 of this act.

(9) "Regular interest" shall mean interest as determined annually by the State Treasurer after consultation with the Directors of the Divisions of Investment and Pensions and the actuary of

the system. It shall bear a reasonable relationship to the percentage rate of earnings on investments but shall not exceed 105% of such percentage rate.

(10) "Aggregate contributions" shall mean the sum of all the amounts, deducted from the compensation of a member or contributed by him or on his behalf, standing to the credit of his individual account in the annuity savings fund.

(11) "Annuity" shall mean payments for life derived from the aggregate contributions of a member.

(12) "Pension" shall mean payments for life derived from contributions by the employer.

(13) "Retirement allowance" shall mean the pension plus the annuity.

(14) "Earnable compensation" shall mean the full rate of the salary that would be payable to an employee if he worked the full normal working time for his position. In cases where salary includes maintenance, the retirement system shall fix the value of that part of the salary not paid in money which shall be considered under this act.

(15) "Average final compensation" shall mean the average annual salary upon which contributions are made for the 3 years of creditable service immediately preceding his retirement or death, or it shall mean the average annual salary for which contributions are made during any 3 fiscal years of his or her membership providing the largest possible benefit to the member or his beneficiary.

(16) "Retirement" shall mean the termination of the member's active service with a retirement allowance granted and paid under the provisions of this act.

(17) "Annuity reserve" shall mean the present value of all payments to be made on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables recommended by the actuary as shall be adopted by the board of trustees, and regular interest.

(18) "Pension reserve" shall mean the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables recommended by the actuary as shall be adopted by the board of trustees, and regular interest.

(19) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality tables recom-

mended by the actuary as shall be adopted by the board of trustees, and regular interest.

(20) "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided by this act.

(21) "Child" shall mean a deceased member's or retirant's unmarried child either (a) under the age of 18 or (b) of any age who, at the time of the member's or retirant's death, is disabled because of mental retardation or physical incapacity, is unable to do any substantial, gainful work because of the impairment and his impairment has lasted or can be expected to last for a continuous period of not less than 12 months, as affirmed by the medical board.

(22) "Parent" shall mean the parent of a member who was receiving at least $\frac{1}{2}$ of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

(23) "Widower" shall mean the man to whom a member or retirant was married at least 5 years before the date of her death and to whom she continued to be married until the date of her death and who was receiving at least $\frac{1}{2}$ of his support from the member or retirant in the 12-month period immediately preceding the member's or retirant's death or the accident which was the direct cause of the member's death. The dependency of such a widower will be considered terminated by marriage of the widower subsequent to the death of the member or retirant. In the event of the payment of an accidental death benefit, the 5-year qualification shall be waived.

(24) "Widow" shall mean the woman to whom a member or retirant was married at least 5 years before the date of his death and to whom he continued to be married until the date of his death and who has not remarried. In the event of the payment of an accidental death benefit, the 5-year qualification shall be waived.

(25) "Fiscal year" shall mean any year commencing with July 1, and ending with June 30, next following.

(26) "Compensation" shall mean the base salary, for services as a member as defined in this act, which is in accordance with established salary policies of the member's employer for all employees in the same position but shall not include individual salary adjustments which are granted primarily in anticipation of the

member's retirement or additional remuneration for performing temporary duties beyond the regular work day.

3. This act shall take effect immediately and shall apply retroactively to June 1, 1971 and thereafter.

Approved February 10, 1972.

CHAPTER 440

AN ACT concerning administration of school districts and amending
N. J. S. 18A:24-60.

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

1. N. J. S. 18A:24-60 is amended to read as follows:

Cancellation and disposition of paid obligations.

18A:24-60. Cancellation and disposition of paid obligations.

On the taking up or payment of outstanding obligations of a Type II district the board of education of the district shall cancel the same and hold them for inspection by the public school accountant. After such inspection they may be destroyed as authorized by the Bureau of Archives and History, Division of the State Library, Archives and History, State Department of Education.

2. This act shall take effect July 1, 1971.

Approved February 10, 1972.

CHAPTER 441

AN ACT to amend "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," approved December 16, 1963 (P. L. 1963, c. 172).

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

1. Section 1 of P. L. 1963, c. 172 (C. 54:4-8.40) is amended to read as follows:

C. 54:4-8.40 Definitions.

1. As used in this act:

(a) "Income" means all income from whatever source derived, exclusive of social security benefits, including, but not limited to, realized capital gains and, in their entirety, pension, annuity and retirement benefits. For the purpose of claiming a deduction from taxes for any tax year, pursuant to this act, "income" shall be deemed to be equal in amount to the income which the taxpayer reasonably anticipates he will receive during the tax year for which such deduction is claimed.

(b) "Pretax year" means the calendar year immediately preceding the "tax year."

(c) "Post-tax year" means the calendar year immediately following the "tax year."

(d) "Resident" means one legally domiciled within the State of New Jersey for a period of 1 year 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.

(e) "Senior citizen's deduction" means the deduction against the taxes payable by any person, allowable pursuant to this act.

(f) "Tax year" means the calendar year in which the general property tax is due and payable.

2. This act shall take effect immediately.

Approved February 15, 1972.

CHAPTER 442

AN ACT to amend the title of "An act concerning the construction or acquisition of solid waste disposal facilities by counties separately or jointly with municipalities located therein and supplementing the 'Incinerator Authorities Law,' approved September 1, 1948 (P. L. 1948, c. 348, C. 40:66A-1 et seq.)," approved October 28, 1970 (P. L. 1970, c. 242), so that the same shall read "An Act concerning the construction or acquisition of solid waste disposal facilities by counties separately or jointly with municipalities located therein and supplementing the 'Incinerator Authorities Law,' approved September 1, 1948 (P. L. 1948, c. 348, C. 40:66A-1 et seq.), and the 'Municipal Utilities Authorities Law,' approved August 22, 1957 (P. L. 1957, c. 183, C. 40:14B-1 et seq.)," to amend the body of said act and to supplement the "Municipal Utilities Authorities Law," approved August 22, 1957 (P. L. 1957, c. 183, C. 40:14B-1 et seq.).

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

Title amended.

1. The title of P. L. 1970, c. 242 is amended to read as follows: AN ACT concerning the construction or acquisition of solid waste disposal facilities by counties separately or jointly with municipalities located therein and supplementing the "Incinerator Authorities Law," approved September 1, 1948 (P. L. 1948, c. 348, C. 40:66A-1 et seq.), and the "Municipal Utilities Authorities Law," approved August 22, 1957 (P. L. 1957, c. 183, C. 40:14B-1 et seq.).

C. 40:14B-70 Authorization for municipal utilities authority to collect, treat and dispose of solid waste and refuse.

2. In any county in which the board of chosen freeholders shall have established a municipal utilities authority pursuant to P. L. 1957, c. 183, the board of chosen freeholders by resolution may authorize the authority to collect, treat and dispose of solid waste and other refuse matter in accordance with the "County Solid Waste Disposal Financing Law."

3. Section 3 of P. L. 1970, c. 242 (C. 40:66A-31.3) is amended to read as follows:

C. 40:66A-31.3 Definitions.

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

(1) The word "county" shall mean any of the several counties of the State operating under the authority granted by this act.

(2) The term "board of chosen freeholders" or the word "board" shall mean the board of chosen freeholders of any county operating under the powers granted by this act.

(3) The term "solid waste disposal facilities" shall mean the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by a county, municipality, municipal utilities authority or incinerator authority, including incinerators, sanitary landfills or other plants and property for the treatment and disposal of solid waste and all other real and personal rights therein and appurtenances necessary or useful and convenient for the collection, treatment or disposal in a sanitary manner of solid waste (but not including sewage).

(4) The word "facilities" when used alone, shall mean both such incinerators and sanitary landfills, or either of them as the context shall require.

(5) The word "cost" as applied to solid waste disposal facilities or extension or additions thereto, shall include the cost of construction, reconstruction or improvement, the cost of all labor, materials, machinery and equipment, the cost of all lands, property, rights, easements and franchises acquired, financing charges, interest on bonds issued to finance such facilities prior to and during construction and for 1 year after completion of construction, cost of plans and specifications, surveys of estimates of costs and of revenues, cost of engineering and legal services, and all other expenses necessary or incident to determining the feasibility or practicability of such construction, reconstruction, or improvement, administrative expense and such other expense as may be necessary or incident to the construction or acquisition of such facilities, and the financing herein authorized. Any obligation or expense incurred by the county in connection with any of the foregoing items of cost prior to the issuance of bonds or notes as authorized herein may be regarded as part of such cost and reimbursed to the county out of the proceeds of bonds issued under the provisions of this act.

(6) The term "general obligation bonds" shall mean general obligations of the county which are payable from unlimited ad valorem taxes or from such taxes and additionally secured by a pledge of solid waste disposal facilities service charges as may be established.

(7) The term "solid waste" shall mean any refuse matter, trash or garbage from residences, manufacturing and industrial plants, hotels, apartments or any other public or private building but shall not include water carried wastes or the kinds of wastes usually collected, carried away and disposed of by sewerage system.

(8) The word "commissioner" shall mean the State Commissioner of Environmental Protection.

(9) "Authority" shall mean an incinerator authority created under P. L. 1948, c. 348 (C. 40:66A-1 et seq.) or a municipal utilities authority created by a county under P. L. 1957, c. 183 (C. 40:14B-1 et seq.).

4. Section 4 of P. L. 1970, c. 242 (C. 40:66A-31.4) is amended to read as follows:

C. 40:66A-31.4 Authority and powers of county.

4. Any county in the State which may hereafter come under the provisions of this act as hereinafter provided is hereby authorized and empowered:

(1) To purchase, construct, improve, extend, enlarge or reconstruct solid waste disposal facilities within such county either alone or jointly with any municipality, joint meeting or authority located within such county, and in accordance with applicable law, rules, regulations or orders, to operate, manage and control all or part of such solid waste disposal facilities so purchased or constructed and all properties pertaining thereto, and to furnish and supply the services of its solid waste disposal facilities to any municipalities within such county. No county shall furnish any of the facilities provided by this article to any property already being furnished like facilities by any municipality, joint meeting or authority, without the express consent of such joint meeting or authority or the governing body having general legislative authority in the government of such municipality;

(2) To issue general obligation bonds of the county to pay all or part of the cost of such purchase, construction, improvement, extension, enlargement or reconstruction of such facilities;

(3) To fix and collect rates, fees, rents and other charges for the services and facilities furnished by any such county solid waste disposal facilities;

(4) To receive and accept from the State, Federal Government or any agency thereof grants for or in aid of the planning, purchase, construction, extension, enlargement or reconstruction, or financing of any of such facilities and to receive and accept contributions from any source of either money, property, labor, or other things of value to be held, used and applied only for the purposes for which such grants and contributions may be made;

(5) To acquire in the name of the county by gift, purchase as hereinafter provided, or by the exercise of the right of eminent domain, such lands and rights and interests therein, within the county, other than that owned by any governmental unit or political subdivision thereof without its express consent, and to acquire such personal property, as it may deem necessary for the purchase, construction, improvement, extension, enlargement or reconstruction, or for the efficient operation of any facilities purchased or constructed under the provisions of this act and to hold and dispose of all real and personal property under its control;

(6) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act and to employ such consulting and other engineers, superintendents, managers, attorneys, financial or other consultants or experts and such other employees and agents as it may deem necessary in its judgment and to fix their compensation;

(7) Subject to the provisions and restrictions as may be set forth in the ordinance hereinafter mentioned authorizing or securing any bonds issued under the provisions of this act, to enter into contracts with the government of the United States or any agency or instrumentality thereof or with any other county or with any municipality, private corporation, copartnership, association, or individual providing for or relating to the collection, treatment and disposal of solid waste, which contracts may provide for the furnishing of solid waste disposal facilities either by or to the county, or the joint construction or operation of solid waste disposal facilities;

(8) To acquire by gift or purchase at a price to be mutually agreed upon, any of the facilities or portions thereof, provided for by this act, which shall, prior to such acquisition, have been owned by any private person, group, firm, partnership, association or corporation; provided, however, if the price for same cannot be agreed upon, the price shall be determined by an arbitration board consisting of three persons, one of whom shall be selected by

the board of chosen freeholders, one shall be appointed by the private company or corporation, and the two persons so selected shall select a third member of said board; and provided, further, that in the event said board cannot agree as to the price to be paid by the said board of chosen freeholders, then the board of chosen freeholders shall exercise the right of eminent domain in the manner provided by law.

5. Section 7 of P. L. 1970, c. 242 (C. 40:66A-31.7) is amended to read as follows:

C. 40:66A-31.7 Authority to negotiate and enter into contracts with governmental agencies and private disposal companies.

7. A county may negotiate and enter into contracts, with municipalities within or adjoining its boundaries, joint meetings, authorities and on uniform terms with all private solid waste disposal companies operating in the county or proposing to operate therein and in an adjoining county or counties, or either thereof, and may negotiate and enter into like contracts with any other municipality or on such uniform terms with any private solid waste disposal company which might advantageously use the solid waste disposal facilities of the county, and may negotiate and enter into like contracts with persons or corporations engaged in public or private industry (herein called "industry" or "industries") within its boundaries who or which shall be discharging solid waste which cannot conveniently be disposed of through the solid waste disposal system of any municipality or private solid waste disposal company.

6. Section 9 of P. L. 1970, c. 242 (C. 40:66A-31.9) is amended to read as follows:

C. 40:66A-31.9 Financing cost of construction or acquisition of facilities.

9. If a county, pursuant to agreement with a municipality or municipalities therein, joint meetings or authorities, shall construct or acquire solid waste disposal facilities which will benefit such municipality or municipalities, joint meetings or authorities, such county may either (1) bear the entire cost of the construction or acquisition of such facilities by itself, or (2) share the cost of the construction or acquisition of such improvements with the municipality or municipalities, joint meetings or authorities. The county may issue its bonds for all or part of the cost of the construction or acquisition of such facilities. If the cost thereof is to be shared by such municipality or municipalities, joint meetings or authorities, the county may issue its bonds for its share of such cost and such municipality or municipalities, joint meetings or authorities.

may issue their bonds for their share of such cost, or the county may issue its bonds for all of the cost of such facilities, and the share of such cost to be borne by such municipality or municipalities, joint meetings or authorities shall be repaid to the county by such municipality or municipalities, joint meeting or authority in annual installments over a period not exceeding 40 years as shall be agreed upon between the county and such municipality or municipalities, joint meeting or authority. The amount of said annual installments shall include interest at such rate or rates as the county and such municipality or municipalities, joint meeting or authority shall agree upon, and the county and such municipality or municipalities, joint meeting or authority are hereby authorized to enter into agreements relating to such facilities which agreements shall have such terms and conditions as shall be deemed necessary and proper by such county and such participating municipality or municipalities, joint meeting or authority. Such agreements shall be authorized by a resolution duly adopted by the board of chosen freeholders of the county and by an ordinance duly adopted by the governing body of such municipality, municipalities, joint meeting or authority. Such annual payments received by a county from such municipality, municipalities, joint meeting or incinerator authority may also include an additional annual amount as shall be agreed upon for the payment of the agreed share of the cost of operation and maintenance and improvement or enlargement of such facilities. Notwithstanding any provisions of any other law or laws now existing or hereafter enacted, none of such annual payments to be made by such municipality, municipalities, joint meeting or authority to such county shall be included in any computation of gross or net indebtedness required under any such other law or laws.

Notwithstanding any provisions of any other law or laws now existing or hereafter enacted, the amount of any bonds issued by a county to finance the share of any municipality, municipalities, joint meeting or authority of the cost of the construction or acquisition of such facilities shall not be included in any computation of gross or net indebtedness under any such other law or laws as long as such county and such municipality, municipalities, joint meeting or authority have entered into an agreement pursuant to this section under which the share of such municipality, municipalities, joint meeting or authority shall be repaid to such county as provided in this section.

7. Section 10 of P. L. 1970, c. 242 (C. 40:66A-31.10) is amended to read as follows:

C. 40:66A-31.10 Ordinance of governing body authorizing entry into certain contracts; contracts between private companies and county.

10. Any municipality, joint meeting or authority with which a county is authorized to contract under the terms and provisions of this act shall have power, by ordinance duly adopted by its governing body to authorize its proper officials to enter into and execute for it a contract, for such periods of time and under such terms as are deemed proper and necessary, with a county, for the treatment and disposal of all or any specified part of the solid waste arising or collected in or by such municipality, joint meeting or authority, by the solid waste disposal facilities of such county and such contract shall be valid and binding upon the municipality, joint meeting or authority notwithstanding that no appropriation was made or provided to cover the estimated cost of such contract, and the governing body of the municipality, joint meeting or authority shall have full power and authority to do and perform all acts and things on the part of the municipality, joint meeting or authority to be done and performed under the terms and provisions of such contract. Any private solid waste or incinerator company or industry shall likewise have power to enter into a contract with a county for the treatment and disposal of the solid waste or the waste collected or discharged by it by the solid waste disposal facilities of a county.

8. Section 12 of P. L. 1970, c. 242 (C. 40:66A-31.12) is amended to read as follows:

C. 40:66A-31.12 Payments to county by governmental agencies; interest charge.

12. The chief fiscal officer of each municipality, joint meeting or authority which shall have entered into a contract pursuant to this act, shall cause to be paid to the county, at such times to be agreed upon, the amount of money certified to the municipality, joint meeting or authority by the county pursuant to this act. The power and obligation of such municipality, joint meeting or authority to provide for and make all such payments shall be unlimited and the sums necessary for such payment shall be included in each annual budget of such municipality, joint meeting or authority and such municipality, joint meeting or authority shall be irrevocably and unconditionally obligated to levy ad valorem taxes on all taxable property therein or service charges for users, as the case may be, without limit as to rate or amount to the full extent necessary to make all such payments in full as the same become

due. If any part of the amount certified to a municipality, joint meeting or authority by a county, pursuant to this act, shall remain unpaid for 30 days following the date fixed for payment by the contract, the municipality, joint meeting or authority thus in default shall be charged with and liable for, and the chief fiscal officer thereof shall pay to such county interest upon the amount unpaid at the rate of 8% per annum.

9. This act shall take effect immediately.

Approved February 15, 1972.

CHAPTER 443

AN ACT concerning residence requirements of police and firemen, and amending sections 40A:14-9, 40A:14-17, 40A:14-19, 40A:14-122, 40A:14-128, and 40A:14-147 of the New Jersey Statutes.

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

1. N. J. S. 40A:14-9 is amended to read as follows:

General qualifications of members; temporary appointments; absences from duty.

40A:14-9. Except as otherwise provided by law, no person shall be appointed as a member of the paid or as a paid member of a part-paid fire department and force, unless he:

- (1) is a citizen of the United States ;
- (2) is sound in body and of good health sufficient to satisfy the board of trustees of the police and firemen's retirement system of New Jersey as to his eligibility for membership in the retirement system;
- (3) is able to read, write and speak the English language well and intelligently;
- (4) is of good moral character; and
- (5) has not been convicted of any criminal offense involving moral turpitude.

The appointing body, officer or officers of the municipality when authorized so to do, may employ such officers and other personnel for said paid or part-paid fire department and force as temporary employees in emergencies, or for certain specified parts of the year, as needed.

Except as otherwise provided by law, any permanent paid member or officer of such paid or part-paid fire department and force, who is absent from duty without just cause or leave of absence, for a continuous period of 5 days, shall cease to be a member of such paid or part-paid fire department.

2. N. J. S. 40A:14-17 is amended to read as follows:

Indeterminate terms of office.

40A:14-17. Except as otherwise provided by law, in any municipality having permanent members and officers of a paid or part-paid fire department and force, the employment of said members and officers shall be for an indeterminate term and continuous during good behavior and efficiency.

3. N. J. S. 40A:14-19 is amended to read as follows:

Suspension and removal of members and officers.

40A:14-19. Except as otherwise provided by law no permanent member or officer of the paid or part-paid fire department or force shall be removed from his office, employment or position for political reasons or for any cause other than incapacity, misconduct, or disobedience of rules and regulations established for the government of the paid or part-paid fire department and force, nor shall such member or officer be suspended, removed, fined or reduced in rank from or in office, employment or position therein except for just cause as hereinabove provided and then only upon a written complaint, setting forth the charge or charges against such member or officer. Said complaint shall be filed in the office of the body, officer or officers having charge of the department or force wherein the complaint is made and a copy thereof shall be served upon the member or officer so charged, with notice of a hearing thereon designating its time and place by the proper authorities, which shall be not less than 15 nor more than 30 days from the date of service of the complaint. A failure to substantially comply with said provisions as to the service of the complaint shall require a dismissal of the complaint.

4. N. J. S. 40A:14-122 is amended to read as follows:

General qualifications of members of police department and force; temporary appointments; absences from duty.

40A:14-122. Except as otherwise provided by law, no person shall be appointed as a member of the police department and force, unless he:

(1) is a citizen of the United States;

(2) is sound in body and of good health sufficient to satisfy the board of trustees of the police and firemen's retirement system of New Jersey as to his eligibility for membership in the retirement system;

(3) is able to read, write and speak the English language well and intelligently;

(4) is of good moral character, and has not been convicted of any criminal offense involving moral turpitude.

The appointing body, officer or officers of the municipality when authorized so to do, may employ such officers and other personnel for said police department and force as temporary employees in emergencies, or for certain specified parts of the year, as needed.

Except as otherwise provided by law, any permanent member or officer of such police department and force who shall be absent from duty without just cause or leave of absence, for a continuous period of 5 days, shall cease to be a member of such police department and force.

5. N. J. S. 40A:14-128 is amended to read as follows:

Indeterminate term of office.

40A:14-128. Except as otherwise provided by law, in any municipality having permanent members and officers of a police department and force, the employment of said members and officers shall be indeterminate and continuous during good behavior and efficiency.

6. N. J. S. 40A:14-147 is amended to read as follows:

Suspension and removal of members and officers; complaint; hearing.

40A:14-147. Except as otherwise provided by law, no permanent member or officer of the police department or force shall be removed from his office, employment or position for political reasons or for any cause other than incapacity, misconduct, or disobedience of rules and regulations established for the government of the police department and force, nor shall such member or officer be suspended, removed, fined or reduced in rank from or in office, employment or position therein, except for just cause as hereinbefore provided and then only upon a written complaint setting forth the charge or charges against such member or officer. Said complaint shall be filed in the office of the body, officer or officers having charge of the department or force wherein the complaint is made and a copy shall be served upon the member or officer so charged, with notice of a designated hearing thereon by the proper authorities, which shall be not less than 15 nor more than 30

days from date of service of the complaint. A failure to comply with said provisions as to the service of the complaint shall require a dismissal of the complaint.

7. This act shall take effect immediately.

Approved February 15, 1972.

CHAPTER 444

AN ACT designating the violet as the New Jersey State Flower.

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

C. 52:9AA-1 Designation of State flower.

1. The violet (common meadow, *V. sororia*) is designated the New Jersey State Flower.

2. This act shall take effect immediately.

Approved February 15, 1972.

CHAPTER 445

AN ACT to amend "An act concerning termination of leases in certain cases, and supplementing chapter 8 of Title 46 of the Revised Statutes," approved October 4, 1971 (P. L. 1971, c. 318).

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

1. Section 1 of P. L. 1971, c. 318 (C. 46:8-9.1) is amended to read as follows:

C. 46:8-9.1 Termination of lease; notice; effective date; exception.

1. Any lease for a term of one or more years of a property that has been leased and used by the lessee solely for the purpose of providing a dwelling place for himself, or for himself and his family, may be terminated prior to the expiration date thereof, in the event of the death of such lessee or in the event of the death of such lessee or his spouse, as the case may be, upon notice duly given by such lessee or by the executor or administrator of his estate or

by the surviving spouse in the event that such lease was executed jointly by husband and wife. Such termination shall take effect on the ninetieth day following the receipt by the lessor of written notice thereof, and the rent shall be paid up to the time of such termination, whereupon the lease shall cease and come to an end; provided, however, that the provisions of this act shall not apply to any lease the terms whereof shall explicitly provide otherwise.

2. This act shall take effect immediately.

Approved February 15, 1972.

CHAPTER 446

AN ACT concerning material deemed obscene for persons under 18 years of age, defining the same and prohibiting the sale of such material to persons under 18 years of age, repealing sections 3, 4 and 5 of P. L. 1966, c. 199, and section 1 of P. L. 1957, c. 176 and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

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

C. 2A:115-1.6 Legislature's findings.

1. The Legislature finds that salacious and lascivious material is increasingly available to State residents under 18 years of age, that it is harmful to their mental and moral health because they lack the maturity to cope with it, and that, to help insulate them from it, it is necessary to establish the separate standard of obscenity, designated "material obscene for persons under 18," provided for in this act, and to restrict the sale of such material for the purposes cited herein.

C. 2A:115-1.7 Definitions.

2. As used in this act, except as the context may clearly require or indicate otherwise:

a. "Material obscene for persons under 18" means any description, narrative account or depiction of a specified anatomical area or specified sexual activity contained in, or consisting of, a picture or other representation, publication, sound recording or film, which, by means of posing, composition, format or animated sensual

details, emits sensuality with sufficient impact to concentrate prurient interest on the area or activity.

b. "Specified anatomical area" means

(1) less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; or

(2) human male genitals in a discernibly turgid state, even if covered.

c. "Specified sexual activity" means

(1) human genitals in a state of sexual stimulation or arousal; or

(2) any act of human masturbation, sexual intercourse or sodomy; or

(3) fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast.

d. "Knowingly" means having knowledge of the character and content of material described herein, or having failed to exercise reasonable inspection which would disclose its character and content.

C. 2A:115-1.8 Violation.

3. A person who knowingly sells to a person under 18 years of age material obscene for persons under 18, as defined in this act, is guilty of a misdemeanor.

C. 2A:115-1.9 Presumptive evidence.

4. The sale to a person under 18 years of age of material obscene for persons under 18 shall constitute presumptive evidence

a. that the defendant made the sale knowingly; and

b. that the defendant knew that the person was under 18 years of age.

C. 2A:115-1.10 Defense to prosecution.

5. The establishment of all the following facts by a defendant in a prosecution under this act shall constitute a complete defense to the prosecution:

a. that the person under the age of 18 years falsely represented in writing that he or she was 18 years of age or over; and

b. that the appearance of the person was such that an ordinary prudent individual would believe him or her to be 18 years of age or over; and

c. that the sale or distribution to the person was made in good faith relying upon such written representation and appearance and in the reasonable belief that the person was actually 18 years of age or over.

C. 2A:115-1.11 Partial invalidity.

6. If a part of this act is invalid, all valid parts that are severable 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 severable from the invalid applications.

C. 2A:115-1.12 Repealer.

7. Sections 3, 4 and 5 of P. L. 1966, c. 199 (C. 2A:115-1.3, 2A:115-1.4 and 2A:115-1.5) and section 1 of P. L. 1957, c. 176 (C. 2A:115-3.2) are repealed.

8. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 447

AN ACT concerning material obscene for public communication, defining the same and forbidding the public communication thereof, and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

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

C. 2A:115-2.1 Legislature's findings.

1. The Legislature finds that there is increased public communication in the State of salacious and lascivious material; that such public communication is a nuisance which offends the standards, sensibilities and aesthetic values of the State community relating to the public display and vocalization of sexual matters, and assaults individual privacy and that to abate and prevent this nuisance it is necessary to establish a standard of material obscene for public communication and to forbid and punish the public communication thereof.

C. 2A:115-2.2 Definitions.

2. As used in this act, except as the context may clearly require or indicate otherwise:

a. "Communicate publicly" means to display, post, exhibit, give away or vocalize material in such a way that its character and content may be readily and distinctly perceived by the public by normal unaided vision or hearing when viewing or hearing it in, on

or from a public street, road, thoroughfare, recreation or shopping center or area, public transportation facility or vehicle used for public transportation.

b. "Material obscene for public communication" means any description, narrative account or depiction of a specified anatomical area or specified sexual activity, contained in or consisting of a picture or other representation, film, publication, sound recording or vocalization, which by means of posing, composition, format or animated sensual details emits sensuality with sufficient impact to concentrate prurient interest on the area or activity.

c. "Specified anatomical area" means:

(1) less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola; or

(2) human male genitals in a discernibly turgid state, even if covered.

d. "Specified sexual activity" means:

(1) human genitals in a state of sexual stimulation or arousal; or

(2) any act of human masturbation, sexual intercourse or sodomy; or

(3) fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast.

e. "Knowingly" means having knowledge of the character and content of material described herein, or having failed to exercise reasonable inspection which would disclose its character and content.

C. 2A:115-2.3 Violation.

3. A person who knowingly communicates publicly material obscene for public communication, as defined in this act, or causes or permits it to be communicated publicly on property he owns, leases or operates, is guilty of a misdemeanor.

C. 2A:115-2.4 Presumptive evidence.

4. Public communication of material described herein shall constitute presumptive evidence that the defendant made the communication, or caused or permitted it to be made, knowingly.

5. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 448

AN ACT concerning motion picture films obscene for persons under 18 years of age, defining the same, and prohibiting the admission of persons under the age of 18 to the exhibition of any such film, and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

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

C. 2A:115-2.5 Definitions.

1. As used in this act, except where the context clearly requires or indicates otherwise:

a. "Film obscene for persons under 18 years of age" means any motion picture film or preview or trailer to a film, not including newsreels portraying actual current events or pictorial news of the day, in which a scene, taken by itself

(1) depicts a specified anatomical area or specified sexual activity, or the simulation of a specified sexual activity, or verbalization concerning a specified sexual activity; and,

(2) emits sensuality sufficient, in terms of the duration and impact of the depiction, to appeal to prurient interest.

b. "Specified anatomical area" means

(1) less than completely and opaquely covered human genitals, pubic region, buttock or female breast below a point immediately above the top of the areola, or

(2) human male genitals in a discernibly turgid state, even if covered.

c. "Specified sexual activity" means

(1) human genitals in a state of sexual stimulation or arousal, or

(2) any act of human masturbation, sexual intercourse or sodomy, or

(3) fondling or other erotic touching of covered or uncovered human genitals, pubic region, buttock or female breast.

d. "Knowingly" means having knowledge of the character and content of the film, or having failed to exercise reasonable inspection or inquiry which would disclose its character and content.

C. 2A:115-2.6 Violation.

2. Any person who knowingly admits a person under 18 years of age to a theatre then exhibiting a film obscene for persons under 18 years of age as defined in this act is guilty of a misdemeanor.

C. 2A:115-2.7 Presumptive evidence.

3. The admission of a person under 18 years of age to a theatre then exhibiting a film obscene for persons under 18 years of age shall constitute presumptive evidence

a. that the defendant made the admission knowingly; and

b. that the defendant knew that the person was under 18 years of age.

C. 2A:115-2.8 Defense to prosecution.

4. The establishment by a defendant of all of the following facts shall constitute a complete defense to a prosecution under this act:

a. that the person under age 18 falsely represented in or by writing that he was age 18 or over; and

b. that the person's appearance was such that an ordinary prudent individual would believe him to be age 18 or over; and

c. that the admission of the person was made in good faith relying upon such written representation and appearance, and in the reasonable belief that he was actually age 18 or over.

C. 2A:115-2.9 Partial invalidity.

5. If a part of this act is invalid, all valid parts that are severable 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 severable from the invalid applications.

6. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 449

AN Act to amend the title of "An act relating to obscenity, defining the word 'obscene' and providing for the issuance of a judgment granting relief in the nature of injunctive relief by the Superior Court to prevent the acquisition, possession or sale of obscene materials, and supplementing Title 2A of the New Jersey Statutes," approved October 18, 1962 (P. L. 1962, c. 166), so that the same shall read "An act relating to obscenity and providing for the issuance of a judgment granting relief in the nature of injunctive relief by the Superior Court to prevent the acquisition, possession or sale of obscene materials, and supplementing Title 2A of the New Jersey Statutes," supplementing the body of said act, amending P. L. 1962, c. 165, and repealing section 2 of P. L. 1962, c. 166 and section 2 of P. L. 1966, c. 199.

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

Title amended.

1. The title of P. L. 1962, c. 166 is amended to read as follows: An act relating to obscenity and providing for the issuance of a judgment granting relief in the nature of injunctive relief by the Superior Court to prevent the acquisition, possession or sale of obscene materials, and supplementing Title 2A of the New Jersey Statutes.

C. 2A:115-1.1a Legislature's findings.

2. The Legislature finds that the standards of obscenity now enunciated in chapter 115 of Title 2A of the New Jersey Statutes as amended and supplemented in recent years is unnecessarily permissive and a hindrance to effective legal action against obscene matter. The Legislature further finds that such unnecessary permissiveness has resulted from the incorporation into New Jersey Statutes of language from influential opinions authored by certain United States Supreme Court justices; which language, however, does not represent binding majority decisions of the Supreme Court and, accordingly, need not bind the Legislature or the Judiciary of this State. The Legislature further finds that the most recent binding definition of "obscenity" enunciated by the United States Supreme Court is represented by section 1 of chapter 165, laws of 1962, prior to subsequent amendments; and that said subsequent amendments ought to be repealed in order to reestablish a workable definition of "obscenity" within the framework of our statutory law, and that certain other changes should be made in other statutes for the purpose of consistency.

3. Section 1 of P. L. 1962, c. 165 (C. 2A:115-1.1) is amended to read as follows:

C. 2A:115-1.1 "Obscene" defined.

1. The word "obscene" wherever it appears in the chapter to which this act is a supplement shall mean that which to the average person, applying contemporary community standards, when considered as a whole, has as its dominant theme or purpose an appeal to prurient interest.

C. 2A:115-1.1b Repealer.

4. Section 2 of P. L. 1966, c. 199 (C. 2A:115-1.2) and section 2 of P. L. 1962, c. 166 (C. 2A:115-3.4) are repealed.

5. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 450

AN ACT concerning persons who attempt to commit suicide, supplementing chapter 85 of Title 2A of the New Jersey Statutes, and repealing chapter 34 of the laws of 1957.

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

C. 2A:85-5.1 Attempted suicide not criminal offense.

1. Any person who attempts to commit suicide shall not be guilty of a criminal offense, and such attempt shall not be an indictable offense.

C. 30:4-26.3a Hospitalization of persons who attempt suicide.

2. Any person who attempts to commit suicide shall fall under the jurisdiction of section 21 of chapter 59 of the laws of 1965 (C. 30:4-26.3) and subject to temporary hospitalization as provided herein.

Repealer.

3. Chapter 34 of the laws of 1957 is hereby repealed.

4. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 451

AN ACT to amend the title of "An act authorizing boards of chosen freeholders to create county heritage commissions and prescribing the membership, powers and duties of such commissions," approved May 6, 1968 (P. L. 1968, c. 31; C. 40:33A-1 et seq.), so that the same shall read, "An act authorizing boards of chosen freeholders to create county cultural and heritage commissions and prescribing the membership, powers and duties of such commissions," and to amend and supplement 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 P. L. 1968, c. 31 is amended to read as follows:

An act authorizing boards of chosen freeholders to create county cultural and heritage commissions and prescribing the membership, powers and duties of such commissions.

2. Section 1 of P. L. 1968, c. 31 (C. 40:33A-1) is amended to read as follows:

C. 40:33A-1 County cultural and heritage commission; composition, terms, vacancies, compensation.

1. The board of chosen freeholders of any county is authorized to create, by resolution, a county cultural and heritage commission to be composed of not less than five residents and not more than nine residents of the county to be appointed by the board for terms of 5 years, except that of the members first appointed on a five-member commission one member shall be appointed for a term of 1 year, and one member each for terms of 2, 3, 4 and 5 years. In the case of members first appointed on a commission with a membership in excess of five members, five shall be appointed in the same manner as prescribed herein for a five-member board. A sixth member if appointed shall serve a term of 1 year, a seventh for a term of 2 years, an eighth for a term of 3 years, and a ninth for a term of 4 years. Vacancies shall be filled in the same manner for the unexpired term. The members shall serve without compensation but with the consent of the board they may be reimbursed for expenses incurred in the performance of their duties as members of the commission.

3. Section 3 of P. L. 1968, c. 31 (C. 40:33A-3) is amended to read as follows:

C. 40:33A-3 Duties and responsibilities.

3. A county cultural and heritage commission shall be responsible for the development of county programs to promote public interest in local and county history, in the arts, and in the cultural values, goals and traditions of the community, the State and the Nation, and with the approval of the board, and within the limits of funds appropriated or otherwise made available to it, undertake the restoration, operation, maintenance and preservation of real property acquired by the county pursuant to R. S. 40:32-6 or otherwise.

4. Section 4 of P. L. 1968, c. 31 (C. 40:33A-4) is amended to read as follows:

C. 40:33A-4 Additional duties.

4. The commission, as from time to time authorized by the board, may establish museum and cultural programs, exhibits and displays including the fine and performing arts, engage in archaeological, genealogical and historical research, publish reports and engage in such related activities to promote and develop public interest and understanding of historic and cultural matters.

C. 40:33A-6 Authority to apply for and accept gifts, grants or bequests; disposition of funds.

5. a. A county cultural and heritage commission created pursuant to the provisions of P. L. 1968, c. 31 (C. 40:33A-1 et seq.) may, in the name of the county and with the approval of the board of chosen freeholders, apply for and accept any gifts, grants or bequests, including any grants from (1) the Federal Government or any agency thereof or (2) the government of this State or any of its agencies, instrumentalities or political subdivisions or (3) any foundation, corporation, association or individual, and may comply with the terms, conditions and limitations thereof, for the purpose of carrying out any of the functions, powers and duties imposed or conferred upon such commission by or pursuant to law.

b. Funds received pursuant to the provisions of this supplementary act shall be deposited with the public funds of the county and shall be budgeted, expended and accounted for in accordance with the provisions of the Local Budget Law (N. J. S. 40A:4-1 et seq.) and the Local Fiscal Affairs Law (N. J. S. 40A:5-1 et seq.) and subject to any terms, conditions and limitations upon which such funds were received. Title to any real or tangible personal property acquired pursuant to this supplementary act shall be vested in the county.

6. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 452

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 99 of P. L. 1948, c. 67 (C. 17:9A-99) is amended to read as follows:

C. 17:9A-99 Preemptive rights of stockholders to purchase new stock.

99. Preemptive rights of stockholders to purchase new stock.

A. Except as otherwise provided by law, upon an increase of the capital stock of a bank by an issue of additional shares, every stockholder shall have a right to purchase that proportion of the shares to be issued which the par value of the stock held by him bears to the aggregate par value of the capital stock of the bank before such increase, at such price, which may be in excess of par value, and within such time as shall be fixed by the resolution of the board adopted pursuant to section 117 providing for the issue of such stock, unless (1) such right is waived by him, or (2) the certificate of incorporation otherwise provided at the time of the issue of the shares held by him. For the purposes of this subsection, aggregate par value of the capital stock of a bank shall mean the aggregate par value of all shares the holders of which are entitled under this section to preemptive rights.

B. Unless the certificate of incorporation otherwise provided at the time when the preferred stock held by him was issued, or unless the right is waived by him, the holder of shares of preferred stock shall have the preemptive right specified in subsection A. of this section only in case of the issue of (1) preferred stock of the same class held by him, or (2) preferred stock which has preference or priority, in the payment of dividends or upon liquidation, over the class of preferred stock held by him.

C. Shares of the capital stock not purchased by stockholders in the exercise of the rights provided by subsections A. or B. of this section, shall be sold to such persons as shall be determined by the board of directors, at a price not less than that specified in the resolution of the board adopted pursuant to section 117 providing for the issue of such stock.

2. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 453

AN ACT prohibiting advertising by podiatrists, doctors of medicine and surgery, chiropractors, and psychologists, and amending R. S. 45:5-8, R. S. 45:9-16, and s. 24 of P. L. 1966, c. 282.

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

1. R. S. 45:5-8 is amended to read as follows:

Revocation, suspension or refusal to grant license.

45:5-8. The board may refuse to grant or may revoke, or may suspend a license for any of the following causes:

Chronic or persistent inebriety, or the habitual use of narcotics.

Conviction of crime involving moral turpitude; or where any licensee or applicant for license has pleaded nolo contendere, non vult contendere or non vult to any indictment, information, allegation or complaint, alleging the commission of a crime involving moral turpitude. 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.

Where any licensee or applicant for license presents to the board any diploma, license or certificate that shall have been obtained, signed or issued unlawfully or under fraudulent representation.

Unprofessional, dishonorable or unethical conduct in the practice of podiatry.

Failure to comply with the reciprocity provision under section 45:5-7.

Employment by a duly licensed podiatrist of an unlicensed person or persons to perform work, which under this chapter, can be legally done only by persons licensed to practice podiatry in this State.

Conviction in a court of competent jurisdiction of a high misdemeanor.

Fraudulently advertising.

Advertising in any manner, whether as an individual, through a professional service corporation or through a third party on behalf of a licensee, the practice of podiatry; provided, however, that the following shall not be deemed to be advertising prohibited under this chapter:

a. Public information for educational purposes on the practice or profession of podiatry which does not contain the name of any

podiatrist licensed to practice in this State or the address of any location where podiatric examination or treatment may be had or is recommended or suggested;

b. Publication of a brief announcement of the opening of an office or the removal to a new location, containing the name, professional degree, address, telephone number, and office hours of the licensee;

c. A listing in an alphabetical telephone directory of the name of a licensee together with his professional degree or the abbreviation therefor;

d. A listing in a classified telephone directory with standard type limited to the name, professional degree, office and home addresses and telephone numbers, and office hours of a licensee;

e. The use of small signs on the doors, windows and walls of a licensee's office or on the building in which he maintains an office setting out his name, professional degree, address and office hours in lettering no larger than 4 inches in height for street-level offices, and no larger than 6 inches in height for offices above street-level;

f. Communications with or without the name of the licensee distributed or mailed to his patients of record at his discretion.

Practicing podiatry under a name other than that under which he has a license to practice podiatry or having an unlicensed person practice podiatry under his name.

Use by a podiatrist of the words "clinic," "infirmary," "hospital," "school," "college," "university," or "institute" in English or any other language in connection with any place where podiatry may be practiced or demonstrated.

Before a license is refused, revoked or suspended under the provisions of this section, the accused shall be furnished with a copy of the complaint, and given a hearing before the board in person or by attorney; and any person who, after such refusal or revocation or suspension of license, attempts or continues the practice of podiatry shall be subject to the penalties hereinafter prescribed.

2. R. S. 45:9-16 is amended to read as follows:

Revocation, suspension or refusal to grant license or registration of certificate or diploma.

45:9-16. The board may refuse to grant or may suspend or revoke a license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature, upon proof to the satisfaction of the board that the holder of such license (a) has been adjudicated insane, or (b) habitually uses

intoxicants, or (c) has practiced criminal abortion, or been convicted of the crime of criminal abortion, or has been convicted of crime involving moral turpitude, or has pleaded *nolo contendere*, *non vult contendere* or *non vult* to an indictment, information or complaint alleging the commission of the crime of criminal abortion or of crime involving moral turpitude, or (d) has been determined to be physically or mentally incapacitated, (e) knowingly becomes employed by any physician, surgeon, homeopath, eclectic, osteopath, chiropractor, or doctor who advertises, or (f) shall have presented to the board any diploma, license or certificate that shall have been illegally obtained or shall have been signed or issued unlawfully or under fraudulent representations, or obtains or shall have obtained a license to practice in this State through fraud of any kind, or (g) has been guilty of employing unlicensed persons to perform work which, under this chapter (45:9-1, et seq.) can legally be done only by persons licensed to practice medicine and surgery or chiropractic in this State, or (h) has been guilty of gross malpractice or gross neglect in the practice of medicine which has endangered the health or life of any person, or (i) has been demonstrated professionally incompetent to practice medicine or (j) has advertised in any manner, whether as an individual, through a professional service corporation or through a third party on his behalf, the practice of medicine and surgery or chiropractic; provided, however, that the following shall not be deemed to be advertising prohibited under this chapter:

a. Public information for educational purposes on the practice or professions of medicine and surgery or chiropractic which does not contain the name of any person licensed to practice medicine and surgery or chiropractic in this State or the address of any location where medical or chiropractic examination or treatment may be had or is recommended or suggested;

b. Publication of a brief announcement of the opening of an office or the removal to a new location, containing the name, professional degree, type of practice, address, telephone number, and office hours of the licensee;

c. A listing in an alphabetical telephone directory of the name of a licensee together with his professional degree or the abbreviation therefor;

d. A listing in a classified telephone directory with standard type limited to the name, professional degree, type of practice, office and home addresses and telephone numbers, and office hours of a licensee;

e. The use of small signs on the doors, windows and walls of a licensee's office or on the building in which he maintains an office setting out his name, professional degree, type of practice, address and office hours in lettering no larger than 4 inches in height for street-level offices, and no larger than 6 inches in height for offices above street-level;

f. Communications with or without the name of the licensee distributed or mailed to his patients of record at his discretion. The board shall refuse to grant or shall suspend or revoke any such license or the registration of any such certificate or diploma upon proof to the satisfaction of the board that the applicant for, or holder of, such license habitually uses drugs or has been convicted of a violation of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs. Before any license, or registration of a certificate or diploma to practice medicine or surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked, except in the case of convictions of criminal abortions or convictions of crime involving moral turpitude or plea of nolo contendere, non vult contendere or non vult to indictment, information, or complaint alleging commission of the crime of criminal abortion or crime involving moral turpitude, or convictions of violations of or pleas of nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging violations of any Federal or State law relating to narcotic drugs, the accused person shall be furnished with a copy of the complaint and be given a hearing before said board in person or by attorney, and any person whose license shall be suspended or revoked in accordance with this section shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties hereinafter prescribed for persons who practice medicine and surgery or chiropractic, without first having obtained a license so to do. Any person whose license, or registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked under the authority of this chapter (45:9-1, et seq.) may, in the discretion of the board be relicensed at any time to practice without an examination, or have his registration of a certificate or diploma, as aforesaid, reinstated, on application being made to the board.

The record of conviction or the record of entry of a plea of nolo contendere, non vult contendere or non vult in any of the courts of this State, or any other state of the United States, or any of the courts of the United States, or the court of any foreign nation, shall be sufficient warrant for the board to refuse to grant or to suspend or revoke the license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature.

3. Section 24 of P. L. 1966, c. 282 (C. 45:14B-24) is amended to read as follows:

C. 45:14B-24 Revocation, suspension or refusal to grant or renew license; review.

24. The board may refuse to grant or renew or may revoke or suspend a license on any of the following grounds:

(a) Use of fraud or deception in applying for a certificate or in passing the examination therefor required by this act.

(b) Practice of psychology under a false or assumed name or impersonation of a licensed practicing psychologist of like or different name, or permitting an unlicensed person to practice psychology in the name of a licensee and to use his license for that purpose.

(c) Conviction of a crime involving moral turpitude.

(d) Habitual intemperance in the use of intoxicants, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties as a licensed practicing psychologist or conviction of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs.

(e) Violation of any provision of this act or rule, regulation or code of ethics promulgated by the board.

(f) Negligence or misconduct in the performance of his professional duties as a licensed practicing psychologist.

(g) Advertising in any manner, whether as an individual, through a professional service corporation or through a third party on behalf of a licensee, the practice of psychology; provided, however, that the following shall not be deemed to be advertising prohibited under this act:

(1) Public information for educational purposes on the practice or profession of psychology which does not contain the name of any psychologist licensed to practice in this State or the address of any

location where psychological examination or treatment may be had or is recommended or suggested;

(2) Publication of a brief announcement of the opening of an office or the removal to a new location, containing the name, professional degree, address, telephone number, and office hours of the licensee;

(3) A listing in an alphabetical telephone directory of the name of a licensee together with his professional degree or the abbreviation therefor;

(4) A listing in a classified telephone directory with standard type limited to the name, professional degree, office and home addresses and telephone numbers, and office hours of a licensee;

(5) The use of small signs on the doors, windows and walls of a licensee's office or on the building in which he maintains an office setting out his name, professional degree, address and office hours in lettering no larger than 4 inches in height for street-level offices, and no larger than 6 inches in height for offices above street-level;

(6) Communications with or without the name of the licensee distributed or mailed to his patients of record at his discretion.

The board shall not refuse to grant and shall not revoke or suspend the license of any person for any of the foregoing reasons, until after a hearing of the charges against the accused (which shall be public, unless the accused requests a private hearing thereon), and at least 20 days prior written notice to the accused of the charges against him and of the date fixed for such hearing. Such written notice shall be mailed by the United States certified or registered mail to the accused's last known address, but the accused's failure to appear shall not prevent or invalidate such hearing or any action taken by the board thereat.

Every action of the board in refusing to issue a license or in suspending or revoking a license pursuant to this section shall be subject to review by appeal to the Superior Court by a proceeding in lieu of prerogative writ.

4. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 454

AN ACT concerning the qualifications of applicants for examination for a health officer's license and supplementing Title 26 of the Revised Statutes.

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

C. 26:1A-40.1 Doctors of Medicine; admission to examination.

1. Notwithstanding the absence of working experience qualifications established by the Public Health Council, the State Commissioner of Health shall admit to examination for a license as a health officer any applicant who is the holder of the degree of doctor of medicine awarded by an accredited medical school and is licensed to practice medicine in this State.

2. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 455

AN ACT validating certain proceedings and ordinances by the governing body of any city.

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

Validating act.

1. All proceedings heretofore had initiating the filing by any city of a petition with the Legislature for the passage of a private, special or local law regulating the internal affairs of the city and any ordinance heretofore adopted by the governing body of such city authorizing such petition and specifying the general nature of the law sought to be passed are hereby validated, ratified and confirmed if otherwise lawful and within the power of said governing body, notwithstanding the said ordinance, including notice of public hearing thereon, was not published 10 days prior to said adoption, provided that there was such publication 8 days prior to said adoption. This act shall be inapplicable to any such ordinance which may have heretofore been set aside as invalid by any

court of competent jurisdiction or to any action or proceeding with respect to the validity or invalidity of any such ordinance which may be pending on the effective date of this act or which may be instituted within 30 days after said effective date.

2. This act shall take effect immediately.

Approved February 16, 1972.

CHAPTER 456

AN ACT to authorize the city of Bridgeton in the county of Cumberland to make permanent the appointments of Herman Crawford, Merle Garrison, Frank Fote, Jack Ward and Obbie Cobbs to the police department of the city of Bridgeton.

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

Private act.

1. Pursuant to the provisions of P. L. 1948, c. 199 (C. 1:6-10 et seq.), under which a petition for a special law has been filed with the Legislature, the city of Bridgeton in the county of Cumberland is authorized to make permanent the appointments of Herman Crawford, Merle Garrison, Frank Fote, Jack Ward and Obbie Cobbs to the police department of the city of Bridgeton notwithstanding their ages are greater than the maximum age limit for appointment thereto set forth in R. S. 40:47-4.

2. The board of trustees of the Police and Firemen's Retirement System of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, appointed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contribution deemed due and payable from the date of original appointment.

3. This act shall take effect upon due adoption of an ordinance of the city of Bridgeton for the purpose of adopting same.

Approved February 16, 1972.

CHAPTER 457

AN ACT concerning equipment on certain motor vehicles 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*:

C. 39:3-77.2 Separate exit door required for certain motor vehicles.

1. Every motor vehicle, including any van or trailer, to which persons are admitted for the purpose of purchasing merchandise, including books, or for the purpose of viewing any exhibit, shall in addition to an entrance door be equipped with a separate exit door. Such exit shall be plainly identified as an exit and shall be kept unobstructed at all times.

2. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 458

AN ACT concerning paid vacations for members of police and fire departments and supplementing chapter 47 of Title 40 of the Revised Statutes.

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

C. 40A:14-137.1 Accrued vacation pay.

1. The governing body of any municipality having a paid police or fire department shall be authorized, upon the death or retirement in good standing of any permanent member of such municipal police department or paid fire department occurring on or after the effective date of this act, to cause to be paid to him or his estate the full amount of any vacation pay accrued but unpaid at the time of his death or retirement. In the event that such vacation credit shall be calculated in terms of days off, the governing bodies shall pay for the same at the prevailing wage of the member at the time of death or retirement.

2. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 459

AN ACT concerning county assistance for hospitalization and medical care of the poor and amending R. S. 44:5-16, 44:5-17 and 44:5-18.

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

1. R. S. 44:5-16 is amended to read as follows:

Annual appropriations by certain counties for maintenance of charitable hospitals.

44:5-16. A. Any county having a population less than 925,000 according to the 1970 Federal census may make annual appropriations not exceeding in the aggregate $\frac{1}{10}$ of 1% of the total assessed valuations of real and personal property of the county, or a sum of money not in excess of the amount which might be raised at that rate, in the manner in which other appropriations for county purposes are made, for the maintenance of a charitable hospital or hospitals the facilities of which are used by the poor or indigent residents of the county, to an amount not exceeding the estimated annual deficit in operating expenses of the hospital, which sum, so appropriated, shall be included in the annual tax levy of the county and collected in the same manner and at the same time as other county taxes.

The amount so appropriated when paid over to a charitable hospital shall be used towards the current maintenance and expense of operation thereof. The appropriation may be made for a specifically named hospital or it may be made generally and in such case, the board of freeholders may, by resolution, apportion the amount so appropriated to any such hospital in the manner which in their judgment may be deemed for the best interest of the county, but in no case shall a hospital receive more than the amount of its actual deficit in operating expenses.

The officials and auditors of the county shall have access at all reasonable times to the books and records of a hospital which shall receive the appropriation or part thereof, for the purpose of ascertaining the deficit in operating expenses and the application of the moneys so appropriated or apportioned and the financial needs or requirements of the hospital.

B. Any county having a population less than 925,000 according to the 1970 Federal census may make annual appropriations, for the medical care, treatment and maintenance of the poor

and indigent residents of the county in any charitable hospital or hospitals in a sum not exceeding in the aggregate for all such hospitals, $\frac{1}{10}$ of 1% of the total assessed valuations of real and personal property of the county, or a sum of money not in excess of the amount which might be raised at that rate in the manner in which other appropriations for the county are made, regardless of whether the hospital or hospitals to which such moneys are paid, shall have an annual deficit in operating expenses of such hospital, which appropriation shall be included in the annual tax levy of the county and collected in the same manner and at the same time as other county taxes.

No such hospital shall receive any payment pursuant to this subsection at a rate in excess of the average cost per patient in any county hospital operated by the county making the payment and provided further that no person shall be considered poor and indigent for the purpose of this subsection unless such status is established to the satisfaction of the board of chosen freeholders of such county.

C. Subsections A. and B. of this act are mutually exclusive and no hospital shall receive payment under both subsections.

2. R. S. 44:5-17 is amended to read as follows:

Provision by certain counties for maintenance of patients in certain hospitals.

44:5-17. The board of chosen freeholders of a county having a population of 925,000 or more according to the 1970 Federal census may make provision for the support of resident indigent patients, who cannot be maintained by private means, in a hospital or hospitals having 50 or more beds of which 20 or more are open to the public at all times.

Provision for the maintenance and treatment of an individual patient in the hospital shall be made by the county upon the certification by the county physician of the name of the person and upon the approval of the board of chosen freeholders; but the certification shall not be approved unless there is attached thereto a verified bill to the board for that maintenance and treatment, signed by the head officer and chief physician of the hospital and stating that the patient was in need of such maintenance and medical treatment for the time charged for and no longer. The amount to be paid shall not exceed the sum charged in the hospital in which the resident indigent is placed for patients occupying beds in wards open to the public.

3. R. S. 44:5-18 is amended to read as follows:

Annual appropriations for purposes of section 44:5-17.

44:5-18. The board of chosen freeholders of a county having a population of 925,000 or more according to the 1970 Federal census may make for the purposes of section 44:5-17 of this Title an annual appropriation of not more than \$10,000.00 for each hospital, to pay for the support and maintenance of such persons therein, which sum shall be included in the annual tax levy and collected in the same manner and at the same time as the other county taxes; but that sum or so much thereof as may be unexpended at the end of the fiscal year in the county shall become a part of the sum authorized to be appropriated for the next fiscal year and be deducted from the amount authorized by said section 44:5-17 to be appropriated and collected for the succeeding year.

4. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 460

AN ACT to amend the "Mortgage Guaranty Insurance Act," approved August 12, 1968 (P. L. 1968, c. 248).

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

1. Section 2 of P. L. 1968, c. 248 (C. 17:46A-2) is amended to read as follows:

C. 17:46A-2 Definitions.

2. Definitions. The definitions set forth in this section shall govern the construction of the terms used in this act.

(a) "Mortgage guaranty insurance" means insurance against financial loss by reason of nonpayment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed of trust, or other instrument constituting a lien or charge on real estate.

(b) "Authorized real estate security" means an amortized note, bond or other evidence of indebtedness not exceeding 90% of the fair market value of the real estate, secured by a mortgage, deed of trust, or other instrument constituting a first lien or charge on

real estate (except that such percentage may exceed 90% where Federal or State programs are available to the borrower on loans involving higher loan-to-value percentages); provided:

(1) The real estate loan secured in such manner is one which a bank, savings and loan association, or an insurance company, which is supervised and regulated by a department of this State or an agency of the Federal Government, is authorized to make.

(2) The improvement on such real estate is a residential building or buildings designed for occupancy by not more than 4 families.

(3) The lien on such real estate may be subject and subordinate to the following:

(i) The lien of any public bond, assessment, or tax, when no installment, call or payment of or under such bond, assessment or tax is delinquent.

(ii) Outstanding mineral, oil or timber rights, rights-of-way, easements or rights-of-way or support, sewer rights, building restrictions or other restrictions or covenants, conditions or regulations of use, or outstanding leases upon such real property under which rents or profits are reserved to the owner thereof.

(c) "Contingency reserve" means an additional premium reserve established for the protection of policyholders against the effect of adverse economic cycles.

(d) "Policyholders surplus" means the aggregate of capital, surplus and contingency reserve.

2. Section 5 of P. L. 1968, c. 248 (C. 17:64A-5) is amended to read as follows:

C. 17:46A-5 Rebates and commissions.

5. Rebates and commissions.

(a) Every mortgage guaranty insurance company shall adopt, print and make available a schedule of premium charges for mortgage guaranty insurance policies. Premium charges made in conformity with the provisions of this act shall not be deemed to be interest or other charges under any other provision of law limiting interest or other charges in connection with mortgage loans. The schedule shall show the entire amount of premium charge for each type of mortgage guaranty insurance policy issued by the insurance company.

(b) No mortgage guaranty insurance company shall pay to any person who is acting as agent, representative, attorney or employee of the owner, mortgagee of the prospective owner, or mortgagee of the real property or any interest therein, either directly or in-

directly, any commission, or any part of its premium charges or any other consideration as an inducement for or as compensation on any mortgage guaranty insurance business.

(c) No mortgage guaranty insurance company shall make any rebate of any portion of the premium charge shown by the schedule required by subsection (a). No mortgage guaranty insurance company shall quote any premium charge to any person which is less than that currently available to others for the same type of mortgage guaranty insurance policy. The amount by which any premium charge is less than that called for by the current schedule of premium charges is an unlawful rebate.

(d) No mortgage guaranty insurance company shall pay any compensation to any person for transacting insurance for or with it based in whole or in part upon a commission basis unless such person is licensed pursuant to section 6 of this act, subject to all the other provisions of and restrictions in chapter 22 of Title 17. This subsection shall not be construed so as to affect the meaning of any other provisions of this section.

(e) The commissioner may after a hearing suspend or revoke the certificate of authority of any mortgage guaranty insurance company which, after 10 days written notice from the commissioner requiring it to cease and desist, continues to pay any commission or to make any unlawful rebate in willful violation of the provisions of this act.

3. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 461

AN ACT to supplement the "Solid Waste Management Act (1970)," approved May 6, 1970 (P. L. 1970, c. 39).

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

C. 13:1E-16 Construction of act.

1. Nothing in the act to which this act is a supplement shall be deemed or construed in any way to affect the powers of local boards of health in relation to health and environmental protection aspects of solid waste collection or solid waste disposal.

C. 13:1E-17 Effect of act on certain ordinances or regulations.

2. No ordinances or regulations of any governing body of a municipality or county or board of health more stringent than this act or any rules or regulations promulgated pursuant thereto, and relating to health and environmental protection aspects of solid waste collection or solid waste disposal, shall be superseded by this act. Nothing in this act or in any rules or regulations promulgated pursuant thereto shall preclude the rights of the governing body of any municipality or county or board of health to adopt health or environmental protection ordinances or regulations more stringent than this act or any rules or regulations promulgated pursuant thereto.

C. 13:1E-18 Fees.

3. The department may in accordance with a fee schedule adopted as a rule or regulation establish and charge fees for any of the services it performs in connection with this act, which fees shall be annual or periodic as the department shall determine. The fees charged by the department pursuant to this section shall not be less than \$10.00 nor more than \$500.00 based on criteria contained in the fee schedule.

4. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 462

AN ACT concerning motor vehicles, and amending R. S. 39:3-27.

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

1. R. S. 39:3-27 is amended to read as follows:

Free registration of certain motor vehicles; expiration; transfer to another motor vehicle.

39:3-27. No fee shall be charged for the registration of motor vehicles not used for pleasure or hire, owned by the United States, the State of New Jersey, a municipality, county, Regional Air Pollution Control Agency, Passaic Valley Sewerage Commissioners, North Jersey District Water Supply Commission, a county improvement authority created under the "county improvement authorities law" (P. L. 1960, c. 183), a duly authorized volunteer fire department, any duly recognized auxiliary or reserve police organization

of any municipality, hospital, humane society, and anticruelty society in this State, New Jersey wing of the Civil Air Patrol incorporated by the Act of July 1946 (Public Law 476—79th Congress), the American Red Cross, chartered local councils in New Jersey of the Boy Scouts of America or the Girl Scouts of the United States of America or ambulances owned by nationally organized recognized veterans' organizations. These vehicles shall be registered and display number plates as provided in this subtitle or the director may, in his discretion, issue special registration certificates and special number plates for any of these motor vehicles which shall be valid for such motor vehicle until the transfer of ownership or the destruction of such motor vehicles at which time the special registration shall expire. Upon the expiration of any special registration the registration certificate and special number marker shall be returned to the director; provided, however, upon proper application to the director the special registration and special number marker may be transferred to another motor vehicle acquired by the owner to whom the special registration and marker were issued.

2. This act shall take effect immediately.

Approved February 29, 1972.

CHAPTER 463

AN ACT concerning workmen's compensation and amending sections 34:15-66, 34:15-66.1 and 34:15-69 of the Revised Statutes.

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

1. Section 34:15-66 of the Revised Statutes is amended to read as follows:

Appeal; costs.

34:15-66. Any party may appeal from the judgment of a judge of compensation to the Appellate Division of the Superior Court, which appeal shall be taken in accordance with the rules of court.

The judgment entered in any court on any such appeal shall be conclusive and binding, and proceedings thereon shall only be for the recovery of moneys thereby determined to be due. Nothing herein contained shall be construed as limiting the jurisdiction of

the Supreme Court. Costs may be awarded in accordance with the rules of any court to which an appeal is taken.

2. Section 34:15-66.1 of the Revised Statutes is amended to read as follows:

Judgment docketed; execution; supplementary proceedings.

34:15-66.1. Any judgment entered in the Appellate Division of the Superior Court pursuant to the provisions of section 34:15-66 of this Title may be entered and docketed in the Law Division of the Superior Court, and shall thenceforward operate as a judgment recovered in that court as in any other case. Upon failure to comply with the original order for compensation the court may order that the entire amount of compensation shall become due immediately, and execution may issue upon proof of such failure for the entire amount of compensation, without discount or commutation. Supplementary proceedings in aid of execution may be resorted to upon a judgment so entered and docketed and becoming due in whole, as in any other case.

3. Section 34:15-69 of the Revised Statutes is amended to read as follows:

Copy of judgment to be filed with director.

34:15-69. Whenever any judgment is entered in the Appellate Division of the Superior Court upon any matter arising under the provisions of this chapter the clerk of the Appellate Division of the Superior Court shall forthwith forward to the director a copy of the judgment, which need not be certified and for which no charge shall be made.

4. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 464

AN ACT concerning the compensation of the mayor and the commissioners in boroughs in counties of the sixth class governed by chapters 70 to 76 of Title 40 ("Commission Form of Government Law") of the Revised Statutes, and supplementing chapter 72, of Title 40 of the Revised Statutes.

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

C. 40:72-24.15 Compensation of mayor and commissioners in certain boroughs in sixth-class counties.

1. Notwithstanding any other provision of law, in boroughs in counties of the sixth class governed by chapters 70 to 76 of Title 40 ("Commission Form of Government Law") of the Revised Statutes, and now or hereafter having the population hereinafter set forth, the compensation of the mayor and each commissioner shall be as hereinafter provided; and such salary shall be payable in equal monthly installments and shall be the total compensation payable to the mayor and the commissioners, except that such salary may be increased in the manner provided by section 40:72-24 of the Revised Statutes for the increase of the salary as fixed by sections 40:72-21 and 40:72-22 of the Revised Statutes, but the amount of such increase shall in no instance exceed 50% of the salary provided in this act.

In such boroughs having a population of not less than 2,500 nor more than 7,500, the mayor's annual salary shall not exceed \$3,000.00, and that of each commissioner shall not exceed \$2,500.00.

2. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 465

AN ACT concerning the courts and the judges thereof in certain counties of the third and fourth class and concerning certain county district court clerks.

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

C. 2A:3-13.8 Additional county court judge in certain counties.

1. In counties having a population of more than 65,000 and less than 80,000 according to the 1970 census, there shall be a judge of the county court in addition to the judge of the county court provided by Article VI, Section IV, paragraph 2 of the Constitution, making 2 in all in each of said counties, to be nominated and appointed by the Governor with the advice and consent of the Senate.

C. 2A:3-13.9 County court judges to hold district court.

2. In each such county, the county district court shall be held by the judges of the county court of the county, subject to the designation and assignment by the Chief Justice of the Supreme Court.

C. 2A:3-13.10 Abolition of office of district court judge.

3. The office of judge of the county district court of any such county is abolished and the term of any such judge in office on the effective date of this act is terminated.

C. 2A:3-13.11 Office of district court clerk not affected; limitation respecting county clerk.

4. In any such county having a clerk of the county district court, other than the county clerk, on the effective date of this act, the office or position of the said clerk of the county district court shall continue and shall not be affected by this act, and the county clerk of such county shall not be, or act as, the clerk of the county district court and shall not receive the compensation provided by law where the county clerk is the clerk of the county district court.

5. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 466

AN ACT concerning the juvenile and domestic relations court and amending N. J. S. 2A:4-4.

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

1. N. J. S. 2A:4-4 is amended to read as follows:

Appointment of judges in certain counties; salary; practice of law; temporary assignments.

2A:4-4. The Governor, with the advice and consent of the Senate,

(1) Shall appoint six attorneys-at-law in each county of the first class having a population of more than 900,000 and four attorneys-at-law in each county of the first class, having a population of less than 900,000,

(2) Shall appoint two attorneys-at-law in each county having a population of more than 430,000 and less than 600,000, and

(3) May appoint, in addition to such other judge or judges, if any, authorized by law in said county, one attorney-at-law in each county having a population of not less than 305,000 nor more than 410,000 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 an annual salary by the board of chosen freeholders in the amount of \$25,000.00. 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 390,000 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 March 2, 1972.

CHAPTER 467

AN ACT concerning the juvenile and domestic relations courts in certain counties, and supplementing chapter 4 of Title 2A of the New Jersey Statutes.

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

C. 2A:4-4.9 Additional judges in certain counties.

1. In each county having a population of more than 500,000 and less than 575,000, the Governor, with the advice and consent of the Senate, shall, in addition to the judges of the juvenile and domestic relations court appointed in each such county pursuant to N. J. S. 2A:4-4, appoint two attorneys-at-law to be judges of the juvenile and domestic relations court, making four in all in each such county.

2. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 468

AN ACT making an appropriation to the Council on the Arts in the Department of State for the conduct of services by the Opera Theatre of New Jersey for the educational and recreational benefit and cultural enrichment of the citizens of New Jersey.

WHEREAS, The New Jersey Council on the Arts in the Department of State, established pursuant to P. L. 1966, c. 214 (C. 52:16A-25 et seq.), has the responsibility to stimulate and encourage the study and presentation of the performing and creative arts and to foster public interest in the arts;

WHEREAS, Said council is empowered to enter into contracts with organizations for services or endeavors furthering the objectives of the council; and

WHEREAS, The Opera Theatre of New Jersey is an appropriate organization through which said council can further its objectives in providing musical experiences for the educational and recreational benefit and cultural enrichment of the citizens of this State; now, therefore,

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

1. In addition to sums heretofore appropriated, there is hereby appropriated from the General State Fund for the fiscal year ending June 30, 1972, the sum of \$50,000.00 to the New Jersey Council on the Arts in the Department of State. Said sum shall be employed to enter into a contract or contracts with the Opera Theatre of New Jersey for the maintenance and support of services for the

educational and recreational benefit and cultural enrichment of the citizens of New Jersey.

2. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 469

AN ACT concerning charitable fund raising, providing for the registration of charitable organizations, professional fund raisers and professional solicitors, regulating fees, authorizing the Attorney General to exercise certain powers with respect to said organizations and persons, providing an appropriation therefor, and repealing sections 1 and 2 of P. L. 1959, chapter 147.

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

C. 45:17A-1 Short title.

1. This act shall be known as, and may be cited as, the "Charitable Fund Raising Act of 1971."

C. 45:17A-2 Construction of act.

2. This act, being deemed remedial in nature for the purpose of protecting the health and welfare of the citizens of this State, shall be liberally construed to effectuate the purpose and intent thereof.

C. 45:17A-3 Definitions.

3. The following words and phrases as used in this article shall have the following meanings unless a different meaning is required by the context:

(a) "Charitable organization." Any benevolent, philanthropic, patriotic, or eleemosynary person or one purporting to be such.

(b) "Contribution." The promise or grant of any money or property of any kind or value, including a grant or other financial assistance from any agency of government, but except payments by members of an organization for membership fees, dues, fines, or assessments, or for services rendered to individual members, if membership in such organization confers a bona fide right, privilege, professional standing, honor or other direct benefit, other than the right to vote, elect officers, or hold offices.

(c) "Professional fund raiser." Any person who for compensation or other consideration plans, conducts, manages, or carries on any drive or campaign in this State for the purpose of soliciting contributions for or on behalf of any charitable organization or any other person, or who engages in the business of, or holds himself out to persons in this State as independently engaged in the business of soliciting contributions for such purpose. A bona fide officer or employee of a charitable organization shall not be deemed a professional fund raiser.

(d) "Professional solicitor." Any person who is employed or retained for compensation by a professional fund raiser to solicit contributions for charitable purposes from persons in this State.

(e) "Person." Any individual, organization, group, association, partnership, corporation, or any combination of them.

C. 45:17A-4 Information to be filed with Attorney General.

4. (a) Every charitable organization, except as otherwise provided in section 5 of this act, which intends to solicit contributions from persons in this State or from any governmental agency by any means whatsoever shall, prior to any solicitation, file with the Attorney General upon forms prescribed by him, the following information:

(1) The name of the organization and the name or names under which it intends to solicit contributions.

(2) The names and addresses of the officers, directors, trustees, and executive personnel of the organization.

(3) The addresses of the organization and the addresses of any offices in this State. If the organization does not maintain an office, the name and address of the person having custody of its financial records.

(4) Where and when the organization was legally established, the form of its organization and its tax exempt status.

(5) The purposes for which the organization is organized and the purpose or purposes for which the contributions to be solicited will be used.

(6) The date on which the fiscal year of the organization ends.

(7) Whether the organization is authorized by any other governmental authority to solicit contributions and whether it is or has ever been enjoined by any court from soliciting contributions.

(8) The names and addresses of any professional fund raisers who are acting or have agreed to act on behalf of the organization.

(b) The registration form shall be signed by the president or

other authorized officer and the chief fiscal officer of the organization.

(c) For filing such registration, the Attorney General shall receive a fee of \$5.00, to be paid at the time of registration.

(d) Such registration shall remain in effect unless it is either canceled as provided in this act or withdrawn by the Attorney General.

(e) Every registered organization shall notify the Attorney General within 10 days of any change in the information required to be furnished by such organization pursuant to this section.

(f) In no event shall a registration of a charitable organization continue, or be continued, in effect after the date such organization should have filed, but failed to file, an annual report in accordance with the requirements of section 6 of this act, and such organization shall not be eligible to file a new registration until it shall have filed the required annual report with the Attorney General. If such report is subsequently filed such organization may file a new registration upon the payment of a fee of \$5.00 to the Attorney General.

(g) Registration statements, financial reports, professional fund raisers' contracts, and other documents required to be filed pursuant to this act shall become public records in the office of the Attorney General.

C. 45:17A-5 Application of act; persons not required to register.

5. (a) This act shall not apply to religious corporations organized under the provisions of Title 15 or Title 16 of the Revised Statutes, and other religious agencies and organizations, and charities, agencies, and organizations operated, supervised, or controlled by or in connection with such a religious organization.

(b) The following persons shall not be required to register with the Attorney General:

(1) An educational institution the curriculums of which in whole or in part are registered or approved by the State Department of Education or the Department of Higher Education either directly or by acceptance of accreditation by an accredited body recognized by said department; an educational institution confining its solicitation of contributions to its student body, alumni, faculty and trustees, and their families; or a library registered by the State Department of Education, provided that the annual financial report of such institution or library shall be filed with the State Department of Education where it shall be open for public inspection. Any educational institution confining

its solicitation of contributions to its student body, alumni, faculty and trustees, and their families, shall not be required to file an annual financial report.

(2) Fraternal, patriotic, social, alumni organizations, historical societies and similar organizations organized under the provisions of Title 15 of the Revised Statutes, when solicitation of contributions is confined to their membership.

(3) Persons requesting any contributions for the relief of any individual, specified by name at the time of the solicitation, if all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary.

(4) Any charitable organization which does not intend to solicit and receive and does not actually receive contributions in excess of \$10,000.00 during a fiscal year of such organization, provided all of its fund raising functions are carried on by persons who are unpaid for such services. However, if the gross contributions received by such charitable organization during any fiscal year of such organization shall be in excess of \$10,000.00, it shall within 30 days after the date it shall have received total contributions in excess of \$10,000.00 register with the Attorney General as required by section 4 of this act.

(5) Any charitable organization receiving an allocation from an incorporated community chest or united fund, provided such chest or fund is complying with the provisions of this act relating to registration and filing of annual reports with the Attorney General, and provided such organization does not actually receive in addition to such allocation, contributions in excess of \$10,000.00 during the fiscal year, and provided further that all the fund-raising functions of such organization are carried on by persons who are unpaid for such services. However, if the gross contributions other than such allocation received by such charitable organization during any fiscal year of such organization shall be in excess of \$10,000.00, it shall within 30 days after the date it shall have received such contributions in excess of \$10,000.00, register with the Attorney General as required by section 4 of this act.

(6) A local post, camp, chapter or similarly designated element, or a county unit of such elements, of a bona fide veterans' organization which issues charters to such local elements throughout this State; a bona fide organization of volunteer firemen, ambulance or rescue squads, or a bona fide auxiliary or affiliate of such organizations, provided all its fund raising activities are carried on by members of such an organization or an affiliate thereof and such members receive no compensation, directly or indirectly, therefor.

(7) Any charitable organization incorporated by special act of the Legislature or under the provisions of Title 15 of the Revised Statutes for the care and treatment of invalid or crippled children.

C. 45:17A-6 Annual report; contents; failure to file; inspection of records.

6. (a) Every charitable organization registered pursuant to section 4 of this act which shall receive in any fiscal year of such organization contributions in excess of \$10,000.00 and every charitable organization whose fund-raising functions are not carried on solely by persons who are unpaid for such services shall file a written report with the department upon forms prescribed by it, within 6 months after the close of such fiscal year, which shall include a financial statement covering such fiscal year, clearly setting forth the gross income, expenses, and net income inuring to the benefit of the charitable organization, a balance sheet as of the close of such fiscal year and a schedule of the activities carried on by the organization in the performance of its purposes, and the amounts expended thereon, during such fiscal year. Each such organization shall report its expenditures in accordance with standards and classifications of accounts prescribed by the Attorney General to effect uniform reporting by organizations having similar activities and programs. Such report shall also include a statement of any changes in the information required to be contained in the registration form filed on behalf of such organization. The report shall be signed by the president or other authorized officer and the chief fiscal officer of the organization, and shall be accompanied by an opinion signed by an independent public accountant that the financial statement and balance sheet therein fairly represent the financial operations and position of the organization.

(b) Every organization registered pursuant to section 4 of this act which shall receive in any fiscal year of such organization contributions not in excess of \$10,000.00 and all of whose fund-raising functions are carried on by persons who are unpaid for such services shall file a written report with the Attorney General upon forms prescribed by it, within 6 months after the close of such fiscal year, which shall include a financial statement covering such fiscal year limited to a statement of such organization's gross receipts from contributions, fund-raising expenses including a separate statement of the costs of any goods, services or admissions supplied as part of its solicitations, and the disposition of the net proceeds from contributions. Such report shall also include a statement of any changes in the information required to be contained in the registration form filed on behalf of such organization. The

report shall be signed by the president or other authorized officer and the chief fiscal officer of the organization who shall certify that the statements therein are true and correct to the best of their knowledge.

(c) For any fiscal year of any organization registered pursuant to section 4 of this act in which such organization would have been exempt from registration pursuant to section 5 of this act if it had not been so registered, or in which it did not solicit or receive contributions, such organization shall file, instead of the reports required by subsections (b) or (c) of this section, a report in the form of an affidavit of its president and chief fiscal officer stating the exemption and the facts upon which it is based or that such organization did not solicit or receive contributions in such fiscal year. The affidavit shall also include a statement of any changes in the information required to be contained in the registration form filed on behalf of such organization.

(d) (1) Any charitable organization registered pursuant to section 4 of this act, which is the parent organization of one or more chapters thereof within the State, and such chapters may comply with the reporting requirements of subsections (a), (b) or (c) of this section, by filing a consolidated written report upon forms prescribed by the Attorney General.

(2) As used in this subsection the term "chapter" shall include any branch, auxiliary, affiliate or other subordinate unit of any registered charitable organization, howsoever designated, whose policies, fund-raising activities, and expenditures are supervised or controlled by such parent organization.

(3) There shall be appended to each consolidated report a schedule containing such information as may be prescribed by the Attorney General, reflecting the activities of each chapter, which shall contain a certification, under penalty of perjury, by an official of the organization, certifying that the information contained thereon is true.

(4) The failure of a parent organization to file an appropriate consolidated written report shall not excuse either the parent organization or its chapters from complying with the provisions of subsections (a), (b) or (c) of this section.

(e) The Attorney General shall cancel the registration of any organization which fails to comply with subsection (a), (b) or (c) of this section within the time therein prescribed, or fails to furnish such additional information as is requested by the Attorney General within the required time; except that the time may be extended by

the Attorney General for a period not to exceed 6 months. Notice of such cancellation shall be mailed to the registrant at least 15 days before the effective date thereof.

(f) All records, books and reports maintained by any charitable organization registered or required to register pursuant to section 4 of this act shall at all times be available for inspection, at the principal office of such organization, by the Attorney General or his duly authorized representatives.

C. 45:17A-7 Charitable organization; service of process.

7. Any charitable organization having its principal place of business without the State or organized under and by virtue of the laws of another State, and which shall solicit contributions from people in this State, shall be deemed to have irrevocably appointed the Secretary of State as its agent upon whom may be served any process directed to such charitable organization, or any partner, principal, officer, or director thereof, in any action or proceeding brought by the Attorney General under the provisions of this act. Service of such process upon the Secretary of State shall be made by personally delivering to and leaving with him or a deputy Secretary of State a copy thereof at the office of the Department of State in the city of Trenton, and such service shall be sufficient service provided that notice of such service and a copy of such process are forthwith sent by the Attorney General to such charitable organization by registered mail with return receipt requested, at its office as set forth in the registration form required to be filed with the Attorney General pursuant to section 4 of this act, or in default of the filing of such form, at the last address known to the Attorney General. Service of such process shall be complete upon the receipt by the Attorney General of a return receipt purporting to be signed by the addressee or a person qualified to receive his or its registered mail, or, if acceptance was refused by the addressee or his or its agent, 10 days after the return to the Attorney General of the original envelope bearing a notation that receipt thereof was refused.

C. 45:17A-8 Registration as fund raiser; application; fee; bond; term; maintenance of records; violation.

8. (a) No person shall act as a professional fund raiser for a charitable organization required to register pursuant to section 4 of this act before he has registered with the Attorney General or after the expiration or cancellation of such registration or any renewal thereof. Applications for registration and reregistration shall be in writing, under oath, in the form prescribed by the Attorney General

and shall be accompanied by an annual fee in the sum of \$50.00. The applicant shall at the time of making application, file with, and have approved by, the Attorney General a bond in which the applicant shall be the principal obligor, in the sum of \$10,000.00 with one or more sureties whose liability in the aggregate as such sureties will at least equal the said sum. The said bond shall run to the Attorney General for the use of the State and to any person who may have a cause of action against the obligor of said bond for any malfeasance or misfeasance in the conduct of such solicitation. Registration or reregistration when effected shall be for a period of 1 year, or a part thereof, expiring on June 30, and may be renewed upon written application, under oath, in the form prescribed by the Attorney General and the filing of the bond and the fee prescribed herein for additional 1 year periods. Applications for registration and reregistration and bonds, when filed with the Attorney General shall become public records in the office of the Attorney General.

(b) A professional fund raiser shall maintain accurate and current books and records of his activities as such while required to be registered under subsection (a) of this section; and, until at least 3 years shall have elapsed after the end of the effective period of the registration to which they relate, he shall keep such books and records in his office available for inspection and examination by the Attorney General or his duly authorized representatives.

(c) Any person who willfully violates the provisions of this section is guilty of a misdemeanor.

C. 45:17A-9 Registration as solicitor; application; fee; term; violation.

9. (a) No person shall act as a professional solicitor in the employ of a professional fund raiser required to register pursuant to section 8 of this act before he has registered with the department or after the expiration or cancellation of such registration or any renewal thereof. Application for registration or reregistration shall be in writing, under oath, in the form prescribed by the Attorney General, and shall be accompanied by a fee in the sum of \$10.00. Such registration or reregistration when effected shall be for a period of 1 year, or a part thereof, expiring on June 30 and may be renewed upon written application, under oath, in the form prescribed by the Attorney General and the payment of the fee prescribed herein, for additional 1 year periods. Applications for registration and reregistration, when filed with the Attorney General, shall become public records in the office of the Attorney General.

(b) Any person who willfully violates the provisions of this section is guilty of a misdemeanor.

C. 45:17A-10 Maximum payment to fund raiser or solicitor; filing of contract; approval; hearing; violation.

10. (a) No charitable organization shall pay or agree to pay to a professional fund raiser or a professional solicitor or his agents, servants or employees in the aggregate a total amount in excess of 15% (including reimbursement for expenses incurred) of the total moneys, pledges or other property raised or received by reason of any solicitation activities or campaigns.

(b) For purposes of this section the total moneys, funds, pledges or other property raised or received shall not include the actual cost to the charitable organization, professional fund raiser or a professional solicitor of goods sold or service provided to the public in connection with the soliciting of contributions.

(c) Every contract or written agreement between a professional fund raiser or professional solicitor and a charitable organization shall be filed with the Attorney General within 10 days after such contract or written agreement is concluded.

(d) Every contract or a written statement of the nature of the arrangement to prevail in the absence of a contract between a professional fund raiser or professional solicitor and a charitable organization shall be filed with the Attorney General within 10 days after such contract or written agreement is concluded. If the contract or arrangement with a professional fund raiser or professional solicitor does not provide for compensation on a percentage basis, the Attorney General shall examine the contract to ascertain whether the compensation to be paid in such circumstances is likely to exceed 15% of the total moneys, pledges or other property raised or received as a result of the contract or arrangement; if the reasonable probabilities are that compensation will exceed 15% of the total moneys, pledges or other property, the Attorney General shall disapprove the contract or arrangement within 10 days after its filing. No registered charitable organization, professional fund raiser or professional solicitor shall carry out or execute a disapproved contract, or receive or perform services, or receive or make payments, pursuant to a disapproved contract. Any party to a disapproved contract shall, upon written request made within 30 days of disapproval, be given a hearing before the Attorney General within 30 days after such request is filed. Any person who willfully violates the provisions of this section is guilty of a misdemeanor.

C. 45:17A-11 Fund raiser or solicitor; service of process.

11. Any professional fund raiser or professional solicitor resident or having his or its principal place of business without the State or organized under and by virtue of the laws of a foreign State, who or which shall solicit contributions from people in this State, shall be deemed to have irrevocably appointed the Secretary of State as his or its agent upon whom may be served any process directed to such professional fund raiser, professional solicitor or any partner, principal, officer, or director thereof, in any action or proceeding brought by the Attorney General under the provisions of this act. Service of such process upon the Secretary of State shall be made by personally delivering to and leaving with him or a deputy Secretary of State a copy thereof at the office of the Department of State in the city of Trenton, and such service shall be sufficient service provided that notice of such service and a copy of such process are forthwith sent by the Attorney General to such professional fund raiser or professional solicitor by registered mail with return receipt requested, or his or its office as set forth in the registration form required to be filed in the department pursuant to sections 8 and 9 of this act, or in default of the filing of such form, at the last address known to the Attorney General. Service of such process shall be complete 10 days after the receipt by the Attorney General of a return receipt purporting to be signed by the addressee or a person qualified to receive his or its registered mail, or, if acceptance was refused by the addressee or his or its agent, 10 days after the return to the Attorney General of the original envelope bearing a notation that receipt thereof was refused.

C. 45:17A-12 Registration as condition of employment; violation.

12. (a) No charitable organization required to be registered pursuant to this act shall employ any professional fund raiser required to be registered pursuant to this act unless and until such fund raiser is so registered.

(b) No professional fund raiser required to be registered pursuant to this act shall enter into any contract or raise any funds for any organization required to be registered pursuant to this act unless such charitable organization is actually so registered.

(c) No professional fund raiser required to be registered under this act shall employ any professional solicitor who is not registered in accordance with this act.

(d) In addition to all other remedies provided by law the Attorney General may bring an action to enjoin any violation of

the provisions of this section. The Attorney General may give notice of at least 15 days in writing by registered or certified mail to the organization, person or persons violating the provisions hereof, requiring that registration be accomplished or that the solicitation of funds be immediately terminated. The failure to immediately discontinue solicitation or to register in accordance with the provisions of this article within 15 days of service of such notice shall be deemed to be a continuing fraud upon the people of this State.

C. 45:17A-13 Use of names for solicitation; publication of names of contributors; violation.

13. (a) No person shall, for the purpose of soliciting contributions from persons in this State, use the name of any other person, except that of an officer, director or trustee of the charitable organization by or for which contributions are solicited, without the written consent of such other person.

(b) A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored or indorsed the charitable organization or its activities.

(c) Nothing contained in this section shall prevent the publication of names of contributors without their written consents, in an annual or other periodic report issued by a charitable organization for the purpose of reporting on its operations and affairs to its membership or for the purpose of reporting contributions to contributors.

(d) Any person who willfully violates the provisions of this section is guilty of a misdemeanor.

C. 45:17A-14 Action to enjoin and to cancel registration.

14. (a) In addition to any other action or proceeding authorized by law, the Attorney General may bring an action in the Superior Court against any charitable organization, professional fund raiser, or professional solicitor, and any other persons acting for it or him or in its or his behalf, to enjoin such charitable organization, professional fund raiser, or professional solicitor from continuing the solicitation or collection of funds or property or engaging therein or doing any acts in furtherance thereof, and to cancel any registration statement previously filed with the Attorney General, when-

ever the Attorney General shall have reason to believe that the charitable organization, professional fund raiser, or professional solicitor:

- (1) Is operating in violation of the provisions of this act;
- (2) Has refused or failed, or any of its principal officers has refused or failed, after notice, to produce any records of such organization;
- (3) Is employing or about to employ, or there is employed or about to be employed, in any solicitation or collection of funds or other property for such organization, any device, scheme or artifice to defraud or for obtaining money or property by means of a false pretense, representation or promise;
- (4) Has made a material false statement in an application, registration or statement required to be filed pursuant to this article; or
- (5) Is soliciting funds by mail where the solicitation includes the sending of goods, wares or merchandise not ordered or requested by the recipient and less than 50% of the total amount of the funds so raised is or will be devoted to the purported purposes of the charitable organization.

(b) The Attorney General may exercise the authority granted in this section against any charitable organization which operates under the guise or pretense of being an organization exempted by the provisions of section 5 and is not in fact an organization entitled to such an exemption.

(c) The Superior Court, in any action brought pursuant to this section, shall grant such relief as may be appropriate in the circumstances.

C. 45:17A-15 Rules and regulations.

15. The Attorney General shall issue and promulgate such rules and regulations as he may deem necessary and appropriate to carry out the purposes of this act, and may revise, repeal or amend said rules and regulations from time to time as he may deem necessary.

C. 45:17A-16 Construction of act.

16. (a) The provisions and requirements of this act shall be cumulative of, and in addition to, the provisions of any other law concerning charitable organizations.

(b) This act shall not be construed to limit or restrict the exercise of the powers or the performance of the duties of the Attorney General which he is otherwise authorized to exercise or perform under any other provision of law.

C. 45:17A-17 Partial invalidity.

17. If any section, subsection, paragraph, sentence or other part of this act is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this act directly involved in the controversy in which such judgment shall have been rendered.

18. There is hereby appropriated out of the General Treasury to the Department of Law and Public Safety the sum of \$25,000.00 for the purpose of carrying out the provisions of this act for the period ending June 30, 1971.

Repealer.

19. Sections 1 and 2 of P. L. 1959, chapter 147 (C. 40:48-2.34 and C. 40:48-2.35) are repealed.

20. This act shall take effect 30 days after the approval thereof.
Approved March 2, 1972.

CHAPTER 470

AN ACT authorizing the appointment of additional judges of the county court in certain counties and supplementing article 2 of chapter 3 of Title 2A of the New Jersey Statutes.

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

C. 2A:3-13.12 Additional county court judges in certain counties.

1. Whenever in the judgment of the Governor the public interest requires there shall be additional judges of the county court, as follows:

In counties, other than counties of the fifth class, having a population according to the 1960 Federal census of not less than 75,000 nor more than 125,000, two additional judges making four in all.

The additional judges authorized by this act shall be nominated and appointed by the Governor with the advice and consent of the Senate.

2. This act shall take effect immediately.

Approved March 2, 1972.

CHAPTER 471

AN ACT concerning the Superior Court and amending N. J. S.
2A:2-1.

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

1. N. J. S. 2A:2-1 is amended to read as follows:

Number of judges; compensation.

2A:2-1. The Superior Court shall consist of not less than 96 judges and may be increased to not more than 102 judges, upon certification by the Chief Justice of the Supreme Court to the Governor of the need therefor because of litigation involving meadowland title disputes. Each judge shall receive such annual salary as shall be fixed by law.

2. This act shall take effect immediately.

Approved March 2, 1972.

JOINT RESOLUTIONS

(1973)



Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION reconstituting the commission created by 1968 Joint Resolution No. 12, the Family Court Study Commission.

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

1. The Family Court Study Commission, created by 1968 Joint Resolution No. 12, is hereby reconstituted with the same membership, powers and duties as heretofore provided.

2. Any vacancy in the membership of the commission shall be filled in the manner provided as to the original appointment.

3. The commission may engage such counsel and expert advisers as it deems necessary or advisable within the limits of such funds appropriated or otherwise made available to it.

4. The commission shall report its findings and recommendations to the Governor and the Legislature as soon as practicable, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature.

5. This joint resolution shall take effect immediately.

Approved April 8, 1971.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION requesting the Governor to proclaim May 15, 1971 as "Civil Service Day," in New Jersey.

WHEREAS, The New Jersey Civil Service Association meets each year in convention in the third week in May; and,

WHEREAS, The association has contributed, through the efforts of its membership, towards the betterment of all public employees in political subdivisions of the State; and,

WHEREAS, It is deemed appropriate that the State give proper recognition to the efforts of the New Jersey Civil Service Association; now, therefore,

(1975)

New Jersey State Library

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

1. The Governor is hereby respectfully requested to promulgate a proclamation designating May 15, 1971 as "Civil Service Day" in the State of New Jersey.

2. This joint resolution shall take effect immediately.

Approved May 12, 1971.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION creating a commission to study the merits of fluoridation of public potable water supplies as a public health measure, and in particular the advisability of making such fluoridation mandatory throughout the State.

WHEREAS, For many years the merits and advisability of the fluoridation of public potable water supplies as a public health measure for the prevention of tooth decay have been the subject of discussion and controversy in communities throughout this State; and,

WHEREAS, After prolonged and exhaustive discussion, and the approval of fluoridation by some communities and its rejection by others, the condition of public opinion in the State on this question remains sharply divided; and,

WHEREAS, While some persons urge fluoridation as a vitally important public health measure, others are as adamantly opposed to it as a danger to the health of some and an affront to the religious and moral convictions of others; and,

WHEREAS, In the heat of debate, the discussion of this issue has suffered from a lack of calm, dispassionate and impartial inquiry; and,

WHEREAS, There is now pending in this Legislature legislation to prohibit the Public Health Council from incorporating mandatory fluoridation of public potable water supplies in the provisions of the State Sanitary Code; now, therefore,

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

1. a. There is hereby created a commission to consist of nine persons, two to be appointed by the President of the Senate, two to be appointed by the Speaker of the General Assembly and four to be appointed by the Governor, all of whom shall be appointed without regard to their political affiliations and solely on the basis of their qualifications to discharge the duties of the commission in a competent and objective manner, and the State Commissioner of Health, ex officio. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

b. For the better assurance of objectivity and impartiality in the deliberations of the commission, members to be appointed by the Governor, the President of the Senate or the Speaker of the General Assembly shall be selected from among persons who are not prominently identified as either opposing or promoting the fluoridation of public potable water.

2. The commission shall meet and 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.

3. It shall be the duty of the commission to review and evaluate all available evidence and qualified opinion relating to the merits and advisability of the fluoridation of public potable water supplies, to make or cause to be made such further inquiries or studies relating to the subject as it may deem advisable, and to consider in particular whether such fluoridation ought to be made mandatory throughout the State as a public health measure.

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 to it for said purpose, and to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary in order to perform its duties and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

5. The commission shall have all the powers provided by the provisions of chapter 13 of Title 52 of the Revised Statutes.

6. 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 Legislature prior to the commencement of the annual session of the Legislature next following the date on which this joint resolution takes effect.

7. This joint resolution shall take effect immediately.

Approved May 20, 1971.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION to declare the month of May, 1971, as "Venereal Disease Awareness Month" and providing for a proclamation thereof by the Governor.

WHEREAS, New Jersey has experienced an alarming increase in recent months in the number of cases of syphilis and gonorrhea reported to health authorities; and

WHEREAS, Untreated syphilis and gonorrhea can be extremely debilitating diseases; and

WHEREAS, Venereal diseases are striking with greater frequency at our teenagers and young adults; and

WHEREAS, Current diagnostic and treatment methods for syphilis and gonorrhea are refined to such a degree that no patient need suffer the late manifestations of these diseases if brought to medical attention in time; and

WHEREAS, Public awareness and understanding of the venereal diseases are necessary to effective prevention and control of such diseases; now, therefore,

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

1. The month of May, 1971 shall be known in New Jersey as "Venereal Disease Awareness Month" and that during such month health groups and community groups are urged to sponsor activities which emphasize and encourage a wider understanding of the increase and effects of such diseases, and of the nature of such diseases and their control.

2. The Governor of the State of New Jersey shall designate by appropriate proclamation the said month of May as "Venereal Disease Awareness Month" in New Jersey.

3. This joint resolution shall take effect immediately.

Approved May 20, 1971.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION creating the New Jersey Higher Education Master Plan Review Commission.

WHEREAS, The Department of Higher Education is now in the process of preparing a comprehensive master plan for higher education in the State of New Jersey;

WHEREAS, One phase of this long-range plan for New Jersey's system of higher education, entitled "Goals for Higher Education in New Jersey," is complete, and several additional phases are to follow; and

WHEREAS, Early and continuing study and review of all phases of this proposed master plan by the Legislature and the implementation of this long-range proposal, or of such parts of it as are deemed necessary or desirable, are important to the promotion of higher education in this State; now, therefore,

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 New Jersey Higher Education Master Plan Review Commission, which shall consist of 12 members, four of whom shall be members of the Senate appointed by the President thereof, four of whom shall be members of the General Assembly appointed by the Speaker thereof, and four shall be citizens of New Jersey appointed by the Governor. No more than two of each group of four shall be of the same political party. Legislative members shall serve during their continuance in office as members of the house from which they were appointed. Vacancies shall be filled in the same manner as the original appointments were made.

2. The commission shall organize as soon as may be after the appointment of its members and shall elect a chairman from among its members and a secretary who need not be a member of the commission.

3. It shall be the duty of the commission to undertake a thorough and continuing study and review of the comprehensive master plan for higher education in New Jersey now being prepared by the Department of Higher Education and to report its preliminary findings, conclusions and recommendations, including such proposed legislation as it deems necessary or desirable, to the Governor and the Legislature on or before January 1, 1972. The commission shall file its final report as soon thereafter as practicable.

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, and to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes. The commission may meet and hold meetings and hearings as it shall designate during the sessions and recesses of the Legislature.

5. This joint resolution shall take effect immediately.

Approved May 20, 1971.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION setting forth the policy of the State of New Jersey relative to the enhancement and improvement of the Passaic river and its environs.

WHEREAS, In August of 1970, the President's Water Pollution Control Advisory Board recommended a massive assault on the problems of water pollution in a major urban industrial river basin to be used as a model for the entire nation; and

WHEREAS, The Passaic river is a major urban industrial river which flows through 112 townships, boroughs and cities within seven counties in northern New Jersey with a population of more than four million; and

WHEREAS, The Passaic river can be one of the most beautiful rivers in the nation, instead of being one of the ten most polluted rivers in the country; and

WHEREAS, The Federal Government will shortly select one United States river to demonstrate modern technology and governmental-citizen cooperation to recapture the early beauty and vast potential of the selected river; and

WHEREAS, The New Jersey Legislature in cooperation with the Administration of Governor William T. Cahill is determined to forge a model Federal-State-local partnership to demonstrate that the water pollution, water supply, and flood control problems of an urban river can be solved so that citizens may once again enjoy the full benefits of a clean river basin; now, therefore,

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

1. The State Department of Environmental Protection is hereby authorized and directed, in cooperation with the Legislature, to develop a comprehensive proposal to achieve the designation of the Passaic river as the national model river.

2. The governing bodies of the affected municipalities and counties, as well as various citizen organizations, are requested to support by resolution and by direct participation the State effort to have the Passaic river designated as the national model river.

3. This joint resolution shall take effect immediately.

Approved June 1, 1971.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION designating July 20, 1971, as "Moon Day" in this State.

WHEREAS, On July 20, 1969, at approximately 11:00 p.m., as time is reckoned in this part of the earth, the first human being to set foot upon the moon alighted from the lunar landing module of the Apollo 11 spacecraft; and,

WHEREAS, As the fruit of years of scientific effort and as evidence of the enormous accomplishments of which man is capable through the imaginative use of science and technology, the moon landing of July 20, 1969, ranks with the most significant landmarks in the progress of the human race; and,

WHEREAS, The history of human achievement will record with special honor the names of the first two human beings to set foot upon the moon—Neil A. Armstrong, commander of the Apollo 11 mission, and Colonel Edwin E. Aldrin, Jr., a New Jersey native of whom the people of this State are justly proud—and the third member of the Apollo 11 team, Lieutenant Colonel Michael Collins, pilot of the command module; and,

WHEREAS, The skill and intrepidity of the astronauts who performed that mission, of their predecessor who paved the way, and who have followed and will follow them in similar explorations has commanded the admiration and applause of the entire world; now, therefore,

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

That July 20, 1971, being the second anniversary of the first landing by man upon the moon, be designated as "Moon Day" and observed as such in this State; at which time the people of New Jersey are hereby encouraged to recognize the magnitude of man's technological achievements and capacities as exemplified in the Apollo 11 mission and subsequent missions and to consider the portents for the future which arise therefrom, and to honor the efforts and achievements of those who have so far advanced the frontiers of science and exploration.

Approved July 14, 1971.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION designating Sunday, July 18, 1971, as "Grandparents Day" in the State of New Jersey, and providing for the issuance of an appropriate proclamation by the Governor.

WHEREAS, By chapter 116 of the laws of 1944, this State designated the second Sunday in May of each year, to be known as "Mother's Day," for the purpose of paying a special tribute to mothers, and the second Sunday in June of each year, to be known as "Father's Day," for the purpose of paying a special tribute to fathers; and,

WHEREAS, In view of the contribution of grandparents to the happiness of children, the stability of families and the amenities of family life, it is appropriate that similar recognition and tribute be paid to them; now, therefore,

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

1. For the purpose of paying a special tribute to grandparents, July 18, 1971, is hereby designated as a day for the general observance of that purpose and shall be known as "Grandparents Day."

2. The Governor of this State shall issue an appropriate proclamation proclaiming the designation of the aforesaid day and encouraging the appropriate observance thereof.

3. This joint resolution shall take effect immediately.

Approved July 14, 1971.

PROCLAMATIONS

(1985)

Proclamations by the Governor

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION

To The Honorable
Paul J. Sherwin,
Secretary of State of New Jersey

I, SIDNEY GLASER, Acting Director of the Division of Taxation, in the Department of the Treasury, being the officer chargeable by statute with the administration of 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 the custody of the records pertaining thereto, and the assessment and collection of taxes chargeable thereunder, hereby report, in accordance with the provisions of Revised Statutes, Title 54, Chapter Eleven (R. S. 54:11-2), that the corporations named on the attached list have, for two years next preceding this report, failed to pay the taxes assessed against them under the said Corporation Business Tax Act (1945).

Witness my hand and official seal at Trenton, this 5th day of February, A. D. 1971.

[SEAL] SIDNEY GLASER,
 Director of the Division of Taxation.

(1987)

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Acting Director, Division of Taxation, Department of the Treasury, on the 8th day of February, one thousand nine hundred and seventy-one, under the provisions of R. S. 54:11-2, reported to the Secretary of State a list of all corporations created under the laws of this State, which for two 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 Secretary of State shall give further time for the payment of such taxes assessed against said corporations; and

WHEREAS, The Secretary of State 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, PAUL J. SHERWIN, Secretary of 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:

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

[SEAL]

Given under my hand and the Great Seal of the State of New Jersey, this 8th day of February A.D., one thousand nine hundred and seventy-one, and in the Independence of the United States, the one hundred and ninety-fifth.

PAUL J. SHERWIN,
Secretary of State.

A Aabiding Bell T V Repair, Inc.,
A & A Abrantes Construction Co.,
A A A Coin Op., Inc.,
A A A Floor Scraping, Inc.,
A A A Law Research Service, Inc.,
AAA U Rent, Inc.,
A & A Builders, Inc.,
A & A Elek Mason & Building Contractors, Inc.,
Aaron Lumber & Paint Supply, Inc.,
Aar Will Termite Control Co.,
A A Thread Grinding Corp.,
A & A Wholesalers, Inc.,
Abab Construction Co., Inc.,
A Baldec, Inc.,
Abbate & Di Brigida, Inc.,
Abbott Steel Drum and Barrel Works, Inc.,
Abbott Tenterden Company,
A B C Metal Fabricating, Inc.,
A B C Service, Inc.,
A. Berkowitz & Sons, Inc.,
Able Shade & Mirror, Inc.,
A & B Realty Company,
Abreu Contractors, Inc.,
Abreu Property Corporation,
ABT Associates,
A. Burkhardt, Inc.,
A C A Associates, Inc.,
Academy Containers, Inc.,
Accent Lighting, Inc.,
Accordino Homes, Inc.,
Accountants Digest,
Accur Tronics, Inc.,
Ace Drugs, Inc.,
Ace Drug Stores,
A to C Electric Heat Company, Inc.,
Ace Marine, Inc.,
Acetogen Gas Sales of New Jersey, Inc.,
Ace Truck Stop, Inc.,
Ace Truck Transmission, Inc.,
A C Fascination, Inc.,
Acirema Development Corporation,
Acme Cab Company of West Orange,

Acme Industrial Supply Co.,
Acme Metal Fabricators, Inc.,
Acme Monuments, Inc.,
Acme Painters, Inc.,
Acme Plastic Company,
A C M Holding Corporation,
Acousticon Haskill, Inc.,
Acousticon of Trenton, Inc.,
Acqua Pruf, Inc.,
Acre Lounge, Inc.,
Acres Meat Mkt., Inc.,
Action Associates,
Action Boiler Corporation,
Action Construction Co., Inc.,
Active Coat Co., Inc.,
Active Drug Co.,
Active Publishers Service, Inc.,
Adam Builders, Inc.,
Adams Liquidating Corporation,
Adams Richards, Inc.,
Adam Wolf Painting Contractors, Inc.,
Adco Sheet Metal, Inc.,
Add A Room Construction Company,
Addin Holding Corp.,
Add On Industries, Inc.,
Adel Realty Corp.,
A. Destafano & Co., Inc.,
Adham Corp.,
Adkap Development Co.,
Ad Lite Signs, Inc.,
Admiral Associates, Inc.,
A Don Embroidery Corp.,
Ad Planning Service, Inc.,
Advanced Builders and Mason Contractors, Inc.,
Advance Chemoptic Equipment Corp.,
Advanced Engineering Company,
Advance Leasing Co., Inc.,
Advance Packaging Industries, Inc.,
A & D Vending Corporation,
A & E Instrument Co., Inc.,
A Electric Service, Inc.,
A E L Realty Co., Inc.,

Aero Alloys, Inc.,
Aero Appliance Service, Inc.,
Aero Haven Airport, Inc.,
Aero Haven Service, Inc.,
Afco, Inc.,
Affiliated Home Decorators, Inc.,
Affinito Precision Machinery Tools Co., Inc.,
A F M Holding Co., Inc.,
Afran Holding Corp.,
A G Associates,
Agron, Inc.,
AGS Industries, Incorporated,
A G Z Homes, Inc.,
A. H. Bull & Co.,
Ahern Investment Corporation,
Aim Associates, Inc.,
Ainsworth Engraving Co., Inc.,
Airplay, Inc.,
Air Pollution Equipment Leasing Corp.,
Air Purifying Devices, Inc.,
Air Sea Industries, Inc.,
Air Seal Aluminum Products,
Air Wings Corporation,
Ajack Realty Co., Inc.,
Aja, Inc.,
A & Jay Holding Co.,
Ajed, Inc.,
A. J. Konard Co., Inc.,
Ajon Coiffures,
A. Joseph Stawinski, Inc.,
A. J. Rand, Inc.,
A. J. Statile Co.,
Alan Amusement Company,
Albach, Inc.,
Albee Holding Corporation, Inc.,
The Alberti Corporation,
Albert L. Dotter, Inc.,
Albrite Sign Co., Inc.,
Alcaba Construction Company,
Al Corp.,
Al Crincoli Corporation,
Alda Associates, Inc.,

Aldaton Dyeing & Finishing Corp.,
Alden Athletic Wear, Inc.,
Alden Contractors, Inc.,
Aldo Enterprises, Inc.,
Aldon Associates, Inc.,
Aldoron, Inc.,
Aldot, Inc.,
Aldrich & Son, Inc.,
Al Duva Enterprises, Inc.,
Al & Eddies,
Alex A. Hastreiter, Inc.,
Alexander Caterers, Inc.,
Alexander J. Spring, Inc.,
Alexander White Laboratories, Inc.,
Alexgood Tavern, Inc.,
Alfadam Realty, Inc.,
Alfo Chemicals, Incorporated,
Alfred E. Maree, Sr., Inc.,
Alfred Sales, Inc.,
Alga Realty Co., Inc.,
Algreen Investments, Inc.,
Alhe, Inc.,
Alice J. Haskins Child Care Center, Inc.,
Alison Homes, Inc.,
Aljay Trucking Corporation,
Aljet Enterprises,
Alkar Corporation,
Alkeo Distributors,
A. L. Kronemeyer & Sons,
All America Family Healthstakes, Inc.,
All American Athlete, Inc.,
Allan Carpet Company, Inc.,
All Comfort Heating, Inc.,
All Counties Construction Equipment, Inc.,
Alld Corporation,
Allen and Haase, Inc.,
Allen Hutner Construction, Inc.,
Allens Boat Yard, Inc.,
Allen Scott Associates,
Allen & Sons Masonry,
Allfive General Construction Corporation, Inc.,
Allied Aircraft Corp.,

Allied Automobile Association, Inc.,
Allied Design Associates,
Allied, Inc.,
Allied International Design Co., Inc.,
Allison Associates, Inc.,
All Mark Pen Co., Inc.,
Alloway Country Club,
Alloway Sand and Gravel Co.,
All Products, Inc.,
Allson Corporation,
Allstate Corrugated Container Corp.,
Allstate Ladenheim of New Jersey, Inc.,
All State Warehouses, Inc.,
All Trades Construction Co. of New Jersey, Inc.,
Allwood Furniture Co., Inc.,
Allwood Properties, Inc.,
Almaran Realty Company, Inc.,
Alma Siegel, Inc.,
Alpeo, Inc.,
Alpha Herculene, Inc.,
Alpha Paper Box Corporation,
Al S A I Auto Specialists, Inc.,
Al S A 1 Auto Specialists, Inc.,
Alsher Quality Cleaners, Inc.,
Alsid Construction Co., Inc.,
Alton J. Beatty Associates, Inc.,
A. L. Troiano Vasser, Inc.,
Aluma Shield, Inc.,
Alumaside of N. J.,
Alumatic of Bergen, Inc.,
Aluma Visor of America, Inc.,
Aluminum Construction Co. of New Jersey,
Aluminum Installers Association, Inc.,
Aluminum Lamp Coating Corp.,
Aluotto Enterprises, Inc.,
The Alves Corporation,
Alwin Enterprises, Inc.,
Aly Tavern Corp.,
Amada Agency, Inc.,
A. M. A. Dairy, Inc.,
Amalfi,
Amante Decorating Corp.,

A. Marsh Trucking Company,
Amber Schiffli Associates, Inc.,
Ambra Realty Corp.,
Ambrose Pharmacy, Inc.,
AMCL Corporation,
A. Mc Queen and Sons, Inc.,
A. Medici & Company, Inc.,
A. Meltzer & Sons, Inc.,
Americana Associates, Inc.,
American Agency, Inc.,
American All State Homes, Inc.,
Americana Music Corporation,
American Antiquities, Inc.,
American Beauty Sales, Inc.,
American Boating and Fishing Association,
American Budget Corporation,
American Eagle Trucking Corp.,
American Exchange, Inc.,
American Flour and Bakers Supply Company,
American Food Service, Inc.,
American Home Appliances, Inc.,
American Home Designers, Inc.,
American Homemakers Service, Inc.,
American Home Painting, Inc.,
American Home Roofing and Siding Company,
American House, Inc.,
American Industrial Meal Corporation,
American Institute of Representatives,
American Photo Typesetting Co., Inc.,
American Program Co.,
American Publishing Company, Inc.,
American Purchasing & Discount Co.,
American Realty Agency, Inc.,
American Sales Corporation,
American Tank Maintenance,
American Treaty Corporation,
Americian Wheel Corporation,
Amerostan Corporation,
Amex Schiffli Embroidery Corp.,
A M G Realty Corp.,
Amherst Boating Center, Inc.,
Amity Services, Incorporated,

Amko Manufacturing Co., Inc.,
Amly, Inc.,
Amos Brown,
Ampro Products, Inc.,
A M R Corporation,
Amrols Construction Corp. of New Jersey,
Amron Equities, Inc.,
AM Scott Builders, Inc.,
AMS Industries, Inc.,
Amsu Realty, Inc.,
Amvic Automation, Inc.,
ANA Corporation,
Anakos, Inc.,
ANA Scope Screens, Inc.,
Anderson Industries, Inc.,
Andes Land Corp.,
Andre, Inc.,
Andres Road Corp.,
Andrew Scott Associates, Inc.,
Andy's Furniture and Appliances, Inc.,
Anello Realty Co., Inc.,
Angelo Costello Contracting, Inc.,
Angelo's Fish House,
Anglesea Avenue Co-op., Inc.,
Anglesea Beach Colony Development Corp.,
Anglo Realty Corp.,
Anna Jackson Realty Co., Inc.,
Annis, Inc.,
Annunziato & Sons, Inc.,
Antanies Home Improvement and Supply Co., Inc.,
Anthony F. Vincelli, Inc.,
Anthony Scozzafava, Inc.,
Anthonys Department Store, Inc.,
Anthony V. Manganelli, Jr. Trucking Co.,
The Antlers,
Antonios,
A I Auto Rental,
A One Fuel Oil & Tank Cleaning, Inc.,
A I Plumbing, Heating & Air Conditioning Co., Inc.,

A. Ordower, Inc.,
Apartment Planning, Inc.,
Apex Products Corp.,
Apollo Driveway Maintenance, Inc.,
A. Pollotta & Son, Inc.,
Apparel Services, Inc.,
Appliance City, Inc.,
Applied Audio Products, Inc.,
Applied Data Research International, Inc.,
The Applied Products Corporation,
Aquacade Pool Co.,
Aqua Heat, Inc.,
Aqua Maid Pools, Inc.,
Aquatrol Ferr X Corporation,
A & R Aircraft Components, Inc.,
Ar and Ar Enterprises, Inc.,
Arcadia Metals Co., Inc.,
Arch Aluminum Products, Inc.,
Archie Goldin Real Estate Enterprises, Inc.,
Archies Taxi, Inc.,
Architectural Exteriors, Inc.,
Architectural Precast Specialties,
Architectural Services, Inc.,
Arctic Concrete, Inc.,
Arctic Equipment Co., Inc.,
Arden Farm Products Company, Incorporated,
Arden Realty Co.,
Arena Construction, Inc.,
Arge Company, Inc.,
Argone Corp.,
Argus Associates,
Arista Gas Supply Corporation,
Aristo Investment, Inc.,
Arjo Realty Co., Inc.,
Arka Corporation,
Arkay Apartments Albion No. 1, Inc.,
Arkay Apartments, Lindenwold,
Arleen Coat & Suit Co.,
Arlington Decorators, Inc.,
Arlington Investment Corporation,
Armack Agency,
Armanus Corporation,

Armine Construction Co., Inc.,
Armjo Construction Corp.,
Armore Inc., Contractors and Builders,
Armor International,
Armorvel, Inc.,
Armstrong Electrical Supply Corporation,
Arndt, Inc.,
Arnel Acceptance Corp.,
Arnold Starr, Inc.,
A. Rodrigues Co., Inc.,
Aroma Spice Co.,
Arriro Corp.,
Arrosal, Inc.,
Arrow Bar, Inc.,
Arrowbrook, Inc.,
Arrow Furniture, Inc.,
Arrowhead Homes, Inc.,
Arrow Television and Service Co.,
Arrow Venetian Blind Co., Inc.,
Arsan Corporation,
Art Credit Corporation,
The Art Group,
Arthur Enterprises, Incorporated,
Arthur Kligman Corp.,
Arthur World Wide, Inc.,
Arties Auto Body Works, Inc.,
Artisan Tile and Marble Company,
Artistic Builders, Inc.,
Art Pat, Inc.,
Art Rich Industries, Inc.,
Artservice, Inc.,
Art Tel Industries, Inc.,
A. Schenkman, Inc.,
A. Schumatta Trucking, Inc.,
Asco Freight Haulers, Inc.,
A & S Color Studio,
A & S Enterprises, Inc.,
A & S Glass Co.,
Ashland & South Orange, Inc.,
Ask, Inc.,
Associated Appraisers, Inc.,
Associated Brokers Corporation,

Associated Cooling, Inc.,
Associated Data Processing Co., Inc.,
Associated Industrial Steam Cleaning, Inc.,
Associated Publishing Services, Inc.,
Associated Restaurants, Inc.,
Associated Systems Research, Inc.,
Associates International, Inc.,
Association of Telephone Communications Consultants,
Astbury Construction Co., Inc.,
Astron Metal & Plastics Corp.,
A. T. Angelo Realty Co.,
Atco Liquor Store, Inc.,
Athenia Drywall Construction, Inc.,
A. Thompson and Sons, Inc.,
Atland Corporation,
Atlantic Auto Leasing Co.,
Atlantic Carbonator Service,
Atlantic City Industries, Inc.,
Atlantic City Sunset Pines Development Co.,
Atlantic County Advertiser,
Atlantic Heating Corporation,
Atlantic States Motor Sales, Inc.,
Atlas Investment Company,
Atlas Liquidating Corp.,
Atlas Metal Craft,
Atlas Novelty Co., Inc.,
A. T. Lorenzo & Sons,
Attas Computercomp, Inc.,
Audael Corp.,
Audio Response, Inc.,
Augie's 640 Club, Inc.,
Augusta Jones, Inc.,
Augustine, Inc.,
August Painting Enterprises, Inc.,
August R. Fasolino Associates, Inc.,
Autocamp, Inc.,
Auto Haven, Inc.,
Auto House, Inc.,
Auto Lab, Inc.,
Automated Business Forms Corp.,
Automated Handling Systems, Inc.,
Automated Medical Services, Incorporated,

Automatic Agency Service, Inc.,
Automatic Candy, Inc.,
Automatic Carpet Cleaning Co., Inc.,
Automatic Enterprises of New Jersey, Inc.,
Automatic Merchandising Machine Manufacturing Corp.,
Automation Institute of Cherry Hill, Inc.,
Automazing A New Jersey Corporation,
Automobile Development Corporation,
Automobile Multiple Listing, Inc.,
Automotive Undercoating and Repairs, Inc.,
Auto Parts Export Corp.,
Auto Trans Guard, Inc.,
Avenue Sweet Shoppe, Inc.,
A. Vervaet Construction Co.,
Aviation Aids, Inc.,
Aviation Workshop, Inc.,
Avis Building & Construction Co.,
Avisos Realty Corp.,
A V L Enterprises, Inc.,
Avon Home Industries,
Avon Plumbing & Heating Co.,
Award Chemicals Corp.,
Award Creations, Inc.,
A World Artists Production Corporation,
A to Z Acceptance Corporation,
A to Z Maintenance Service, Inc.,
AZO Industries, Inc.,
Aztec Electronics,
Aztec Pools of Essex County, Inc.,

Bab Enterprises, Inc.,
Baby Butler Safety Furniture, Inc.,
Backus Estates, Inc.,
Balcon, Inc.,
Baldan Farms, Inc.,
Baldwin & Owens, Inc.,
Balmier Builders, Inc.,
Bam Furniture, Inc.,
Bang Away Company,
Bani Furniture Corp.,
Banks Equipment, Inc.,
Banta Billiards, Inc.,

Baral Corp.,
Baray Affiliated Interests, Inc.,
Barbara Lynn of Camden, Inc.,
Barbara Reed School of Dance,
Barbera Furniture Gallery, Inc.,
Barby Associates, Inc.,
Barclay Distributors, Inc.,
Barclay Towers,
Barco Automotive Enterprises,
Bardahl of Northern N. J.,
Bar Kar Corp.,
Barker Jewelers, Inc.,
Bar Mar Trucking Co., Inc.,
Bar Mat Carriers,
Barna Bldrs. Corp.,
Barnegat Livery,
Bar Nell Associates, Inc.,
Barnett's Bake Shop, Inc.,
Barney's Furniture & Storage Company, Inc.,
Bar 990,
Barons Associates, Inc.,
The Barracuda,
Barron & Jarmon, Inc.,
Barry Construction Co., Inc.,
Barry Fish, Inc.,
Barry Landers Associates, Inc.,
Basilios, Inc.,
Basking Ridge Land Corporation,
Bassano Brothers, Inc.,
Bast, Inc.,
Batemon & Batemon, Inc.,
Batfel Corp.,
Bathgate Corporation,
Bay Lumber, Inc.,
Baymont, Inc.,
Bay Motel Corp.,
Bayonne Enterprises, Inc.,
Bayonne Family Hobby Center, Inc.,
Bayonne Transporting, Inc.,
Bayway Building Supplies Co., Inc.,
Bayway Chemical Corporation,
Bazaar Coiffures, Inc.,

B & B Cartage Co., Inc.,
B & B Food Service, Inc.,
B B & G Delivery Service,
B & B Machine Works, Inc.,
B Bros. Co.,
B Casual, Inc.,
B C L., Inc.,
B & D Trucking Co., Inc.,
Beach Haven Diner, Inc.,
Beach Haven Plumbing Corp.,
Beach Parking Company, Inc.,
Beachway Amusements, Inc.,
Beachwood Electronic Parts World Distributors, Inc.,
Beacon Deli & Liquor Corporation,
Beacon Place, Inc.,
Beardmore, Inc.,
Beau Fox Corp.,
Beautify Custom Home Improvements, Inc.,
Beauty Designs, Inc.,
Beauty Fair, Inc.,
Beauty Services, Inc.,
Beauty World, Inc.,
Beaver Dam Cranberry Co.,
Becker Builders, Inc.,
Becker Gift Shop,
Bedford Agency,
Bedford Construction Corp.,
Bee Brite Cleaning Products, Inc.,
Beecher Associates, Inc.,
Beech Spring Corp.,
Beechwood Apartments, Inc.,
Beefies, Inc.,
Beef King Rotisseries, Inc.,
Bee Jay Realty Co.,
B E G Corporation,
B E H Corp.,
Bel Aire Builders Corporation,
Bel Aire, Inc.,
Belann Tavern, Inc.,
Belford Construction Company,
Bella Builders, Inc.,
Bella Coat Co., Inc.,

Bella Palermo Pastry Shop, Inc.,
Belco Sales Co.,
Belleville Automotive Supply Co.,
Belleville Camera Shop, Inc.,
Belleville Floor Covering Co.,
Bellevue Amusement Co.,
Bell General Contractors, Inc.,
Bell Grove Realty, Inc.,
Bellmawr J & M Corporation,
Bells Drug Store, Inc.,
Bell Trading Corporation,
Belmar Deauville, Inc.,
Belmonte Printing Co., Inc.,
Benbon Corporation,
Ben Car Corp.,
Bencel Corp.,
Bendix Esso Center, Inc.,
Benedict Industries, Inc.,
Benedict and Nelson, Inc.,
Ben Franklin Reading Club of New Jersey, Inc.,
Bengem,
Benjamin Cobleman, P. A.,
Ben L. May Company,
Bennett Alloy Brazing Co., Inc.,
Bennetts Garage, Inc.,
Benny Productions,
Ben Ray Corporation,
Bens Coal Supply Co.,
Ben Sinatra & Sons, Inc.,
Bergen Boulevard Motor Hotel, Inc.,
Bergen County Aluminum, Inc.,
Bergen County Automated Management Systems,
Bergen Home Improvement, Inc.,
Bergen Investment Corp.,
Bergen Lehigh Realty Corp.,
Bergenline Holding Co., Inc.,
Bergen Novelty Sales Co., Inc.,
Bergen and Passaic Credit Card Acceptance Co.,
Bergen Plastics, Inc.,
Bergen Pork Store, Inc.,
Bergen Steak House, Inc.,
Berger Poetz Fuel Co., Inc.,

Bering Supply Co., Inc.,
Berite Company,
The Berkeley Anvil,
Berkeley Carteret Hotel, Inc.,
The Berkeley Health Agency,
Berkeley Recreation, Inc.,
Berkeley Water Conditioning Co., Inc.,
Bernetich and Clinton, Inc.,
Bernies Drug Concessions, Inc.,
Bernstein & Co., Inc.,
Berrien Colon Corporation, Inc.,
Bershon Corporation,
Bert Speranza, Inc.,
Bert Thomas Aitken Construction Co.,
Bes Eme, Inc.,
Best Concrete Co.,
Best Electronic Service Co., Inc.,
Best Home Products,
Best Taxicab Buys, Inc.,
Best T V and Appliance Co., Inc.,
Bethea, Inc.,
Bethel Memorial Park Corporation,
Bethune & Sons, Inc.,
Betsy Ross Bakery,
Bettermen, Inc.,
Better Sportswear Manufacturing Corp.,
Bette Yette Food Shoppe,
Betty Miles, Inc.,
Be Tu Corporation,
Beva Electronics, Inc.,
Bev Anita Gardens, Inc.,
Beverly Tea Room, Inc.,
Bevina Corp.,
Bev Lynn, Inc.,
Bevmar Realty Co., Inc.,
B & G Printing Service, Inc.,
B & G Products, Inc.,
B G W Contractors, Inc.,
B H L Properties, Inc.,
B H N Ornamental Iron & Fence Co., Inc.,
B H Plumbing & Heating, Inc.,
B H W, Inc.,

B & I Construction Corp.,
Biffs Grill, Inc.,
Big Apple Diner, Inc.,
Big Central Corp.,
Big R Express Lines, Inc.,
Bill Duke Motors, Inc.,
Billing & Sons, Inc.,
Billmayr Estates, Inc.,
Bills & As Florist, Inc.,
Bills Highlander,
Billvi Corp., Inc.,
Bilrose, Inc.,
Bilt Rite Home Remodeling Co.,
Bio Chemical Industries, Inc.,
Bio Medical Electronics, Inc.,
Birch Investment Co., Inc.,
Birdsall Road Holding Corporation,
Birthday House,
Bishop Phillips Florist,
Bit N Bridle Ranch, Inc.,
Bizarre Hair Fashions,
Bizzard Contractors, Inc.,
B J A Land Holding Corp.,
B. J. Diamond & Co., Inc.,
B. J. Dwyer, Inc.,
B. J. Ingo, Inc.,
B J J Realty Co.,
B K B Corporation,
Black Bear, Inc.,
Black & Carr, Inc.,
Black & Gold, Inc.,
Black Saddle Ranch, Inc.,
Blacks Restaurant, Incorporated,
Blackton Mechanical Contractors, Inc.,
Blake Homes of America, Inc.,
Blakely Edwards Realty Corp.,
Blare Development Corp.,
Blaze Enterprise, Incorporated,
B and L Cement Company, Inc.,
B. L. Harrigan, Inc.,
Block Tax Centers, Inc.,
Blok Freez Process Corporation,

Bloom Company,
Bloomfield Adams, Inc.,
Bloomfield Co-op, Inc.,
Bloomfield Laboratories Corporation,
Bloomfield Lath & Contracting Co.,
Bloomfield Recreation, Inc.,
Bloomfield Rockledge Corp., Inc.,
Bloomingdale Diner,
Blount, Inc.,
Blue Carmichael & Associates, Inc.,
Blue Dot Sales & Service, Inc.,
Blue Point Boats, Inc.,
Blue Ribbon Investments, Inc.,
Blue Roe Realty, Inc.,
Blue Shutter Associates, Inc.,
Bluestone & Co.,
Blue Taxi, Inc.,
Blue & White Realty, Inc.,
B M B, Inc.,
B M Woodworking Co., Inc.,
B N I Construction Co., Inc.,
Boardwalk Service Center, Inc.,
Boardwalk Variety Center, Inc.,
Bo Art Corp.,
Bobar Realty Corp.,
Bob Barrabee Athletic Club,
Bob Compton Ford, Inc.,
B O D Construction Co.,
Bodnar Oil Co., Inc.,
Bogert Fuel Co., Inc.,
Bogert Plescia Agency, Inc.,
Bojon Distributors, Inc.,
Bomac Corporation,
Bomak Associates, Inc.,
Boman, Inc.,
Bomark Packaging, Inc.,
Bo Mat Bo Corp.,
Bo Mont Jewelers, Inc.,
Bonaire Realty, Inc.,
Bonannis Cuisine,
Bondeu Auto Sales, Inc.,
Bond Laundries, Inc.,

Bonorm, Inc.,
Bon Whit Chevrolet, Inc.,
Booker & White Construction Co.,
Boomerang, Inc.,
Boonton Bowl Cafe, Inc.,
Boonton Polytechnic Company,
Booth and Davis Holding Company,
Bordentown Dairy Co., Inc.,
Bordentown Motor Lodge, Inc.,
Borz Mortgage Service,
Bosch, Inc.,
Bostan, Inc.,
Boston Home Furnishers Co.,
Boston Pneumatic Tool Company,
Bound Brook Leasing Co.,
Boutique Wigs, Inc.,
Bow and Arrow, Inc.,
Bowlerland Inc., of Englewood,
Bowl O Mat Bar, Inc.,
Bowl O Mat, Inc.,
Bowl Rite Lanes, Inc.,
Bowman Estate,
Boyles Corner, Inc.,
B P R Realty Co., Inc.,
Brace Berlin Corporation,
Brach Manufacturing Corporation,
Bradcon, Inc.,
Bradley Concrete Products, Inc.,
Bradley Painting Co., Inc.,
Braenstress, Inc.,
Brea Realty Corporation,
Bra & Girdle Specialists, Inc.,
Bram Products, Inc.,
Branco Construction Co.,
Branco, Inc.,
Brandel, Inc.,
Brand Holding Corporation,
Brandon Mortgage Company,
Branford Hanover Corp.,
Branford Livingston Corporation,
Brapo, Inc.,
Bredo Homes, Inc.,

Brehms Carpet Cleaning Co.,
 Brencav Investigations, Inc.,
 Brescia Leather Finishing Products Company,
 Breslow Paint, Inc.,
 Brett Trucking Corp.,
 Brewin Manufacturing Co.,
 B & R Foods, Inc.,
 Briar Cliff Agency,
 Briarly Products of New Jersey,
 Bri Bob Sportswear Co., Inc.,
 Brick Homes of Penna., Inc.,
 Brickrite Construction Co., Inc.,
 Bridgeton Bowl,
 Bridgeton Nursing Home, Inc.,
 Brigantine Cocktail Lounge, Inc.,
 Brimar Associates, Inc.,
 Brimheld Enterprise, Inc.,
 Brinley Decorators, Inc.,
 Brite Way Car Wash, Inc.,
 Brittany Haulage Corp.,
 Broad & Hill Billiards, Inc.,
 The Broad S Realty Corp.,
 Broadway Auburn Corporation,
 Broadway Car Wash, Inc.,
 Broc Builders, Inc.,
 Broco, Inc.,
 Brogan Associates, Inc.,
 The Broken Drum, Inc.,
 Bromley Knitwear, Inc.,
 Bromley Realty and Construction Co., Inc.,
 Bronden, Inc.,
 Bronze Ber Amatic Corp.,
 Brook Crest Agency,
 Brooklawn Gardens, Inc.,
 Brookside Holding Co.,
 Brookville Estates, Inc.,
 The Brookwood Company,
 Brookwood Lakes Club,
 Brown Associates, Inc.,
 Brown Crawford and Brown, Inc.,
 Brownies Concrete Contracting, Inc.,
 Browns Mills Realty and Investment, Inc.,

Brown & Sons Construction Co., Inc.,
Bruce Products, Inc.,
Bruces Special Truck Service, Inc.,
Brunswick Boutique,
Brunswick Data Service, Inc.,
Brunswick George Corp.,
Brunswick Manufacturing Co.,
Brunswick Tavern,
Bryan Manufacturing Corp.,
Bry Bel Builders, Inc.,
Bryna Knitwear, Inc.,
Bryrnwood Kennels, Inc.,
Bryson Manufacturing Co., Inc.,
B & S Appliances, Inc.,
B S C Liquor & Delicatessen, Inc.,
B S Homes, Inc.,
B & S Laboratories, Inc.,
B & S Parking, Inc.,
B & S Realty Corp.,
B. and S. Rubin Farms, Inc.,
B T Investment Corp.,
B T S Warehouses, Inc.,
Buccleuch Park Towers,
Buckard Cutler Co., Inc.,
Buck & Donahue, Inc.,
Bucksalem, Inc.,
Bud Bonnets,
Buddi Stylist, Ltd.,
Buddy K Shoe Box Corp.,
Buddys Express, Inc.,
Budjan Investment Corp.,
Buel Stone Terminal Corporation,
Builders Factors, Inc.,
Building Associates, Inc.,
Building Partners, Inc.,
Bulb Realty Corp.,
Bull Pen Lounge, Inc.,
Bundy Electronics Corporation,
Bunker Hill Realty, Inc.,
Bunnvale Manor,
The Bunny Hutch,
Bunty Realty Corporation,

PROCLAMATIONS

2009

Buono Rubber Company, Inc.,
Buono & Sons, Inc.,
Burco, Inc.,
Burford Corp.,
Burlington County Institute of Music, Inc.,
Burlington Industrial Park,
Burlington Karate Club,
Burlington Raceway, Inc.,
Burmil, Inc.,
Burner Supply Corp.,
Burnett Tavern, Inc.,
Burton Supply Co., Inc.,
Busby Building Corp.,
Buschbaum Enterprises, Inc.,
Busch Enterprises, Inc.,
Bush Trucking Co., Inc.,
Business Data Processing Employment, Inc.,
Business Mart, Inc.,
Business Property Advisors, Inc.,
Busluca Cleaning and Dismantling Co., Inc.,
Busy Bea,
Butan Industries, U. S. A.,
Butler Auto Supply Co.,
Butterfield Agency,
B & V Floor Service,
B W C Industries,
B W J, Inc.,

Cabaline Realty, Inc.,
Cabby Builders and Garden Supplies, Inc.,
Cabilla, Inc.,
Cabin In The Sky, Inc.,
Cable Accessories & Equipment Co., Inc.,
Cable Vision Company,
Cabrera & Sons, Inc.,
Cadillac Builders, Inc.,
Cadillac Clothes, Inc.,
Cadillac Diner, Inc.,
Caffarelli, Inc.,
Cagger, Inc.,
Cahill Management Co., Inc.,
Cake N Kettle Food Systems, Inc.,

Calandras Italian and French Bakery, Inc.,
Calderone Grande Industries,
Caldwell Decorators, Inc.,
Caldwell Sport Shop,
Calengjac Mortgage Corp.,
The Callen Corporation,
Calliope Textile Corporation,
Calro Restaurants, Inc.,
Cal Tech, Inc.,
Calter Holding Corp.,
Camac, Inc.,
Cambridge Estates, Inc.,
Camden County Institute of Speed Reading, Inc.,
Camden Drive It, Inc.,
Camden Oasis Motel, Inc.,
Camden Urban Renewal Co.,
Cameo Coat Co., Inc.,
Cameo Motors, Inc.,
Campanella Bakeries, Inc.,
Campbell Concrete Company,
Camp Roundup,
The Campus Lodge, Inc.,
Canadian Home Furnishers of Neptune, Inc.,
Can Dee Automotive, Inc.,
Candiquip, Inc.,
Candlelight Lounge,
The Candlewyck Diner, Inc.,
Capal Holding Company, Inc.,
Capco Air Conditioning and Heating, Inc.,
Capco Packing Co., Inc.,
Cape Associates,
Cape Atlantic Construction Co.,
Cape Atlantic Publishing Co., Inc.,
Cape May Properties, Inc.,
Capital Center, Inc.,
Capital Fleets of Metro N. Y., Inc.,
Capital School for Court Reporting and Secretarial Machine,
Capital Ventures, Inc.,
Capitol Maintenance Corp.,
Capitol Products, Inc.,
Capra Construction Company,
Captain Cutter Marine Supplies, Inc.,

The Captains Folly, Inc.,	12/20/11
Cara Corporation,	12/20/11
Car All Manufacturing Co.,	12/20/11
Carand Realty Corp.,	12/20/11
Caravelle Constr. Co.,	12/20/11
Carayne Industries, Inc.,	12/20/11
Carbide and Mechanical Tool Co.,	12/20/11
Car Cal, Inc.,	12/20/11
Cardinal Building Corp, Inc.,	12/20/11
Cardinale Bros. Leasing Corp.,	12/20/11
Cardinal Land Corp.,	12/20/11
Cardinal Truck Sales, Inc.,	12/20/11
Card N Book Nook,	12/20/11
Caribbean Enterprises, Inc.,	12/20/11
Caribbean Industries, Inc.,	12/20/11
Caribe, Inc.,	12/20/11
Carjo Associates, Inc.,	12/20/11
Carlallen Corporation,	12/20/11
Carlannie Holding Co.,	12/20/11
Carlas, Incorporated,	12/20/11
Carlest, Inc.,	12/20/11
The Carlift Service Corporation of America,	12/20/11
Carl Kemm Loven, Inc.,	12/20/11
Carlo Dini, Inc.,	12/20/11
Carl Robinson Associate, Inc.,	12/20/11
Carlson Sales Company,	12/20/11
Carlson & Son, Inc.,	12/20/11
Carlton Reid Enterprises,	12/20/11
Carmen's Car & Truck Service,	12/20/11
Carol Bensky, Inc.,	12/20/11
Caroll and Williams & Sons Auto Repair, Inc.,	12/20/11
Carousal Cake Shop, Inc.,	12/20/11
Carousel Charm and Modeling School,	12/20/11
Carpentry Associates,	12/20/11
Carpentry, Incorporated,	12/20/11
Carr Bros. Trucking Co., Inc.,	12/20/11
Carroll Brothers, Inc.,	12/20/11
Carrolls Truck Rental Co.,	12/20/11
Carsim Construction Company, Inc.,	12/20/11
Cartapee Trucking, Inc.,	12/20/11
Carteret Delicatessen, Inc.,	12/20/11
The Car 34 Corporation,	12/20/11

Cart Recoveries & Service, Inc.,
Car Wash Maintenance Co., Inc.,
Casamorella, Inc.,
Casey Associates, Inc.,
Casino Beach and Pool,
Casper, Inc.,
Casper Industries, Inc.,
Cassandra Corporation,
Castaldos Liquors, Inc.,
Castle Lumber Corporation,
Castle Point Urban Renewal Corporation,
Castle Servicer, Inc.,
The Casual Classics,
Cathy Mitchell, Inc.,
Cattani Paper Corporation, Inc.,
Catt Construction Company,
Caulking Associates of New Jersey, Inc.,
Caulking Company of America, Inc.,
Cavalier Record Delivery Company,
Cavanaugh Beauty Parlor, Inc.,
Cava Realty Co.,
Caven Point Realty Co.,
Cayuga Realty Co., Inc.,
Cazfel Capital Corp.,
C. B. Flagge Company,
C. B. Gorham Co., Inc.,
C B Homes, Inc.,
C and B Robe Corporation,
C B S Realty Corp.,
C & C Aircraft Enterprises, Inc.,
C & C Cleaners & Dyers, Inc.,
C & C Corp.,
C & C Oil and Burner Company,
C. Costa, Inc.,
C & D Enterprises, Inc.,
C & D Realty Corp.,
C D R Roofing & Siding Co.,
Cecil A. Gordon Associates, Inc.,
Cecil Mobile Homes Corporation,
Cedar Bridge Camp Sites, Inc.,
Cedar Brook Pools & Construction Corporation,
Cedar Fencing, Inc.,

Cedar Grove Newspaper Service, Inc.,
Cedar Grove North Newsted Co.,
Cedar Knoll Development Corp.,
Cedar Ridge Heights, Inc.,
Cee Bees Sanitation Service, Inc.,
Celebrity Corporation of New Jersey,
Celeste Frocks, Inc.,
Celiann Realty Associates,
Cell Realty Co.,
Celtic Bar, Incorporated,
Center City Shoppers Parking, Inc.,
Center Market Bar & Grill, Inc.,
Central Agency, Inc.,
Central Avenue Liquors, Inc.,
Central Cravat Co.,
Central Dyeing & Finishing Corp.,
Central Funding Corp.,
Central Highlands Corp.,
Central Jersey Aluminum Siding Corp.,
Central Jersey Baked Goods, Inc.,
Central Jersey Builders, Inc.,
Central Jersey Building and Construction Corp.,
Central Jersey Home Improvement, Inc.,
Central Kitchen, Inc.,
Central Lanes of East Orange, Inc.,
Central Stationers, Inc.,
Central Travel Agency, Inc.,
Centre Food Associates, Inc.,
Century Photocopy Corp.,
Cepco, Inc.,
Certain Machine and Tool, Inc.,
Certex, Inc.,
Cesco, Inc.,
C. F. Hull Associates, Inc.,
C & G Construction Co., Inc.,
CGS Enterprises,
C. Guy Ross & Son, Inc.,
Chadray, Inc.,
Chad Steven Co., Inc.,
Chain Cartage Corp.,
Chalis, Inc.,
Challenger Freight Agency, Inc.,

Chalso Construction Co.,
Champagne Towers, Inc.,
Chancellor Bialy and Pizza Corp.,
Chancery Lane, Inc.,
Chane Fel, Inc.,
Channel Manufacturing, Inc.,
Chapel Estates, Inc.,
Charel, Inc.,
Chas Brandriff & Sons,
Charles Custom Homes, Inc.,
Charles E. Brinckloe, Sr., Incorporated,
Charles and Frances Holding Co., Inc.,
Charles H. Engler Lumber Co.,
Charles J. Leon, Inc.,
Charles Kreisler Co., Inc.,
Charles Rathbun, Inc.,
Charles Realty Company, Inc.,
Charles Richard Realty Company,
Charlies Confectionary, Inc.,
Charm Chalet, Inc.,
Charm Laundermats, Inc.,
Char Steak of Penn Jersey, Inc.,
Chase Investment Associates,
Chatham Woods, Inc.,
Check Back Systems of Red Bank, Inc.,
Check/Rite, Inc.,
Cheep Construction Co., Inc.,
Chelsea Furniture and Appliance, Inc.,
Chelsea Laboratories, Inc.,
The Chembond Corporation,
Chemical Building Service Corp.,
Chemoramics, Inc.,
Cher Del Corporation,
Cherry Croft Inn, Inc.,
Cherry Hill Industries, Inc.,
Cherry Valley Homes Corp.,
Chesapeake Corporation,
C. Heuser & Company, Inc.,
Chez Charles Marjon,
Chic Creations, Inc.,
Chicken Castle, Inc.,
Chickn Out, Inc.,

Chief Realty Corporation,
Childrens Furniture, Inc.,
Chimney Corner Homes, Inc.,
C & H Investment Co.,
Chirls Bleustein, Inc.,
Chiropractic Clinic of New Jersey,
C. H. Mayer, Inc.,
Chow Haven, Inc.,
Chris Dan Anodizing Co., Inc.,
Christie Construction Corp.,
Christines Jewelers, Inc.,
Christmas Land, Inc.,
Christopher, Inc.,
Chuck Wagon, Inc.,
Chuck Wood, Inc.,
Churchills, Inc.,
Church Towers Realty Management Corp.,
C. Image, Inc.,
The Cimiluca Company,
Cine Tech Corp.,
Cirb Corp.,
Circle M J Construction Co.,
Circle N Farms, Inc.,
Circle Tavern, Inc.,
C & I Realty Co., Inc.,
Cirvello, Inc.,
Citation Fire Protection Services, Inc.,
Citca Music Publishing Company, Inc.,
City Appliance Repair, Inc.,
City Chrysler Plymouth, Inc.,
City Line Shell, Incorporated,
City Pharmacy of Perth Amboy 6800,
City Properties, Inc.,
Civil Builders, Inc.,
C J & A Watch Repair Co., Inc.,
C & J Home Improvement Corp.,
C J J, Inc.,
C J L Statewide Collection Co., Inc.,
C J MacMahon Associates,
C J S & R, Inc.,
C J T, Inc.,
C J Truck Leasing, Inc.,

C & K Plastics, Inc.,
C K T Associates, Inc.,
Claremont One, Inc.,
Clarence Armstrong & Co., Inc.,
Clarendon Services, Inc.,
Clarion Realty Company, Inc.,
Clark Bros. & Merrell, Inc.,
Clark Cities Service, Inc.,
Clark Guard Service, Inc.,
Clark Model Raceways, Inc.,
Clark Phonograph Record Company, Inc.,
Clarks Donut Shops, Inc.,
Clark Window Cleaning Corporation,
Clay Motors,
Clay Realty Corp.,
Clayton Auto Company,
C & L Concrete Corporation,
Clean Air, Incorporated,
Clear Brook Estates, Inc.,
Clear View Dwellings, Inc.,
Clear View Investments, Inc.,
Clements Auto Sales,
Cleveland Executive Realty Co., Inc.,
C. L. Gordon, Inc.,
Clida Realty Co.,
Cliff Embroidery Corp.,
Cliffside Park Catv.,
Clifton G. Wells Associates,
Clifton Properties, Inc.,
Clifton Recappers, Inc.,
Clintmor Realty Corp.,
Clinton Ave. Sobolizing Cleaners, Inc.,
Clinton Clarendon Corp.,
Clinton Furniture Company, Inc.,
C L M Agency, Inc.,
Closter Plaza Drug Corp.,
Clothes Pin, Inc.,
Clothes Rack, Inc.,
Clover Development Corporation,
Clover Enterprises,
Clover Leaf Cafe,
Club Adonis, Inc.,

Club Builders, Inc.,
Club Champagne, Inc.,
Club Oompa Corp.,
Club 309,
Club Venice Bar & Grill, Inc.,
Club Warren, Inc.,
The Coach House of Old Tappan,
Coastal Enterprises,
Coastal Mailing, Inc.,
Coastal Tire Co.,
Coast Line Utilities Construction Corporation,
Coats Galleries, Inc.,
Cohansey Motors, Inc.,
Colange Enterprises, Inc.,
Cold Metal Products, Inc.,
Cold Spring Marina, Inc.,
Coleman Building Corporation,
Colfun Corp.,
Colit Laboratories, Inc.,
Collapsible Container Corp.,
The Colleagues, Inc.,
Colletti Fashions,
Collingwood Auto Market, Inc.,
Collins Concrete Co.,
Collision Repair Service, Inc.,
Col Mat Associates, Inc.,
Cologne Properties, Inc.,
Colonial Alterations, Inc.,
Colonial Arms Development Corp.,
Colonial Card and Gift Shop, Inc.,
Colonial Delicatessen, Inc.,
Colonial Dress Corp.,
Colonial Gardens of West Long Branch, Inc.,
Colonial Leasing System, Inc.,
Colonial Metal Crafters, Inc.,
Colonial Neon Company, Inc.,
Colonial Plumbing Co.,
Colonial Realty Abstract Company,
Colonial Sweet Shoppe,
Colony Coffee Shop,
Colony Farms, Inc.,
Colony House Interiors,

Colony Investment Company,
Colony Life Associates, Inc.,
Color Gun Corporation of America,
Colorspace Patent Corporation,
Colt Safety Appliance Co., Inc.,
Columbia Heating Supply Co., Inc.,
Columbus Auto Body Corporation,
Colwell Associates, Inc.,
Comar Poultry Service, Inc.,
Comar Realty Co., Inc.,
Combined Waste Removal Corp.,
Comet Storm Windows, Inc.,
Commercial Aluminum Products, Inc.,
Commercial Holding Corp.,
Commercial Paper Bag Co., Inc.,
Commercial Square, Inc.,
Commercial Tri State Equipment Corporation,
Commonwealth Leasing Corporation,
Community Antenna Television of New Jersey
Community Electric Service, Inc.,
Community Housing Programs, Inc.,
Community Maple, Inc.,
Community Media Corporation,
Community Research Consultants, Inc.,
Community TV Service, Inc.,
Compton Construction Company,
Computer Information Associates,
Computer Projects, Inc.,
Computer Sales, Inc.,
Computer Systems Design Corp.,
Computer Systems Technology,
Concepts, Inc.,
Conceptual Research, Inc.,
Concha Corp.,
Concord Company,
Concrete Transport Co.,
Congal, Inc.,
Congress Realty, Inc.,
Conir, Inc.,
Connies Drive in Pizza, Inc.,
Conn Plumbing & Heating, Inc.,
Consolidated Fruit Jar Company of New Jersey,

Consolidated Upholstery Co., Inc.,
 Constrad,
 Construction Steel Corp.,
 Construction Systems Associates,
 Container Forwarding Services, Inc.,
 Con Teck Mfg. Corp.,
 Conte Redevelopment Corporation,
 Con Tim Press, Inc.,
 Continental Book Company, Inc.,
 Continental Coiffures of Westfield,
 Continental Equities Corp.,
 Continental Head Hunters Beauty Salon, Inc.,
 Continental Health Spa, Inc.,
 Continental Industrial Catering, Inc.,
 Continental Modern, Inc.,
 Continental Raceways,
 Continental Real Estate, Inc.,
 Continental Rental Corp.,
 Contour Homes, Inc.,
 Contract Furniture Corporation of America,
 Contractors Machinery Company,
 Con Van System, Inc.,
 Convoy Carriers, Inc.,
 Cook Associates, Inc.,
 Cook Investment Corporation,
 Cooper Village Tavern, Inc.,
 Coop Realty Co., Inc.,
 Copeland Corporation,
 Coppy Car, Inc.,
 Copymation, Inc., of N. J.,
 Corbo Realty Company, Inc.,
 Corcell Construction Co., Inc.,
 Cori Enterprises, Inc.,
 Cornell Realty and Investment Corporation,
 Coronet Merchandise, Inc.,
 Corrida Corporation,
 Corrugated Specialties, Inc.,
 Corsal Investments, Inc.,
 Corsentino Home for Funerals, Inc.,
 Cortese Tree Service, Inc.,
 Cor Wire, Inc.,
 Cosden Chemical Coatings Corp.,

Cosest, Incorporated,
Cosmetic Beauty Bar, Inc.,
Cosmopolitan Investors, Inc.,
Cosmopolitan Painting Contractors, Inc.,
Co So, Inc.,
Costa Associates,
Costello Deli, Inc.,
Cottman Automatic Transmission of Trenton, Inc.,
Council Knitting Mills, Inc.,
The Count Cafe,
Countess Elaine Cosmetic Co., Inc.,
Count 41,
Country Builders, Inc.,
Country Cleaners, Inc.,
Country Club Towers Section 2, Inc.,
Country Haven, Inc.,
Country Lakes Beach and Cabana Club, Inc.,
Country Neighbor, Inc.,
The Countryopolitan Club, Inc.,
Countryside Developers, Inc.,
Country Stables, Inc.,
Country Style Donuts of Riggs Road, Inc.,
County Lakes Corp.,
County Line Construction & Supply Corp.,
County Lumber & Supply Co.,
County Paint and Wallpaper Co., Inc.,
The Couturier Shop, Inc.,
Cover All Surface Systems, Inc.,
Coyle Enterprises, Inc.,
C. Pinto, Inc.,
Craft Sheet Metal, Inc.,
Craftsmen Displays, Inc.,
Craig Pool Service Co., Inc.,
Cranleys Parris Lounge,
Crawford Cut Rate, Inc.,
Crawfords Agency, Inc.,
Creative Design Emblems, Inc.,
Creative Embroideries, Inc.,
Creative Engineering, Incorporated,
Creative Graphics by Lander, Inc.,
Creative Packaging Design, Inc.,
Creative Painters, Inc.,

Credit Card Acceptance Co. of New Jersey, Inc.,
 Credit and Collection Bureau of Burlington County,
 Crelock, Inc.,
 Crescent Heights Motors,
 Cressfield Contracting Co., Inc.,
 Crest Agency, Inc.,
 Crestbrook Holding Corp.,
 Crest Cleaners,
 Crestop Manor, Inc.,
 Crest Property Improvement Co., Inc.,
 C R G Construction Co., Inc.,
 Crismoore, Inc.,
 Criterion Holding Company,
 Critics Theatre Reviews,
 Critides Corp, Inc.,
 C and R Marlough, Inc.,
 Cromato Tavern, Inc.,
 Crom Val Corp.,
 Cromwells of New Jersey, Inc.,
 Cross County Contractors,
 Cross Keys Hotel & Restaurant, Inc.,
 The Crossvale Company, Inc.,
 Crown Point Construction, Inc.,
 Crown Travel Service, Inc.,
 Crown Wine and Liquor Corporation,
 C & R Printing and Advertising, Inc.,
 Crystal Car Wash, Inc.,
 Crystal Development Laboratories, Inc.,
 Crystal Painting Corp, Inc.,
 CSA, Inc.,
 C S B Realty Co., Inc.,
 C S C Contracting Corp.,
 C & S Contracting Co.,
 C T L Institute,
 Cubic Construction Company,
 C. U. Di Stefano & Sons, Inc.,
 Cue Clubs, Inc.,
 Culver Fence & Pool, Inc.,
 Cumberland Outlet, Inc.,
 Curcio Scrap Metal, Inc.,
 Currier Construction Co., Inc.,
 Curtis Manufacturing Corporation,

Custom Alarm & Manufacturing Co.,
Custom Audio Productions Co., Inc.,
Custom Bilt Products Co., Inc.,
Custom Building Sales,
Custom Heating Plumbing and Construction Co., Inc.,
Custom Oil Co.,
Custom 3, Inc.,
Custom Wigs, Inc.,
Custom Woodcraft, Inc.,
C V Home Construction Co., Inc.,
Cwality Cream Corporation,
C W Crane Trucking Corporation,
Cyclo Shine Machine Corp.,
Cylinders, Inc.,
Cynjac Corp.,
Cypress House,

Dab Equities, Inc.,
Dacal Corp.,
Dadson & Co.,
Da Fra Corporation,
Dagostino Funeral Home, Inc.,
The Darling Corporation,
Dailys Tire Service, Inc.,
Dairy Services, Inc.,
The Daisy Lee Co., Inc.,
Dale Electric Company,
Dale & McKinnon, Inc.,
Dalena & Sons, Inc.,
Dale & Scheid Associates, Inc.,
Dallas Enterprises, Inc.,
Daltons Inn, Inc.,
Damion Donuts, Inc.,
Danadom, Inc.,
Danbar Electrical Contractors, Inc.,
Dance Club, Inc.,
Dance Drama & Design, Inc.,
Dan Dee Painting Contractors, Inc.,
Daniel Cohn, Inc.,
Daniel Dale, Inc.,
Daniel Faber, Inc.,
Daniel Passarelli, Inc.,

Dan Johnson,
Dan Johnson Equipment Rentals,
Dan Johnson Tractor Co.,
Danmarts, Inc.,
Dann Furniture Co., Inc.,
Danny Pat Products, Inc.,
Dantodd, Inc.,
Danwall Corp.,
Darby Enterprises, Inc.,
Darce, Inc.,
Dar Jon Enterprises, Inc.,
Darley Fashions,
Daro Excavating Corp.,
D. Artagnan Press, Inc.,
Darvel Corp.,
Dasher/Paul, Inc.,
Data Business Supply,
Data Mailing Service, Inc.,
Data Research Associates, Inc.,
Data Rite Service Bureau, Inc.,
Data Share, Inc.,
Dater Realty Corporation,
Davco Products Corp.,
Davel Builders, Inc.,
Dave Morrison, Inc.,
Dave and Petes,
David Andrew Realty Corp.,
David D, Inc.,
David R. Smith Associates, Inc.,
Davids Beauty Salon of East Brunswick,
David Schreier, Inc.,
David S. Mayers Packing Corp.,
David S. Myers Co., Inc.,
Davies Land Co., Inc.,
Davis Pharmacy, Inc.,
Dawn Customized Improvements, Inc.,
DBF, Inc.,
DCI Data Consultants, Inc.,
D C Tile Distributors Corp.,
D. Davies Plating Lab. Co., Inc.,
D D L Corporation,
D D & S Construction Corporation,

D & D Shoes, Inc.,
Dealer Data Services, Inc.,
Deal Sure Winner, Inc.,
Dean Lithographers,
Debbies Lounge, Inc.,
Debeo Const. Co.,
Debeo Enterprises,
Decade Investment Corporation,
Decal International, Inc.,
De Cara, Inc.,
De Ceglie Construction Co.,
Deck Shops of New Jersey, Inc.,
Deco Products Co., Inc.,
Decor Surfaces, Inc.,
Dedalus Productions, Inc.,
Deeds of Elizabeth, Inc.,
Deer Cross Homes, Inc.,
Deerfield Construction Company, Inc.,
Deerfield Park Apartments, Inc.,
Deer Lake Camp, Inc.,
Deerpark Associates, Inc.,
Deer Park, Inc.,
De See San Corporation,
Dees Drive, Inc.,
De Filippo Garage, Inc.,
Dejay Bar, Inc.,
Delaneys Express, Inc.,
Delawanna Cabinet Company, Inc.,
Delaware Falls Company,
Delaware Valley Beverage Distributors, Inc.,
Delaware Valley Bottle and Pallet Company, Inc.,
Delaware Valley Instrument Corp.,
Delaware Valley Shooting Centers, Inc.,
Delbros, Inc.,
Del Clothing Company,
Delcroal Corp.,
Delgra Holding Corp.,
De Lite Luncheon, Inc.,
Della Construction Company,
Dellawood Estates, Inc.,
Delmar Realty Holding Company,
Del Monico Remodeling Corporation,

Delnick Company, Inc.,
Delta Paint & Wallpaper Co.,
De Luca Accordion Co., Inc.,
Deluxe Assembly Co., Inc.,
Deluxe Service Enterprises,
Del Val Coach, Inc.,
Del Val Coins, Inc.,
De Marco Farm Tools, Inc.,
Demasso Holding Co., Inc.,
Demont, Inc.,
Dempsey Mercier Roofing and Sheet Metal Contractors,
Denight Steel Co.,
Denise Creations,
Denkar Associates,
Denman Tire & Rubber Company,
Denmar Refolding, Inc.,
Denmaur, Inc.,
Dennis Sales Co., Inc.,
Denny Calloway, Inc.,
Densen Banner Company, Inc.,
Densen Corrugated Container Corp.,
Dental Medical Auxiliary Placement Service,
Dente Nersita & Sons, Inc.,
Danzis Wine & Liquor Company,
Dependable Lift Service, Inc.,
De Petro Castiglia Agency, Inc.,
Deravain, Inc.,
Derko, Inc.,
Derlin Products, Inc.,
Dermatis Restaurant, Inc.,
Design Craft Associates, Inc.,
Designed Components Sales, Inc.,
Design in Wood, Inc.,
Design 2 Corp.,
Destry Dye & Chemical Corp.,
Deter Co., Inc.,
Development Plumbing & Heating, Inc.,
Devices, Inc.,
D. E. Von Atzingen Contracting Co.,
Devonbrook, Inc.,
Devon Realty Co., Inc.,
De Young Brothers, Inc.,

De Zemo, Inc.,
D & F Embroidery Co., Inc.,
D. F. Olsen Associates,
D. Harding, Inc.,
Dial Investment Co., Inc.,
Dialtronics,
Diamond Drilling Company,
Digilio Bros., Inc.,
Dijans, Inc.,
Di Jen Productions, Inc.,
Dilullo Stanton,
Dimar Tavern, Inc.,
Di Minno Tree Surgery, Inc.,
Dimler Fryer & Sobota, Inc.,
Dinos Snack Bar Car Hop,
Diomil Co., Inc.,
Dior Fashions, Inc.,
Diorio Contracting Company,
Dirt, Incorporated,
Discount Fence Center, Inc.,
Discount Floor Coverings of Fountain, Inc.,
Discount Floor Coverings of Keyport, Inc.,
Discount Floor Coverings of Sayreville, Inc.,
Discount Land, Inc.,
Discount Mortgage Association,
Discount Records and Tapes, Inc.,
Discount Tire Sales, Inc.,
Di Stefano Associates, Inc.,
Di Stef Corp.,
Distillation and Chemical Services,
Divco Service Center, Incorporated,
Diversified Financial Services, Inc.,
Diversified Investments, Inc.,
Diversified Leasing Corp.,
D J D Realty Corp.,
D & L Coin Laundromat, Inc.,
D 9 Sealer,
Do All Aluminum & Construction Co.,
Dockrell,
Dock Watch Realty Co.,
Doc's Spa, Inc.,
Dr. Minor C. K. Jones Associates, Inc.,

Docustat Corporation of New Jersey,
Doe East Cosmetics, Inc.,
Doe-Vin Enterprise Corporation,
Dollar Pawnbrokers, Inc.,
Dolores Nicholas, Inc.,
Dolphin Mortgage Co.,
Domat Construction Company,
Domenick Coppola, Inc.,
Domestics & Maintenance, Inc.,
Domichlich, Inc.,
Dominion Development Co., Inc.,
Domjim, Inc.,
Donald Bennett Hairstylists, Inc.,
Donald Joan, Inc.,
Donbill Realty Corp.,
Don Christ Music Center, Inc.,
Don Demar, Inc.,
Don Demor Motors, Inc.,
Dondor Corporation,
Don Kirshner Enterprises, Inc.,
Don Miles, Inc.,
Donna Homes, Inc.,
Donroe Motels, Inc.,
Dons Garage,
Dons Pharmacy, Inc.,
Donsull, Inc.,
Dons Wigwam,
Donty Brake & Wheel Alignment Corp.,
Doors of Beauty Inc.,
Dora Kay, Inc.,
Doral Construction Co., Inc.,
Dorbert Sales, Inc.,
Dorchester Development Corp.,
Dorisart Building Enterprises,
Dorma Enterprises, Inc.,
Dormant, C. F., Inc.,
Dormer Werner, Inc.,
Dorrians, Inc.,
Dorri Foods, Inc.,
Dorte Macsene Corporation,
Dosa Hemlock Painting & Decorating, Inc.,
Dot Builders, Inc.,

Dot & Larrys Village Tavern, Inc.,
Dottie Fabrics, Inc.,
Double Ace Stable, Inc.,
Double B Horse Farm, Inc.,
The Double D Beef Co.,
Double De Window Cleaning & Maintenance Co., Inc.,
Double T Corporation,
Dover Dwellings, Inc.,
Dover Galleries,
Dowcor Land Corporation,
Downtown Motel, Inc.,
D P D Sales Co., Inc.,
D P L, Inc.,
Dragons Den Restaurant, Inc.,
Drasand,
D R C Enterprises, Inc.,
Drew Construction Corp.,
Drew Enterprises,
Drexel Auto Servicer, Inc.,
The Drift Corporation,
Drigo Management Corp.,
Drinkamatic Corporation,
Droga, Inc.,
Drum Corps Specialists,
D. Stuart Agency,
Du Bouchet Holding Co., Inc.,
Duchins, Inc.,
Duco Bond, Inc.,
Duffys Performance Specialties, Inc.,
Dugout Restaurant, Inc.,
Dul In Building Corporation,
Dunellen Garden Apts., Inc.,
Dunhill Agency, Inc.,
Dunhill Cleveland Realty Co., Inc.,
Dunhill International, Inc.,
Dunhill Realty Co., Inc.,
Dunlop Floor Products, Inc.,
Dunnell Corporation,
Durabilt Homes Corp.,
Dural Construction Co., Inc.,
Duval Discount Corporation,
Du Wel Construction Corp.,

D W Enterprises, Inc.,
D W & M Holding Co.,
Dworks Liquor Stores, Inc.,
D W Taxi Corp.,
Dynaclean Products, Inc.,
Dynamic Design, Inc.,
Dynamic Enterprises,
Dynamic Mortgage Securities Associates,

E. A. Alfano, Inc.,
Eagle Plumbing & Heating Supply Co.,
Eagle Steel Co., Inc.,
Eagle Vitamin Corp.,
E. A. Pace 5 & 10 Stores,
E. A. Pettit, Inc.,
Earle Murphys Recreation Co.,
Ear Piercing Center of New Brunswick, Inc.,
Ear Piercing Center of Paterson, Inc.,
Earring of the Month Club, Inc.,
Earth Aids, Incorporated,
Earthco Trucking Corporation,
Earth Haulers, Inc.,
Earth Relocation Corp.,
E A S, Inc.,
East Brunswick Academy of Music, Inc.,
East Central, Inc.,
East Central Properties, Inc.,
Easter Holding Corporation,
Eastern Coin Machine Distributing Co., Inc.,
Eastern Colonies Corporation, N. J.,
The Eastern Corp.,
Eastern Credit & Collection Agency,
Eastern Offset Corporation,
Eastern Painting Contractors,
Eastern Plumbing and Heating,
Eastern States Leasing Corporation,
Eastern Surfer, Inc.,
East Millstone Food Service,
East Orange Properties, Incorporated,
The East Orange Sportsman, Inc.,
East Rutherford Express Delivery, Inc.,
East Windsor Construction, Inc.,
Easy Does It Manufacturing Company, Inc.,

Easy Wash, Inc.,
Eaton Estates, Inc.,
Eatontown Concrete Co., Inc.,
Eat Rite Delicatessen,
E A W Enterprises, Inc.,
Eben, Inc.,
Eberhard Schneider Realty and Investment Corporation,
Ebony Show Case,
E B X Converting Corp.,
Econo Car Wash, Inc.,
Economy Sportswear, Inc.,
Edaps Educational Data Processing Services,
Edatt Corporation,
Edcal, Inc.,
E and D Corporation,
Ed Docar Realty Co., Inc.,
Eden Marshall Construction Corp.,
Edgewood Equipment, Inc.,
Edison Atlantic, Inc.,
Edison Auto Parts, Inc.,
Edison Raceways Corporation,
Edmist Corporation,
Ed Nelson Constructors,
Ednik, Incorporated,
Edo Star, Inc.,
Educational Development Corp.,
Educational Press, Inc.,
Educational Systems, Inc.,
Edward A. Boom, Inc.,
Edw. G. Kurtz Co.,
Edward J. Malley Trucking Co., Inc.,
Edward M. Marmo Corporation,
Edward R. Blaser, Inc.,
Edward Reid Company, Inc.,
Edward S. Brown & Co.,
Edwards & Edwards,
Edwards, Inc.,
Eejay Realty Corp.,
Efmar Realty Corporation,
Effinger Swift Homes, Inc.,
E. F. Jenkins, Inc.,
E. F. O. Donnell and Company, Incorporated,

Egral Co., Inc.,
E. H. Ewing, Inc.,
The Eight Ciccolini Brothers Company, Inc.,
884 South 15th Street Corporation,
840 Bloomfield Ave., Inc.,
871 Bergen Corp.,
861 Broad Street, Inc.,
88 Management Corp.,
85 Jersey Street, Inc.,
The 84 Corporation,
81 Corporation,
Eighty One Prince Holding Corporation,
The 87 Corporation,
86 88 Davenport Ave., Inc.,
80 Winans Avenue Corp.,
Ejab Corporation,
E. J. Lynch Contracting Corp.,
E. J. Partridge Enterprises,
E J R Corporation,
Elbar, Inc.,
Elbee Contractors, Inc.,
Elbern Marketing Corp.,
El Chem Battery Corporation,
Eldacost Properties,
Eld Aluminum Products, Inc.,
Eldee Corporation,
Eldine Mfg. Co., Inc.,
Eldon, Incorporated,
Eldon West Realty Corp.,
Eldora Realty Company,
Eldridge Trucking Company,
Eleanor Construction Co.,
Eleanor Dress Corporation,
Electro Lighting Industries,
Electron Corporation,
Electronic Billboard, Inc.,
Electronic Closures, Inc.,
Electronic Gear Company, Inc.,
Electronic Installation, Inc.,
El Ees Foundation, Inc.,
Elejac Corporation,
Elemjay Corporation, Inc.,

Elena Consultants,
1179 Second Ave. Corp.,
Eleven Tell Corporation,
Elgree, Inc.,
Elicia Enterprises, Inc.,
Elite Meat Market, Inc.,
Elizabeth Beef Co., Inc.,
Elizabeth Development Corp.,
Elizabeth Doughnut Delights, Inc.,
Elizabeth Paint Service, Inc.,
Elizabeth River Parking Corp.,
Eljim Auto Mart of Pine Brook, Inc.,
Eljoy Corp.,
Elkay Associates, Inc.,
Elleen Construction Corp.,
Ellessbee Corporation,
Elliot Wilson Co.,
Ellis Imported Motors, Inc.,
The Ellison 150, Inc.,
Ell Jo Pam, Inc.,
The Ellmore Corporation,
Ellsco, Inc.,
Ellsworth Construction Co., Inc.,
Elmeco, Inc.,
Elm Hill, Inc.,
Elm Improvement Company, Inc.,
The Elpee Corporation,
Elray Homes, Inc.,
Elton Donuts, Inc.,
Eltra Company, Inc.,
Emanon, Inc.,
Emart, Inc.,
Embassy Realty Co. #3, Inc.,
Embre Films, Inc.,
Em El Enterprises, Inc.,
E & M Equipment Company,
Emerald Embroidery Corp.,
Emergency Sewer Service, Inc.,
Emerson American Corp.,
Emerson Park Building Co., Inc.,
E M I Consultants, Inc.,
Emil B. Gatti, Inc.,

Emmco, Inc.,
Emmels Auto Body Shop, Inc.,
Empire Office Supply Co.,
Empire Plumbing and Heating Contractors Corp.,
Empire Services Corp.,
Endell General Contractors, Inc.,
Energy Systems, Inc.,
Engelsons, Inc.,
Engine Filter Corporation,
Englewood Cliffs Sales Corporation,
Englishtown Meat Corporation,
E. N. Gordon Associates, Inc.,
Enrico Hairdresser,
Ensenat Realty Corporation,
Enterprize Boat Company, Inc.,
Environmental Controls, Inc.,
Environmental Pollution Prevention and Control Corporation,
Epicureans Restaurant and Delicatessen, Inc.,
Epstein Hardware Co.,
Equity Realty & Investment Company,
Erb Woodcraft, Inc.,
Ercole Homes, Inc.,
Ercol Realty Co.,
Ernst Germann, Inc.,
Ernst Hoffman Corporation,
Erskine Lakes Construction Company,
E & S Auto Service, Inc.,
Escco, Inc.,
Esco Corporation,
Eselgroth & Co.,
Eselkay Corp.,
Eskay Farms, Inc.,
Esk Ette Sportswear, Inc.,
Esmire Corporation,
E. Spears Livery Service, Inc.,
Esquire Screen Studios, Inc.,
Essanbee Company,
E & S Security Corp.,
Essex Land Developing Co.,
Essex Sprinkler & Maintenance Co., Inc.,
Essex Systems Company, Inc.,
Esther Estates, Inc.,

Eta Realty Corp.,
Eton Construction Company,
Etteco, Inc.,
Euckers Steak House, Inc.,
Euclid Supply Corporation,
Eugene Gewerz Furs of Distinction,
Eula Realty Corporation,
Eusid Corporation,
Eva H. Burnett,
Evans Building Co., Inc.,
Evarbet, Inc.,
Evelyn Fashions, Inc.,
Evelyns Luncheonette, Inc.,
Everdale Ridge Corporation.
Everfast Express Company,
Evergreen Springfield Corp.,
Ever Lasting Weather Guard Mfg. Co., Inc.,
Evesham Carriage Stop, Inc.,
Eward, Inc.,
Ewing Commerce, Inc.,
Exactape, Inc.,
Exalco, Inc.,
Excavators, Inc.,
Excellent Val, Inc.,
Executive Aircraft Consultants, Inc.,
Executive Terrace Apartments, Inc.,
Exeter Construction Co., Inc.,
Expando Corp.,
Experimental Plastic Molds Corp.,
Exteriors, Inc.,
Exterminators, Incorporated,
E Z Amusements, Inc.,
E Z Flooring Co.,
E & Z Realty Management Co., Inc.,

Fabcon Engineers, Inc.,
Faber Thoroughbreds Company,
Fabkap Corporation,
Fabulous Handprints, Inc.,
Fairchild Builders, Inc.,
The Fairfield Inn,
Fairfield Machine Corp.,
Fairfield Property Service, Inc.,

Fair Investment Co., Inc.,
Fairlane Electronics,
Fairway Fast Car Wash,
Fairway General Realty Corp.,
Fairway Oaks Construction Co., Inc.,
Faith Movement and Homeowners, Inc.,
Failcap Building Corporation,
Falcop, Inc.,
Falynn Painting Corp.,
Family Pools, Inc.,
Famous Characters, Inc.,
Famtin Corp.,
Fanconn Corporation,
Fan Ric Corp.,
The Farmland Ross Corner,
Farmvil Construction Co., Inc.,
Farquharson Sales, Inc.,
Farview Homes, Inc.,
Fashion Eyes, Inc.,
Fashion Spot, Inc.,
Fas Systems, Inc.,
Favorite Foods, Inc.,
Fawn Fabrics, Inc.,
Fay Fish Company, Inc.,
Fazio Builders,
F C Motor Inn, Inc.,
F & D Builders, Inc.,
F D C Motel Corporation,
Federal Getty Corp.,
Federated Contracting Co., Inc.,
Felcan, Inc.,
Feld Stein, Inc.,
Felko Manufacturing, Inc.,
Fell Tips, Inc.,
The Feminine Corner Lawrence, Inc.,
Fern Hollow Estates,
Ferrulmatic, Inc.,
Ferry Realty Co., Inc.,
F F & C, Inc.,
FGLR Associates, Inc.,
F G V Corp.,
F. H. Bridge & Son Contractors,

Fibertex,
Fidelity Acceptance Corp. of N. J.,
Fidelity Storage Company,
Field Service, Inc.,
Fiesta Homes, Inc.,
15 Bush St. Corp.,
The 15 Corporation,
1524 Pacific Ave. Corp.,
15 North Illinois Corp.,
Fifth Ave. Amusement Co., Inc.,
Fifty Fifty Corp.,
55 Fairview Corp.,
The Fifty One Corporation,
Fifty One Morris Street, Inc.,
51 Square Caterers,
5700 Broadway Corp.,
56 Ninth Avenue, Inc.,
52 58 Arlington St. Corp.,
52 54 Commerce Corp.,
52 L Street, Inc.,
52 Vanderbilt, Inc.,
Finance Service, Inc.,
Financial Business Development Institute,
Fincorp, Inc.,
Fine Craft Custom Furniture, Inc.,
Finger Lickin Chicken, Inc.,
Finnesey Body Corporation of New Jersey,
Finor Development Co., Inc.,
Fire Damage Construction Co., Inc.,
Fire Extinguishers, Inc.,
Fireside Nursing Home,
Firestone Electronics,
First Commodity Corporation of New Jersey,
First Equity Capital Construction,
First Exchange Corporation of Somerset County,
First Jersey Builders, Inc.,
First Jersey Corporation,
First Security Associates, Inc.,
First Willow Holding Corp.,
Fisch Bros., Inc.,
Fisher Huffard Corp.,
The Fisherman, Inc.,

Fisler Bros., Inc.,
Fit Rite Shoes Closter, Inc.,
Five Acres,
5 Fairview Avenue Jersey City Corporation,
5 Guys Construction Co., Inc.,
515 Corp., Inc.,
555 A Realty Corp.,
504 Realty Investment Corp.,
565 Main Street Co., Inc.,
Five Investors Club, Inc.,
5 Star Applicators, Inc.,
Five Star Associates,
Five Star Enterprises, Inc.,
Five Star Publications, Inc.,
Five West Corp.,
F J N, Incorporated,
F. La Ferrara and Son, Incorporated,
Flahm Holding Company,
Flanagan Bros., Inc.,
Flanagan Hotels, Inc.,
Flanders Liquors, Inc.,
F & L Carpet, Inc.,
F & L Contractors, Inc.,
Fleet Sales Corporation,
Fleetwood, Inc.,
Flemington Diner, Inc.,
Flip Associates, Inc.,
Flobob, Inc.,
Flo Mar Corporation,
Florence Walters Gallery, Inc.,
Florian Glass Service, Inc.,
Florida Estates, Inc.,
Flor Kir Machine Co., Inc.,
Flower Basket, Inc.,
Flower Embroidery Corp.,
Flowers by Embassy,
Flowers of the Month Club, Inc.,
Fluidonics, Inc.,
Flying Executive Air Service., Inc.,
F & C Building Maintenance Corp.,
F & M Electronics Corporation,
F & M Surplus, Inc.,

F O L Leasing Service, Inc.,
Fondco, Inc.,
Foodarama Equipment, Inc.,
Food N Cup Corp.,
Food Specialties, Inc.,
Foodtronics, Inc.,
Food World,
Foodsies Caterers,
Foothills Contracting Co., Inc.,
Forbes Barlow Advertising, Inc.,
Ford MacElvain Inventor, Inc.,
Ford Morris Construction,
Fords Realty Holding Company,
Forel, Inc.,
Foreman Mills, Inc.,
Foremost Construction Corporation,
Forest Hill Apartments, Inc.,
Forest Hill Developers, Inc.,
Forest Hill Manor,
Forest Hills, Inc.,
Forest Hill Terrace, Inc.,
Forest Ridge Sleep Shop, Inc.,
Forest Valley Development Corp.,
Form A Lite Manufacturing Corp.,
Forose, Inc.,
Forrester, Inc.,
Forrest Plywood Co., Inc.,
Fort Lee Excess, Inc.,
Fort Lee Laundry,
Fort Lee Pizza and Restaurant,
Fortuna Builders, Inc.,
Fortune Precision Tool Co.,
47 Ashland Corp.,
The 47 Corporation,
4701 4705 Bergenline Avenue Corporation,
4215 Maple Avenue Corporation,
Forum Construction Co., Inc.,
Forum Motor Lodge, Inc.,
Foss Industries, Inc.,
Foster Animal Hospital, Inc.,
Foster Scott, Inc.,
Fountain Gardens, Inc.,

The Four BS Rental Company,
486 Realty Corp.,
440 Restaurant Co.,
400 N Maine Corp.,
479 Elm Tavern, Inc.,
430 Fairmount Avenue Corp., Inc.,
431 Park Avenue Beauty Mart, Inc.,
421 York St. Corp.,
4 MS Trucking & Leasing Corp.,
Four Seasons Knit Shoppe,
Four Seasons Panel Center, Inc.,
The Four Seasons Sisters Corp.,
Four Seasons Tree and Trim, Inc.,
Four Square Construction, Inc.,
Four Star Construction Co., Inc.,
Four States Enterprises, Inc.,
The 14 Corporation,
14 Realty Co.,
Four Thirty Two South Seventh Corp.,
Fourth & Liberty Corp.,
Fox Embroidery, Inc.,
Fox Hill Homes, Inc.,
Foxwood Corp.,
F P M Builders, Inc.,
Fracon, Inc.,
Frame A Name Mfg. Corp.,
Framers Industrial Builders, Inc.,
Franchise & Promotion Corp.,
Francis A. Aubrey, Inc.,
Francisco Santiago, Inc.,
Fran Jo Construction Co., Inc.,
Frank Agency,
Frank Ames, Inc.,
Frank Burke & Associates, Inc.,
Frank C. Errickson, Inc.,
Frank C. Van Ness, Inc.,
Franke and Johnny Remodeling Contractors, Inc.,
Frankie Conways Cafe, Inc.,
Frank Jewelers, Inc.,
Frank Krasner Co., Inc.,
Franklem Trading Corp.,
Franklin Construction and Supply Co., Inc.,

Franklin Finishing Corporation,
Franklin Paper Company,
Frank Lynch, Inc.,
Frank Metals, Inc.,
Frank Natale, Inc.,
Frank N. Bun The Hot Dog Man,
Frank Occhiuzzi Corp.,
Frank Sapios, Inc.,
Franks Auto Service,
Frank Tyler Bail Bond Agency,
Frank W. Lenart Stationers, Inc.,
Frank Zito & Sons,
Fran Lee, Inc.,
Franter, Inc.,
Franton, Inc.,
Franzo Trucking Corp.,
Fred Ashplant Racing, Inc.,
Fred Burger, Inc.,
Fredet, Inc.,
Fred Homschek, Inc.,
Fredon Construction Co., Inc.,
Fred Paul Realty, Inc.,
Fred Price, Inc.,
Fred Sbrilli Agency, Inc.,
Freedom Realty, Inc.,
Freehold Trotter and Pacer Diner and Restaurant,
Freeman Homes, Inc.,
Frehrichs, Inc.,
Freight Expeditors, Inc.,
Freman, Inc.,
French Pastry Shop,
Freshway Western, Inc.,
Friar Tuck, Inc.,
The Friendly Beauty Salon, Inc.,
Friendship Lakes, Inc.,
Fries, Inc.,
F & R Investment Co.,
Fritz Bros.,
Froelich Construction Co., Inc.,
Front Street Realty Company,
F and R Reconditioning Service, Inc.,
F & R Trucking Co., Inc.,

The Fruit Exchange Corp.
F S Builders, Inc.,
F S H Enterprises, Inc.,
Fugle Miller Laboratories, Inc.,
Fulcrum Associates, Inc.,
Fulcrum Corporation,
Fulcrum Corporation of South Jersey,
Full Sewer Contractors, Inc.,
Fun Afloat Corporation,
Funds For People, Inc.,
Fun Time Model Raceway & Hobby Center,
Fun Time Pools, Inc.,
Furnapco of New Jersey,
Furwat Corporation,
Fussies Drive In, Inc.,
Future Food Trends, Inc.,
Fuzzys Korner, Inc.,
F. W. Brunt Construction Co., Inc.,
F & W Builders, Inc.,
F & W Enterprises, Inc.,
F. W. Gaeta Container Carriers,

G A Associates, Inc.,
Gabinelli Refrigeration Co., Inc.,
Gab Will Construction Co.,
Gaelic Realty Co.,
Gaetana Realty Corporation,
Gai Cards, Inc.,
Gail Development Corp.,
Gal Asso Trucking, Incorporated,
The Gallery of Contemporary Design,
Gallina Corporation,
Ga Mac Container Service, Inc.,
Gamar Typesetting Service, Inc.,
Gambi Music, Inc.,
Gantzell Gorzelnik Agency, Inc.,
Garbet Realty Corp.,
Gar Co.,
Garden Spring, Inc.,
Garden State Automatic Transmission Service, Inc.,
Garden State Auto Parts, Inc.,
Garden State Concrete Co., Inc.,

Garden State Cutting Co., Inc.,
Garden State Flying Club, Inc.,
Garden State Frozen Foods,
Garden State Fuel Oil Co.,
Garden State Health and Recreation Co., Inc.,
Garden State Machine Engraving Co., Inc.,
Garden State Magazine Distributors,
Garden State Promotional Products, Inc.,
Garden State Rendering & Refining Corp., Inc.,
Garden State Restoration Service, Inc.,
Garden State Sporting Corporation,
Garden State Supply Company,
Garden State Tax Services,
Garden State Tung Oil Corporation,
Garden View Terrace Associates, Inc.,
Garfield Enterprises, Inc.,
Garfield Park, Inc.,
Garret Farms,
Garritys Market, Inc.,
Garthe Motor Lines, Inc.,
Gary Greetings, Inc.,
Gasprey, Inc.,
Gaston Ave. Bakery, Inc.,
Gauthier Brothers, Inc.,
Gaylords Shops, Inc.,
Gays & Jen, Inc.,
G B F, Inc.,
G C Realty, Inc.,
G D Snow, Inc.,
Gem Accounts,
Gem Cleaners, Inc.,
Gem Electro Magnetics Co., Inc.,
Gem Grocery Store, Inc.,
Gemini Associates, Inc.,
Gemini Delivery System, Inc.,
Gemini Textile,
Gem Maintenance Services, Inc.,
Gem Vaccum Corp.,
Genemar Corp.,
General Albums, Inc.,
General Data Systems,
General Development Corp.,

General Dispatch, Inc.,
General Factors, Inc.,
General Filing Service, Inc.,
General Fruit Ades, Inc.,
General Heating Corp.,
General Mastics Corp.,
General Millinery Corp.,
General Optics, Inc.,
General Recovery Systems, Inc.,
General Sales Associates, Inc.,
General Structures Corporation,
General Tank Trailer & Truck Repair, Inc.,
General Techniques, Inc.,
General Transmissions Corporation of Camden,
Genmar Corporation,
Genola Brothers, Inc.,
Gensal Enterprises,
Geon Realty Corp.,
Georgalis & Russo, Inc.,
Geo. Bell Construction, Inc.,
George Building Co.,
George Coiffures of Paterson, Inc.,
George C. Peed Productions, Inc.,
George Haydick, Inc.,
George Kohn Plumbing & Heating, Inc.,
George Mauro, Inc.,
George P. Thomas & Hunt, Inc.,
Georges Bonding Agency,
Georges Refrigeration Co., Inc.,
Geraldine Verderosa Montano Corp.,
Gerards Men's Hair Stylists, Inc.,
Gerentha, Inc.,
Geromino Toy Co., Inc.,
Gerontology, Inc.,
Gertco Corp.,
Gert & Ed's, Inc.,
Gertrude Amusement Corporation,
Gerzoff Contracting Company,
Gethard Clifton, Inc.,
Gewill Realty Corp.,
G. Fredericks, Inc.,
G & G Consultant Metals, Inc.,

GGDAC, Inc.,
G G G Vending Co.,
G & G Investment Co.,
G & G Trucking Corporation,
Giaimo Giaimo Company,
G I A, Inc.,
Giant Construction Co.,
Gibbsboro Lakeview Homes, Inc.,
Gibraltar Barber Shop, Inc.,
Gifford Construction Co.,
Gift Corner, Inc.,
Gigot Corp.,
Gil Bay, Inc.,
Gilbert S. Kline, Inc.,
Gilken Enterprises, Inc.,
Gillette Contractors, Inc.,
Gillings Installation & Electrical Co.,
Gilmar Associates, Inc.,
Gilou, Inc.,
Gimbel Commercial Corp.,
Gimp Sales, Inc.,
Ginart Corporation,
Ginas Donut, Inc.,
Gingerbread House, Inc.,
Gioner Food Corp.,
Giovacchini Construction, Inc.,
Girl Friday Office Supplies,
Giulietta Imports,
G & J Leather Co., Inc.,
The G J T Diner, Inc.,
Gladeo, Inc.,
Glamour Gallery, Inc.,
The Glasgow Foundation,
Glassboro Industrial Development Corporation,
Glassmont Builders, Inc.,
Glass Preforms Co., Inc.,
G L Diner, Inc.,
Glen Allen Construction Equipment Co., Inc.,
Glenco Infantis Items, Inc.,
Glen Mead,
Glenn Scott Associates, Inc.,
Glen Oaks Realty, Inc.,

Glenray Corporation,
Glenside, Inc.,
Glenwood Park Homes, Inc.,
Glenwood Towers, Inc.,
Gliro Construction Co.,
Gloria Coat Co.,
The Gloucester County Agency, Inc.,
Gloucester County Brokers Investments Corporation,
Glo Vel Landscaping Co., Inc.,
Gloves by Pauline,
Glow Mun,
Glynn & Gallagher, Inc.,
G M E Land Corp.,
G M P Corporation,
Goehrig Associates,
Goenetia, Inc.,
Golaks Royal Bar & Liquors, Inc.,
Golden Cafeteria, Inc.,
Golden Coin, Inc.,
Golden & Fulton, Inc.,
Golden Gate Motel,
Golden Hand Corporation,
Golden Sands Motel,
Goldenut Corp.,
Goldie Sportswear,
Goldintip Camden Corp.,
Goldmill, Inc.,
Golf City, U. S. A., Inc.,
The Golf Farms, Inc.,
Golub Carpets, Inc.,
Good Deal Motors, Inc.,
Good Health Executive Club, Inc.,
Good and Krasney, Inc.,
Goodway Hotel Corp.,
Goodwin Lee Enterprises, Inc.,
Gordon Glover Greene Printing Corporation,
Gordon's Broad Car Wash,
Gordon Supply Company, Inc.,
Gormley Agency, Inc.,
Gormley Litho Service, Inc.,
Gor Mur Enterprises, Inc.,
Gotsud Realty Co., Inc.,

Gould's Pools, Inc.,
Gowan Jewelers, Inc.,
G & P Mortgage Loan Company of New Jersey,
Grabers Co., Inc.,
Grace Buttons, Inc.,
Graco, Inc.,
Gra Dor Corporation,
Gradys, Incorporated,
Graftek, Inc.,
Gra Jes Realty Co.,
Grand Bahama International Corporation,
Grand Corporation,
Grandma Jennys Pharmaceutical Products, Inc.,
Grand Monroe Realty, Inc.,
Grannies, Inc.,
Granolux of New Jersey, Inc.,
Grant Builders, Inc.,
Graphic Building Corporation,
Graphic Paper Corporation,
Graphic Systems & Supply Corp.,
Gratale Warehouse, Inc.,
Gray, Inc.,
Grays, Inc.,
Great Eastern Investment Corp.,
Great Eastern Warehouse, Inc.,
Greater Newark Enterprises,
Great Jersey Mortgage Co.,
Great Plains Associates, Inc.,
Great P S Electrical Supply Company,
Green Acres Disposal Co., Inc.,
Greenblatt Coal Co.,
Greenfield Janitorial Maintenance, Inc.,
Green Hills Building Materials,
The Greenhouse Holding Corporation,
Green Mash Corp.,
Green Mountain Construction Co., Inc.,
Green Mountain Fence Company, Inc., Paramus,
Green Ridge Holding Co., Inc.,
Green Tree Nursery, Inc.,
Green Valley Development Corp.,
Greenwald Embroidery Co.,

Greenwood Printing Company, Inc.,
Greenwood Studios, Inc.,
Gregg Industries, Inc.,
Gregory J. Doyle, Inc.,
Gregory Leather, Inc.,
Grendel, Inc.,
Gret, Inc.,
Greylor Realty Corp.,
Gridley Construction Company, Inc.,
Griecos Delicatessen, Inc.,
Griffin Management Company,
Griffith Building, Inc.,
Grip Slide Corp.,
Grip Spline Corporation,
Grookett and Porter Holding Company,
Gross Company,
Gross Memorial Funeral Home, Inc.,
Grosvenor Development Co., Inc.,
Groveshire, Inc.,
Growth Products, Inc.,
G R Tile Co., Inc.,
Gruber Camera & Photo Supply Co.,
Grunberg & Co.,
G. R. Wayne, Inc.,
G & S, Inc., No. 1,
G S Medical Supply & Design, Inc.,
G & S Paint & Hardware Co.,
G S P Company, Inc.,
G T Food Products Corp.,
Gt. Meadows Timing Assn., Inc.,
GTM Farms, Inc.,
Guarantee Construction Co., Inc.,
Guardian Conduit Corp.,
Guide Gastronome,
Gunning Estates,
Gus & Jim, Inc.,
Gusta Corp.,
G V S Corp.,
Gwathney Corporation,
Gym Jig Corp.,

Hackensack Auto Servicenter, Inc.,
Hackensack Heating Company,
Hackensack King Pizza Corp.,
Hada Corporation,
Hadden Gray & Co., Inc.,
Hagman Builders, Inc.,
Hainesart Specialty Company,
Hakeem Martial Arts Association, Inc.,
Halber, Inc.,
Halifax Contracting Corporation,
Halken Properties, Inc.,
Hall Electronics Corporation,
Hallie G Restaurants, Inc.,
Hallmark Industries,
Hallmark Realty Company,
Hal Marc Industries, Inc.,
Halpren Caplan Cherry Hill Corporation,
Halsted Associates, Inc.,
Halsted Development Co., Inc.,
Halsted Gardens, Inc.,
Hamilton Agency, Inc.,
Hamilton Enterprises,
Hamilton Gardens Section III,
Hamilton Kitchens, Inc.,
Hamilton Park Holding Company, Inc.,
Hamilton Plumbing & Heating Corp.,
Hamilton Road Construction Corp.,
Hammonton Machine & Tool Co.,
Hamper Tainer Co., Inc.,
Hampton Caterers, Inc.,
Hampton Floors, Inc.,
Hancox Avenue Realty Corporation,
Handyman Improvement, Inc.,
Hanks Bar & Grill, Inc.,
Hanks Luncheonette, Inc.,
Hanover Taxicab Co., Inc.,
Hanselman & McLaughlin,
Harbas, Inc.,
Harbor Restaurant, Inc.,
Harch Corp.,
Harclaire, Inc.,
Harding House Coiffures,

Hardun, Inc.,
Hardy's Baby Bar, Inc.,
Harett Agency, Inc.,
Harfeld Farms,
Hargol, Inc.,
Harill Enterprises, Inc.,
Harlan A. Blackwell, Inc.,
Harlen Truck Rental Corp.,
Harles Drug Co.,
Harlin Construction Company, Inc.,
Harmony Associates, Inc.,
Harmony Home Improvements, Inc.,
Harmony House, Eatontown, Inc.,
Harmony House, Wayne, Inc.,
Harmyl Inn, Inc.,
Harold Realty Corp.,
Harold's House of Furniture,
Harris Gifts, Inc.,
Harrison House, Inc.,
Harry Cohen, Inc.,
Harry Melber, Inc.,
Harry's Cycle Center,
Harry Siflinger Textiles, Inc.,
Harry V. Moser, Inc.,
Hartford Arms, Inc.,
Hartford Inspection Service,
Hartley Construction Co., Inc.,
Hartshorne Construction Associates,
Hartsun Realty Corp.,
Harttle Homes, Inc.,
Harvard, Incorporated,
Harvey H. Brown Funeral Home, Inc.,
Har Vid Corp.,
Harvin Embroidery Co.,
Hass Construction Co., Inc.,
Hatheway Builders, Inc.,
Hawaiian Foods, Inc.,
Hawthorne Mortgage Company,
Haynes, Inc.,
Haz Dal Agencies, Inc.,
Hazleton Plastics, Inc.,
H B G, Inc.,

H C Machinery Co.,
H C Publishers, Inc.,
H C & Son, Inc.,
H D Co., Inc.,
Health A Peutic Corporation,
Health Appliance Center, Inc.,
Hearthside Associates,
The Heath Book Nook, Inc.,
Heber Embroidery Corp.,
Hebgor Associates,
Hebrew Kosher Provision Co., Inc.,
Hecht Beauty Supply Co., Inc.,
Hed Rich Corp.,
Heimbold Publishing Company,
Heinz Foreign Car Clinic Sales & Service, Inc.,
Heinz Painting Corp.,
Helco, Inc.,
Helen Kobylunska & Constance Montelband,
Helgreen, Inc.,
Hellers Market, Inc.,
Helm Enterprises, Inc.,
Hemhauser & Zusi, Inc.,
Hemisphere Industrial Corporation,
Hemlock Circle Builders, Inc.,
Henard,
Hendrickson Construction Co.,
Henry Gewirzman Painting, Inc.,
Henry Joseph, Inc.,
Henry Perpic, Inc.,
Henry P. Lawrence Associates,
Henry's Auto Supply, Inc.,
Henry's Self Service Market, Inc.,
Hen Vee Enterprises, Inc.,
Herang Manufacturing Company, Inc.,
Herbed Realty Co.,
Herbert Investment Corp.,
Herbert R. Perkel, Inc.,
Heritage Arms Corp.,
Heritage Associates, Inc.,
Heritage Hall Nursing Home, Inc.,
Herman G. Hueftle, Inc.,
Herms Liquors, Inc.,

Herngo, Inc.,
Hersan, Inc.,
Hewitt Equipment Corp.,
Hewlett & Sachs, Inc.,
H G Continental Packing Co.,
H G Enterprises, Inc.,
H & G Trucking, Inc.,
H & H Manufacturing, Inc.,
H. H. Rouse, Inc.,
H H S Investments, Inc.,
H & H Trucking, Inc.,
Hi Brook Estates, Inc.,
Hickory Auto Discount Corp.,
Hickory Hill Estates, Inc.,
Hickory's Service, Inc.,
Hi Fli, Inc.,
Highcountry Realty, Inc.,
Highgate Cafeteria, Inc.,
Highland Construction Co., Inc.,
Highland Supply, Inc.,
Hightstown Farms, Inc.,
Hightstown Nursing Home, Inc.,
Highview Tavern,
Highway Garage Corporation,
Highway Markets,
H & I, Inc.,
Hilda Meyersville Chatham Enterprises,
Hildebrant Transportation Co., Inc.,
Hili Construction Corp.,
Hillbat Holding Co.,
Hillcrest Delicatessen & Luncheonette,
Hill Fuel Service, Inc.,
Hill Motels, Inc.,
Hilltop Distributors Corp.,
Hilltop Plumbing & Heating, Inc.,
Hilmure Corp.,
Hilton Diner, Inc.,
Hios, Incorporated,
His Kitchens,
Hi Way Housewares, Inc.,
Hi Way 33 Discount Mart,
H & J Associates,

H J J, Inc.,
H. J. Nielsen Construction, Inc.,
H. J. Williamson & Sons, Inc.,
H & K Kosher Meat Market,
H L M Improvement Corp.,
H. Milza Construction Co., Inc.,
H. M. Melba, Inc.,
H M T Construction Co., Inc.,
Hobart Homes, Inc.,
Hobart Linnet Corp.,
Hob Nob Drive In, Inc.,
Hoboken Commercial Refrigeration & Air Conditioning Co., Inc.,
Hoboken Professional Arts, Inc.,
Hoboken Refrigeration & Air Conditioning Co., Inc.,
Hoffco General Contractors, Inc.,
Hoffman Hardware Co.,
Hoffman and Seidman, Inc.,
Holgarr Builders, Inc.,
Holiday Baking Co., Inc.,
Holiday Estates,
Holiday Mortgage Corporation,
Holiday Musicals, Inc.,
Hollanderizing Central Corp. of America,
Hol Leen Construction Co., Inc.,
Holly Bush Enterprises, Inc.,
Holly Cleaners, Inc.,
Holly Lounge, Inc.,
Holly Paving Co., Inc.,
Hollywood Tavern, Inc.,
Holmdel Village Shops, Inc.,
Homa Development Co., Inc.,
Hom Aid Baking Co., Inc.,
Home Consultants, Inc.,
Home Life Aluminum Products, Inc.,
Home Owners Mutual Association,
Homes by Battles, Inc.,
Homes of Cressfield, Inc.,
Homes by H. M. Latz, Inc.,
Homesite Housing Corporation,
Homes and Plans, Inc.,
Homestead Baking Corp.,
Homestead Court Apts., Inc.,

Homestyle Launderers & Dry Cleaners,
Home Wall, Inc.,
Honeybun Bakery, Inc.,
Honi Lori, Inc.,
Hoover House,
Hopewell Hills Shopping Center,
Horan, Inc.,
Horizon Pools,
Horn Hanover Holding Corp.,
Horn Rockaway Holding Corp.,
Hot Dog Haven Char Broil, Inc.,
Hotel Ambassador Operating Company,
Hotel Carleton Operating Co., Inc.,
Hotel Franklin Company,
Hot Java, Inc.,
Hotline Express,
Houchin Optical Corp.,
House of Golf, Inc.,
House of Hair, Inc.,
Household Paper Products, Inc.,
The House of Robinson & Conwell Home for Funerals,
House of Vogue,
Houseware City, Inc.,
Howards Realty Co.,
Howdike, Inc.,
Howell Glen Nursing Home,
Howell Plumbing & Heating Co., Inc.,
Howell Sullivan, Inc.,
Howformac Corp.,
The Howin Corporation,
Howland Chemical Products, Inc.,
H. R. Fulton, Inc.,
H R G Associates, Inc.,
H R J Supermarkets, Incorporated,
H R K Builders, Inc.,
H & R Metals Treating Co., Inc.,
H R & N Restaurant Corp.,
H & R Properties, Inc.,
H. Silvestri, Inc.,
H & S Markets, Inc.,
H S P Enterprises, Inc.,
H & S Pet Supplies, Inc.,

H. T. Gallagher Realty, Inc.,
Hubby's Tavern,
Hub Heating Co., Inc.,
Hudson Abstract Corp.,
Hudson Avenue Pharmacy, Inc.,
Hudson Glass Co., Inc.,
Hudson Maintenance Company,
Hudson Racing Association,
Hudson River Marathon Corp.,
Hudson Rolling Mills, Inc.,
Hudson Security Company,
Hughes & Hughes, Inc.,
Hulfords Service Station, Inc.,
Hum Pet, Inc.,
Hunt Dal Associates, Inc.,
Hunter Brothers, Inc.,
Hunterdon Development Corp.,
Hunterdon Road Materials, Inc.,
Hunter Enterprises, Inc.,
Hurricane, Inc.,
Hurst Storage Company,
Hurych Equipment Corporation,
Husky Bar Ice Creame, Inc.,
H W & R Realty Corp.,
Hydro Cooling & Heating Co., Inc.,
Hydro Spray of New Jersey,
Hyrume, Incorporated,

I A Aluminum Corporation,
Ibed, Inc.,
I. Berliner Enterprises, Inc.,
Ideal Ready Mix Concrete Co., Inc.,
Ideas & Analyses, Inc.,
Idem, Inc.,
Igjan Corporation,
I & J Enterprises,
I J I, Inc.,
I Land Associates, Incorporated,
Illustrated Technical Products Corp.,
I and M Best, Inc.,
Imo Holding Corp.,
Impact Unlimited, Inc.,

Impa, Inc.,
Imperial Air Conditioning & Refrigeration Co.,
Imperial Auto Truck Supply, Inc.,
Imperial Dry Wall Systems, Inc.,
Imperial Industries, Inc.,
Imperial Molds, Inc.,
Imperial Sporting Goods, Inc.,
Impres Holding Corp., Inc.,
Incentive Agency, Inc.,
Independence Mall, Inc.,
Independent Special Features,
Indian Sales Corp.,
Indian Spring Golf Club,
Indo Am Corporation,
Industrial Constructors, Inc.,
Industrial Distribution Corporation of America,
Industrial Drywall Corp.,
Industrial Lithographing Development Corp.,
Industrial Power Service & Leasing Corporation,
Industrial Property Funding Corporation of New Jersey,
Industrial Sales Corp.,
Industrial Trends Corporation,
Industrial Valley Equipment Corporation,
Industrial Valley Industries, Inc.,
Industro Tec, Inc.,
Infant Diaper Service, Inc.,
Information Structures, Inc.,
Infra Red Heat Company of America,
Ingham Associates, Inc.,
Ingle Fuel, Inc.,
Injehona, Inc.,
Innoma Realty Co., Inc.,
Innoplast, Inc.,
Insta Set Corporation,
Institute of Business Education,
Instrumentation Sales Co.,
Integrated Communications, Inc.,
Inteletron, Incorporated,
The Interact Foundation, Inc.,
Inter Con Carpet Service,
Intercon Pallet Co., Inc.,
Interior Designs by Giovanni, Incorporated,

Interiors by Style, Inc.,
International Cash Card, Inc.,
International Cash Register Company,
International Christmas Gift Show, Inc.,
International Distribution Services, Inc.,
International Equipment Corporation,
International Leather Distributors, Inc.,
International Personnel Service of West Essex, Inc.,
International Tank Transport,
International Services, Inc.,
International Tool Co., Inc.,
International Vacuum Cleaner Co., Inc.,
Interoceanic Chemical Corporation,
Interstate Financial Reserve Corp.,
Interstate Leasing & Rental Corp.,
Interstate Sheetrocking, Inc.,
Intransit Terminals, Inc.,
Intrastate Adjustment Bureau,
Investors Agency, Inc.,
Investors Enterprise, Inc.,
Investors Technical Advisors, Inc.,
Irene and Pat Hair Dressers, Inc.,
Irenes Color & Curl, Inc.,
Ireton Security Services,
I R G A, Inc.,
Ironbound Investors, Inc.,
Irv Bill Realty Corp.,
Irving Fleischer, Inc.,
Irving Gelber and Company, Inc.,
Irvington Builders,
Irvington Sales and Service, Inc.,
Irvingtons Food Market,
Irvington Town House, Inc.,
I. Sacknowitz & Sons, Inc.,
I and S Development Corp.,
Island Wrecking & Salvage Co.,
Isobel Realty Corp.,
Isotrim, Inc.,
I S P Associates, Inc.,
Italmoda, Inc.,
Itomac Construction Corp.,
Ivanhoe Builders, Inc.,

Ivory Corporation,
Ivy Development Company,
The Ivy House,
Ivystone Farms, Inc.,

Jacerh Investment Co., Inc.,
Jack and Chet Auto Service, Inc.,
Jack Gordon, Inc.,
Jack Greenberg Electric, Inc.,
Jack Horner Coffee Shops,
Jack's Best Corp.,
Jackson Auto Service, Inc.,
Jaclyn's Dress Shop, Inc.,
Jacqueline Enterprises, Inc.,
J A C S Homes, Inc.,
Jad Associates,
J & A Excavating Co., Inc.,
Jafco Chemicals, Inc.,
Johns Fairlawn, Inc.,
J & A Investment Corp.,
Jakelsky Building Associates,
Jalap Printing Corp.,
Jalko Corp.,
Jall, Inc.,
James A. Arthur Corporation,
James C. Jurgensen, Inc.,
James Development Co.,
James D. Mackey,
James Eaton, Inc.,
James F. Seder, Inc.,
James F. Williams & Sons, Inc.,
James 131 Corp.,
James Rosensohn, Inc.,
Jamick Enterprises, Inc.,
Jamie Sue Corporation,
Jam, Inc.,
Jam Molds Realty Co., Inc.,
Jancovius Rug Cleaning Company, Inc.,
Jand Folding Corp.,
Jandi, Inc.,
Janeb Corporation,
Jane Brick, Inc.,

Jane Smith's Classics, Inc.,
Jannette's Luncheonette,
Janovic Construction Co.,
Jarado, Incorporated,
Jar Dan Beauty College,
J & A Restaurant, Inc.,
J & A Rest Corp.,
Jarnap Co., Inc.,
Ja Ro Holding Corp.,
Jarr Restaurant, Inc.,
J Art Associates, Inc.,
Ja Russ Realty Co.,
JA Russ Realty Co.,
Jason Taxi Service, Inc.,
Jastrow Enterprises, Inc.,
J & A Tool Co., Inc.,
J. Avanti Wig Salon, Inc.,
Jay Bee Appliance Corporation,
Jaybert Enterprises,
Jaycee Building Contractors, Inc.,
Jay Cee Trucking Corp.,
Jaygee Corporation,
Jaygor Corp.,
Jay & Jay Associates, Inc.,
Jay Mark Realty Co., Inc.,
Jayne andWalt's, Inc.,
Jaypast Realty Corp.,
J A Y P Flag & Band Sales Co.,
Jay Ray, Inc.,
Jay Robert Jersey Fur Corp.,
Jay Truck Rentals, Inc.,
Jayzee Dress Manufacturing Corp.,
J & B Corner Shoppe, Inc.,
J & B De Nardo, Inc.,
JBEE, Inc.,
J & B Lounge,
J B of New Jersey, Inc.,
J & B Properties, Inc.,
J & C Service Center, Inc.,
J. D. Aldinger & Co., Inc.,
J. Dawson Electric, Inc.,
J D B Realty Co.,

J D G, Inc.,
J. D. Moore, Inc.,
Jeanal, Inc.,
Jeanne Belle Fashions, Inc.,
Jeanne's Knit Shop,
Jean's Auction Outlet, Inc.,
Jean's Fine Neckwear, Inc.,
Jeci, Inc.,
Jedom, Inc.,
Jefarl Realty Corp.,
Jefek Dry Wall and Spackling, Inc.,
The Jefferson Agency, Inc.,
Jefferhson Avenue Realty Co.,
Jefferson Hermitage Homes, Incorporated,
Jefferson Manor, Inc.,
Jefferson Sportswear, Inc.,
Jeffrey Donnalán, Inc.,
Jelaine, Inc.,
Jelbbs Painting Plastering and Roofing, Inc.,
Jemms Isle Corporation,
Jenny Jump Holding Co., Inc.,
Jenny Jump Transfer, Inc.,
Jensen Machine Corporation,
Jerab Development Corp.,
Jeral Construction Co.,
Jeripat Foundry & Machine Corp.,
Jermer, Inc.,
Jernee Mill Inn,
Jerome G. Stabile Agency,
Jerry & Kevin Construction Co., Inc.,
Jerrylind, Inc.,
Jerry's Delicatessens, Inc.,
Jerry's Luncheonette, Inc.,
Jerry's Open Door, Inc.,
Jersey Acoustics, Inc.,
Jersey Chrysler Plymouth, Inc.,
Jersey City Transporting, Incorporated,
Jersey Coast Realty,
Jersey Collision Auto Body Corp.,
Jersey Erectors, Inc.,
Jersey Forest Products, Inc.,
Jersey Gift Co., Inc.,

Jersey Graphic Supply Co.,
Jersey Rita Realty Company,
Jersey Service Corporation,
Jersey Sport Shoppes,
Jersey State Aluminum,
Jersey State Auto Body Repair Company,
Jesell Decorators, Inc.,
The J & E Smoke Shop, Inc.,
Jet Brew of Essex County, Inc.,
Jet Drive In Cleaners of Westfield, Inc.,
J F V, Inc.,
J. Garber & Co., Inc.,
J. Giglio Paving Contractors, Inc.,
J G Sleep Products, Inc.,
J & H Dry Wall and Spackling, Inc.,
J H H Coffee Shop, Inc.,
Jill Roberts, Incorporated,
Jilmore Twin Crown Corporation,
Jim George, Inc.,
Jimmys Chrysler Plymouth, Inc.,
Jim Nan, Inc.,
Jimpaul Imports, Inc.,
Jim Plaia's Auto Service, Inc.,
Jims Cities Service & Repair, Inc.,
J J A Jewelers, Inc.,
J & J Carpet Company,
J & J Car Wash,
J. Jeffmar, Inc.,
J J & M Trucking Co., Inc.,
J & J Skate Corp.,
J & L Aluminum Products, Inc.,
J L Industries, Inc.,
J L Investment Company,
J. Lonky and Son, Inc.,
J & L Recreation, Inc.,
J. L. Von Schmidt Painting, Inc.,
J Maltese Homes, Inc.,
J & M Coat Corp.,
J & M Dairy, Inc.,
J M Diners, Inc.,
J. M. & J. S. Nicol, Inc.,
J M S Realty Corp.,

J M Transmission Fluid Corp.,
Jo Al Enterprises, Inc.,
Joanart Investments, Inc.,
Jo Ann Mfg. Co., Inc.,
Joans and Jeromes Cocktail Lounge,
Jocarlo Corp.,
J O Construction Co.,
Jodd, Inc.,
Jo Dee Construction Corp.,
Jodef Corp.,
Jodel Corp.,
Jodom Construction Co., Inc.,
Joe Fischman Corp.,
Joe Fischman, Inc.,
Jo En Construction Corp.,
John A. DeMarco, Inc.,
John A. Savage, Inc.,
John B. Gonnella, Inc.,
John Douris, Inc.,
John G. Ruckelshaus Laboratories, Inc.,
John Jay,
John King & Son, Inc.,
John M. Hughes Sons Co.,
John Nieder Company,
John P. Sutter, Ins.,
John Ronzo, Inc.,
Johnson Air Cargo, Inc.,
Johnson, Bott & Phillips, Inc.,
Johnson Enterprises, Inc.,
Johnson Mc Kelvey, Inc.,
Johns Restaurant,
Johnstone Associates, Inc.,
John W. Gibus, Inc.,
Johr Machinery Corporation,
Jo In Co.,
Jo Jo Farms,
The Jolene Co., Inc.,
Jolie Gigi Beauty Salon,
Jolo Realty Company, Inc.,
Joma Fashions, Inc.,
Jomary Associates, Inc.,
Jo Ms Fashions, Inc.,

Jones Boat Co., Inc.,
Jones Trading Corp.,
Jonka, Incorporated,
Jonmer Steel Erectors, Inc.,
Jo Nova, Inc.,
Jonray Company, Inc.,
Jonron Realty Corp.,
Jon Son Construction, Inc.,
JORI, Inc.,
Joroc Construction Corp.,
Josam, Inc.,
Josefs,
Joseph D. Savill Associates, Inc.,
Josephfils, Inc.,
Joseph I. Farley Publishing Co., Inc.,
Joseph Palmieri, Inc.,
Jos. Schenkel Company,
Josephs Enterprises, Inc.,
Josephs Sunoco Service, Inc.,
Joseph T. Marriner Construction Co., Inc.,
Josetta Investment Co.,
Joule Technical Corporation,
Jovabe Corporation,
Jowelco, Inc.,
Joyce Paris Corporation,
J. P. Potak Co. of New Jersey, Inc.,
J & R Company,
J. Reichler Trucking Company, Inc.,
J R R Hauling, Inc.,
J S D Corp., Inc.,
J. Sepede Engineering Co., Inc.,
J. Shaw Associates, Inc.,
J. Smith Harbor Shifting Corp.,
J & S Sportswear, Inc.,
J S S Realty Corp.,
J. T. Allen Construction Company,
Judith San Realty, Inc.,
Jud Paul, Inc.,
Judsan Embroidery Co.,
Judval Corporation,
Jud Williams Associates,
Julad Realty Corporation,

Julian Construction Corp.,
Julius Kairey Stores, Inc.,
Julkon, Inc.,
July Corp.,
Jupiter Enterprises, Inc.,
J. V. Little & Co., Inc.,
J V M Corp.,
J. Walter Green & Co., Inc.,
J. W. Jastrabek, Inc.,
J & W Taxi, Inc.,

Kalflex, Inc.,
Kaman Properties,
Kaminent, Inc.,
Kande Associates,
Kanine Kennels, Inc.,
Kap Bail Bonds, Inc.,
Kaplans Laundry, Inc.,
Kaplastics, Inc.,
Karen Knit Wear Co.,
Karet Metal Finishing Corp.,
Kar King, Incorporated,
Karl Kleaners, Inc.,
Karp Industries, Inc.,
Katon, Inc.,
Katys Kitchen, Inc.,
Kaufman Management Corp.,
Kaufman Manufacturing Co., Inc.,
Kay Brokerage Company, Inc.,
Kaygay Corp.,
Kay Lee, Inc.,
Kay Tee Corporation,
Ka Zam Bar, Inc.,
K & B Construction Company,
K & B Framers, Inc.,
K. C. Nowicki Realty Co.,
K D A Laboratories,
K & D Excavating, Inc.,
Ke Affiliated Interests, Inc.,
Kean Energizing Health Products, Inc.,
Kearny Motel, Inc.,
Kebo Realty Corp.,

Kel Broadcasting Company, Inc.,
Kel Kar Corporation,
Kellross Auto Electrci, Inc.,
Ke Lor Interiors, Inc.,
Kem O Matic of New Jersey, Inc.,
Kendall Associates, Inc.,
Kendall Holding Company,
Kendra Corporation,
Kenilworth Lakes Realty Co.,
Kenilworth Sweet Shop, Inc.,
Kenmere, Inc.,
Kennedy Tower Garage, Inc.,
Kenran Corp.,
The Kenrane Corporation,
Kenron Corp.,
Kent Associates, Inc.,
Kents Hosiery Mills, Inc.,
Kerametrics Corporation,
Kermac Corporation,
Keselers Garage, Inc.,
Ketchpel Engineering Company,
Kettle Run, Inc.,
Key Aerosol Products, Inc.,
Keyport Boro Cabs, Inc.,
The Keyport Printers, Inc.,
Keystone Body & Trailer Company, Inc.,
Keystone Liquor Store,
K F M Builders Corp.,
Khanka, Inc.,
Kha-Ter-Nak Arts of Self Defense,
Kickeys, Inc.,
Kiddyland Stores of Flemington, Inc.,
Kiddyland Stores of N. J., Inc.,
Kids Town, Inc.,
Killebrew Equipment & Supply Corp.,
Kilp Associates,
Kimball Realty Co.,
Kimberley Kitchen Cabinets, Inc.,
Kimberly Carperts,
Kimberly Construction Company, Inc.,
Kim Enterprises, Inc.,
Kimflyte, Inc.,

Kin Building Company,
Kin Enterprises,
King Alto Sales,
King David Mines, Inc.,
Kingdom Fuel Co., Inc.,
King Drug Corporation,
Kin Estates, Inc.,
King Investment Corporation,
King Kar Wash, Inc.,
King Metal Manufacturing Company,
Kings Service Center, Inc.,
Kingston Estates, Inc.,
Kingwood Produce Co., Inc.,
Kinkler Enterprises,
Kirby Dairy Farms, Inc.,
Kirby Enterprises, Inc.,
Kirkuk Oil, Inc.,
Kisby Enterprises, Inc.,
Kith Craft, Inc.,
K & J Automotive, Inc.,
K & K Transfer, Inc.,
Kleene O Matic Rectifiers, Inc.,
Kleen Rite Janitorial Service, Inc.,
Kle Forge Corp.,
Klein Knitting Mills, Inc.,
Kleinman, Inc.,
Klein Tire Sales, Inc.,
Klimkowski Produce Corporation,
Kloepfer Company,
Kloss Realty Co.,
K & M Electronics Corp.,
K & M Services, Inc.,
Knickerbocker Products, Inc.,
Know Stock Farm, Inc.,
Koch Builders, Inc.,
Koe Fabricating, Inc.,
Kolstan, Inc.,
Kool King Air Conditioner Corp.,
Korber McQuarry Builders of N. J., Inc.,
Korp Coal and Supply Company,
Koschek Funeral Homes, Inc.,
Kota Cloth, Inc.,

Kouman Foods, Inc.,
K P Transmission Service, Inc.,
Kramer Asphalt Corp.,
Kramlick Contracting Company, Inc.,
Kravet Drugs, Inc.,
Krawell Homes, Inc.,
Kregelco, Inc.,
Krescel, Inc.,
Krinell Enterprises, Inc.,
The Krug Co., Inc.,
Krugman and De Petro, Inc.,
Krugman Realty, Inc.,
K S & M, Inc.,
K T H Corporation,
Kulkaski and Rausch, Inc.,
Kundin Realty Company,
Kunemund Trucking Co., Inc.,
Kusy Market, Inc.,
K V Holding Co.,

L & A Argand, Inc.,
Lab Design, Inc.,
Labelle Hair Products, Inc.,
Laboratory Precision Products, Inc.,
Labson Enterprises, Inc.,
La Casa Tony of Union City, Inc.,
Lackawanna Terminal Restaurant, Inc.,
La Conte Taxi Corp.,
La Cosmetique Co.,
Lady Beautiful, Inc.,
La Gorce Square, Inc.,
La Grand Air Conditioning, Inc.,
Laird Associates, Inc.,
Lakeland Wholesale Supply,
Lakeside Associates,
Lakeside Homes, Inc.,
Lakeside Village Corp.,
Lake Success, Inc.,
Lake Tranquility, Inc.,
Lakeview on the Boardwalk, Inc.,
Lakeview Nursing & Convalescent Home, Inc.,
Lallys, Inc.,

Lambert Agency, Inc.,
Lam Entertainment, Inc.,
Lamm Aircraft Co., Inc.,
La Mode Shops, Inc.,
Lamoro Enterprises,
The Lamplighters,
Lanalummia Corporation,
Lance Agency, Inc.,
Lancer Chemical Corporation,
Lanco, Inc.,
Land Cruises, Inc.,
Landers Homes Corporation,
Land Growth, Inc.,
Lan Di Homes, Inc.,
Landing Lane Apts, Inc.,
Landmark Homes, Inc.,
Landscaping and Building Co., Inc.,
Landsdown Homes, Inc.,
Lane Industries, Inc.,
Lanier and Roberts Manufacturing Co.,
Lanimar Associates, Inc.,
Lansing Building Corporation,
Lantern Realty, Inc.,
Lapac Realty Company, Inc.,
Lapetite Caterers, Inc.,
Lapinsky Brothers, Inc.,
La Piuma Millburn,
La Rae Shop, Inc.,
La Raine Motel Corp.,
Larand Colled, Inc.,
Larcarr, Inc.,
Lardys Tavern, Inc.,
Laredo Building Corp.,
Lareine Bradley Hotel, Inc.,
Lare Richarde, Inc.,
Larisons Turkey Farm Inn, Inc.,
Larko Construction Co., Inc.,
Larkspur Realty Co.,
Lark Trucking and Leasing Corp.,
Larrrrr Corp.,
Larry & Eds Floor Tile Mart,
Laruff Construction, Inc.,

The LaSalle Society, Inc.,
Lask Realty Corporaion,
Latham Square Corp.,
Laundromat of Hightstown, Inc.,
Laurette Dress Co., Inc.,
Laurie Trailer Corp.,
Laursam Homes, Inc.,
Lavallee Piano Corp.,
Lawman Service Station, Inc.,
Lawn Masters, Inc.,
Lawrence Avenue Corporation,
Lawrence Investigators, Inc.,
Lawsen Productions, Incorporated,
Lawson Packaging Corporation,
Lawyers Pension Service, Inc.,
Lazmar, Inc.,
L B Company, Inc.,
L. B. Herco, Inc.,
L & B Lunch & Deli, Inc.,
L & C Consultants, Inc.,
L C D Construction Co., Inc.,
L C Masonry Construction Co.,
L. C. Vanderbeck Co., Inc.,
L & D Realty Corp.,
Leahy, Inc.,
Leak Free Waterproofing Company, Inc.,
Leaph Corp.,
Lears Cities Service, Inc.,
Leather Fiber Products, Inc.,
Lebam Realty Co.,
Lebers Construction Corp.,
Leeanne Co., Inc.,
Leebardon, Inc.,
Lee Day Corporation,
Leeds Records, Inc.,
Lees Restaurant, Inc.,
Lees Welding Company,
Lee Tikijian Associates, Inc.,
Leeward Enterprises, Inc.,
Lefco Rack Mfg. Co., Inc.,
Lehigh Eckley Coal Corporation,
Lehigh Esso Servicenter, Inc.,

Lehigh Valley Food Service,
Lehmac Bar and Grill, Inc.,
Leichester Company,
Lelowa Corporation,
Lemans Raceway,
Lemar Homes, Inc.,
Lemoine Construction Corp.,
Le Mor Enterprises,
Lenron, Inc.,
Lent Electric, Inc.,
Leo Jeronowitz, Jr., Inc.,
Leonard Alan, Inc.,
Leonard Associates, Inc.,
Leonard D. Schrank Associates, Inc.,
Leonard Enterprises, Inc.,
Leonard Taylor, Inc.,
Leonder, Inc.,
Leon Electrical Service, Inc.,
Leos Building Sopply Co.,
Leos Sea Girt Manor, Inc.,
Lerace Enterprises, Inc.,
Lester Art Realty Corporation,
Lester L. Schlesinger Builders, Inc.,
Le Su Company,
Leteendezvous, Inc.,
Levinson Plumbing Supply, Inc.,
Levitt Bros, Inc.,
Lewel Coin op, Inc.,
Lewis Schneider, Inc.,
L F Associates,
L. H. R. Lesglen Corp.,
Liberty Automotive Rental, Inc.,
Liberty Bell Village, Inc.,
Liberty Confection Corporation,
Liberty Motors, Inc.,
Liberty Supply Co., Inc.,
Liberty Tavern, Inc.,
Library Processing Materials, Inc.,
Licciardello Construction Company, Inc.,
Lieberman Associates, Inc.,
Life Construction Co., Inc.,
Lifson Furniture Co.,

Lighthouse Industries, Inc.,
Lighthouse Inn, Inc.,
Lighting Associates, Inc.,
Lil Mac Corporation,
Lil Mar Manor Nursing Home, Inc.,
Lil Seven,
Lily Baron, Inc.,
Limbo Realty Co., Inc.,
Limelight Concerts, Inc.,
Limonoil, Inc.,
Lin Bar Corp.,
Lincoln Park Golf Club,
Linda Furniture Co., Inc.,
Linden Beverage Corp.,
Linden City Laundry Corp.,
Linden Garden Residences, Inc.,
Linden Paper Co., Inc.,
Linden Storage and Transfer, Inc.,
Linden Wire Corp.,
Line Construction Co., Inc.,
Lin Terrace, Inc.,
Linwood Lawn, Inc.,
Lion Brand, Inc.,
Lion Construction Co., Inc.,
Lion Trading Corporation,
Lisa Fabrics, Inc.,
Liston Electronics, Inc.,
Litohoron Corporation,
Little John Contracting Co., Inc.,
Little King International, Inc.,
Little King Mercantile Corp.,
Little Miss Atlantic City, Inc.,
Little Nicks,
The Little Piggie Wiggie,
Little Times Square, Inc.,
Livingston Airborne Laboratories, Inc.,
Livingston Sugar Bowl, Inc.,
Living Structures, Inc.,
L & J Anodizing Co., Inc.,
L. J. Barrett & Co., Inc.,
L & J Gas & Diesel Service, Inc.,
L & J Productions, Inc.,

L & L Holding Corp.,	1000
Lloyd Beverage Company, Inc.,	1000
L. Martins Equipment Co., Inc.,	1000
L & M Cleaners, Inc.,	1000
L & M Distributors, Inc.,	1000
L & M Luncheonette, Inc.,	1000
L M N O Q Corporation,	1000
Loading Automation, Inc.,	1000
Local Excavation Company, Inc.,	1000
Lodi Drywall Construction, Inc.,	1000
Lojan Building Company,	1000
Lomar Corp.,	1000
Lombardos Italian & American Restaurant,	1000
Lomot Realty Co., Inc.,	1000
Lonely Acre, Inc.,	1000
Long Island Cove Corporation,	1000
Long Island Unloaders, Inc.,	1000
Long Lane Feed & Supply Co.,	1000
Longwood Casino, Inc.,	1000
Looney Enterprises, Inc.,	1000
Lorain Equipment Co.,	1000
Loral Corp.,	1000
Lo Rate Rent A Car, Inc.,	1000
Lord Stirling Inn, Inc.,	1000
Lore Bros., Inc.,	1000
Lori Holding Company, Inc.,	1000
Loripall,	1000
Lorraine Diners, Inc.,	1000
Lorraine Gardens, Inc.,	1000
Losurdo Guibert & Verstraeten, Inc.,	1000
Louilyn Corp.,	1000
Louis Degange, Inc.,	1000
Louise Realty Corp.,	1000
Louis J. Marino Building Contractor, Inc.,	1000
Louis Prima Italian Food Products Corp.,	1000
Lou & Mark Trucking Co.,	1000
Lous Delicatessen, Inc.,	1000
Lous Modern Luncheonette, Inc.,	1000
Lous Record Center of Totowa, Inc.,	1000
Lous Record Center of Woodbridge, Inc.,	1000
Lovable Embroidery Corp.,	1000
Lovely Lady Beauty Salons, Inc.,	1000

Lowen Ford, Inc.,
Lower County Lumber, Inc.,
Lowther Taxi Service,
L & P Lounge, Inc.,
L & R Italian American Grocery, Inc.,
L R L, Inc.,
L S B Realty Corp.,
L S M Corporation,
L. & S. Zaborowski, Inc.,
L T and L Investment Corporation,
Lucky Duck Enterprises, Inc.,
Lucky Star, Inc.,
Ludwig Tobacconist,
Lukat Corporation,
Luksza Forge Shop, Inc.,
Lu Marketing Company,
Lumber Supermart, Inc.,
Lupine Way Construction Co.,
Lurias of New Jersey, Inc.,
Luron Books & Services, Inc.,
Lustrefluere, Inc.,
Lustro Aluminum Products, Inc.,
Lustron Development Corporation,
Luv Enterprises, Inc.,
L V J Foods, Inc.,
L. W. White, Inc.,
Lxtra, Inc.,
Lynbrook Development Corporation,
Lynda Realty Company,
Lyn Mar Investments, Inc.,

Macam, Inc.,
Mac Cormacks Market, Inc.,
MacIvor, Inc.,
Mack Chemical Corporation,
Mack Motor Sales, Inc.,
MacNab & Sutter, Inc.,
Mac Oria, Inc.,
M A Corp.,
MacPherson Land Co.,
MacRoy Development Company,
Mada Builders, Inc.,

The Ma Dar Construction Co., Inc.,
Madison Automotive Mfg. Co., Inc.,
Madison Disposal Service, Inc.,
Madison & 56th Street Corp., Inc.,
Madison Hills of Clark, Inc.,
Madison Projects, Inc.,
The Madison Stamp Company, Inc.,
Madison Woods, Inc.,
Mador, Inc.,
Maegin Electric Supply Co.,
M & A Enterprises, Inc.,
Maestro Provision Company,
Mag Bros. Masons, Inc.,
Magnolia Land Corporation,
Magnum Construction, Inc.,
Mahar Realty Co.,
The Main of Rahway, Inc.,
Main Street Mall, Inc.,
Main St. Travel, Inc.,
Maio Poultry Co., Inc.,
Maiorisi Realty, Inc.,
Maison Royal, Inc.,
Majestic Homes, Incorporated,
Major Brick Masons, Inc.,
Major Maintenance Corp.,
Major Mortgage Company,
Majors Credit Corp.,
Major Tire Company,
Makropol Corp.,
Maku Corp.,
Malco Distributors of Southern New Jersey,
The Male Box,
Mal Entertainment, Inc.,
Mall Theatre Corp.,
Malmed Construction Company, Inc.,
Malta Homes, Inc.,
Malten Corp.,
Mambo Corp.,
Management Automation Group, Inc.,
Management International,
Management Systems, Inc.,
Manarama, Inc.,

Manasquan River Realty and Mortgage Company,
Manatee Sea Center, Inc.,
Mandarin Coiffure East,
Mandells Drug & Perfume Shop, Inc.,
Mandiks, Inc.,
Mandrey, Inc.,
Manigan Brothers, Inc.,
Manor Homes by Dunwell, Inc.,
Manruff Corp.,
Manrus Corp.,
Mans World of Tenaffly, Inc.,
Mantos Mens Shop, Inc.,
Manto Varga Corp.,
Manufactured Aluminum Products Corp.,
Manufacturers Marketing, Inc.,
Manufacturers Sales Corp.,
Manzis, Inc.,
The Maple Corp.,
Maple Court, Inc.,
Maple Playland Corp.,
Maple Shade Taxi, Inc.,
Maplewood Cab Co.,
Mar Ann Nan, Inc.,
Marbee Equipment Corporation,
Marbev Corporation,
Marble Creations, Inc.,
Marcan Photo Supply, Inc.,
Marcella Bar,
March Building Corp.,
Marcliff Flowers, Inc.,
Marcon Electronics Corp.,
Mares Delivery Corp.,
Mar Dav Operating Corp.,
Mardon Printers, Inc.,
Marel Investment Corp.,
Margoleans Corporation,
Maria Construction Company, Inc.,
Marian Improvement Corporation,
Mariannes Cocktail Lounge, Inc.,
Mariettas Coiffures, Incorporated,
Marifan Corp.,
Marina Motel, Inc.,

Marine Motors of Carlstadt, Inc.,
 Marine Pool Service Co.,
 Marine Specialty Supplies Co., Inc.,
 Marine Terrace Corporation,
 Mario Menendez & Son, Inc.,
 Marion Building & Construction Co., Inc.,
 Marios Record & Tape Shop, Inc.,
 Marjo Builders, Inc.,
 Mar John Investment Corp.,
 Mark Alloway, Inc.,
 Markart Homes,
 Mark Edward Associates, Inc.,
 Mark Equipment Service, Inc.,
 Market Makers, Inc.,
 Marko Distributors, Inc.,
 Mark P. Liwonchuk, Inc.,
 Mark VII Construction Co., Inc.,
 Marks Realty Associates, Inc.,
 Marlboro Realty Co.,
 Marline International Corp.,
 Marlo Construction Company,
 Marlton Industries, Inc.,
 Mar Motor Services, Inc.,
 Marnat Realty Co.,
 Marnik Company,
 M. A. Ross Paper Co., Inc.,
 Marque Music of New Jersey, Inc.,
 Marshal and Roed Theatres, Inc.,
 Marti Huber, Incorporated,
 Martin Allen Realty Corp.,
 Martin Motor Products, Inc.,
 Martin Talent Productions, Inc.,
 Martland Luncheonette, Inc.,
 Mar Val Recordings, Inc.,
 Mar Vens, Inc.,
 Marvik Service Station, Inc.,
 Marv Lee Burton Investment Corporation,
 Marwil Corporation,
 Mary Ann Garment Co., Inc.,
 Mary Ann Realty Corp.,
 Marybrook Diner, Inc.,
 Mason Enterprises, Inc.,

Massare Holding Corp.,
Master Coin Op., Inc.,
Mastercraft Weaving Corp.,
Master Investment Co., Inc.,
Master Realty Corp.,
Master Supply Co.,
Master Supply Corporation,
Matawan Concrete Co.,
Matawan Enterprises, Inc.,
Matawan Keyport Roller Drome, Inc.,
M A T Development Corp.,
Material Reclamation Corp.,
Matthew J. Ciarfello and Sons Developers, Incorporated,
Matthew Paul Builders, Inc.,
Mattlen Builders, Inc.,
Maur Eil Corporation,
Maurivo Realty, Inc.,
Mauro Freight Lines, Inc.,
Mauro Restaurants, Inc.,
Mav Construction Co., Inc.,
Maven Industries, Inc.,
Mawain, Inc.,
Maxon Enterprises, Inc.,
Mayberry Farms,
Mayfair Ford, Inc.,
Mayfair Hotel, Inc.,
Mayfair Set, Incorporated,
Mayfield Reproductions, Inc.,
Maynard Franklin Rockaway, Inc.,
Mayola,
Maywood Medical Center,
Mazdabrook Players,
Mazz Construction, Inc.,
Mazzeo Associates, Inc.,
M B Construction Co., Inc.,
M & B Custom Welding, Inc.,
M & B Imports, Inc.,
M B L Associates, Inc.,
McCausland Poultry Farm, Inc.,
Mc Courts All American Suppliers, Inc.,
Mc Crea Flying A Service Station,
McGortys Hoboken House,

McIlvaines Paint Store, Inc.,
M C J Realty Co.,
Mc Kay Bros.,
McKinnon & Callendar, Inc.,
McLean Mfg. Co., Inc.,
McLeod Realty Corp., Inc.,
M & C Manufacturers, Inc.,
MCNI, Inc.,
M. Crawford Contracting Co., Inc.,
MCR Hobby Center, Inc.,
McSales, Inc.,
MCS Computer Systems, Inc.,
Md Ad Investment Co., Inc.,
M. Dinola & Son, Inc.,
Meade Truck Rental, Inc.,
Meadow Mansion Enterprises, Inc.,
M. E. Boyson Agency, Inc.,
Medford Pines, Inc.,
Medimetric Associates,
Medway Trucking Corporation,
Mega D Const. Corp.,
Mel Bro Construction Corp.,
M E Liquidating Company,
Mell O Made Ice Cream Company,
Mellon Development Corp.,
Mell O Rich Corporation,
Melrich Associates, Inc.,
Melron, Inc.,
Melvin Beucler, Inc.,
Menlo Home Modernizers, Inc.,
Mens Fashions Trenton, Inc.,
Mercer Automotive Equipment, Inc.,
Mercer County Collection Agency, Inc.,
Mercer Flyers Associated,
Mercer Vending,
Merchandise Finders of America, Inc.,
Merchandising and Realty Corporation of America,
Merchants Market, Inc.,
Merchants of Venice,
Mercury Knitting Mills, Inc.,
Mercury Leather Products, Inc.,
Mercury Weavers, Inc.,

Merit Cleaners, Inc.,
Merit Credit Corporation,
Mermador Showers of New Jersey, Inc.,
Merrell Motor Line, Inc.,
Mers Construction Company, Inc.,
The Merton Corporation,
Meryl Floor Company, Inc.,
Merz Industrial Boiler Service, Inc.,
Me Shell, Inc.,
Mespa, Inc.,
Metal Frame Aquarium Company,
Metals and Tubes, Inc.,
Metedeconk River Holding Company,
Methods and Machines, Incorporated,
Metro Metals, Inc.,
Metropolitan Air Service, Inc.,
Metropolitan Farm Produce Company, Inc.,
Metropolitan Health Center of New Jersey, Inc.,
Metropolitan Home Foods, Inc.,
Metropolitan Limousine Associates,
Metuchen Barbers, Inc.,
Metuchen Sea Food Market, Inc.,
Meyers Hardware, Inc.,
M G Liquors, Inc.,
M & G Manufacturing Co., Inc.,
M G R Construction Co., Inc.,
M & G United Realtors Co., Inc.,
M & H Investment Co.,
Mica Management Company, Inc.,
Micell Realty,
Michael Builders, Inc.,
Michael Durane, Inc.,
Michael J. Prime and Associates, Inc.,
Michele Enterprises, Inc.,
Michel Holding Corp.,
Michelini Agency, Inc.,
Michigan Gas & Service Station, Inc.,
Mici John Corporation,
Mickey's Cycle Shop, Inc.,
Micro Miniature Circuits, Inc.,
Middlebrook Builders,
Middle Island Corporation,

Middlesex Conservatory of Music, Inc.,
Middlesex Signs & Lines, Inc.,
Middleton Automatic Vendors Co.,
Middletown Hobby Center,
Mid Hudson Warehouse of Port Newark, Inc.,
Midland Auto Electric, Inc.,
Midland Factors, Inc.,
Midland Park Moving & Storage Co., Inc.,
Miestage Construction Co., Inc.,
Mifral Realty, Inc.,
Mikedan, Inc.,
Mike & Harolds, Inc.,
Mikeland Corp.,
Mike Pol Construction Co., Inc.,
Mike Sanduskys,
Mikes Atlantic Service Station,
Mikmec Corporation,
Mile Square Associates, Inc.,
Milfred Petites,
Millburn Associates, Inc.,
Millers Cafe & Banquet Halls,
Miller & Van Winkle Co.,
Millie Contractors, Inc.,
Mill Lake Views, Inc.,
Millray, Inc.,
Millside Distributors, Inc.,
Millwork Service Co.,
Mil Lyn, Inc.,
Milmar Beauty Salon, Inc.,
Milords Mens Hair Stylists, Inc.,
Mil Ridge Gulf Service, Inc.,
Milton Berkowitz, Inc.,
Mimco, Inc.,
Mine Hill Village,
Minimonitor, Inc.,
Mini Val Corporation,
Mink Oil Products, Inc.,
Mino Construction Corp.,
Mint Financial Corp.,
Minzymes, Inc.,
Mipad, Inc.,
Miracle Stone of Bergen County, Inc.,

Mirann Drug Co.,
Miray Sales Enterprises, Inc.,
Mirod, Inc.,
Miss Deb Sportswear, Inc.,
Mr. Do All,
Mr. Freddy Corp.,
Mr. Handyman of Bergenfield, Inc.,
Mr. Jays Lounge,
Mr. K Corporation,
Mr. Ole,
Mr. Wash, Inc.,
M I T Realty Corp.,
Mittermeyer Nursery Corporation,
Mi Vi Construction Corp.,
Mizru, Inc.,
M & J Diner, Inc.,
M J M Associates, Inc.,
M J M Construction Co.,
M J R Bar, Inc.,
M KS Braider Service,
M. Lehmann, Incorporated,
M. Lippincott Mortgage Investment Co.,
M & M Cabinet Corp.,
M & M Electronics Corp.,
M & M Esso,
M. M. Sloan, Inc.,
Mobil Ice Machinery Co.,
Mobznal Realty Co., Inc.,
Modernage Brands, Inc.,
Modern American Investment Corporation,
Modern Floors of Red Bank,
Modern Living Homes, Inc.,
Modern Mortgage Company,
Modern Outfitters,
Modern Petroleum Co., Inc.,
Modern Products Corp.,
M & O Diner, Inc.,
Moes Yardgoods, Inc.,
Mohawk Capital Company, Inc.,
Mohawk Marketers, Inc.,
Mohawk Service and Supply Corporation,
Monarch Associates, Inc.,

Monarch Auto Body, Inc.,
Monarch Company,
Monarch Corrugated Box Co., Inc.,
Monarch C P D Service Co.,
Monarch Dodge, Inc.,
Monarch Truck & Equipt. Corp.,
Monaval Builders, Inc.,
Monmouth Diversified Investments, Inc.,
Monmouth Heights Sanitation Service, Inc.,
Monmouth Mill Supply, Inc., of New Jersey,
Monmouth Ocean Holding Corp.,
Monmouth Options Corp. V,
The Monmouth Tackle Manufacturing Company, Inc.,
Monmouth Wire Forms Company, Inc.,
Monroe Decorators Service, Inc.,
Montclair Arms Co.,
Montmartre Night Club, Inc.,
Mont Ridge Auto Service Co.,
Moon Construction Co., Inc.,
Moondina Realty Corporation,
Moon Motors, Inc.,
Moore Sales Corp.,
Moorestown Airport, Inc.,
Morcon Builders, Inc.,
Moreno Auto Service, Inc.,
More Soul Publishing, Inc.,
Morgan Center, Inc.,
Morgan Equipment Corp.,
Morgan and Rendin, Inc.,
Morida Realty Corp.,
Morris County Lighting Supply, Inc.,
Morris County Plumbing Supply Co.,
Morris & Essex Tire Service, Inc.,
Morris and Norman, Inc.,
Morris Pancake House, Inc.,
Morrow Associates, Inc.,
Mortgage Finance Company,
Mort Maltz, Inc.,
Morton Enterprises, Inc.,
Morton Place Realty Corp.,
Moss Mill Preserves, Inc.,
Moss Packaging Corp.,

Most Industries,
Mother Hubbards Sitters Service,
Motor Cross Auto Repairs, Inc.,
Motor Cross Auto Sales Co., Inc.,
Motor Reconditioners, Inc.,
Mott Place,
Mountain Run Construction Company,
Mt. Holly Paving, Inc.,
Mt. Olive Industrial Park,
Mt. Olive Motel Corp.,
Mount View, Incorporated,
Mo Vac, Inc.,
M & P Adhesives Corporation,
M Q M Company, Inc.,
M. Raganellie & Son, Inc.,
M. Ramella, Inc.,
M & R Landscaping, Inc.,
MSJ Realty, Inc.,
M S T Corp.,
Muglia Contracting, Inc.,
Muglia Enterprises,
Mulberry Properties, Inc.,
Mulberry Scott Corporation,
Mull Cabinet Co.,
Multi Computer Systems, Inc.,
Multi Tone Painting Corporation,
Munich Construction Co., Inc.,
Municipal Management Services, Inc.,
Munn Handy Wash, Inc.,
Munn Highway, Inc.,
Murjac Corp.,
Murray Motors, Inc.,
Murray Space Shoe New Jersey Corporation,
Muse Taxi Corp.,
The Music Bar and Radio Centre, Inc.,
The Music Man, Inc.,
Musicom Productions, Inc.,
Muskett Industries, Inc.,
Mustang Mobile Homes, Inc.,
Mutto Hollow Valley,
Mutual Plumbing & Heating Corp.,
Mutual Research Corp.,

Myat Sons Realty Corporation,
My Date Fashions, Inc.,
My 4 Children, Inc.,
Myralind Corporation,
Myron Green Corp.,
Myrro Roberts Co., Inc.,
Mystic Bottling Company, Inc.,

Nab Enterprises, Inc.,
Nadisco Manufacturing Corp.,
N A F Corp.,
Nana Selby, Inc.,
Nans Bar & Grill, Inc.,
Nappe & Digenio, Inc.,
N. A. Rajoppi Contracting Co., Inc.,
Nash, Inc.,
Nashville Productions, Inc.,
Nassau Cabinets, Inc.,
Nassau Development Corp.,
The Natchez Corporation,
Nathan Weiss Corporation,
National Accounting Forms Co.,
National Administrators, Inc.,
National Allergy Testing Laboratory, Inc.,
National Collegiate Travel Company, Inc.,
National Co-operative Trailer Parks of New Jersey,
National Electronics Laboratories,
National Exhibit Rentals, Inc.,
National Health Plan,
National Home Builders, Inc.,
National Inventory Service, Inc.,
National Lite Company,
National Marketing Enterprises, Inc.,
National Mortgage & Acceptance Corporation,
National Pier Carriers, Inc.,
National Plexi Glaze Systems, Inc.,
National Scholarship Foundation, Inc.,
National Shoes of Shrewsbury, Inc.,
National Shoes of Toms River, Inc.,
National Structures, Inc.,
National Swimming Pool Corporation,
National Video Systems, Inc.,

New Jersey State Library

Nationwide Box Co.,
Nationwide Carrier Service,
Nation Wide Corrugated Container Corp.,
Nation Wide Finance Co.,
Nationwide Motorist Association, Inc.,
Nationwide Suppliers, Inc.,
Nature Method Institute, Inc.,
Navigators Investors, Inc.,
Naythons, Inc.,
Neighborhood Self Service, Inc.,
Neil, Inc.,
Nelrod, Inc.,
Nelson B, Inc.,
Nelson Holding Co., Inc.,
Nepco Corp.,
Neptune Grove,
Nerruc, Inc.,
Neslo Hilton Co., Inc.,
Neta Realty Corp.,
Netsamjo, Inc.,
New Albany Professional Building, Inc.,
Newark Empty Package Company, Inc.,
Newark Human Renewal Corporation,
Newark Nova Car Sales, Inc.,
Newark Pretzel Co., Inc.,
Newark Tool Corporation,
New Brighton Holding Corporation,
New Brunswick Electric Supply Co.,
New Brunswick Jewelry Company,
New Brunswick Spokesman, Inc.,
New Capital Agency, Inc.,
New Colonial Acres, Inc.,
New England Style Pizza, Inc.,
Newfoundland Professional Center,
New Glen Fair Corp.,
New Home Sewing Center, Inc.,
New Horizons Pre School,
New Jersey Academy of Music, Inc.,
New Jersey Air Conditioning Corporation,
New Jersey Anodizing Corp.,
New Jersey Chicken Au Go Go, Inc.,
N. J. Color Tech Corp.,

New Jersey Courier, Inc.,
New Jersey Displays, Inc.,
New Jersey Futura Pools, Inc.,
N. J. Garden State Provision Co., Inc.,
New Jersey Gas Furnace Co.,
New Jersey Harness Racing Association,
N. J. Midtown Motors, Inc.,
New Jersey Municipal Incinerator Authority, Inc.,
New Jersey National Appliance Parts Distributors, Inc.,
New Jersey Pet and Biological, Inc.,
New Jersey Police Journal and Highway Safety Digest, Inc.,
New Jersey Shelving and Locker Company, Inc.,
New Jersey Sign Company, Inc.,
New Jersey Sky Lodge, Inc.,
New Jersey State Electric Co.,
New Jersey Supper Club of America, Inc.,
New Jersey Television Supply,
N. J. Trade In Homes, Inc.,
New Jersey Wheel & Rim Company,
New Little Nicks Bar,
New Plain Corp., Inc.,
Newport Arms, Inc.,
Newroad Corp.,
New Road Gardens,
New Shrewsbury Concrete Co., Inc.,
New Side Contractors, Inc.,
New Waverly Laundromat, Inc.,
N. H. Hunt Landscaping Corp.,
N H P, Inc.,
Nibble N Chat, Inc.,
Nicholas Construction Co.,
Nickal Builders, Inc.,
Nick & Lon, Inc.,
Nicks Auto Parts, Inc.,
Nicks Sweet Shop, Inc.,
Nickys Amusements, Inc.,
Nieme Construction Co., Inc.,
Niki Vela, Inc.,
Nimando Corp.,
The 9 Corporation,
929 South 17th Corp.,
19 55 Holding Corp.,

98 102 Prince Street Corporation,
Ninety-five Peshine Ave. Corp.,
95 Schley Street, Inc.,
Ninety Grand Realty Corp.,
The 93 Corporation,
Ninos Restaurant, Inc.,
Niro, Inc.,
Nitti and Cook Car Wholesalers,
Nitti and Cook Dodge,
N & K French Fry Co., Inc.,
N & L Construction Corp.,
Noblemens Club,
Nomis Enterprises,
Nomlas Holding Corp.,
Nordex Steel Corp.,
Norel Development Corp.
Norko Corporation,
Norlin Industries, Inc.,
Norman Foster Company,
Norman W. Greenwald, Sr. & Associates, Inc.,
Norm Gen Realty Co.,
North American Educational Computer Services, Inc.,
North American Illumination Corp.,
North Bergen Mfg. Company,
North Broad Associates,
North Brunswick Building Co.,
North Central Jersey Karate Club, Inc.,
North East Associates, Inc.,
Northeast Cable T V, Inc.,
Northeastern Home Heating and Construction Co.,
Northeastern Land Corp.,
Northeastern Terminal Corporation,
Northeast Fiber Glass Products,
Northeast Publishing, Inc.,
Northern Homes Sales Corporation N. J.,
Northern Steel, Inc.,
Northfield Oaks, Inc.,
North Jersey Auto Discount Corp.,
North Jersey Development Company, Inc.,
North Jersey Food Service, Inc.,
North Jersey Heating & Air Conditioning Co., Inc.,
North Jersey Meat Supply, Inc.,

North Jersey Pump & Supply Co.,
North Jersey Roadway Equipment Sales Company,
North Jersey Sanitary Supply Co.,
North Jersey Tire Supply Co., Inc.,
North Pine Apartments, Inc.,
Northport Clothing Corp.,
North State Realty Corp.,
North Suburban Realty, Inc.,
Northwestern Agencies, Inc.,
North Wildwood Red Garter, Inc.,
Northwind Development Corporation,
Notchcroft Estates, Inc.,
Nova Enterprises, Inc.,
N & S Coffee and Tea, Inc.,
Nuclear Heart Lung Corporation,
Nu Craft Corporation,
Nu Label Machine Corp.
No. 2 Elmwood Avenue, Inc.,
No. 265 Jackson Ave. Corp.,
Nu Style Curtain Shop, Inc.,
Nutley Gardens, Inc.,
Nut Ola Company,

Oak Mfg. Corp.,
Oak Tavern,
Oak Tree Hardware, Inc.,
Oak Warehouse, Inc.,
O B L Corp.,
Oeco Products, Inc.,
Ocean Apartments, Inc.,
Ocean Dental Equipment Co.,
Ocean Dozer and Crane Exchange, Inc.,
Ocean Equipment Repair Exchange,
Ocean Investment & Realty Corp.,
Oceanographic Film Services, Inc.,
Ocean Television Cable Company,
Oceanville Contracting Co.,
O'Conner Trucking Company, Inc.,
O D Corporation,
Odkesseff Corp.,
O'Donnell Travel Agency, Inc.,
Office Centre Leasing Corp.,

Office Trends, Inc.,
O. F. Price Construction Co., Inc.,
Ogg, Inc.,
Ohagan Associates,
Oil Salvage Corp.,
Oil Tank Fabricators, Inc.,
O K Trucking, Inc.,
Old Coach Inn, Inc.,
Old Colonial Inn, Inc.,
Old Colony Coal Corporation,
Old Jersey Investment Company,
Old Mill Cabinet Co.,
Olgas Bargain Center,
Olive Land Corp.,
Olive St., Inc.,
Olsen Heating & Air Conditioning, Inc.,
Olsens Alibi Inn,
Olson Roofing Insulation Siding Supply & Service Corp.,
Olympic Development Co.,
Olympic Paper Co., Inc.,
Olympic Skyliner, Inc.,
Olympic Tire Company,
Olympik Home Food Service, Inc.,
Olympus General Contractors, Inc.,
O'Mara Trucking Corp.,
Omco Products Co., Inc.,
Omega Construction Co., Inc.,
Omni Services, Incorporated,
One Eastern Avenue, Inc.,
One Fifty Vroom Corporation,
118 Albany St. Stationers, Inc.,
118 Mt. Pleasant Ave. Corp.,
184 Charlton Street Corp.,
115 Broadway Diner, Inc.,
159-161 Sussex Avenue Grocery Company, Inc.,
The 157 Corporation,
The 153 Corporation,
144 Sherman Street, Inc.,
141 North Fourteenth Street Corporation,
The 146 Corporation,
198 408 Taxi Corp.,
190 Eighth St. Corp.,

193 Watchung Avenue Corporation,
190 Walnut Street, Inc.,
101 Realty Corp.,
172-174 Clinton, Inc.,
160 Realty Corp.,
136 Corporation,
102 Corbin Corp.,
The O'Neill Agency No. 2,
Onyx Designs, Inc.,
Oprandys Rental Service, Inc.,
Optek Instrument Company, Inc.,
Opus 5, Inc.,
Oral Exfoliative Cytology Laboratory Corp.,
Orange, Black & White Cab Co.,
Orange Cake Box, Inc.,
Orange Circle,
Orange Devil Corporation,
Orange Equipment Co.,
Orange Furniture & Appliance Co., Inc.,
Orange Garden, Inc.,
Orange Truck Sales and Service, Inc.,
Oraton Realty Co.,
Orchard Investment Company,
Orchard View Estates, Inc.,
Ord Tronics Corp.,
Original Records, Inc.,
Oritani Mills, Inc.,
Or Jim Signs, Inc.,
Orlando Variety Store, Inc.,
Ormond Scrap Co., Inc.,
Ornamental Rustic Fence Co., Inc.,
Osborne Sporting Goods Company,
Oscar Leasing Corp. of N. J.,
Oscoda Contracting & Modernization, Inc.,
O S Exterminators, Inc.,
Osia Association,
Otirips, Inc.,
Outdoor Eating Institute, Inc.,
Outerbridge Marine Fabricators and Iron Works,
Oven Fresh Pretzel Co.,
Overland Trac Equipment and Parts Co., Inc.,
Ovid Paul Corporation,
Oxnard Aviation Corp.,

Pace Commodities, Inc.,
Packaging Supplies & Services, Inc.,
Packin Dodge, Inc.,
Padunn Corporation,
Page Gordon Corp.,
Pages on the Mall, Inc.,
The Pagh Land Corporation,
The Paint Stylists,
Paje Co., Inc.,
Pajon Corporation,
P A K Realty Co.,
Palermo Bakery, Inc.,
Pal Grove, Inc.,
Palisade Lathing Contractors, Inc.,
Palisade Realty and Improvement Co., Inc.,
Palisades Supermarkets, Inc.,
Palladino Construction Corporation,
Pallet Repair Company, Inc.,
Palo Investment Corporation,
Pal Pen, Inc.,
Pals Paradise, Inc.,
Palumbo Construction Co., Inc.,
Panak Gannon Fine Corp. of N. J.,
Pan American Publishing Co.,
Pancoast Products, Inc.,
Panel Systems Engineering Corporation,
Pantar, Inc.,
Pantechmic Associates, Inc.,
Pantechmic Corp.,
Paper Panther, Inc.,
Pappianos Diner Restaurant, Inc.,
Paradise Custom Cues, Inc.,
Paradise Harbor Sports Center, Inc.,
Paradise Lakes, Inc.,
Parallel Construction Corp.,
Paramount Mirror and Glass Co., Inc.,
Paramus Coin Exchange, Inc.,
Paramus No. 2 Corp.,
Paramus Shopping Center,
Paramus Valley View, Inc.,
Parexcel Homes Corp.,
Parfen, Inc.,

Par Independent, Inc.,
Paris Building Corporation,
Parisian Motor Car Leasing Corp.,
Parisienne Wig Salon, Inc.,
Paris Painting & Decorating Co., Inc.,
Park Advertising Associates,
Park Auto Supply, Inc.,
Park Auto Wash, Inc.,
Park Car Sales,
Parkcliff Corporation,
Park Colonial Homes,
Parker Associates, Inc.,
Parklitho Corp.,
Par Knit Corp.,
Park Plaza Originals, Inc.,
Park Ridge Coat Apron, Towel and Linen Service,
Park Sales Corporation,
Parkside Lake Developers,
Parkside Sea Food Bar,
Parkside Silver Company,
Park Stationery, Inc.,
Parkstone Construction Co., Inc.,
Parkten Co.,
Parlor Fashions, Inc.,
Parmel Corporation,
Parr Saund Corp.,
Partake Manhattan, Inc.,
Parter Construction Co.,
Partridge Run, Inc.,
Paruta Wine Co.,
Pasar Enterprises, Inc.,
Paskow & Epstein, Inc.,
Passaic Restaurant Corp.,
Passi Mill Supply, Inc.,
Pat & Chucks Freehold Atlantic Service, Inc.,
Paterson Boiler & Tank, Inc.,
Paterson Family Hobby Center,
Paterson Pub, Inc.,
Pat & Frank, Inc.,
Pathway Industries, Inc.,
Patio Home Builders,
Patissia Corporation,

Pat Reitz, Inc.,
Patrick Mullins,
Pats Supply Company, Incorporated,
Patsy & Lee Hairdressers of Wayne, Inc.,
Patti Jo Sports Wear, Inc.,
Patti Kate, Inc.,
Pat Trucking Company, Inc.,
Paul Ann Supply Co., Inc.,
Paul Bunyan Stores, Inc.,
Paul Engel, Inc.,
Paulette Couture, Inc.,
Paul Lewis Associates, Inc.,
Paulmare Construction Co.,
Paul Marre, Inc.,
Paul Schmones Meats, Inc.,
Pauls Delicatessen, Inc.,
Paul Stevens Diner, Inc.,
Pau Mar, Inc.,
Pavese Construction Co., Inc.,
Paw Corporation,
Payne Packers Company,
PBP, Inc.,
P & B Realty Corp.,
P C A, Inc.,
P & C Drywall Construction Co., Inc.,
Peal, Inc.,
Pearl Diner Corporation,
Pearly Gates Development Corp.,
Pearson Brothers, Inc.,
Pearson Industries, Inc.,
Peco Auto Body, Inc.,
Peconic Corporation,
Ped Taxi Co., Inc.,
P & E Equipment and Leasing Company, Inc.,
Peerless Film Enterprises, Inc.,
Pee Wees Tavern, Inc.,
Pef Corporation,
Pegasus Productions, Inc.,
Pejan, Inc.,
Pell Associates, Inc.,
Pell Construction, Inc.,
Pemberton Livestock, Inc.,

Pemont Corp., Inc.,
Pem Trading, Inc.,
Penler Anodizing, Inc.,
Penman Corporation,
Penn Associates, Inc.,
Pennbrook Restaurant, Inc.,
Penn Dutch Concessions, Inc.,
Penn Homes, Inc.,
Pennsauken Realty Co.,
Pennsylvania Codes,
Penn Woodworking, Inc.,
Penta, Inc.,
Penthouse Suites, Inc.,
Pentral Realty Corp.,
Peps Automotive Repairs,
Pequannock Laundromat, Inc.,
Pequest Paving Co.,
Perch Cove Company,
Perfax Corporation,
Perfect Aire Service, Inc.,
Perfect Stationery, Inc.,
Perfect Temperature, Inc.,
Perfect Turf,
Pericles Holding, Inc.,
Perkins Lane Co.,
Perma Fiberglass Corp.,
Permanent Press Center, Inc.,
Perno, Inc.,
Perona Farm Food Specialties,
Perry Lumber, Inc.,
Personalized Builders, Inc.,
Personalized Towels, Inc.,
Personal Loan Company,
Personident, Inc.,
Peshine Taxi, Inc.,
Peter De Lorenzo, Inc.,
Peter La Bracio & Sons, Incorporated,
Petes Deli, Inc.,
Petrella Paving and Excavating, Inc.,
Petrie, Incorporated,
P F W, Inc.,
P G Machine Corp.,

P & G Trading Corp.,
Pharmacy Brands, Inc.,
Phenix Mills, Inc.,
Phideo Corp.,
Phidoto Enterprises, Inc.,
Phil Berg, Inc.,
Phil Company Appliances, Inc.,
Philebet Holding Company, Inc.,
Philips Footwear, Inc.,
Phoenix Drug, Inc.,
Phoenix Mortgage Company, Inc.,
Phoenix Pharmacals, Inc.,
Photo Scan International Leasing Corporation,
Phyllis Coffee Pot, Inc.,
Pick A Date Service, Inc.,
Pickwick Delicatessen, Inc.,
Pic N Pic Outlet, Inc.,
Pictorial Editions, Inc.,
Pier Bar, Inc.,
Pier Bros., Inc.,
Pierce Productions, Inc.,
Piezo Ceram Company,
Pike Mfg. Co., Inc.,
Pilat Enterprises, Inc.,
Pilgrim Holding Company,
Pilgrim Kitchens, Inc.,
Piltzecker Industries, Inc.,
Pine Acres Day Camp, Inc.,
Pine Brook Heights,
Pinecliff Bakery, Inc.,
Pine Creek Railroad,
Pine Manor Nursing & Convalescent Center,
Pines Country Club, Inc.,
Pinewald Finance & Construction Corporation,
Pinizzotto Trucking Co.,
Pinter Roofing, Inc.,
Pioneer Potato Company, Incorporated,
Piper Truck Rentals, Inc.,
Piping Unlimited, Inc.,
Piscataway Construction Co.,
Pittsburgh Fence Corp.,
Pivnick Construction Co.,

P K G Industries,
Placement Associates, Inc.,
Plainfield Donut Co., Inc.,
Plainfield Realty Corp.,
Plainfield Sand & Gravel, Inc.,
Plan A Party, Inc.,
Plancey & Williams, Inc.,
Planning Consultants, Inc.,
Planter Imports, Inc.,
Plastic Electronic Fabricators, Inc.,
Plastic Golf Products, Inc.,
Plastic Handle Corp. of America,
Plastic Parts, Inc.,
Playmate, Inc.,
Playtime Industries, Inc.,
Plaza Hobby and Sport Center,
Plaza Luncheonette, Inc.,
Plaza Maintenance Co., Inc.,
Plaza Mortgage Corporation,
P & L Development Corp.,
Pleasant Finance Co., Inc.,
Pleasant Hill Company,
Pleasant Shores Building Company,
Pleasant Valley Lake, Inc.,
Pleasantville Steel Company, Inc.,
Plush Living, Inc.,
Plymouth Hygrade Meats, Inc.,
Plywood World, Inc.,
P & M Ceramic Tile and Marble Company,
P & M Deli D Lite Restaurant,
P M Distributors, Inc.,
P & M General Contractors, Inc.,
P M R Realty Co., Inc.,
PNO, Inc.,
P & O Boat Hauling,
Poe Inland Land Co.,
Pohn & Kreuger Paper Mills, Inc.,
Point Pleasant Dee Dee, Inc.,
Point of Sale Service Exhibitors, Inc.,
Polmak Corp.,
Pompton Homes,
Pompton Plains Bakery,

Poole Avenue Deli & Sweet Shop, Inc.,
Pool Services Company, Inc.,
Pope Painting Corp.,
Popular Refreshments, Inc.,
Porlak Corporation,
Porta Soft Home Improvement Corporation,
Port Power, Inc.,
Port Sanitation, Incorporated,
Port Terminals, Inc.,
Poultry Breeders International,
Powells Club, Inc.,
Powells Pit Stop, Inc.,
Poydan, Inc.,
Prairie Realty Corp.,
P & R Development Corp.,
Precision Polymers, Inc.,
Pre Fab Erection Co., Incorporated,
Prells Broadway Shows, Inc.,
Prelude Manufacturing Co., Inc.,
Premium Finance Corporation,
Prescription Center, Inc. No. 2,
Prescription City,
Press O Matic Manufacturing Corporation,
Prestige Personnel Agency of Bergen County, Inc.,
Prevete, Inc.,
Price Auto Sales, Inc.,
Pride Garfield, Inc.,
Pride Hardware, Inc.,
Pride Paint Co., Inc.,
Pride Paint & Hardware Co., Inc.,
Primate Record Company,
Prim Cap Construction Corp.,
Prime Decorators, Inc.,
Prime Metals, Inc.,
Prime Restaurant Supply Co., Inc.,
Prince Lawra Enterprises, Inc.,
Princess Investment Co.,
Princess Luncheonette, Inc.,
Princeton Cleaning and Floor Waxing Corp.,
Princeton Pike Homes, Inc.,
Princeton Production Group, Inc.,
Princeton Tile Company,

The Principi Corporation,
Priny Corporation,
Private Industries Personal Flight Service, Inc.,
P R M Corp.,
Procher Realty Corp.,
Product Consultants and Representatives, Inc.,
Production Electronics, Inc.,
Production Millwork, Inc.,
Products Exchange Company, Inc.,
Products Manufacturing Corporation,
Professional Business Bureau, Inc.,
Professional Carpet Sales & Service, Inc.,
Professional Data Systems, Inc.,
Professional Developers, Incorporated,
Professional Lawn Service Corporation,
Professional Programming, Inc.,
Professional Service Bureau of South Jersey,
Profile Lists, Incorporated,
Profit Picture Service, Inc.,
Progressive Gents, Inc.,
Progressive Products, Inc.,
Project Cleaners, Inc.,
The Promenade,
Promin T V Service, Inc.,
Promotional Advertising Associates,
Property Services, Inc.,
Proprietary Products, Inc.,
Prospect Trucking Co., Inc. No. 2,
Protectronics, Inc.,
Prudential Landscaping Co.,
P R W III, Inc.,
P & S Co., Inc.,
P S Motors, Inc.,
Puresoft Water Conditioners Industries, Inc.,
Purnet Associates, Inc.,

Quality Apparel, Inc.,

Raan Construction Corporation,
Radas, Inc.,
Radburn Noshery, Inc.,
Radiography Inspection, Inc.,
R. A. Flain Construction Corp.,
Ragpa, Inc.,
R A H Realty Corp.,
Rahway Academy of Music,
Rahway Pantry & Liquor, Inc.,
Rahway Woodworking Associates, Inc.,
Raimo Trucking and Equipment, Inc.,
Rainey Moore Corporation,
Raisler Corporation of New Jersey,
Rajah Paper Products Co.,
Ralph A. Bozorth, Inc.,
Ralph Marks, Inc.,
Ralph Martin Holdings, Inc.,
Ramapo Mountain Lakes, Inc.,
Ramapo Valley Caterers,
Rambler Inn,
The Ram Motors, Inc.,
Ramode of Philadelphia,
Rampart Builders, Inc.,
Ram Security Systems of N. J., Inc.,
Ramsey Acres, Inc.,
Ramsey Crescent, Inc.,
Ramsey Professional Building, Inc.,
Rancocas Inn,
Rande Enterprises,
Randel Liquors,
Randolph Tile Company, Inc.,
Ran Kay Construction Co., Inc.,
Rankin Tavern, Inc.,
Rapohoe Trucking Corporation,
Rare Form Intimates, Inc.,
Raritan Bay Amusements, Inc.,
Raritan Charge Accounts, Inc.,
Raritan Industries Corporation,
Raritan Valley Real Estate Co.,
Raschel Knitting Mills, Inc.,
Rasta, Inc.,
Raw Trucking Company, Inc.,

Ray Ann Corp.,
Rayber Realty Corp.,
Rayco Hillside, Inc.,
Raydem Realty, Inc.,
Rayfran Realty Corp.,
Ray Grimes, Inc.,
Rayout Wines & Liquors, Inc.,
Ray Palmer Associates, Inc.,
Rays Service Station, Inc.,
R. B. Meateer Mechanical Construction Company,
R. C. Allen Sales, Inc.,
R. C. Bars, Inc.,
R. & C. Bell Construction Co.,
R. C. J. Corp.,
R C Jobbers, Inc.,
R Corporation,
R. C. Reisler, Inc.,
R and C Supply Co.,
R D A Corporation,
R D B Construction, Inc.,
R & D Distributors, Inc.,
R D M E Realty Co.,
R D S Agency, Inc.,
R & D Toolholder Corporation,
R E A Construction Company, Inc.,
Real Wood Products, Inc.,
Real Steak Company,
The Realty Corp. of N. J.,
Realty Design, Inc.,
Realty and Development Company,
Realty Mortgage Associates, Inc.,
The Reasons,
Re Bo Manufacturing Company,
Recliners Unlimited,
Recon, Inc.,
Recorder Printing, Inc.,
The Record Groove, Inc.,
Record Treasuries, Inc.,
Red Coach Inn, Inc.,
Reddi Wip Processors of New Jersey,
Red Dot Associates, Inc.,
Redel Corp.,

Red Kewills, Inc.,
The Red Mill Inn, Inc.,
Red Oak Holding Corp.,
Redwood Confectionery, Inc.,
Reese Colfax Corporation,
Regal Air Corporation,
Regalco Properties, Inc.,
Regal Equipment Co.,
Regal Land & Building Co.,
Regal Leasing Corp.,
Regal Pontiac, Inc.,
Regal Reading Corp.,
Regency Holding Corp.,
Regency House, Inc.,
Regent Chemical Corp.,
Regional Enterprises, Inc.,
Re Hab Unlimited,
R E H Corporation,
Reichey Brothers, Inc.,
Reimer Cordes Truck Stop, Inc.,
Reinco Tool and Machine Co., Inc.,
Reiter Ross Premium & Contest Division, Inc.,
Relbow Jackson Corp.,
Reliable Auto Refinishing Co., Inc.,
Reliable Cab Service, Inc.,
Reliable Holding Company,
Reliable Paint & Supply Corp.,
Reliance Home Improvement Co., Inc.,
Reliance Service Corp.,
Rello Realty Corporation,
Relyatron Products, Inc.,
Remington Products Corporation,
Remmus Lodge, Inc.,
Renco Finishing Corp.,
Rene Andre Hair Stylists, Inc.,
Rene Hair Stylists,
Renette Distributors, Inc.,
Rentco Truck Leasing, Inc.,
Ren Turo Enterprises, Inc.,
Reporting Center, Incorporated,
Reser Mcerlane Construction Co., Inc.,
Resnik Corporation,

Restrak Corp.,
Restwell Bed and Spring Corp.,
Retail Information Associates,
Retlaw Realty Co.,
Retreat Veal, Inc.,
Rexford Aluminum Corp.,
RFCJ, Inc.,
R and F Food Sales, Inc.,
R F H Investment Corp.,
R. F. Kohler Construction Co., Inc.,
R G L Motor Lines Leasing, Inc.,
R. G. McLaughlin, Inc.,
R & H Clothing Manufacturing, Inc.,
R. & H. Crowley, Inc.,
R. H. Hall Enterprises, Inc.,
R. Holzhauser and Sons, Inc.,
Rhone Road, Inc.,
R. & H. Solomon, Inc.,
Rialso, Inc.,
Rialto Sportland, Inc.,
Rib N Raps, Inc.,
R I B S Enterprises, Inc.,
Richans Tavern, Inc.,
Richard Braeunig & Sons, Inc.,
Richard C. Heydt, Inc.,
Richard E. Flower, Inc.,
Richard Halpern, Inc.,
Richard H. Held, Inc.,
Richards Beauty Bargain, Inc.,
Richards Chick N Ribs, Inc.,
Richard S. Groves Construction, Inc.,
Richland Grain, Inc.,
Richmond Brothers Company,
Richmond F. Routh Funeral Home, Inc.,
Rich Son, Inc.,
R I C, Inc.,
Rickys Corner Bar,
The Riddle Bar,
Ridge Drywall Co.,
Ridgefield Local No. 630, Inc.,
Ridgefield Village Section B, Inc.,
Ridge Tulsa, Inc.,

Riefolo Construction Company, Inc.,
Riel Corporation,
Right of Way & Survey Services, Inc.,
R I K Realty Corporation,
Riley Service, Inc.,
Ringwood Chevron, Inc.,
Ringwood Paint & Supply Co.,
Rio Vista Village, Inc.,
Risley Plumbing and Heating Co., Inc.,
Rite Value Realty Co., Inc.,
Rite Way Maintenance Company,
Ritz International, Inc.,
Ritz Realty Corporation,
Riverdale Farms, Inc.,
Riverdel Plumbing, Inc.,
Riveredge Restaurant, Inc.,
River Lane Realty Co.,
River Road Properties, Inc.,
Riverside Billiard and Amusement Center, Inc.,
Riverside Enterprises, Inc.,
Riverside Nurseries, Inc.,
River Vale Corporation,
Riverview Auto Body,
R & J Automotive Service, Inc.,
R. J. Cleary Heating Corporation,
R J Diner, Inc.,
R J L, Inc.,
R. Joy, Inc.,
R & J Tanning Corp.,
R K C, Inc.,
R K I Call Control Products,
R. L. Joost Machine & Sheetmetal, Inc.,
R. Loeber & Co., Inc.,
R. L. Perkins & Co.,
R & M Bar and Grill,
R M C Building Corp.,
R & M Construction Corp.,
R M Furniture, Inc.,
R M G Associates, Inc.,
R & M Messenger & Delivery Service Association, Inc.,
R M Sportswear Corp.,
R N Corporation,

R. N. Miksel Corporation,
Roaring 20 Autos, Inc.,
Roban Construction, Inc., of New Jersey,
Robands, Inc.,
Robard Builders, Inc.,
Robbins and Lasche, Inc.,
Robert A. Whitney and Company,
Robert Berole School of Dancing,
Robert Carriger, Inc.,
Robert Clarke Trucking, Inc.,
Robert Construction Co.,
Robert C. Reed Co.,
Robert E. Dietz Company,
Robert E. Sheridan & Sons, Inc.,
Robert L. Barrett & Sons, Inc.,
Roberts Equipment Lease Co.,
Robert W. Jager Equipment Co., Inc.,
Robert W. Lake Associates, Inc.,
Robie Custom Upholstery, Inc.,
Robin Electronic Distributing Company,
Robin Lake, Inc.,
Robins Cleaners, Inc.,
Robins Department Store, Inc.,
Robin Travel Agency, Inc.,
Robken Knitting Mills, Inc.,
Robles Center, Inc.,
Robmar Realty Co.,
The Robroyce Company, Inc.,
Roca Corporation,
Rocco Gallo, Inc.,
Rochelle Builders, Inc.,
Rochelle Park Dairy Corp.,
Rockaway Mattress Company, Inc.,
Rock Lite Corp.,
Rockview House, Inc.,
Rockys Auto Service, Inc.,
Rodian Corp.,
Ro Do Dynamics Industries,
Rodom Builders, Inc.,
Rodrock Drilling & Blasting Co., Inc.,
Roehrich Realty Company,
Roeth, Inc.,

Rofer Corporation,
Rofor Corp.,
Rogene Agency, Inc., of New Jersey
Rokay Realty, Inc.,
Rokay Wines and Liquors, Inc.,
Rolling Brook Corp.,
Rolling Meadows Corp.,
Rollo Plastics, Inc.,
Romac Management, Inc.,
Roma Interiors, Inc.,
Romano Bros. Realty,
Romano and Cohen Realty, Inc.,
Romano Gardens, Inc.,
Roman Press, Inc.,
Romare Fashion Salon, Inc.,
Roma Riese Chemical Co., Inc.,
Roma Sales Corporation,
Rome Furniture Co., Inc.,
Romex, Inc.,
Ronald & Ryan, Inc.,
Ronald Five, Inc.,
Ron Maur Motors, Inc.,
Ronnie Shops 206 Springfield Ave., Inc.,
Rono, Inc.,
Ron & Rays Painting Contractor, Inc.,
Rontal, Inc.,
Rosa Plumbing and Heating, Inc.,
Rose Candy Corporation,
Rose Embroidery Works, Inc.,
Roseland Fur Corporation,
Roseld Construction Company, Inc.,
Roselles Sales Corp.,
Rosemar Cafe, Inc.,
Rose Motors, Inc.,
Rosend, Inc.,
Roseville Foodtown, Inc.,
Roseville Steak House and Lounge, Inc.,
Rosin Auction Galleries, Inc.,
Ro Sla Donuts, Inc.,
Ros Mor Gowns,
Rosnat, Inc.,
Ross Hilderbrand, Inc.,

Ross Import Export Corp.,
Rotaug Corporation,
Roths Pharmacy, Inc.,
Rouse Equipment Co.,
Route Forty-Six Phillips Corporation,
Route 1 & 9 Realty,
Route Ten, Inc.,
Rt. 23 Friendly Service,
Rovico Incorporated,
Rowmel Enterprises, Inc.,
Royal Castle, Inc.,
Royal Coach Lines, Inc.,
Royal Discount Corp.,
Royal Inn of Springfield New Jersey,
Royal Pizzeria,
The Royal Spa, Inc.,
Royal T Mfg. Co.,
Royal Trading, Inc.,
Royden Products Corporation,
R. P. Jamieson Lawnmasters, Inc.,
R P Motors, Inc.,
R & R Gonier, Inc.,
R & R Juniors, Inc.,
R & S Builders Co., Inc.,
R & S Enterprizes, Inc.,
R S L Realty, Inc.,
R S R Corporation,
R S Roberts Industries, Inc.,
R & T Construction, Inc.,
R and T, Inc.,
Rual, Inc.,
Ru An Construction, Inc.,
Rubee Knitting Mills, Inc.,
Rubins, Inc.,
Ru Brick, Inc.,
Rudolf Jacobs Co.,
Rugby Realty Corp.,
Rugdon Corporation,
Ru La, Inc.,
Rulene Shoppe, Inc.,
Rumen Enterprises, Inc.,
Runnemedede Medical Center,

Rusea, Inc.,
Rush Electric Co., Inc.,
Rush, Inc.,
Rush Service & Distributing Co., Inc.,
Rusjanrob Corporation,
Russell East Orange, Inc.,
R. Ussher Trucking, Inc.,
Russ & Tony, Inc.,
Ruth Ann Footwear, Inc.,
Rutmark Realty, Inc.,
Ru Von, Inc.,
R & W Leasing, Inc.,

Saan Builders, Inc.,
Sabano Sales, Inc.,
Sabbio Agency, Inc.,
Saddle Brook Taxi Company, Inc.,
Saddle Hills Estates,
Saddle River Bagels, Inc.,
Safe Buy Realty, Inc.,
Safe Carry Paper Co.,
Safeguard Agency,
Safeguard Brokerage Co., Inc.,
Safer by Safir,
Safety Advisory Foundation, Inc.,
Safe Way Products Company, Inc.,
Saffran Furniture, Inc.,
Safir Villar, Inc.,
Sage Martin, Inc.,
S A G, Inc.,
Salem Furniture Industries, Inc.,
Salem Gardens, Inc.,
Salem Ridge Homes, Inc.,
Sales Fidelity Corp.,
Sales Impact Promotions,
Sal Faranna Fuel Co.,
Salkar Corp.,
Sallustro & Raffa Contractors, Inc.,
Salon De Roma,
Salon Madrid, Inc.,
Salon Richards, Inc.,
Salon 29 Coiffures,

Sal Realty Co.,
Salumin Holding Co.,
Saman, Inc.,
Sam and Franks, Inc.,
Samike Co., Inc.,
Sam Levy Glass Co.,
Sample Corset Shop, Inc.,
Samson Finance, Inc.,
Samuel F. Perkel, Inc.,
Samuel Rosenblum, Inc.,
San Bar Corporation,
San Cas Construction Corp.,
Sandal Enterprises, Inc.,
San Dee Wheel,
Sandland Plastic Corp.,
Sandra Realty,
Sand Ton Enterprises,
Sanjeff Corp.,
San Juan Vestments, Inc.,
Sant Corporation,
Santos Floor Service Co., Inc.,
Santo T. Commarato, Inc.,
Sarasohn Avenue Corporation,
Saratoga Corporation,
Sarich Building and Investment Co.,
Sarmar Sales, Inc.,
Sassone Importers & Distributors, Inc.,
Satellite Submarine Base, Inc.,
Sate Truck Sales, Inc.,
Saucin, Inc.,
Savande Industries, Inc.,
Save on Meat Co.,
Saverio Construction Co.,
Savi Marble Importing Co., Inc.,
Savoth Distributors, Inc.,
Savoth Realty Co., Inc.,
Savoy Can Company,
Savoy Clinton Realty Co.,
Sawyers Express Co., Inc.,
Saxony Cafeteria Corp.,
Saxony Collection Service, Inc.,
Saxony Jewelry Exchange Corporation,

Sayreville Marina, Inc.,
Sayrewood Diner, Inc.,
Sayre Wood Used Cars, Inc.,
S B C D Holding Corp.,
S & B Contracting Co., Inc.,
S B and W Realty Corp.,
Seanco Leasing Corp.,
S C & C Realty, Inc.,
Sef Pizza Corp.,
Schaefer Construction Co.,
Scheuers & Scheuers Electric Company, Inc.,
S. and C. H. Haar Company,
Schiblers Child Care Center,
Schine Ritz Corporation,
Schneiders Bake Shop, Inc.,
Schulcon Realty, Inc.,
Schusterman Supply Co., Inc.,
Scientific Instrument Research & Development,
Scotch Plains Floor Covering,
Scotland Raceways,
Scotrand Homes, Inc.,
Scots Clam Company, Inc.,
Scott Chemical Co., Inc.,
Scot Tex Knitting Mills, Inc.,
Scott Mfg. Co.,
Scottos Italian Schooner,
Scottys Bar & Grill,
Scottys Construction Co.,
S & C Properties, Inc.,
S & D Food Co., Inc.,
S & D Machine and Tool Mfg., Inc.,
Seaboard Developers, Inc.,
Seaboard Premiums, Inc.,
Seaboard Truck Sales and Services, Inc.,
Sea Coast Development Corporation,
Seacoast Enterprises, Inc.,
Sea Crown, Inc.,
Sea Isle Fishing Center,
Seascape Stone, Inc.,
Seaside Beer & Soda Distributors,
Seaside Trucking Company, Inc.,
Seaview Homes, Inc.,

Seaview Nurseries, Inc.,
Seaways Development Corp.,
Secaucus Swim Club,
Seck Giebel Fine Metals Machining Co., Inc.,
Second Capital Acceptance Mortgage Corp.,
Security Associates, Inc.,
Security National Bonding Agency,
Seday Motel Company,
Sedora Construction Co., Inc.,
Selim Corporation,
Selkay Co.,
Sena Construction, Inc.,
September Associates, Inc.,
Serendipity Enterprises, Inc.,
Servall Contracting Co., Inc.,
Sesco, Inc.,
Seton Industries, Inc.,
786 Communipaw Avenue Corp.,
776 South Orange Avenue, Inc.,
734 Corporation,
703 Realty Investment Corp.,
724 Watchung Avenue Corp.,
729-735 Avenue A Corp.,
Seven Providence Ave. Corp.,
1707 Corporation,
76 Atlantic Street Corporation,
76 Burnside Realty Corp., Inc.,
76 Label Company,
The Sewn Circuit Corp.,
Shades Lounge, Inc.,
Shade Tree Home Builders, Inc.,
Shadowlawn Builders, Inc.,
Shangri La Farms,
Shannon Express Co., Inc.,
Sharidon Corp.,
Sharwyn Gardens, Incorporated,
Shawn Electric, Inc.,
S H B Corporation,
Sheffield Contractors Company, Inc.,
Sheldon Electronics,
Shell Electric Company,
Sheppies, Inc.,

Sheran Truck Rentals, Inc.,
Sherman & Rose Furniture Co., Inc.,
Sherrys Little Bar,
Sherry Textile Mills, Inc.,
Sherwood Park, Inc.,
Shevlin Funeral Home,
Shim Co.,
The Shindig,
Shirley K,
Shirlmar Beauty Lounge, Inc.,
Shoe Notes, Inc.,
Shop Rite Petroleum Co.,
Shorco Textiles, Inc.,
Shore Air Services, Inc.,
Shore Bowling Center, Inc.,
Shore Hills Service Center, Inc.,
Shoreland Management Co., Inc.,
Shore Masonry,
Shore Point Esso Service, Inc.,
Shore Realty,
Shore Realty & Investment Corp.,
Shore Steel & Metal Company,
Shore Tape Mix Products, Inc.,
Shoreway Trucking Corp.,
Short Hills Construction Company,
Shrimps House of Fine Floors, Inc.,
Shufelt & Shatanof, Inc.,
Shulman and Shulman Company,
Shultz Dredging Corporation,
Siba Corporation,
Sideo, Inc.,
Side Hill, Inc.,
Sidfred Corp.,
Sidney Rubber Co., Inc.,
Sigler Somerset, Inc.,
Sigma Electric Company, Inc.,
Sigmund J. Realty, Inc.,
Signal Research, Inc.,
Silk City Carriers, Inc.,
Silon Associates,
Silverio Mazzella, Inc.,
Silverlake Estates,

The Silver Mine, Inc.,
Silver Spur Ranch, Inc.,
Silver Steel Fence Corp.,
Silverton Cleaners, Inc.,
Simkins Enterprises, Inc.,
Sim Ray Bldg. Designs, Inc.,
Singdance Corporation,
Sir Gene Lounge,
Sirvaleo, Inc.,
Sisco Farms Dairy Stores, Inc.,
Six North 16th Street Corp.,
60-40 Corp.,
61 Lakeside Avenue Corp.,
S and J Manufacturing Corporation,
S. John Quattrone and Associates, Inc.,
S & J Truck Sales, Inc.,
Skees Tavern, Inc.,
Ski Bag, Inc.,
Skid & Pallet Repair Company,
Skylan Corporation,
Skylark Productions, Inc.,
Sky Line Estates, Inc.,
Skytop Enterprises,
Sky Towers, Inc.,
Skyway Truck Service, Inc.,
Skywood, Inc.,
Slade Electrical Manufacturing Company, Inc.,
Sleep E Hollow Motel Corp.,
Sleepy Hollow Luncheonette, Inc.,
Slenderize, Inc.,
Slendersan Studios, Inc.,
Sloane House, Inc.,
Sloatsburg Building Supply Co., Inc.,
Slockbower & Son, Inc.,
Slocomb Vinyl Corporation,
Slovak Gymnastical Falcon Association of Newark New Jersey
Smart & Trim Beauty Salon, Inc.,
S & M Associates, Inc.,
S. M. Brown, Inc.,
S M & D, Inc.,
Smithfield Land Company, Inc.,
Smith and Gibbons Plumbing Heating and Air Conditioning, Inc.,

SMKD, Inc.,
S. M. Loehr, Inc.,
Smoke Record Co., Inc.,
Smoke Rise Agency,
Smoke Rise Builders,
Smoke Rise Construction Co., Inc.,
Snack A Rama, Inc.,
Snack Time, Inc.,
Snak Shak,
Snelling and Snelling of Elizabeth, Inc.,
S N G Woodcrafts Corp.,
S N N R Construction Co., Inc.,
Sobelman Lazar Schuman, Inc.,
Sodanos Restaurant,
Soda Towne,
Soho Realty Co., Inc.,
Soldiers Inn,
Solgar Realty Corp.,
Sol Gro Homes, Inc.,
Solomon & Louis Corporation,
Somerset Modern Homes, Inc.,
Somerset Paper Company,
Sondstan Corp.,
Soran Land Co.,
Sound Tech, Inc.,
The Southern Seas Restaurant Company,
Southern Tri County Builders, Inc.,
The Southern Union Corporation,
South Gate, Inc.,
South Gate, Inc.,
South Jersey Insulating Company,
South Jersey Reporting Service, Incorporated,
South Munn Diner, Inc.,
South Street Strip,
So Wel Corporation,
Space Amusement Corp.,
Space Planning and Creative Expansion Corporation,
Spanset, Inc.,
Spars, Inc.,
Spa Sales Promotion Associates, Inc.,
Spear Jack, Inc.,
Specialized Educational Classrooms, Inc.,

Spectral Lamp Corp.,
Spectrum Distribution, Inc.,
Speed Trucking Co., Inc.,
Speed Turn Tool Co., Inc.,
Speedy Cleaners, Inc.,
Sperling Caterers, Inc.,
S. Piatak, Inc.,
Spindlers Cafe, Inc.,
Spiral Associates, Inc.,
Splendor Distribution, Inc.,
Splendor Productions, Inc.,
Spokesman Publishing Co., Inc.,
Spooky Balls, Incorporated,
Spotless Diner, Inc.,
Spotswood Associates,
Spotswood Chevron Servicenter, Inc.,
Spread Eagle Corporation,
Springdale Estates, Inc.,
Springfield Construction Co., Inc.,
Springfield Co-op., Inc.,
Springfield Investment Company,
Springfield Supply and Construction Company,
Springlawn Realty Corp.,
Spring Manor, Inc.,
Spring Scott Company,
Springs, Inc.,
Spring Village Luncheonette, Inc.,
Spruce Lakes, Inc.,
Spruce Trucking Co., Inc.,
Spruce Wood Estates, Inc.,
Spruill Agency, Inc.,
SPS Property Corp.,
Squan Tire, Inc.,
Squire Dry Cleaners, Inc.,
S & R Landscaping and Paving Contractors, Inc.,
S & R Trucking Corp.,
S & S Development Co.,
S S D Holding Co.,
S S Patty K, Inc.,
S S Plastering & Masonry Co.,
S & S Restaurant & Delicatessen,
Staff Construction Co.,

Stage Enterprises, Inc.,
Stag Enterprises, Inc.,
Stamp Savers, Inc.,
Standardbred Feed, Inc.,
Standard of Edison, Inc.,
Standard Sales Co.,
Standard Stainless, Inc.,
Stanley Mfg. Co.,
Stanley Restaurants, Inc.,
Stanley Zduniak, Inc.,
Stan Michaels Co., Inc.,
Stanscott Contractors, Inc.,
Stanshirl Music, Inc.,
Stanton Research, Inc.,
Stara, Inc.,
Star Commercial Builders, Inc.,
Star Container Corp.,
Star Farms, Inc.,
The Stark Company, Inc.,
Stark Enterprises,
Stark Plastics, Inc.,
Star Lake Realty Corp.,
Star Line, Inc.,
Star Maintenance Company, Inc.,
Star Mushroom Corporation,
Starns Supermarket, Inc.,
Star Roofing Company, Inc.,
Stasik Realty Co., Inc.,
State Realty Company of Perth Amboy,
State Shoe Co., Inc.,
Statewide Electric Heating Corporation,
State Wide Messenger and Delivery Service,
Stathios Corp.,
Stearn Realty Associates,
Stebbraun Realty Co.,
Stebon Corporation,
Stedian Corporation, Inc.,
Steel Crest Homes, Inc.,
Steel Pride Corporation,
Steerland Meats of Paramus, Inc.,
Steffi of California,
Steig Products, Inc.,

Steiner Ives Company,
Stella Purzyeki Company,
Stelrich, Inc.,
Stelson Diner, Inc.,
Stephen Coopersmith Enterprises,
Sterba Baking Company, Inc.,
Sterling Daland Associates, Incorporated,
Sterling Electric, Inc.,
Sterling Home Builders, Inc.,
Sterling Pollution Controls, Inc.,
Sterling Vanities, Inc.,
Steve Miniari, Inc.,
Stevenson Rossiter, Inc.,
Steve Pastor, Inc.,
Steves Auto Service, Inc.,
Steves Bar, Incorporated,
Steves Delivery Service, Inc.,
Steward Construction Co., Inc.,
Stewart Marketing Corp.,
S and T Food Corp.,
Stillman Development Company, Inc.,
Still Valley Truck Center, Inc.,
Stix & Stones of Englewood,
Stock Challenge, Incorporated,
Stofel Aviation Associates, Inc.,
Stokes Investment Corporation,
Stonehedge Farm Estates,
Stonybrook Swim Club, Inc.,
Story Development Corporation,
Strand Poster Company,
Stranton, Incorporated,
Stratford Management Corp.,
Strathmore Home Maintenance & Supply Co., Inc.,
Straus Company,
Strenger and English Corp.,
Stricar Realty Corp.,
Strike Manufacturing Co., Inc.,
Stroub Products Co., Inc.,
Student Clothing Corp.,
Stubee Bros., Inc.,
Studio Workshop, Inc.,
Stumble Inn, Inc.,

Sturdy Aluminum Industries, Inc.,
Style Rite Cleaners, Inc.,
Style Rite Construction Co., Inc.,
Stylex Seating Co.,
Sualil Construction,
Subscription Television of New Jersey, Inc.,
Sub Spray, Inc.,
Subtronics Corporation,
Subtronics of Florida Corporation,
Suburban Airport Coach Lines,
Suburban Delicatessen,
Suburban Headwear,
Suburban Rambler, Inc.,
Suburban State Agency, Inc.,
Suburban Used Cars,
Suburban Weekly Publishing Company,
Suburban Well Drilling Company, Inc.,
Suburbia Constructors, Inc.,
Suburbia Enterprises, Inc.,
Sudlieb Realty Co., Inc.,
Sugar Bowl, Inc.,
Sugar N Spice Franchises, Inc.,
Sullivan Huber, Inc.,
Sulmar, Inc.,
Summer Garment Co., Inc.,
Summer Song, Inc.,
Summit Enterprises, Inc.,
Summit St. Properties Corp.,
Sunbeam Aluminum Products, Inc.,
The Sunderland Corporation,
Sun Industrial Weldery,
Sunny Shores Construction Co.,
Sun Ray Cleaners & Dyers, Inc.,
Sunrise Communications Service, Inc.,
Sun Trucking, Inc.,
Superior Electroform Corporation,
Superior Embroidery Corporation,
Superior Motors Co., Inc.,
Superior Plastics, Incorporated,
Superior Restaurant Co.,
Superior Specialty Food Co., Inc.,
Superior Transport & Construction Company, Inc.,

Superior Wrecking and Excavating Corporation,
Super Rite Cleaners and Launderers, Inc.,
Super Save Drug Stores, Inc.,
The Super Tem, Inc.,
Supreme Heat Treating Co., Inc.,
Supreme Home Builders, Inc.,
Surco, Inc.,
Surf Roofing and Contracting Co., Inc.,
Surrey Mortgage Company, Inc.,
Susan Textiles, Inc.,
Sussex Airport, Inc.,
Sussman Realty Co.,
Swains Art Store,
Swanees Bar & Grill, Inc.,
Swan Pools, Inc.,
Sweet Briar, Inc.,
Sweetplain Realty Corporation,
Swimming Pool and Recreational Services, Inc.,
The Swinging Gate, Inc.,
Swing Rite Co., Inc.,
Swiss Court, Inc.,
S & W Printing Company,
Sylvano Schiffli Co.,
Sylvan Pools of New Jersey, Inc.,
Sylvia Realty Co.,
Synaphase Corporation,
Synchronized Instalations, Inc.,
Syndicators Realty Investment Corp.,
Syra Industries, Inc.,
Szabo Food Market,

T A B Co.,
Tab Construction Co., Inc.,
Tag Development Corp.,
Tailored Styles, Inc.,
Tallaros Restaurant, Inc.,
Tam Builders,
Tammy Brook Sportswear, Inc.,
Tam Tov Corp.,
Tank Truck Leasing Corporation,
Tanzer, Incorporated,
Target Contracting, Inc.,

Target Development Corporation,
Target International Marketing Associates,
Tarras Foods, Inc.,
Tartan Hoose,
Tarulli Dental Laboratory,
T A S Corp.,
Tasty Corner, Inc.,
Tasty Grill, Co.,
Tauben Realty Co.,
Taylor Construction Co.,
Taylor Woodrow Blitman Hoboken Urban Renewal Corp.,
T & D Enterprises, Inc.,
Teak Homes, Inc.,
Team Cooperative Services, Inc.,
Teaneck Bialys, Inc.,
Tech Air Conditioning Products, Inc.,
Tech Bilt Homes Corp.,
Technical Institute of America, New Jersey, Inc.,
Technical Institutes, Inc.,
Telstar Builders, Inc.,
Temporary Corp., Inc.,
1002, Inc.,
Ten Pin on the Mall,
Ten Tea Realty Corp.,
Terminal Engineering and Management Corporation,
Tern Construction Corp.,
Terrace Motels, Inc.,
Terrace View Apartments, Inc.,
Terrazzo Products Co.,
Terrell Enterprise,
Territorial Services, Inc.,
Terrywell, Inc.,
Tesies Luncheonette, Inc.,
Tetro and Sons Trucking,
Tewksbury Associates, Inc.,
T & F Hearing Center, Inc.,
T G G, Inc.,
Thatcher Anderson Company,
That Girl,
Theodore and Fiorilla Holding Co., Inc.,
Thera Pool, Inc.,
Therapy, Inc.,

Thermal Service & Supply Co., Inc.,
Therm O Cel, Inc.,
The 13 Corporation,
1301 Franklin Corp.,
1369 16th St., Inc.,
1325 State Highway 10 Corp.,
38 North 13th St., Inc.,
Thirty Three Fisher, Inc.,
Thomas and David, Inc.,
Thomases, Incorporated,
Thomas J. D. Amico Co., Inc.,
Thomas J. McCloskey & Company,
Thomas S. Romans, Inc.,
Thompson Fish and Chip, Inc.,
Thor Contracting Co.,
Thorn Land and Development Corp.,
Thoroughbred Clothes Shop, Inc.,
Thor Solberg Aeronautic Corp.,
Three Angels, Inc.,
Three D Vacuum Forming Co.,
3 G Industries, Inc.,
380 Ocean Ave. Corp.,
386 346 Taxi Corp.,
391-397 Hawthorne Ave. Corporation,
396 10th St. Corp.,
The 360 Corporation,
365 Smelter and Refinery Realty Corp.,
327 Club Co., Inc.,
The Three Jacks, Inc.,
Three Star Service Co.,
Thrift T Cosmetic Co., Inc.,
Thrifty Enterprises, Inc.,
Thyra, Inc.,
Tibbis Army & Navy Stores, Inc.,
Tidy Laundromat, Inc.,
Tiffany Motors, Inc.,
Tiki Surf Shop, Inc.,
Timber Engineering Services, Inc.,
Timber Industries Corporation,
Time Lease Corp.,
Timely Creations, Inc.,
Time and Space Agency,

Timgaro, Inc.,
Tingam Realty Corp.,
Tinys Bar & Grill, Inc.,
Tires Unlimited,
Tishar Elegante Coiffures,
T. J. Grant Development Company,
T & L Construction Co., Inc.,
T & M Block Co.,
Tobi, Inc.,
Tobins, Inc.,
Todany Importers, Inc.,
Todd Holding Company, Inc.,
Todd Motors, Inc.,
Toinette Realty Co., Inc.,
Toivottu, Inc.,
Toll Engel, Inc.,
Toluv Enterprises, Inc.,
Tom Dalys Motor Car Co., Inc.,
Tommies Glass Bar,
Tommy Ds., Inc.,
Toms River Farmers Market, Inc.,
Toms River Medical Laboratory,
Toms River Plaza, Inc.,
Toms River Riding Academy,
The Toms River Sophisticats,
Toni Fabrics, Inc.,
Tonth Realty Corp.,
Tony Art Galleries, Inc.,
Tony Nappe Distributors, Inc.,
Tony Nicoletta, Inc.,
Tootie Alan Corp.,
Topat Realty Corporation,
Tophit Club of America, Inc.,
Tops Trio Electronics, Inc.,
Torchia Investment Corp.,
Tor, Inc.,
Toronto Coat Co., Inc.,
Toros, Inc.,
Torrance Construction Co.,
Tortus Bakery, Inc.,
Torval Construction Corporation,
Tor Vel, Inc.,

Total Bargain Wholesalers, Inc.,
Toth Truckin Co., Inc.,
Totland of Clifton,
Totland of Preakness
Tower Hill Tavern, Inc.,
Tower Towers, Inc.,
Town Abouts, Inc.,
Town Cab Inc. of West Orange,
Town and Country Garden Center,
Town & Country Vending Service, Inc.,
Town & Country Wigs, Inc.,
Towne Casuals,
Towne & Country Music Center,
Towne & Country Pillows, Inc.,
Towne Towers,
Town Finance of Ewing, Inc.,
Town Inn,
Town Oil Company,
Townsend De Yoe, Inc.,
Townsend Warehouse,
T. Philip Andrews Associates, Inc.,
Tracey Estates, Inc.,
Tracy Scott Realty Company,
Trade Winds Travel,
Trailer Exchange,
Tramar Construction Corporation,
Trans American Video Associates, Inc.,
Transco Equipment Co., Inc.,
Trans Globe Import & Export Agency, Inc.,
Transguard,
Transit Service, Inc.,
Transmatic Associates, Inc.,
Trans Ocean Aircraft Service, Inc.,
Trans Steel Industries, Inc.,
Trans World Travel Service, Inc.,
Travel Modes, Inc.,
T & R Coat Co.,
Treat Theatre, Inc.,
Treaty Service Corporation,
Tremont Bar, Inc.,
Trend Products, Inc.,
Trent Enterprises, Inc.,

Trenton Dunbrik Corporation,
Trenton Vanguard Corporation,
Trenton White Autocar, Inc.,
Treo Manufacturing, Inc.,
Treu Less Const. Co., Inc.,
Treyco, Inc.,
Triangle Amusements, Inc.,
Triangle Booth & Decorating, Inc.,
Triangle Grove & Tavern, Inc.,
Triangle Silica Sand Corp.,
Triangle Vending, Inc.,
Tri Aries, Inc.,
Tricorn Associates,
Tri County Electro Guard, Inc.,
Trident Lamp Corp.,
Triehard Realty Company,
Trim Homes, Inc.,
Trio Fuel Service,
Trio Hoffman Beverage Co., Inc.,
Triple D Company, Inc.,
Triple Key Recreations, Inc.,
Triple L, Inc.,
Triple O Ranch, Inc.,
Tri Richmond Realty, Inc.,
Tri State Industrial Realty, Inc.,
Trobey Auto Sales, Inc.,
Trojan Tool & Die Co., Inc.,
Tronic Controls, Incorporated,
Trophy Leasing Corp.,
Trophy Pontiac, Inc.,
Tropical Auto Mart, Inc.,
Truc Power Leasing Corporation,
Trumbull Metal Finishers, Inc.,
Tru Sonic Development, Inc.,
Tru Tone Lithographers, Inc.,
Tru Vision Fabrics, Inc.,
Tryon Products, Inc.,
T and T Foods of Elizabeth, Inc.,
Tubeck Corp.,
Tucker Beverage Corp.,
Tucker & Paley Development Corporation,
Tug H. J. Sheridan Corp.,

Tunnel Sales Corp.,
Tunwil Realty Corp.,
Turf and Trotting Stables, Inc.,
Turistic Enterprise of the Antillas, Inc.,
Turners Pastry Shop., Inc.,
Turnpike Realty, Inc.,
Tutler Realty Corp.,
Tuxedo Associates, Inc.,
TV Industrial Finish, Inc.,
Tween Hills, Inc.,
Twelve Seventy Nine Corp.,
28 Washington Street Corporation,
21st Century Investment Corp.,
25 Brookside Avenue Realty Corp.,
25 Wall Street Corp.,
24 & 30 Clark,
Twenty Jefferson Corp.,
The 2379 Creston Corporation,
23 South Broad of Trenton, Inc.,
Twin Estates, Inc.,
Two B Corporation,
Two Bob Realty Corp.,
289 Broadway, Inc.,
257 Linden Avenue Corp.,
245 Kinney Corp.,
200 Grammercy Place Co.,
295 Clinton Corp.,
296-298 George Street Corp.,
201 Corporation,
279 Ravens Wood, Inc.,
260 Land Corp.,
261 Morris Corp.,
266 Pine Street Corporation,
266-270 Dayton Street Corp.,
230 Anderson Street Corp.,
239 Littleton Realty, Inc.,
236 High Street Corp.,
203 So. Broadway Corp.,
202 Club, Inc.,
Two O Six Enterprises, Incorporated,
The Two Sams Tavern, Inc.,

Ubiquity Realty Co.,
Udemac, Inc.,
U F O Corporation,
Union Beach Block Co., Inc.,
Union Beach Industries, Inc.,
Union Club, Inc.,
Union Distributors, Inc.,
Union Sanitary Market, Inc.,
Unique Building Supply Co., Inc.,
Unique Tours, Inc.,
Unisco Engineering Corp.,
Unit Design and Construction Corp.,
United Coins, Inc.,
United Data Co.,
United Dental Laboratory, Inc.,
United Engine Parts Mfg. Corp.,
United Graphic, Inc.,
United Inns, Inc.,
United Land Corp., Inc.,
United Marine Co. of New Jersey, Inc.,
United Materials Corporation,
United Sewing Machine Service Company,
U. S. Washmobile,
United Tractor & Equipment Corp.,
United Upholstery Co.,
United Veterinary Corporation,
United Welding Processes, Incorporated,
Unit 5 Productions, Inc.,
Unity Paper Company,
Universal Acceptance Corp.,
Universal A C S Inc. of New Jersey,
Universal Auto Body, Inc.,
Universal Data Processing Equipment, Inc.,
Universal Design Limited,
The Universal Express Company,
Universal Health Spas of East Brunswick, Inc.,
Universal Investment Company No. 2,
Universal Packing Corp.,
Universal Record Club, Inc.,
Universal Stone Co.,
Universal Tile and Construction Corp.,
Universal Truck & Auto Repair, Inc.,

University Motors, Inc.,
Unlimited Products, Inc.,
Unlimited Service of Appliances, Inc.,
Uptown Bar & Bowl, Inc.,
Ura Flex Corp.,
The Ulrich Realty Company,
Urso Fuel Oil Company,
Ursula Enterprises,
U Shine, Inc.,

Vacation Plans and Properties Unlimited, Inc.,
Vacation Vehicle Rentals, Inc.,
Vac Construction Co., Inc.,
Vac, Inc.,
Vacuum Cleaner Carnival, Inc.,
Vail Radio and T V,
Valerie Shoppe,
Valhalla Rifle & Pistol Range, Inc.,
Valiant Educational Services, Inc.,
Valjo Investment Co., Inc.,
Valley Beverage Distributors, Inc.,
Valley Castle Realty Corporation,
Valley Gourmet Shoppe, Inc.,
Valley Park, Inc.,
Valley Paving Co.,
Valley Quality Bakery, Inc.,
Valley Road Realty Co.,
Valley T V, Inc.,
Valleyview, Inc.,
Valora Decorator and Construction Co.,
Valor Builders, Inc.,
Val Ray Enterprises, Inc.,
Valron Realty Co.,
Value Incentive Associates, Inc.,
Valvline, Inc.,
V A M Corp.,
Van Bott Corporation,
Van Brunt Associates,
Vance Builders, Inc.,
Vance Chemical Co., Inc.,
Van Cleave Associates, Inc.,
Van Clief Investments, Inc.,

Vander Corporation,
Van Deventer Securities Company,
Van Hiseville Business Associates, Inc.,
Van Kelvans, Inc.,
Vanlieu & Van Horn, Inc.,
Van Reyphen Street, Inc.,
Van Vechten Press, Inc.,
Van Wells Realty Corp.,
Van Wyck Plumbing & Heating, Inc.,
Var Farm, Inc.,
Variety Lunch, Inc.,
Variety Merchandise Buyers, Inc.,
Varsan Company,
V Associates, Inc.,
Vatunas Inn, Inc.,
V Bar, Inc.,
V C H Associates, Inc.,
V E D Corporation,
Vee Manufacturing Co.,
Veepel Builders, Inc.,
Velardo Construction Co.,
Velvet Stable,
Venard Realty Corp.,
Ventnor Hardware Co., Inc.,
Vera Pietro, Inc.,
Verna Realty Company, Inc.,
Verne International Laboratories, Inc.,
Verona Pump and Compressor, Inc.,
The Veruck Co.,
Veterinary Corporation of America,
Veteri Trucking Co., Inc.,
Vets Carpenters, U. S. A., Incorporated,
VF Corporation,
V I B 1 Corp.,
Vicabel Food Associates, Inc.,
Vic Moskowitz Co.,
Vic Ree Painting Corp.,
Victor H. Bacon Gift Co.,
Victoria Station,
Victoria Trucking Corp.,
Vida Manufacturing Company, Inc.,
Vidros, Inc.,

Viking House Construction Co.,
Viking Village,
Village Cleaners, Inc.,
Village Farms, Inc.,
Village Peddlers,
Village Teens,
Villa Roma of Highlands,
Villa Roma Restaurant, Inc.,
Vimar Associates,
Vim Elizabeth, Inc.,
Vincent J. Bonadies Construction Corp.,
Vincent Santanello and Company, Inc.,
Vincents Pharmacy, Inc.,
Vinco, Inc.,
Vineland Development Co.,
Vineland Mortgage Company,
Vineland Realty, Inc.,
Vinnies Place, Inc.,
Viomul Chemical Corp.,
Viomul Corp.,
Visidor Corp.,
Viswat Dairy, Inc.,
Vital Television Service, Inc.,
Vita Mass Service Corp.,
Vitatron Corporation,
Vitesse Estates, Inc.,
V J F, Inc.,
V M B Pizza, Inc.,
VMS Waterproofing Corp.,
Vogels Farm, Inc.,
Vokay Co., Inc.,
Volks, Inc.,
Volume Food Purchases, Inc.,
Volzan Corporation,
Vose Cambridge Realty, Inc.,
Vose Tremont Realty Co., Inc.,
V P Electronics Corp.,
V R I Enterprises, Inc.,
V. Salvatore & Son, Inc.,
Vulcan Methods, Inc.,
Vyna Wall Corp.,

Walbern Tavern, Inc.,
Walcam Holding Co.,
Waldorf Gardens, Inc.,
Wallace Sportswear, Inc.,
Walter Bischoff, Jeweler, Inc.,
Walter Dorwin Teague Associates, Inc.,
Walter Frederick Advertising, Inc.,
Walters Tree Service, Inc.,
Warnocks Liquor Store, Inc.,
Warren Abstract Service,
Warren Davis Party Shop, Inc.,
Warren Delivery Service, Inc.,
Warren E. Cook, Inc.,
Warrenville Tavern,
Washarama of Haledon, Inc.,
Washington Art Galleries, Inc.,
Washington Bowl, Inc.,
Washington Cleaners of Dumont, Inc.,
Washington Furriers, Inc., No. 2,
Washington Hills Builders, Inc.,
Watermelons, Inc.,
Wats Erectors, Inc.,
Watson Gulf Service, Inc.,
Watson Home Re Builders,
Wave and Save,
Wayne Leasing Corporation,
Wayne Miller, Inc.,
Wayne Motor & Equipment Company,
Wayne Plaza Realty Corporation,
Wayne Totowa Realty Co.,
W. B. Hooper, Inc.,
W B S Corporation,
W. B. Wood Realty Co., Inc.,
W. C. Hammond, Inc.,
W & C Hardware & Building Supply Co., Inc.,
W D T A, Incorporated,
Weatherton Building Corporation,
Web Construction Co., Inc.,
Weber Paving Corporation,
Weehawken CATV,
Weequahic Park Plaza, Inc.,
Weight Patrol, Inc.,

Weiss Fishman Liquor Corp.,
Welch Bros.,
Weldcor, Inc.,
Weldwood Construction,
Wellda Realty Company, Incorporated,
Wellington Estates, Inc.,
Welsh Employment Agency of Bloomfield,
Wenjoy Construction Co., Inc.,
Went Corp.,
Werner Roske, Inc.,
Werner Trucking, Inc.,
West Bay Shore Associates, Inc.,
Westbell, Inc.,
Westbrook Homes, Inc.,
West Caldwell Bake Shop, Inc.,
Western Brand Company,
Western Contemporary Homes of North Jersey, Inc.,
Western Heights, Inc.,
Western Inn, Inc.,
Western Security Corporation,
Westervelt Renhouse, Inc.,
West Farms Realty, Inc.,
West Grand Street Development Corp.,
West Hoboken Transfer & Express Co.,
Westmark Builders, Inc.,
West Market Launderette, Inc.,
West Milford Agents Association,
West Monmouth Company,
West New York Building Corporation,
West New York Stair Building Company,
West Park Ave., Inc.,
Westridge Realty Co., Inc.,
West Side Battery Lead Co.,
Wetler Corporation,
Wetler Eastern Corporation,
W E Transport, Inc.,
W G B Corp.,
W & G Realty Company,
W. Hall Corp.,
W. H. Compton Shear Co.,
Whippany Laboratories, Inc.,
Whirlaway Speed Kleen, Inc.,

White Gate, Inc.,
Whitehall Guild, Inc.,
White Horse Court Apartments, Inc.,
White National Service,
Whiteoakes Land Corporation,
White Sales, Inc.,
White Shirts, Inc.,
Whiteys Cafe, Inc.,
W. H. Thomas Associates,
W. & H. Waldo Corporation,
The Wickery, Inc.,
Wide World Importing Corp.,
Wiener Electric Company,
Wien & Wien,
Wig Discotheque,
Wiggie Imports, Inc.,
Wig World of Paterson, Inc.,
Wilcat, Inc.,
Wiles, Inc.,
Wilhar Corp.,
Wiljoy, Inc.,
Wilkay Realty and Investment, Inc.,
Wilkon Corp.,
Willard Tooling & Manufacturing Corp.,
Willar Realty Corporation,
William A. Schneider, Jr., Inc.,
William B. Eckert & Son, Inc.,
William C. Opperman, Inc.,
Wm. Ecklemann, Inc.,
William G. Keeney, Inc.,
William Greenberg, Inc.,
William H. Brown, Inc.,
The William Hirsch Corporation,
William L. Smith, Inc.,
William and Martin Goodman, Inc.,
William P. Thomas Builders,
Williams Associates, Inc.,
Williams Building Service, Inc.,
Williams Enterprises, Inc.,
Williams Land Co., Inc.,
Williams Supply Company,
Williamstown Poultry, Inc.,

Wm. W. Fairweather Optical Co., Inc.,
Willie T. Corp.,
Willitton, Incorporated,
Wilrama Cleaners, Inc.,
Wiltek, Inc.,
Wilton Manor, Inc.,
Winans Engineering and Manufacturing Corp.,
Winding River Manor,
Winding River Road Corporation of Brick Town,
Windswept Country Homes, Inc.,
Windward Marine, Inc.,
Windward Sailing Crew,
Wingover, Inc.,
Winje Corporation,
Winside Sportswear, Inc.,
Winslow Industrial Enterprises, Inc.,
Winstons Sea Pub, Inc.,
Winthrop Rand Corp.,
Wiss Manufacturing Company,
Wittkamp 5 & 10 Stores, Inc.,
Wizard Productions, Inc.,
W. Johnsen Building Corp.,
W K Leasing,
W M Trucking, Inc.,
W. 19th Realty Corp.,
Woelfel General Contracting Corp.,
Wofard Corp.,
Wolfies Wagon Wheels,
Woljak Realty Co., Inc.,
Woodbridge Flower Shoppe,
Woodcraft Construction, Inc.,
Wood Flooring Maintenance, Inc.,
Woodland Estates, Inc.,
Woodlawn Builders, Inc.,
Woodlynne Properties,
Woodport Hotel and Land Company,
Woodruff Dairy Store of Roseville, Inc.,
Woods End Construction Co., Inc.,
Woods Mall, Inc.,
Woodward Warehouse Corp.,
Woofs Luncheonette, Inc.,
World O Wonder,

World Tariffs Corporation,
World Wide Car Rental Systems, Inc.,
World Wide Construction Corp.,
World Wide Representatives, Inc.,
World Wide Trade Credit Corp.,
World of Wood, Inc.,
Wosse, Inc.,
W & P Holding Corp.,
Wright Carburetors, Inc.,
Wright Village, Inc.,
W. S. Sigler,
W & W Equipment Co., Inc.,
Wyckoff Auto Seat Covers, Inc.,
Wynn With Meyer, Inc.,

The Yacht Basin,
Yada, Inc.,
Yankee Construction Co., Inc.,
Y A Realty Corp.,
Yellin Esposito Corporation,
Ye Olde Captains Cabin,
Ye Olde Colonial Construction Co.,
York Associates, Inc.,
Young Adult Clubs, Inc.,
Young Professionals, Inc.,
Youth Fashions, Inc.,
Yvonnees,

Zambia Concrete Construction Company, Inc.,
Zandy Enterprises, Inc.,
Zane Construction Co.,
Zapp Construction Co., Inc.,
Zarafu Enterprises, Inc.,
Zemco Marketing Corp.,
Zenith Home Builders, Inc.,
Zeus Truck Rentals Company, Inc.,
Z G Z Realty Corp.,
Zig E, Inc.,
Zimkru, Inc.,
Zim Stores,
Zoo Club, Inc.,
Zweben Hotels, Inc.,
Z Z S Realty Corp., Inc.,

AMENDMENT TO THE
1947 CONSTITUTION

(2133)

Amendment to the 1947 Constitution

PROPOSED AMENDMENT ADOPTED

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 \$160.00 and such deduction shall be restricted to owners having an income not in excess of \$5,000.00 per year exclusive of benefits under any one of the following:

- a. the Federal Social Security Act and all amendments and supplements thereto;
- b. any other program of the Federal Government or pursuant to any other Federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under, a. hereof including but not limited to the Federal Railroad Retirement Act and Federal pension, disability and retirement programs; or
- c. pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under a. hereof; provided, however, that the total amount of benefits to be allowed exclusion by any owner under b. or c. hereof shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under a. hereof.

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. The State shall annually reimburse each taxing district in an amount equal to $\frac{1}{2}$ of the tax loss to the district resulting from the allowance of tax deductions pursuant to this paragraph.

Adopted November 2, 1971.

PROPOSED AMENDMENTS
TO THE 1947 CONSTITUTION
THAT HAVE BEEN REJECTED

(2137)

Proposed Amendments to the 1947 Constitution that have been Rejected

PROPOSED AMENDMENT REJECTED

Amend Article II, paragraph 3, to read as follows:

3. (a) Every citizen of the United States, of the age of 18 years, who shall have been a resident of this State for 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 18 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.

Rejected November 4, 1969.

(2139)

(2141)

2140 REJECTED AMENDMENTS—1947 CONSTITUTION

PROPOSED AMENDMENT REJECTED

Amend Article II, paragraph 3, to read as follows:

3. (a) Every citizen of the United States, of the age of 19 years, who shall have been a resident of this State 6 months and of the

Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 13

WHEREAS, Effective and meaningful job training for prison inmates is not available in our correctional institutions; and

WHEREAS, Present restrictive laws prevent those in our institutions from producing useful goods and developing modern skills; and

WHEREAS, Similarly, restrictive laws in professions and occupations often prohibit persons with prison records from obtaining employment upon release from prison; and

WHEREAS, Persons released from prison have little or no preparation for return to the community and, as a consequence, in many instances, return to crime; and

WHEREAS, Neglect of these members of our society is at best, poor economics and, at worst, a tragic disregard of human dignity and resources; and

WHEREAS, A system of vocational education in our correctional institutions can supply invaluable rehabilitation and motivation to develop needed job skills; and

WHEREAS, Ways and means of providing and implementing a worthwhile program of vocational education in our correctional institutions can best be reached by a study commission of interested and concerned citizens of this State who represent a broad cross section of the community;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

(2143)

1. There is hereby created a Commission on Vocational Education in Correctional Institutions composed of 17 members, all of whom shall be citizens and residents of the State and shall be appointed by and serve at the pleasure of the Governor. Membership of the Commission shall be representative of law enforcement, labor, industry, education and the general community. The term of the Commission shall be one year. Members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to the availability of funds.

2. The Governor shall designate a chairman and executive secretary of the Commission. The chairman shall preside over the meetings and affairs of the Commission and shall create such sub-committees as he deems appropriate to carry out the functions of the Commission. The chairman shall direct any such sub-committee to render such interim reports to the Commission as he determines appropriate. The chairman shall have such further powers and duties as may be conferred upon him by the Governor.

3. The Commission shall conduct a thorough study and investigation as follows:

(a) Examination of systems of prisoner classification and screening for vocational education programs.

(b) Review of existing vocational education programs as a rehabilitation modality with a view to expansion.

(c) Evaluation of present "State use" laws limiting production of goods and service by prisoners.

(d) Comparative assessment of programs initiated by other states and Federal Government.

(e) Identification of training areas offering highest job potential for convicts that can be implemented in New Jersey's correctional system.

(f) Development of ways of continuing liaison and cooperation between the State correctional system and private industry and labor.

(g) Review of work release programs.

(h) Consider pre- and post-release vocational guidance and counseling.

(i) Consider all appropriate areas to provide vocational education reform in the State correctional institutions.

4. The Commission shall render to the Governor such interim reports as it may deem appropriate, or as the Governor may request, and upon completion of its work, the Commission shall

render to the Governor a full report of its findings and recommendations for Vocational Education Reform in Correctional Institutions. The Commission shall proceed promptly with its study and investigation so as to make its final recommendations within a period of one year.

5. Within the limits of funds available therefor, the Commission shall have the power to incur such expenses as may be necessary in order to exercise the powers conferred and to perform the duties imposed by this Order. The Commission may retain such professional personnel and clerical and technical assistants as it may require and may provide for the printing, advertising and publication of its proceedings and all interim and final reports promulgated by the Commission. All expenses incurred shall be approved by the chairman of the Commission and shall be submitted to the Treasurer of the State upon vouchers and warrants.

6. In order to carry out its functions, the Commission is authorized to conduct such public hearings and to solicit such information from the public and any other source as it deems appropriate. Notice of such public hearings shall be given in such manner as the chairman may direct so as to provide an opportunity for interested members of the public to be heard.

7. (a) The Commission is authorized to call upon any department, office, division or agency of the State to supply such statistical data, program reports, and other information or personnel and materials as it deems necessary to discharge its responsibilities under this Order.

(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

8. This Order shall take effect immediately.

Given, under my hand and seal this 19th day of
[SEAL] January, in the year of our Lord, one thousand nine
hundred and seventy-one, and of the Independence of
the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 14

WHEREAS, Section 2576 of Title 10 of the United States Code provides for sale by the U. S. Secretary of Defense to State and local law enforcement and firefighting agencies of certain surplus military equipment, including weapons, ammunition, gas masks and protective body armor; and

WHEREAS, Said section further provides for designation by the Governors of the several states of a State Official to certify that requests for such purchases by such agencies within their state are necessary and suitable; and

WHEREAS, The Division of State Police is the agency within the State of New Jersey most familiar with the capabilities of the State and local law enforcement and firefighting agencies and the best qualified to determine their needs and the reasonableness of their requests for such surplus military equipment;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. The Superintendent of State Police in the Department of Law and Public Safety shall have the responsibility of reviewing applications for the purchase of surplus military equipment from the U. S. Secretary of Defense, pursuant to the provisions of Public Law 90-500, Section 2576 of Title 10, United States Code.

2. The Superintendent shall examine such applications to determine whether they comply with the form and procedure prescribed by the Secretary of Defense and shall certify to said Secretary those applications which the Superintendent determines so comply and are necessary and suitable for the operation of the agency making the request therefor.

3. The Superintendent shall establish such rules and regulations as he deems appropriate to carry out the purpose of this Executive Order.

4. This Order shall take effect immediately.

[SEAL] Given, under my hand and seal this 28th day of January, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 15

WHEREAS, The State of New Jersey has certain interests and responsibilities in the proper development, management and control of lands located in the Delaware River and Bay Area, including lands offshore, as well as those adjacent thereto; and

WHEREAS, Recently proposals have been made for certain offshore development in the Delaware Bay Area, including a proposal for construction of a facility to permit the offshore transfer of cargoes from oil tankers; and

WHEREAS, Any such use of this area requires thorough and comprehensive study and planning to insure that this valuable resource is most effectively utilized consistent with ecological considerations and that adequate safeguards are provided to protect the environment; and

WHEREAS, The State of Delaware has requested by Senate Joint Resolution No. 13 (1970) for the Governor of the State of Delaware to exercise restraint and thoroughly review and study all the aspects of such proposed development of this area in light of oil catastrophies that have plagued the shorelines of California, Louisiana, Puerto Rico and Great Britain; and

WHEREAS, The said Delaware Senate Joint Resolution No. 13 (1970) recites that the State of Delaware has entered into a compact with this State pursuant to 17 Delaware Code § 1701, et seq. (entered into by New Jersey pursuant to chapter 66 of the Laws of 1961) (C. 32:11E-1 et seq.) “which may have granted control and responsibility, inter alia, over ‘terminal facilities’ in the Delaware River and Delaware Bay to the Delaware River and Bay Authority”; and

WHEREAS, The said Senate Joint Resolution No. 13 refers to the potential dangers “by a leak or a malfunctioning of the equipment” at the proposed facility and to a moratorium placed on all development in the Delaware Bay Area pending the completion of a master plan for the region imposed by Governor Peterson of the State of Delaware; and

WHEREAS, Any such study and planning concerning proposed development of this area can best be undertaken with cooperation between the States of New Jersey and Delaware;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created the Delaware River and Bay Marine Council composed of five members to be appointed by and serve at the pleasure of the Governor. Two members of the Council shall be representatives of conservation or marine life interests. Two members of the Council shall be representatives of commerce or industry. The remaining member of the Council shall be experienced in land use and planning. The Council shall select a Chairman from among its members and the Chairman shall appoint a secretary of the Council, with the approval of the Commissioner of the Department of Environmental Protection, who shall be an employee of the Department of Environmental Protection experienced in land use and planning. The Chairman, members and secretary shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties, subject to the availability of funds therefor.

2. In the interest of environmental protection the Council shall conduct a thorough and comprehensive study of the effect of use

and development of riparian lands and other wetlands in, and off-shore lands abutting, the counties of Salem, Cumberland, and Cape May. The Council shall consider effective utilization of this area, protection of the environment and ecological factors. The Council shall cooperate as fully as may be with representatives of the State of Delaware making a similar study pursuant to Delaware Senate Joint Resolution No. 13 (1970), as well as any other agency having jurisdiction in this area.

3. (a) The Council is authorized to call upon any department, office, division or agency of the State to supply such statistical data, program, reports, and other information or personnel and materials as it deems necessary to discharge its responsibilities under this Order.

(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Council and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

4. The Council shall render to the Governor such interim reports as it may deem appropriate or as the Governor may request and, upon the completion of its work, which shall be completed on or before December 31, 1972, the Council shall render a full report of its findings, together with such recommendations as it deems appropriate in the premises.

5. This Order shall take effect immediately.

Given, under my hand and seal this 25th day of
[SEAL] February, in the year of our Lord, one thousand nine
hundred and seventy-one, and of the Independence of
the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 16

WHEREAS, 1970 and 1971 are the years of the decennial White House Conference on Children and Youth, and I have appointed a Governor's delegation to the Conference, including representatives of the youth population of the State; and

WHEREAS, The coming together of these talented people and the holding of these national conferences presents an excellent opportunity for us to focus our attention on the problems of children and youth; and

WHEREAS, There is a need for better communication and coordination of activities among public and private organizations within the State, and the need for a body of concerned youth and adults to assist in the implementation within the State of the recommendations and concerns from the White House Conference on Children and Youth;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a Governor's State Committee on Children and Youth, having 30 members, and composed of representatives from the Legislature, groups which have an ongoing concern for the problems of children and youth, and other committed individuals, which committee shall continue in existence until June 30, 1972.

This Committee shall maintain contact with the White House staff on children and youth in Washington; the regional committees established at the decennial Conference; and shall work with all other public and private agencies in this State in evaluating and recommending to my office and to others any programs, legislation, and administrative changes through which the life of our children and youth can be enhanced.

2. The Division of Youth within the Department of Community Affairs, which has been assigned responsibility as staff to the New Jersey delegation to the White House Conference on Children and Youth for New Jersey, shall continue to serve as staff to the State Committee and the entire delegation. I urge the utilization of these delegates by our State departments, the Legislature, and any group which seeks to advance the welfare of our children and youth. They are available to serve as speakers, program developers, advisory council members, and as channels of contact to other agencies in the State.

3. The week of May 10 through 16 is hereby designated as "A Week for Children and Youth," sponsored by the State Committee on Children and Youth, and I urge that it be set aside by all agencies in the State, both public and private, for activities focusing on the problems, concerns and accomplishments of our children and youth. I request the people of this State and their governing officials to cooperate with the State Committee in making this week one where the efforts expended, the concerns voiced and the commitments made will have a life beyond the existence of this special week.

4. This Order shall take effect immediately.

Given, under my hand and seal this 11th day of
[SEAL] March, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 17

WHEREAS, Employees of the State, pursuant to the Laws of the State of New Jersey may establish employee organizations for the purpose of representing their interests in collective negotiation with the State concerning the terms and conditions of employment; and

WHEREAS, Different employee units may be created throughout the various departments and divisions of State government; and

WHEREAS, The policy of the State is to promote harmonious and cooperative relationships between the State and its employees and to insure the orderly and uninterrupted operations and functions of State government; and

WHEREAS, Continuing review, reassessment and appraisal of the policy of the State with respect to employee relations is essential to the most effective implementation of said policy; and

WHEREAS, Executive Order No. 3, dated April 2, 1970, established the Governor's Employee Relations Policy Council and recognized that the public interest of the citizens of the State of New Jersey requires that there be established a high level council with responsibility for continuing review of employee relations and related matters for the purpose of making recommendations to the Governor;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. (a) The Governor's Employee Relations Policy Council created by Executive Order No. 3, dated April 2, 1970, is continued.

(b) The Governor's Employee Relations Policy Council (hereinafter referred to as the "Council") shall consist of the Secretary of State, the President of the Civil Service Commission, the State Treasurer, the Commissioner of Labor and Industry, the Comptroller and Director of the Division of Budget and Accounting in the Department of the Treasury, the Counsel to the Governor, and the Director of the Office of Employee Relations. The Chairman

of the Council shall be the President of the Civil Service Commission.

(c) The members of the Council shall serve without compensation.

(d) The Council shall meet at the call of the Governor or the Chairman. The Council shall render such reports to the Governor as the Council determines or as the Governor directs.

2. The purpose of the Council is to make recommendations to the Governor concerning employee relations and related matters involving State employees.

3. (a) The Council is authorized to call upon any department, office, division, agency or employee of the State to supply such statistical data, program reports, and other information or personnel and materials as it deems necessary to discharge its responsibilities under this Order.

(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Council and to furnish it such information and assistance as may be necessary in the discharge of its responsibilities under this Order.

4. (a) Upon recommendation of the Council, and with the approval of the Governor, the Attorney General may appoint Special Counsel with full authority to represent the State before the New Jersey Public Employment Relations Commission and any other board, commission, court or agency in matters regarding employee relations. Such Special Counsel shall render such reports to the Attorney General and the Council as either may direct or Special Counsel may determine.

5. Executive Order No. 3, dated April 2, 1970, is hereby superseded and rescinded, but all actions taken by the Council thereunder shall remain in full force and effect until modified, amended or rescinded by the Council.

6. This Order shall take effect immediately.

Given, under my hand and seal this 27th day of May,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 18

WHEREAS, There exists in New Jersey a severe housing crisis which has caused and continues to cause great hardships for many of the citizens of this State; and

WHEREAS, There are a number of State and Federal programs and agencies charged with the responsibility to deal with certain aspects of the housing crisis; and

WHEREAS, Presently the Federal government must deal with numerous State and local agencies in coordinating Federal and local housing programs and this multiplicity dilutes the ability to obtain the greatest Federal support for meeting the housing crisis in New Jersey; and

WHEREAS, There is a continuing need for comprehensive and coordinated action on the part of the State in the area of housing to ensure the strongest possible State response, within the present framework of the law, to the housing crisis and to maximize the effectiveness of the State's program in the construction of new housing, both residential and multi-dwelling;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created in the Executive Branch the position of Special Assistant to the Governor on Housing. The Special Assistant to the Governor on Housing shall be appointed by the Governor, shall serve at the pleasure of the Governor and he shall be directly responsible and report to the Governor.

2. The Special Assistant to the Governor on Housing shall review all existing programs which affect or may affect housing in New Jersey and shall make recommendations to the Governor for coordinating such programs to the end that the housing crisis in New Jersey will be most effectively dealt with. The Special Assistant

to the Governor on Housing shall also make recommendations to the Governor as to new plans and programs which may significantly alleviate the housing crisis in this State. The Special Assistant to the Governor on Housing shall have such other and further powers and duties as may, from time to time, be conferred upon him by the Governor.

3. (a) The Special Assistant to the Governor on Housing is authorized to call upon any department, office, division or agency of the State to supply such statistical data, program reports, and other information or personnel and materials as he deems necessary to discharge his responsibilities under this Order.

(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Special Assistant to the Governor on Housing and to furnish him such information and assistance as he may find necessary in the discharge of his responsibilities under this Order.

4. This Order shall take effect immediately.

Given, under my hand and seal this 2nd day of June,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 19

WHEREAS, The State of New Jersey has certain interests and responsibilities in the encouragement of industry and commerce as well as the proper and orderly development of the lands and resources in this State, and in considering present and future employment needs;

WHEREAS, Such encouragement of industry and commerce and responsible development of the resources of the State require thorough and comprehensive study and planning to ensure that these valuable resources are most effectively utilized, consistent with ecological considerations, and that adequate safeguards are provided to protect the environment; and

WHEREAS, Any such study and planning concerning present and proposed development or use of the land and resources on this State should be undertaken with cooperation and coordination between the various departments, agencies, and subdivisions of this State;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established an Interdepartmental Coordinating Committee on Economic Development (hereinafter sometimes "Committee"), composed of the following: The Commissioner of Banking, the Commissioner of Environmental Protection, the Commissioner of Community Affairs, the Commissioner of Labor and Industry, the Commissioner of Transportation, or their respective designees; the Director of the Division of Economic Development in the Department of Labor and Industry; the Director of the Division of Taxation in the Department of the Treasury; and the Director of the Division of Investment in the Department of the Treasury. The Director of the Division of Economic Development shall be Chairman of the Committee. The Chairman shall appoint a secretary of the Committee, with the approval of the Commissioner of the Department of Labor and Industry, who shall be an employee of said Department. The Chairman, members and secretary shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties, subject to the availability of funds therefor.

2. The Committee shall advise and assist the Governor with respect to economic development, including its impact on the environment, and shall perform such other duties as the Governor from time to time prescribes.

In addition to such duties the Committee is directed to:

a) Advise the Governor on the continuing coordination and formulation of interdepartmental policies and programs in the area

of present and proposed economic and resource development and utilization, and employment problems; the encouragement of the location of corporate headquarters in the State; and the impact and effect of corporate and tax laws on business in the State.

b) Advise the Governor in determining priorities for use, responsible development and conservation of lands and resources of the State, taking into account effective utilization of such resources, protection of the environment and ecological factors.

c) Assist in recommending appropriate measures for expediting interdepartmental cooperation in dealing with common problems that affect existing and potential industry in this State.

d) Cooperate as fully as may be with the various departments, agencies, and subdivisions of the State, and with the Economic Development Council created pursuant to Chapter 21 of the Laws of 1965.

3. a) The Committee is authorized to call upon any department, office, division or agency of the State to supply such technical data, program, reports, and other information as it deems necessary to discharge its responsibilities under this order.

b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Committee and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this order.

4. The Committee shall meet on the call of the Governor or the Chairman; but not less than once each quarter.

5. The Committee shall render to the Governor such reports as it may deem appropriate or as the Governor may request, together with such recommendations as it deems appropriate in the premises.

6. This order shall take effect immediately.

Given, under my hand and seal this 14th day of June,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 20

WHEREAS, Developmental disabilities and attendant complex health, educational, social and economic problems afflict approximately 275,000 New Jerseyans of all ages and their families;

WHEREAS, The developmentally disabled person requires various specialized medical, educational, rehabilitative and social services at different stages of his life and according to the nature and severity of his handicap; and

WHEREAS, Numerous public and private agencies must work together in an effective continuous and coordinated manner, avoiding duplication and providing quality services to meet the needs of the developmentally disabled and to eliminate, wherever possible, the causes of such handicaps; and

WHEREAS, The necessity for coordinated action and cooperative planning in this area has been repeatedly documented and stressed by various public officials, including several Presidents of the United States and Governors of New Jersey, and by numerous private and professional organizations; and

WHEREAS, Public Law 91-517 (the "Developmental Disabilities Services and Facilities Construction Act of 1970") requires the designation of a State Planning and Advisory Council on Developmental Disabilities and sets forth certain responsibilities of such Council;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. (a) There is hereby created within the State Department of Institutions and Agencies the "New Jersey State Developmental Disabilities Council", (hereinafter sometimes referred to as the "Council"). This Council shall consist of 18 members, 12 of whom shall be public members appointed by the Governor of the State of

New Jersey and 6 of whom shall be designated from within each of the following Departments of New Jersey State Government by the Commissioner of the respective Departments and shall serve at the pleasure of the appointing authority: Community Affairs, Education, Health, Higher Education, Institutions and Agencies and Labor and Industry. The 12 public members of the Council shall be appointed so that at any time the membership of the Council shall include representatives of local agencies and non-governmental organizations and groups concerned with services for persons with developmental disabilities, and provided that not less than 6 public members be representatives of consumers of services for persons with developmental disabilities. Insofar as practical the public members shall consist of at least one resident from the following regions of the State:

(1) The region comprised of Bergen, Hudson, Passaic, Essex and Union Counties;

(2) The region comprised of Warren, Sussex, Morris, Somerset and Hunterdon Counties;

(3) The region comprised of Middlesex, Monmouth, Mercer, Burlington and Ocean Counties;

(4) The region comprised of Camden, Atlantic, Cape May, Gloucester, Salem and Cumberland Counties.

Each public member of the Council shall serve for a term of 3 years, and until his successor is appointed and qualifies. Terms shall commence on July 1 and vacancies shall be filled for the unexpired term only.

(b) The members of the Council shall be appointed no later than July 1, 1971. The terms of service of the first public member of the Council hereby created shall be staggered or otherwise arranged so that 4 of such members shall serve terms expiring June 30, 1974, 4 of such members shall serve terms expiring June 30, 1973, and 4 of such members shall serve terms expiring June 30, 1972. Thereafter, public members of the Council shall serve terms as provided in subsection (a) of this Section.

(c) Any vacancy occurring in the membership of the Council shall be filled in a manner in which the original appointment was made, but for the unexpired term. Any public member of the Council may be removed from the Council, for cause, by the Governor of the State of New Jersey, and any member of the Council designated by the Commissioner of any Department may be removed, for cause, by said Commissioner.

(d) The public members of the Council shall serve without compensation, but shall be entitled to reimbursement for any expenses reasonably incurred in the discharge of their official duties, subject to the availability of funds.

2. It shall be the duty of the New Jersey State Developmental Disabilities Council to:

(a) Study and review the needs and problems of the developmentally disabled in New Jersey and the nature and extent of State and other public and private services for those so handicapped, and to recommend immediate and long-range program and construction priorities;

(b) Foster cooperation and communication among State, county, municipal, voluntary and private agencies providing services to the developmentally disabled to assure that such services are delivered effectively, efficiently and without duplication;

(c) Promote public awareness of the needs and problems of the developmentally disabled and their related budgetary implications;

(d) Be responsible for reviewing and evaluating from time to time, and not less often than annually, the State Plan on Developmental Disabilities Services and Facilities Construction and submitting such appropriate modifications as may be required to the United States Secretary of Health, Education and Welfare;

(e) Make such reports, in such form and containing such information, as the Secretary of Health, Education and Welfare may reasonably require, pursuant to Public Law 91-517 (1970), and keep such records and afford such access thereto as the Governor or the Secretary of Health, Education and Welfare find necessary to assure the correctness and verification of such reports;

(f) Review and comment upon laws and practices relating to the developmentally disabled;

(g) Propose training and scholarship programs to prepare professionals to work with the developmentally disabled;

(h) Recommend training and recruitment programs to encourage employment of the developmentally disabled; and

(i) Encourage and support pertinent research efforts and preventative measures, and to stimulate planning at the community level.

3. (a) The New Jersey State Developmental Disabilities Council shall meet at the call of the Governor or its chairman, but not less than 4 times per year, and shall report annually in writing to the

Governor not later than January 1 of each year, and at such other times as the Governor may require or as the Council deems appropriate.

(b) The chairman shall be appointed by the Governor. The members of the Council may elect from among themselves a vice-chairman; may appoint a secretary who need not be a member of the Council; and may adopt By-laws and rules governing their work consistent with law.

(c) Within the limits of appropriations made available to it, the Council is hereby authorized to employ such staff as may be necessary to carry out the duties assigned to it.

(d) The Council shall be entitled to call upon any department, agency or office of the State of New Jersey for such documents, materials and information as it may deem necessary, and shall be entitled to the cooperation of every department, agency, and office of the State of New Jersey.

4. Executive Order No. 40, dated May 2, 1968, is hereby superseded and rescinded and the New Jersey Mental Retardation Planning Board created thereby is hereby abolished.

5. This Executive Order shall take effect July 1, 1971.

[SEAL] Given, under my hand and seal this 21st day of June,
in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:
/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 21

WHEREAS, Executive Order No. 17 of 1957 designated the Division of Purchase and Property in the Department of the Treasury as the official State agency for New Jersey to accept and distribute, in accordance with the applicable Federal legislation, food com-

modities or other articles made available by the Federal authorities under existing or subsequent Federal legislation; and

WHEREAS, Said Division was authorized to execute agreements required by the applicable Federal legislation or by the Federal Government for the receipt, storage, distribution and use of such food commodities and other articles, and to take all other action necessary or appropriate to co-operate with the Federal Government in carrying out the purposes of said legislation; and

WHEREAS, Recent studies and reports have indicated that greater coordination and efficiency in handling U. S. Department of Agriculture food assistance programs and commodity distribution functions can be achieved by transferring responsibility therefor to the New Jersey Department of Agriculture;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 17 of 1957 is hereby repealed.
2. The functions, powers and duties of the Division of Purchase and Property in the Department of the Treasury, insofar as they relate to the acceptance and distribution in accordance with the applicable Federal legislation, of food commodities or other articles made available by the Federal authorities under existing or subsequent Federal legislation, are hereby transferred to the Department of Agriculture.
3. The Department of Agriculture is designated as the official State agency for New Jersey to accept and distribute, in accordance with the applicable Federal legislation, such food commodities or other articles made available by the Federal authorities under existing or subsequent Federal legislation.

The Department of Agriculture is given full authority to execute agreements required by the applicable Federal legislation or by the Federal Government for the receipt, storage, distribution and use of such food commodities and other articles, and to take all other action necessary or appropriate to co-operate with the Federal Government in carrying out the purposes of said legislation.

4. All appropriations and other monies available and to become available to the Division of Purchase and Property for the functions, powers and duties hereby transferred shall be transferred or otherwise credited to the Department of Agriculture under the direction of the Director of the Division of Budget and Accounting as provided by law.

5. Such employees of the Division of Purchase and Property utilized for the performance of the functions, powers and duties hereby transferred are transferred to the Department of Agriculture.

6. Nothing herein contained shall be construed to deprive any person of any tenure rights or any right or protection provided him by Title 11 of the Revised Statutes, Civil Service, or any other under any pension law or retirement system.

7. All files, books, papers, records, equipment and other property of the Division of Purchase and Property utilized in the performance of the functions, powers and duties hereby transferred are hereby transferred to the Department of Agriculture.

8. The Secretary of the Department of Agriculture is authorized to organize the work of his department in such manner as he deems appropriate for the performance of the functions, powers and duties hereby transferred.

9. This Executive Order shall take effect on the first day of July, 1971.

Given, under my hand and seal this 23rd day of June,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-fifth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 22

WHEREAS, The air quality of the State of New Jersey, as an urban state and the most densely populated state in the nation, is seriously affected by various forms of pollution;

WHEREAS, The New Jersey Clean Air Council submitted a report on the status of Air Pollution from Mobile Sources with recommendations for further action, dated July, 1970;

WHEREAS, By virtue of Executive Order No. 8, dated August 31, 1970, the continuing pollution of our atmosphere was recognized as a menace to the health and comfort of our citizens and a Committee of interested agencies of State Government was formed to meet and examine the recommendations in the report of the said Clean Air Council;

WHEREAS, Said Committee has submitted its report and recommendations for implementation of various recommendations of the Clean Air Council Report;

WHEREAS, The need for reduction of motor vehicle air pollution is evident and action by government to suppress motor vehicle air pollution is warranted;

WHEREAS, The State has already proceeded with the implementation of certain of these recommendations, including implementation of a motor vehicle emission inspection system by the Division of Motor Vehicles in cooperation with the Department of Environmental Protection, and the promulgation of a Smoke Control Code, and it is in the interest of the citizens of the State to implement other of these recommendations;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. That the Committee formed pursuant to Executive Order No. 8, dated August 31, 1970, is continued as an Interdepartmental Review Committee on Air Pollution Problems.

2. That said Committee have the duty and responsibility to review and appraise implementation of this Executive Order.

3. That the Interdepartmental Review Committee on Air Pollution Problems study and make recommendations on possible incentives to control or limit the use of motor vehicles, giving particular attention to:

a) Encouraging the use of public transportation, particularly mass transportation;

b) Encouraging industry and governmental units to provide parking preference to car-pooled employees; and

c) Providing personnel allowances or passes to employees using public transportation.

Said Committee shall make such reports and recommendations to the Governor in connection with its work as it may deem appropriate and as requested by the Governor.

4. That the Department of Environmental Protection, in cooperation with the Division of Motor Vehicles, prepare appropriate legislation to remove the restriction prohibiting tack-on devices on used motor vehicles to control automotive emissions.

5. That the Department of Environmental Protection and the Division of Motor Vehicles are hereby directed to cooperate in evaluating present and future devices to control automotive emissions.

6. That the Department of Environmental Protection and the Division of Motor Vehicles are directed to cooperate in developing, producing, and distributing a car owner's manual of good practices in driving and maintenance to reduce automotive emissions.

7. That the Department of Environmental Protection shall, within the limits of appropriations available therefor, establish additional positions within the department for broadly trained ecologists.

8. That the State, through the Department of Education, the Department of Higher Education, and the Department of Health and all appropriate State Agencies, encourage research by Universities and private industries on the causal relationship, if any, between motor vehicle emission and respiratory and related diseases.

9. That the Department of Environmental Protection, after appropriate hearings, promulgate code amendments as appropriate, for off-road vehicles, boats and miscellaneous vehicles, which are or may constitute a significant future problem as potential contributors to air pollution.

10. That the New Jersey Congressional Delegation be encouraged by all state agencies to support integrated national transportation and environmental protection priorities with the aim of reducing pollution by vehicle and aircraft emissions.

11. This Order shall take effect immediately.

Given, under my hand and seal this 28th day of July,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 23

WHEREAS, On March 12, 1969 Governor Richard J. Hughes pursuant to the authority vested in him by the Constitution and by the Statutes of this State ordered that a New Jersey State Vocational Education Advisory Council be created; and

WHEREAS, The Council has proved to be invaluable in enabling the citizens of the State of New Jersey to receive the benefits of Federal appropriations under the Vocational Education Act; and

WHEREAS, The increasing importance of vocational education requires a broader representation of participant citizens;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. The New Jersey State Vocational Education Advisory Council is hereby expanded and shall now consist of 24 members, to be appointed by the Governor, for terms of three years, except that

as to the members to be appointed to the newly created positions, one shall be appointed for a term of one year, one shall be for a term of two years, one shall be for a term of three years.

2. This Order shall take effect immediately.

[SEAL] Given, under my hand and seal this 4th day of August, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 24

WHEREAS, Many counties of this State were recently severely struck by floods and storm damage resulting in loss of life and causing millions of dollars of damage to property, both public and private; and

WHEREAS, A request has been made that the President of the United States declare all affected areas in the State to be disaster areas within the meaning of Public Law 91-606, which request is presently under consideration; and

WHEREAS, All of those areas within the State which have been affected have been declared disaster areas by the Administrator of the Small Business Administration; and

WHEREAS, The rehabilitation of the affected areas require the full cooperation of government at all levels and of private agencies and citizens;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the

Constitution and by the statutes of this State, do hereby issue the following Executive Order:

1. The Acting Director of the Division of Civil Defense and Disaster Control is hereby designated as the State coordinating officer for rehabilitation efforts in affected areas and shall be empowered to take such lawful action as may be necessary to assist in the rehabilitation of the areas and to maximize the extent of federal participation in rehabilitation efforts.

2. All State officials and agencies shall cooperate fully with the Acting Director of the Division of Civil Defense and Disaster Control.

3. To the extent that the full cooperation of any State agency is dependent upon a declaration of emergency by the Governor, this Executive Order shall be construed to constitute such a declaration of emergency.

Given, under my hand and seal this 30th day of August,
[SEAL] in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 25

WHEREAS, Executive Order No. 45, dated August 13, 1968, created the New Jersey State Law Enforcement Planning Agency in the Executive Office of the Governor; and

WHEREAS, Said Executive Order provided for a Governing Board with representatives of police, prosecutive, corrections, court and general government functions and representatives of the public, but no provision was made for a representative of State Fiscal Management; and

WHEREAS, Implementation of the numerous State Law Enforcement Planning Agency Programs and coordination of funding between the State and Federal Government requires that a representative of State Fiscal Management participate in the deliberations of the State Law Enforcement Planning Agency Governing Board;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. Executive Order No. 45, dated August 13, 1968, is hereby amended to provide a new sub-section (e) in Section 1, as follows:

“(e) The Director of the Division of Budget and Accounting, or his designee, shall be a member ex-officio of the Governing Board. He shall participate in the deliberations of the Board and shall be the Fiscal Advisor to the Board.”

2. This Order shall take effect immediately.

[SEAL] Given, under my hand and seal this 20th day of September, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 26

I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT that:

EXECUTIVE ORDERS

1. Friday, November 26, 1971 (the day following Thanksgiving Day) be declared an extra holiday for State employees.

[SEAL] Given, under my hand and seal this 30th day of September, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 27

I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT that:

1. Friday, December 24, 1971 (the day preceding Christmas Day) be declared a Bank Holiday within the meaning and provisions of Section 36:1-1 of the Revised Statutes.

2. Friday, December 31, 1971 (the day preceding New Year's Day) be declared a Bank Holiday within the meaning and provisions of Section 36:1-1 of the Revised Statutes.

[SEAL] Given, under my hand and seal this 30th day of September, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 28

I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT that:

1. Friday, December 24, 1971 (the day preceding Christmas Day) be declared an extra holiday for State employees.
2. Friday, December 31, 1971 (the day preceding New Year's Day) be declared an extra holiday for State employees.

[SEAL] Given, under my hand and seal this 30th day of September, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 29

WHEREAS, In 1964, the commission created by Joint Resolution No. 7 of that year to study capital punishment and to weigh the need for its continuance or abolition, concluded, although not unanimously, that capital punishment should be retained; it did agree unanimously that the penalty provision involving life imprisonment should be increased so that no one sentenced to life imprisonment would be eligible for parole for a period of at least 30 years; the majority further recommended a review of the subject of capital punishment after the recommended increased penalty for life imprisonment had been in effect for a reasonable period of time; and

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WHEREAS, Although an increased penalty for life imprisonment has not been effected as recommended by said commission, there has been increased sentiment favoring abolition of capital punishment since the 1964 study, evidenced, in part, by the steady increase in the number of our sister states that have seen fit to abolish the death penalty in some respect and it is deemed appropriate to again study and review the question of capital punishment;

NOW, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a commission to be known as the Commission to Study Capital Punishment (hereinafter referred to as the "Commission") composed of nine members, all of whom shall be citizens and residents of the State and shall be appointed by and serve at the pleasure of the Governor. The members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties, subject to the availability of funds therefor.

2. The Governor shall designate a chairman and vice-chairman of the Commission. The chairman shall preside over the meetings and affairs of the Commission and shall have such further powers and duties as may be conferred upon him by the Governor. In the absence of the chairman, the vice-chairman shall have all the powers and duties of the chairman.

3. The Commission shall organize as soon as may be after the appointment of its members and shall select a secretary who need not be a member of the Commission.

4. It shall be the duty of the Commission to study the subject of capital punishment, to evaluate the conditions under which it has been applied in New Jersey and its relative merits as compared with a purported deleterious moral and social effect. It shall be the further duty of the Commission to inquire into possible effects which abolition of the death penalty may have as a deterrent to certain crimes and on law enforcement and to evaluate the experience in those states and countries which do not have the death penalty. In conducting its studies, the Commission shall be guided by the imperative need of respect for and adherence to the law, and the need for revision of the law toward the end that it shall be compatible with modern moral, social, and scientific concepts.

5. Within the limits of funds available therefor, the Commission shall have the power to incur such expenses as may be necessary in order to exercise the powers conferred and to perform the duties imposed by this Order. Subject to the availability of funds, the Commission may retain such professional personnel and clerical and technical assistants as it may require and may provide for the printing, advertising and publication of its proceedings and all interim and final reports promulgated by the Commission. All expenses incurred shall be approved by the chairman of the Commission and shall be submitted to the Treasurer of the State upon vouchers and warrants.

6. In order to carry out its functions, the Commission is authorized to conduct such public hearings and to solicit such information from the public and other sources as it deems appropriate. Notice of such hearings shall be given in such manner as the chairman may direct so as to provide an opportunity for interested members of the public to be heard.

7. (a) The Commission is authorized to call upon any department, office, division or agency of the State to supply such statistical data, reports and other information or personnel and materials as it deems necessary to discharge its responsibilities under this Order.

(b) Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it such information and assistance as it may find necessary in the discharge of its responsibilities under this Order.

8. The Commission shall make its report to the Legislature and to the Governor at the earliest date practical and its report may include recommendations for specific changes in the statutory law relating to the subject of capital punishment.

9. This Order shall take effect immediately.

Given, under my hand and seal this 21st day of
[SEAL] October, in the year of our Lord, one thousand nine
hundred and seventy-one, and of the Independence of
the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 30

WHEREAS, The Governor's Management Commission was established by virtue of Executive Order No. 2, given by me on March 23, 1970; and

WHEREAS, The Commission has proved eminently successful in performing a continuing evaluation of the services and procedures of State Government through the utilization of expert and executive volunteers from business and industry; and

WHEREAS, It would be of benefit to the citizens of New Jersey that this Commission remain active; and

WHEREAS, I have received, reluctantly, the resignation of William F. Fields, under whose leadership the Commission has functioned so effectively;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

Graham M. Brush, Jr., shall replace William F. Field as Chairman of the Governor's Management Commission.

Given, under my hand and seal this 22nd day of
[SEAL] October, in the year of our Lord, one thousand nine hundred and seventy-one, and of the Independence of the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 31

WHEREAS, The State of New Jersey and its citizens have a vital interest in the development and use of nuclear energy, with due consideration of its environmental impact; and

WHEREAS, In view of the continuing investigation of the long range impact of this energy source on the environment and the developing state of the art, it is necessary that thorough and comprehensive studies and planning be made in advance and that the environmental impact of the proposed locations of nuclear generating plants and other nuclear facilities be carefully analyzed to minimize adverse environmental effects, including the possibility of thermal pollution and excess radiation discharges; and

WHEREAS, The employment and use in the State of nuclear energy is subject to the jurisdiction of several agencies of State government and federal agencies; and

WHEREAS, The efforts of these agencies and private enterprises must be effectively coordinated in the effort to provide efficient and safe development of this source of power; and

WHEREAS, The public health, safety and welfare of the citizens of New Jersey requires that there be established a statewide agency with continuing responsibility for coordination and review on the State level;

Now, THEREFORE, I, William T. Cahill, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State, do hereby ORDER and DIRECT:

1. (a) There is hereby created a New Jersey State Nuclear Energy Council.

(b) The New Jersey State Nuclear Energy Council shall consist of the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Health, the President

of the Board of Public Utility Commissioners, the Attorney General, and such other officers or persons as the Governor may by further order direct.

(c) The Chairman of the Council shall be the Commissioner of the Department of Environmental Protection.

(d) The Chairman and the members of the Council shall serve without compensation, but shall be entitled to reimbursement, within the limits of funds available therefor, for all necessary expenses incurred in the discharge of their duties.

(e) The Council shall meet at the call of the Chairman or of the Governor.

2. The New Jersey State Nuclear Energy Council is hereby authorized and empowered to do all things necessary to coordinate the safe and effective use of nuclear energy in this State; to inquire into the locations of nuclear power plants and their potential compatibility with the environment; and to review the sufficiency of safeguards to eliminate or minimize possible adverse effects. The Council is authorized to encourage the formulation of effective and responsible standards for engineering safeguards and operating practices in connection with the use of nuclear energy which shall assure that such usage minimizes the dangers to the citizens and environment of the State of New Jersey.

3. The New Jersey State Nuclear Energy Council created by this Order is hereby designated and appointed the State Coordinator for the State of New Jersey with the Federal Atomic Energy Commission for the use of nuclear energy for peaceful purposes.

4. (a) The Council is hereby authorized to call upon any department, office, division, bureau or agency of the State to supply such assistance, statistical data, material and other information or personnel as it deems necessary to discharge its responsibilities under this Order.

(b) Each department, office, division, bureau or agency of the State is hereby authorized and directed, to the extent not inconsistent with law, to cooperate with the Council and to furnish to it such assistance, material and information as the Council may request of it as necessary in the discharge of its responsibilities under this Order.

5. The Council shall render to the Governor such reports as it may deem appropriate from time to time or as the Governor may request.

6. Executive Order No. 38, dated January 5, 1968, is hereby superseded and rescinded, but all actions taken by the New Jersey State Atomic Energy Council pursuant thereto shall remain in full force and effect until modified, amended or rescinded by the Council created under this Order.

7. This Order shall take effect immediately.

[SEAL] Given, under my hand and seal this 26th day of
October, in the year of our Lord, one thousand nine
hundred and seventy-one, and of the Independence of
the United States, the one hundred and ninety-sixth.

/s/ WILLIAM T. CAHILL,
Governor.

Attest:

/s/ JEAN E. MULFORD,
Acting Secretary to the Governor.

2. The second part of the document addresses the challenges faced by organizations in managing their resources effectively. It highlights the need for strategic planning and resource allocation to ensure long-term sustainability. The author argues that organizations must regularly assess their current state and make necessary adjustments to their strategies to stay competitive in a rapidly changing market.

5. The fifth part of the document concludes by summarizing the key points discussed and offering final thoughts on the future of organizations. It reiterates the importance of transparency, strategic planning, effective leadership, and innovation, suggesting that these elements are crucial for achieving long-term success in any industry.

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