

# NEW JERSEY REGISTER



Official Publication of the State of New Jersey

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Paul J. Sherwin, Secretary of State  
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**VOLUME 3 • NUMBER 11**  
Nov. 4, 1971 • Indexed 3 N.J.R. 217-240  
Published monthly • Trenton, New Jersey

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(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Order Amending Regulations On Handling Of Milk in New Jersey Milk Marketing Areas

Of Milk in New Jersey Milk Marketing Areas—10C&LC

On September 22, 1971, W. W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an order amending N.J.A.C. 2:54-A and 2:54-B regulating the handling of milk in the New Jersey Milk Marketing Areas.

Complete text of the order follows:

ORDER AMENDING N.J.A.C. 2:54-A, AS AMENDED, AND N.J.A.C. 2:54-B, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE NEW JERSEY MILK MARKETING AREAS

In conformance with the Memorandum of Agreement signed with the United States Department of Agriculture, pursuant to the powers vested in him by N.J.S.A. 4:12A-25, the Director of the Division of Dairy Industry, New Jersey Department of Agriculture (formerly Office of Milk Industry), participated with the United States Department of Agriculture in a joint hearing held in New York City on March 30-31, and April 1, 1971, pursuant to notice thereof issued by the United States Department of Agriculture on March 12, 1971 (36 F.R. 5141). Notice of the hearing was issued by the Director of the Division of Dairy Industry on March 16, 1971.

Pursuant to the provisions of N.J.A.C. 15:15-5.3 and after considering all of the evidence adduced at the hearing and being in agreement with the findings and determinations made by the United States Department of Agriculture as contained in its "Decision on Proposed Amendments to Marketing Agreements and to Orders" signed in Washington, D. C. on August 27, 1971, by Richard E. Lyng, Assistant Secretary, United States Department of Agriculture (36 F.R. 17580 ff.), the Director of the Division of Dairy Industry in cooperation with the United States Department of Agriculture, hereby finds and determines that the findings and conclusions (36 F.R. 17580 ff.) should be adopted by reference as such findings and conclusions pertain to the marketing of milk in the State of New Jersey under 7 CFR 1002 and 7 CFR 1004, the same being commonly referred to as Federal Orders No. 2 and No. 4, being joint and concurrent orders of the United States

Department of Agriculture and the Division of Dairy Industry, New Jersey Department of Agriculture.

The Director further finds that the terms of the "Order Amending Order" regulating the handling of milk in the New York-New Jersey Marketing Area and the Middle Atlantic Marketing Area (36 F.R. 17585 and 17586), signed in Washington, D. C. on September 21, 1971 by Richard E. Lyng, Assistant Secretary, United States Department of Agriculture, to be effective October 1, 1971, should also be adopted, by reference insofar as such order applies to the marketing of milk within the State of New Jersey under terms of the aforesaid joint and concurrent orders and the adoption of the said order will tend to effectuate the declared policy of the Statute as set forth in N.J.S.A. 4:12A-1 et seq.

It is theretore ordered that on and after the effective date hereof there is hereby adopted as an amendment to N.J.A.C. 2:54-A and 2:54-B, by reference, the aforesaid amendment to the orders regulating the handling of milk in the New York-New Jersey Marketing Area and the Middle Atlantic Marketing Area insofar as the said order applies to the marketing of milk in the State of New Jersey.

This order shall be effective from and after 12:01 a.m. on October 1, 1971.

An order adopting this order was filed September 30, 1971, as R.1971 d.173 (Exempt, Practice Rule), to be effective October 1, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### DIVISION OF REGULATORY SERVICES

#### Regulations On Commercial Values In Fertilizer and Soil Conditioner Law

On October 19, 1971, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-15.33 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations concerning commercial values in the Fertilizer and Soil Conditioner Law as proposed in the Notice published September 9, 1971, at 3 N.J.R. 174(a).

An order adopting these regulations was filed and effective October 20, 1971, as R.1971 d.185.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

## NEW JERSEY REGISTER

*The official publication containing notices of proposed rules and rules filed by State agencies pursuant to the New Jersey Constitution, Art. V, Sec. IV, Para. 6 and the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.*

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*The New Jersey Register is published the first Thursday after the first Monday of each month by the Division of Administrative Procedure of the Department of State, 10 North Stockton Street, Trenton, New Jersey 08608. Telephone: (609) 292-6060.*

*Subscriptions to the New Jersey Register are available from the Division of Administrative Procedure. Rates, payable in advance, are, one year, \$6, single issue, 50 cents. Single sample copies are gratis.*

(a)

## COMMUNITY AFFAIRS

### LOCAL FINANCE BOARD

#### Proposed Rule On Signatures on Checks

The Local Finance Board in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-10 and 52:27BB-32, proposes to adopt a rule concerning signatures on checks drawn upon the treasury of the local unit.

Text of the proposed rule follows:

Whereas, there now exists no uniform or standard practice among the local units of this State concerning the signatures which are to be subscribed on checks drawn upon the treasury of the local unit, and

Whereas, it is evident that the promulgation of specific guidelines in this regard would further the cause of sound fiscal administration in local government and would enable the smoother functioning of local government, and

Whereas, the diversity of signature practice among the local units stems in part from the concurrent existence in Title 40A and Title 40 of statutes bearing on the subject, namely N.J.S.A. 40A:5-17, 19 and N.J.S.A. 40:48-12, and

Whereas, the Local Finance Board is authorized to promulgate reasonable rules and regulations for the interpretation and administration of laws included within its jurisdiction, N.J.S.A. 52:27BB-10, and to prescribe definite procedures for the receipt, custody, control and disbursement of public funds, N.J.S.A. 52:27BB-32,

Now, therefore, be it resolved by the Local Finance Board at its regular meeting held on September 28, 1971, that effective no later than January 1, 1972, and pursuant to N.J.S.A. 40A:5-17b, the signatures of the following officials shall be subscribed upon all checks drawn upon said local unit:

1. In the case of a municipality, the signatures of

- a. the mayor of the municipality, provided that in municipalities operating under either the City Manager Act of 1923 or the Council Manager provisions of the Optional Municipal Charter Law of 1950 which are forms of government under which the municipal manager is statutorily referred to as the chief executive officer, said person's signature may appear in addition to the signature of the mayor's if the governing body so authorizes it by ordinance,

- b. the treasurer, or if there is no treasurer, such other person who is the custodian of funds of the municipality,

- c. such other local official(s) as the governing body may, in its discretion, prescribe by ordinance.

2. In the case of a county, the signatures of

- a. the county treasurer, or if there is no treasurer, such other person who is custodian of funds of the county,

- b. such other county officer(s) as shall be designated by the board of freeholders. Countersignature by at least one other county official is mandatory.

Be it resolved too that N.J.S.A. 40A:5-17b1's requirement of a "check issued on the order of the clerk to the board" shall be deemed to have been met under any of the following: signature by the clerk on vouchers approved by the board of freeholders; signature by the clerk on a certification listing the checks to be drawn; or signature (of the clerk) on the check.

Be it also resolved that pursuant to N.J.S.A. 40A:5-19, a different signature practice may be established by ordinance in the case of a municipality and by resolution in the

case of a county, for checks for wages and salaries, and

Be it resolved, finally, that the Director of the Division of Local Finance shall provide copies of the Resolution to all affected local units together with such explanatory information as he may deem appropriate, and he is hereby directed to take such steps as are necessary to implement this Resolution.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971, to:

Joseph Hillman Jr.  
Legislative Liaison Officer  
Department of Community Affairs  
363 West State Street  
Trenton, New Jersey 08625

The Department of Community Affairs, upon its own motion or at the instance of any interested party, may thereafter adopt the rule substantially as proposed without further notice.

H. L. Mathews  
Secretary  
Local Finance Board  
Department of Community Affairs

(b)

## COMMUNITY AFFAIRS

### LOCAL FINANCE BOARD

#### Proposed Guidelines On Receipt and Custody of Public Funds Drawn Upon Treasury of Local Unit

The Local Finance Board in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-32, proposes to adopt certain guidelines concerning the receipt and custody of public funds.

Text of the proposed rule follows:

Whereas, in the interest of sound fiscal administration in local government, there exists a need for guidelines concerning the receipt and custody of public funds, and

Whereas, N.J.S.A. 52:27BB-32 authorizes the Local Finance Board to prescribe systems of financial administration for, among other things, the receipt, custody, control and disbursement of public funds,

Now, therefore, be it resolved by the Local Finance Board at its regular meeting held on September 28, 1971, that no officer of a local unit shall accept in receipt of the payment of any tax, license, fee or other charge, a check in excess of the amount actually due, and

Be it resolved, also, that under no circumstances shall said officer engage in the practice of cashing checks with public funds, and

Be it resolved, finally, that the Director of the Division of Local Finance shall provide copies of this resolution to all fiscal units together with such explanatory information as he may deem appropriate, and he is hereby directed to take such steps as are necessary to implement this resolution.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971, to:

Joseph Hillman Jr.  
Legislative Liaison Officer  
Department of Community Affairs  
363 West State Street  
Trenton, New Jersey 08625

The Department of Community Affairs, upon its own motion or at the instance of any interested party, may thereafter adopt the guidelines substantially as proposed without further notice.

H. L. Mathews  
Secretary  
Local Finance Board  
Department of Community Affairs

(a)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Amendments to Plumbing Code

On September 29, 1971, Edmund T. Hume, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-21, 52:27C-54 and 13:1B-7 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the Plumbing Code of New Jersey (Part E of the Standard Building Code of New Jersey), substantially as proposed in the Notice published September 9, 1971, at 3 N.J.R. 175(d), but with subsequent substantive changes not detrimental to the public, according to the Department of Community Affairs.

Dr. James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:3-69.1, has also approved such amendments for adoption by reference by local boards of health.

An order adopting these amendments was filed and effective September 29, 1971, as R.1971 d.168.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Changes in Rules On Private Vocational Schools

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:69-2, proposes to change certain rules concerning private vocational schools by repealing Subchapter E "Business Schools," Subchapter F "Schools of Business Machine Training" and Subchapter G, N.J.A.C. 6:46-53 to 6:46-58, "Private Trade and Technical Schools" and adopting in place thereof Subchapter E "Private Vocational Schools" (N.J.A.C. 6:46-28 et seq.).

The rules and regulations set forth in N.J.A.C. 6:46-28 et seq. would supersede present rules pertaining to the requirements for registration and approval for Private Business Schools, Private Schools of Business Machine Training and Private Trade and Technical Schools.

Copies of the complete text of the rules revisions are available from:

Clyde E. Leib  
Office of the Commissioner  
New Jersey State Department of Education  
225 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-4040

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 30, 1971, to the Department of Education at the above address.

The State Board of Education, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Carl L. Marburger  
Commissioner of Education  
Secretary of the State Board of Education

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Repeal of Residency Requirements for High School Equivalency Certificate

Carl L. Marburger, the Commissioner of Education and the Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:4-35, proposes to repeal N.J. A.C. 6:17-2 (Residency Requirement) which concerns the residency requirements for high school equivalency certificates.

Text of the rule proposed to be repealed reads as follows (deletions indicated in brackets [thus]):

6:17-2 [Residency Requirement

All persons applying for a High School Equivalency Certificate must be residents of New Jersey with the exception of those persons enrolled in job training programs conducted under the auspices of the State of New Jersey.]

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before November 30, 1971, to:

Clyde E. Leib  
Office of the Commissioner  
New Jersey State Department of Education  
225 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-4040

The State Board of Education, upon its own motion or at the instance of any interested party, may thereafter repeal the rule substantially as proposed without further notice.

Carl L. Marburger  
Commissioner of Education  
Secretary of the State Board of Education

(d)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELL FISHERIES

#### 1972 Fish Code Adopted

On September 16, 1971, Russell A. Cookingham, Director of the Division of Fish, Game and Shell Fisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-30 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the 1972 Fish Code, substantially as

proposed in the Notice published August 5, 1971, at 3 N.J.R. 149(a) but with subsequent, substantive changes not detrimental to the public, according to the Department of Environmental Protection.

An order adopting the Code was filed September 29, 1971, as R.1971 d.167 to be effective January 1, 1972.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

THE COMMISSIONER

### Rules Concerning Spruce Run Reservoir

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the use of lands and water areas at the Spruce Run Reservoir in Hunterdon County, New Jersey, as proposed in the Notice published October 8, 1970, at 2 N.J.R. 82(a).

An order adopting these rules was filed October 21, 1971, as R.1971 d.187.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

THE COMMISSIONER

### Rules Concerning Round Valley Reservoir

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the use of lands and water areas at the Round Valley Reservoir in Hunterdon County, New Jersey, as proposed in the Notice published October 8, 1970, at 2 N.J.R. 81(f).

An order adopting these rules was filed October 21, 1971, as R.1971 d.188.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## ENVIRONMENTAL PROTECTION

### DIVISION OF PARKS, FORESTRY AND RECREATION

#### State Nursery Policy Amendments

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the State Nursery Policy regulating the sale of reforestation stock, as proposed in the Notice published October 8, 1971, at 2 N.J.R. 83(b).

An order adopting these amendments was filed October 21, 1971, as R.1971 d.189.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## ENVIRONMENTAL PROTECTION

### DIVISION OF PARKS, FORESTRY AND RECREATION

#### Ice Boating Regulations For Round Valley Reservoir

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the ice boating regulations for the Round Valley Reservoir, as proposed in the Notice published December 10, 1970, at 2 N.J.R. 99(d).

An order adopting these regulations was filed October 21, 1971, as R.1971 d.190.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(e)

## ENVIRONMENTAL PROTECTION

THE COMMISSIONER

### Rules Concerning Lands, Waters And Facilities Under Jurisdiction Of the Bureau of Parks

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning the lands, waters and facilities under the jurisdiction of the Bureau of Parks, as proposed in the Notice published October 8, 1970, at 2 N.J.R. 82(b).

An order adopting these rules was filed October 21, 1971, as R.1971 d.191.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(f)

## ENVIRONMENTAL PROTECTION

### DIVISION OF PARKS, FORESTRY AND RECREATION

#### Rules For Operation of Snowmobiles

On October 21, 1971, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules regulating the operation of snowmobiles on state-owned lands administered by the Department, as proposed in the Notice published February 5, 1970, at 2 N.J.R. 13(a).

An order adopting these rules was filed October 21, 1971, as R.1971 d.192.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions to Financial Assistance Manual

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise certain sections of the Financial Assistance Manual of the Division of Public Welfare.

Text of the proposed revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

220.1 In OAA, DA, AB, and ADC programs, the following procedure shall be followed:

c. [in all programs except AB] deduct allowance for expenses of employment for each employed person (see Section 333.1);

311.7 Resources designated for special purposes as follows:

a. Loans for Specific Purposes

1) (b) [educational scholarships (see Section 124.-c.)] loans or grants to any undergraduate student for education purposes made or ensured under any program administered by the Commissioner of Education, U.S. Department of Health, Education, and Welfare; and

(c) other educational grants and scholarships to eligible ADC children (see Section 124.-c.).

325. Support Orders Paid by Recipients in Adult Programs

When an OAA, DA, or AB recipient has unearned income only and is making support payments pursuant to court order for dependents living elsewhere, such payment(s) shall be deducted from this income in determination of the monthly allowance.

333. Expenses of Employment

333.1 ADC, OAA, DA, and AB Programs

a. The expense-of-employment standard is the amount which is allowed for all expenses of employment other than costs of child care and mandatory payroll deductions.

b. The monthly amount recognized for expenses of employment in all programs except [AB and] AFWP is \$50.

411.10 Child in Temporary Foster Care Arrangement

When, in accordance with Manual of Administration Section 2285., the County Welfare Board deems it necessary to place a child in a temporary foster care arrangement, such as when the mother is hospitalized, the rate for this placement shall not exceed that established by the Bureau of Children's Services for foster care. Such temporary care shall not [extend beyond the] continue for more than two calendar months [immediately] following the placement.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 25, 1971, to:

Division of Public Welfare  
129 East Hanover Street  
Trenton, New Jersey 08625

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may thereafter adopt the revisions substantially as proposed without further notice.

Maurice G. Kott  
Acting Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Correction of Effective Date of Skilled Nursing Home Services Manual

Take notice that the Notice published October 7, 1971, at 3 N.J.R. 206(b) concerning the adoption of the Skilled Nursing Home Services Manual indicated, in error, that the effective date of adoption was September 22, 1971. The correct effective date should have been indicated as being October 15, 1971.

The last paragraph in the Notice should have read as follows:

An order adopting the Manual was filed September 22, 1971, as R.1971 d.163 to be effective October 15, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions in Financial Assistance Manual On Maximum Public Assistance Allowance

On September 30, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the Financial Assistance Manual concerning the maximum public assistance allowance, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 178(a).

An order adopting the revisions was filed and effective October 1, 1971, as R.1971 d.174.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions to Assistance to Families of Working Poor Manual of Administration

On September 30, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to Section 3250. (Employment and Training) of the Assistance to Families of the Working Poor Manual of Administration, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 177(b).

An order adopting these revisions was filed and effective October 1, 1971, as R.1971 d.175.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Revisions in Hospital and Special Hospital Manuals**

On September 27, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the New Jersey Health Services Program Hospital and Special Hospital Manuals, as proposed in the Notice published August 5, 1971, at 3 N.J.R. 152(b).

An order adopting these revisions was filed and effective October 15, 1971, as R.1971 d.181.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

#### **Hearing Aid Services Manual**

On October 13, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the Hearing Aid Services Manual, substantially as proposed in the Notice published April 8, 1971, at 3 N.J.R. 58(d), but with subsequent, substantive changes not detrimental to the public, according to the Department of Institutions and Agencies.

An order adopting the manual was filed October 21, 1971, as R.1971 d.186 to become effective November 29, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## **INSTITUTIONS AND AGENCIES**

### **DIVISION OF PUBLIC WELFARE**

#### **State Plan on Services To Families and Children**

On October 15, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a mandatory regulation concerning a State Plan on services to families and children in accordance with the subpart Mandatory Provisions, Part 220, of the rules and regulations pertaining to the organization and administration of service programs for family and children as contained in Title IV, Parts A and B of the Social Security Act.

The mandatory regulation concerns general provisions, organization and administration mandatory services applicable to Title IV, Part A and Part B, other requirements applicable to Title IV, Parts A and B, and optional provisions regarding services in aid to families with dependent

children relating to the State Plan on Services to Families and Children.

An order adopting this mandatory regulation was filed October 22, 1971, as R.1971 d.193 (Exempt, Mandatory Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## **INSURANCE**

### **THE COMMISSIONER**

#### **Proposed Amendments to New Jersey Automobile Insurance Plan**

Robert L. Clifford, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:-8.1 and 17:1C-6(e), proposes to amend the New Jersey Automobile Insurance Plan.

A summary explanation of the proposed amendments and the Sections of the Plan which would be affected follows:

#### **NEW JERSEY AUTOMOBILE INSURANCE PLAN** (Only those Sections which have been amended are included below)

##### **SECTION 4 — ADMINISTRATION**

The amendments to Section 4 provide for the inclusion of the Commissioner of Insurance as an ex-officio member of the Governing Committee who may be represented by his designee. One producer representative to be designated by the Commissioner is also included on the Committee as an advisory member. The producer representative term of office is set as one year to run concurrently with that of the other Committee members.

##### **SECTION 5 — DUTIES OF GOVERNING COMMITTEE**

This amendment provides that all decisions by the Governing Committee shall be made by its company members. The Commissioner shall vote only in the case of tie vote of the Committee. This Section also now provides that the Plan Manager shall furnish the Commissioner with such additional information as he may require.

##### **SECTION 6 — DISTRIBUTION AND ASSIGNMENT OF APPLICANTS**

Amendments to Sub-Section I and III have been included to require that statistical data necessary to the development of company quotas shall be reported to the Automobile Insurance Plans Service Office. Monthly quota adjustments are to be supplied to the Plan by A.I.P.S.O. Sub-Section I has also been amended to provide that assignments of long-haul truckmen shall be based on a 100-mile radius of operation from the city or town of principal garaging. This conforms the rule, which previously provided for a 150-mile radius, to the statistical codes of the statistical agencies.

The inverse assignment provisions have been moved from Sub-Section I to Sub-Section III to bring physical damage under the inverse assignment procedure.

The conditions for the inverse assignment procedure have been redefined providing that a company will be subject to the inverse assignment penalty if it refuses to renew coverage with the same policy form provisions, rules and classifications of the Manual under which the expiring policy was written except for revisions thereof approved by the Commissioner and at the same term as applicable to the existing policy provided:

a) There has been no change in the risk's characteristics which result in a change in classification requiring the

application of higher rates than would apply if the change had not occurred, and

b) The risk is not subject to the additional charges under Section 16 except for the inexperienced operator surcharge.

A third condition has been added to be applicable in the event the company has refused to renew physical damage coverage. This condition provides that the company will be subject to an inverse assignment for physical damage if the risk has not been involved in three or more occurrences resulting in an aggregate loss of \$100 or more (excluding loss adjustment expenses) under the comprehensive coverage.

The rules also stipulate that an offer to renew only part of the coverages provided in an expiring policy shall be deemed refusal to renew with respect to the coverages not included in the offer.

The verification procedure set forth in Section 6 has been amended to require the prior carrier which refused renewal to notify the Plan of comprehensive losses which have application to condition (c) of the inverse assignment procedure.

#### SECTION 9 — ELIGIBILITY

An amendment to paragraph B allows for the assignment of private passenger automobiles with an Actual Cash Value in excess of \$10,000.

#### SECTION 10 — EXTENT OF COVERAGE

Paragraph II of Sub-Section A is amended to permit a risk which was previously insured in the voluntary market to purchase limits of liability to the maximum available under Supplement I. Previously, such a risk could not purchase coverage beyond that last afforded under the voluntary coverage.

Sub-Section D is amended to limit the maximum loss payable to \$10,000 on a private passenger automobile with an Actual Cash Value in excess of \$10,000. This amendment also provides for \$250 deductible to be applicable to each automobile for each loss arising out of each occurrence.

#### SECTION 11 — APPLICATION FOR ASSIGNMENT

Editorial change only.

#### SECTION 12 — DESIGNATION OF COMPANY

This amendment provides for the Plan to effect coverage as of the date following the date of postmark of the transmittal envelope in which an application is submitted. The rule stipulates that only the postmark of the United States Postal Service will be recognized for the purposes of this Section.

#### SECTION 14 — COMPANY'S NOTICE TO APPLICANT

The deletion of the last paragraph of Sub-Section D is in accordance with the Insurance Department's interpretation of the recent statute that the producer of record may retain the unearned commission.

#### SECTION 15 — COMPANY'S NOTICE TO PLAN

This section is deleted in its entirety as all statistical data will, in the future, be developed through the Automobile Insurance Plans Service Office. Amendments have been included in Section 6 authorizing this procedural change.

#### SECTION 16 — RATES

The amendments to Section 16 are for purpose of more clearly defining those risks which qualify for Supplement II rates and coverages. This Section has also been amended to provide that a person previously insured under the consent to higher rate provision of New Jersey Statutes shall qualify for Supplement II if he submits an offer from the carrier to renew coverage at rates higher than Manual

in lieu of a non-renewal notice or a request to complete a form consenting to such higher rate. All other requirements for Supplement II must also be met by such person.

Paragraph 2 (b) of Sub-Section A has been amended to make it clear that risks currently insured by assignment at Supplement II rates shall be eligible for Supplement II upon reassignment. The present language excluded such risks from Supplement II.

Paragraphs 5 and 6 of Sub-Section F require the exclusion of any loss adjustments expenses from losses for property damage accidents. These amendments have been included by the Insurance Department to prevent the application of surcharges for accidents involving actual payments of less than the required dollar amounts stipulated in each paragraph which amounts have been increased by inclusion of loss adjustment expenses to the actual loss paid to an insured. Physical Damage losses, other than collision, had been added as a new exception to the accident surcharges of Section 16.

The note following the Point Value Additional Charges has been amended to define clearly that the surcharge is determined by applying the proper percentage to the total limits Class 4A premium.

#### SECTION 17 — STANDARD POLICY COVERAGE

Provision has been made in this Section for an approved physical damage endorsement amending the physical damage coverage for a private passenger automobile rated above symbol 7 limiting the maximum loss payable to \$10,000 and further providing for a \$250 deductible applicable to each automobile for each loss arising out of each occurrence.

#### SECTION 18 — CANCELLATION

The second paragraph of Section 18-B has been amended to require that the Plan be notified of only those cancellations falling under 18-B (1) to (4). All other cancellations need not be individually reported to the Plan. This amendment conforms the reporting requirements of Section 18 to those in Section 6.

#### SECTION 23 — INDEMNIFICATION

Included with these amendments is the New Section 23, already approved by the Insurance Department which sets forth the procedures for indemnification of a Plan employee or Committee member for any action or suit brought against such person in connection with his duties as a Plan employee or Committee member.

#### LIABILITY SUPPLEMENTS I AND II

##### RULE 2 — RATE DETERMINATION

This rule in both Supplements has been amended to more clearly define the procedure to be followed to determine a rate under the Plan.

Copies of the complete text of the proposed amendments may be obtained from:

W. Morgan Shumake  
Deputy Commissioner  
Department of Insurance  
201 East State Street  
Trenton, New Jersey 08625

A public hearing will be held on November 24, 1971, at 10:00 a.m., in the Hearing Room of the Department of Insurance, 201 East State Street, Trenton, New Jersey 08625, at which time and place comments, suggestions, recommendations, additions and modifications to these amendments and evidence with respect thereto will be received for the record.

The time and date of any subsequent hearing, if such is determined to be necessary, will be announced at the

hearing on November 24, 1971. However, no notice of any subsequent hearing will appear in the New Jersey Register.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971, to the Department of Insurance at the above address.

The Department of Insurance, upon its own motion or at the instance of any interested party, may thereafter adopt the amendments substantially as proposed without further notice.

Robert L. Clifford  
Commissioner  
Department of Insurance

(a)

## INSURANCE

### THE COMMISSIONER

#### Proposed Regulation On Replacement of Life Insurance

Robert L. Clifford, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1C-6(e), proposes to adopt a regulation concerning the replacement of life insurance. The proposed regulation will repeal and supersede the Department of Banking and Insurance Regulation No. I 1961 A-1, dated September 12, 1961, and will require full disclosure of all relevant information when it is contemplated that the sale of new life insurance will result in the replacement of existing life insurance.

The proposed regulation defines life insurance to include annuities and variable contracts; and defines replacement to include not only lapse or surrender but conversions or changes in existing life insurance whereby substantial rights are effected.

In connection with the sale of life insurance, agents will be required to determine if replacement is contemplated; and, if so, they will be required to identify the life insurance to be replaced, to furnish the applicant with a "Notice to Applicants Regarding Replacement of Life Insurance", and to furnish a completed "Disclosure Statement" along with any sales material utilized in effecting the sale. This material must also be sent to the replacing insurer who in turn must notify the other companies of the contemplated replacement.

Copies of the proposed regulation may be obtained from:  
W. Morgan Shumake  
Deputy Commissioner  
Department of Insurance  
201 East State Street  
Trenton, New Jersey 08625

A public hearing will be held regarding this proposed regulation by the Department of Insurance on November 24, 1971, at 2:00 p.m. at the Department of Insurance, 201 East State Street, Trenton, New Jersey 08625.

Interested persons may present statements or arguments at the hearing or may submit the same in writing relevant to the proposed action on or before November 24, 1971, to the Department of Insurance at the above address.

After full consideration of all of the submissions respecting the proposed action, the Department of Insurance, upon its own motion or at the instance of any interested party, may thereafter adopt the regulation substantially as proposed without further notice.

Robert L. Clifford  
Commissioner  
Department of Insurance

(b)

## LABOR AND INDUSTRY

### DIVISION OF LABOR STANDARDS BUREAU OF WAGE AND HOUR

#### Wage Order Governing Employment In the Air Carrier Industry

On October 8, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-56a. et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a wage order governing employment in the air carrier industry, substantially as proposed in the Notice published September 9, 1971, at 3 N.J.R. 179(a).

An order adopting this order was filed and effective October 13, 1971, as R.1971 d.178.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## LABOR AND INDUSTRY

### THE COMMISSIONER

#### Emergency Rule Concerning Withholding Of Pennsylvania Income Tax in New Jersey

On September 29, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-4.4b(7) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, declared an imminent peril exists and adopted an emergency rule concerning the withholding of Pennsylvania income taxes in New Jersey.

Complete text of the emergency rule follows:

Pursuant to the provisions of N.J.S.A. 34:11-4.4b(7), employers in the State of New Jersey who employ residents of the Commonwealth of Pennsylvania in the State of New Jersey are hereby authorized and empowered to withhold the tax imposed by the Pennsylvania Personal Income Tax Law (Pennsylvania Act No. 93 of August 31, 1971) from such employees' wages.

An order adopting this emergency rule was filed and effective September 29, 1971, as R.1971 d.166 (Exempt, Emergency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## LAW AND PUBLIC SAFETY

### OFFICE OF THE ATTORNEY GENERAL

#### Procedural Rules Implementing Legislative Activities Disclosure Act

On October 19, 1971, George F. Kugler Jr., Attorney General of the State of New Jersey, pursuant to authority of N.J.S.A. 52:13C-18 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted procedural rules implementing the Legislative Activities Disclosure Act.

Text of the rules follows:

CHAPTER 3 LEGISLATIVE ACTIVITIES  
DISCLOSURE ACT—PROCEDURAL RULES

FOREWORD

The following procedural rules implement the registration and reporting requirements of the Legislative Activities Disclosure Act of 1971.

1. Definitions

"Act" means the Legislative Activities Disclosure Act of 1971.

The term "Legislative Agent" shall be used in this chapter as defined in the Act.

"Person" means an individual, partnership, committee, association, corporation, and any other organization or group of persons.

"Statement" means a notice of representation or a report required by the Act.

2. Registration

A. Each Legislative Agent shall file a signed Notice of Representation on the form set forth in Section 10a of this Chapter. The Notice of Representation must be filed prior to any communication to the Legislature or to the Governor or his staff, and in any event within 30 days of employment, retainer or engagement, whichever occurs later.

3. Reporting

Each Legislative Agent shall file a signed Quarterly Report of his activities in attempting to influence legislation each calendar quarter for activity during the preceeding calendar quarter. Such report must be filed between the 1st and 10th days of each calendar quarter. Calendar quarters end March 31, June 30, September 30 and December 31. The form for such Quarterly Reports is set forth in Section 10b of this Chapter.

4. Notice of Termination

Each Legislative Agent must file a Notice of Termination within 30 days after his activities cease. Additionally, any person who has engaged a Legislative Agent may file a Notice of Termination after that agent ceases to represent such person. The form for such Notice of Termination is set forth in Section 10c of this Chapter.

5. Material Change in Notice of Representation

Each Legislative Agent must notify the Attorney General in writing of any material change in the information supplied in the Notice of Representation within 15 days of the effective date of such change, or not later than the filing of the Quarterly Report, whichever comes first.

6. Name Tags

Each person registered with the Attorney General as a Legislative Agent shall be issued a name tag of a type prescribed by the Attorney General. Such name tag will be forwarded to each Legislative Agent upon receipt of his Notice of Representation and shall be worn visably at all times when such Legislative Agent is in the State House for the purpose of influencing legislation.

7. Voluntary Statements

Persons filing voluntary statements under the Act shall utilize the forms set forth in Section 10 of this Chapter. Such statements shall be marked "voluntary filing".

8. Public Records

Statements required by the Act to be filed with the Attorney General shall constitute part of the public records of his office and shall be available for public inspection. Copies of such statements shall be made available upon request at prices set forth in N.J.S.A. 47:1A-2, "The Right to Know Law".

9. Correspondence

All correspondence and requests for forms should be directed to: Office of the Attorney General, State House Annex, Trenton, New Jersey 08625. Phone: (609) 292-4975.

10. Forms

All forms required by the Act to be filed with the Attorney General are available from the Office of the Attorney General. All reports and notices required to be filed shall be submitted only upon the forms set forth in subsections a, b and c below:

NOTE: Due to space limitations, the three forms filed with these rules are omitted here.

These include: (a) Notice of Representation Form (four pages); (b) Quarterly Report Form (two pages); and (c) Notice of Termination Form (one page).

An order adopting these rules was filed and effective October 20, 1971, as R.1971 d.184 (Exempt, Practice Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Proposed Amendment On New Passenger Vehicle Inspection Regulation

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-43, 39:8-2 and 39:10-4, proposes to amend Sections 3, 6 and 7 of the regulations concerning inspection of new passenger vehicles.

Full text of the proposed amendment follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

Section 3 — Definitions

d. New Passenger Vehicle means every new vehicle regardless of registration class, used and designed for the transportation of passengers except motorcycles, omnibuses, school buses and vehicles that run upon rails or tracks.

[Section 6 — Required Practices

In addition to, or as part of, the pre-delivery service required or recommended by a manufacturer, the following items are required to be inspected and serviced by every dealer in new motorcycles.

- a. Seat, handholds and footrests
- b. Front and rear fenders
- c. Chain guards]

Section [7] 6 — Decal

a. Every new car dealer shall, after satisfactory completion of inspection, affix a decal or other indication of successful inspection as the Director may prescribe, upon the windshield of such vehicle. Any new passenger vehicle receiving a decal or other indication of successful inspection shall next be inspected one year from the date of initial registration of that vehicle.

b. In the event that the ultimate purchaser of any new passenger vehicle transfers registration from a previously owned vehicle registered in his name to a new passenger vehicle, the new car dealer shall affix a decal or other indication of inspection to the windshield of such vehicle, which shall indicate that such vehicle shall next be in-

spected at the conclusion of the period represented by the unexpired period of time of the transferred registration plus one year.

c. In the event that the ultimate purchaser of any new passenger vehicle registers that vehicle with a fixed registration expiration date, the new car dealer shall affix a decal or other indication of inspection to the windshield of such vehicle, which shall indicate that such vehicle shall next be inspected at the conclusion of the period represented by the expiration date of the registration plus one year.

NOTE: Sections 8 through 13 inclusive of this rule shall be changed to Sections 7 through 12 respectively.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971 to:

Raphael J. Marini  
Director, Division of Motor Vehicles  
Department of Law and Public Safety  
25 South Montgomery Street  
Trenton, New Jersey 08608

The Division of Motor Vehicles, upon its own motion or at the instance of any interested party, may thereafter adopt the amendments substantially as proposed without further notice.

Raphael J. Marini  
Director  
Division of Motor Vehicles  
Department of Law and Public Safety

### (a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Amendments to Self-Inspection Regulations

On October 1, 1971, Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:8-10 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to Section 5 (Inspection of Motor Vehicles in Operation) of the regulations concerning self-inspection of certain classes of motor vehicles, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 180(d).

An order adopting these amendments was filed and effective October 15, 1971, as R.1971 d.179.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

### (b)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Amendments to Studded Tire Regulations

On October 1, 1971, Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-43 and 39:3-81 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted

amendments to subsection (g) of Section 2 (General Requirements) of the regulations concerning the design, construction and use of tires fitted with studs, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 180(c).

An order adopting these amendments was filed and effective October 15, 1971 as R.1971 d.180.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

### (c)

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Rules On Residential Electric And Telephone Underground Extensions

On October 14, 1971, the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-13 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning residential electric and residential telephone underground extensions, substantially as proposed in the Notice published October 30, 1969, at 1 N.J.R. 9(a), but with subsequent, substantive changes not detrimental to the public, according to the Department of Public Utilities.

These rules are to become effective on and after December 31, 1971, and the Board orders that, within 30 days of said effective date, every public utility furnishing electric or telephone service to the public, submit to the Board as a supplement to its tariff, Appendix A, required by paragraph D-5 of Section 14:435, or Appendix B, required by paragraph D-2 of Section 14:489, as appropriate.

Complete text of the adopted rules follows:

#### 14:435 REGULATION FOR RESIDENTIAL ELECTRIC UNDERGROUND EXTENSIONS

##### A. Applicability

Extension of electric distribution lines requested by an applicant after the effective date of this regulation, and necessary to furnish an entire electric system to new residential buildings and mobile homes within an approved subdivision having three or more building lots, or to new multiple-occupancy buildings, shall be made underground.

Such extensions of service shall be made by the utility in accordance with the provisions in this regulation. This regulation shall not apply to those lines on which construction is in progress at the time this regulation is adopted. (October 14, 1971).

##### B. Definitions

The following words and terms when used in this regulation shall have the meaning indicated:

"Applicant" means the developer, builder, or owner applying for the construction of an entire electric distribution system in a subdivision.

"Board" means Department of Public Utilities, Board of Public Utility Commissioners.

"Utility" means an "electric company" as defined in N.J.S.A. 48:2-13.

"Building" means a permanent structure enclosed within exterior walls, fire walls, built, erected and framed of component structural parts and designed for single-family or duplex-family occupancy.

Note: A duplex family building may consist of either a duplex apartment with rooms on two floors and a private

inter-stairway, or a duplex house with two separate family units side by side.

"Mobile Home" means a dwelling unit constructed for permanent occupancy, which is designed for moving along roads and highways by towing with a truck or tractor and which is installed on a permanent foundation.

"Multiple-Occupancy Building" means a permanent structure enclosed or within exterior walls or fire walls, built, erected and framed of component structural parts and designed to contain three or more individual dwelling units and consisting of not more than four stories.

"Subdivision" means the tract of land which is divided into lots as approved by the appropriate authorities for the construction of new residential buildings or the placement of mobile homes, or the land on which new multiple-occupancy buildings are to be erected.

"Existing Street" means a public street, road or highway, traversing or abutting the applicant's subdivision, that was in existence and utilized prior to the approval and establishment of the subdivision.

"New Street" means a public street, road or highway, traversing, or abutting the applicant's subdivision that was constructed subsequent to the approval and establishment of the subdivision.

"Extension" means an extension shall be construed to mean the extension of facilities located on streets, highways, and/or rights of way acquired by the utility for common distribution.

### C. Rights of Way and Easements

1. Within the applicant's subdivision the utility shall construct, own, operate, and maintain underground distribution lines only along public streets, roads, and highways which the utility has the legal right to occupy, and on public lands and private property across which rights of way and easements satisfactory to the utility both as to location and legal sufficiency are provided without cost to or condemnation by the utility.

2. Rights of way and easements suitable to the utility must be furnished by the applicant in sufficient time to meet service requirements and at no cost to the utility. The rights of way or easements so granted must be cleared of trees, tree stumps and other obstructions above or below grade at no charge to the utility to a width sufficient to permit the use of machinery and equipment, and must be graded to within six inches of final grade by the applicant before the utility will commence construction. Such clearance and grading must be maintained by the applicant during construction by the utility.

### D. Installation of Underground Distribution System Within Subdivision

1. Upon receipt of a proper application the utility shall, after conditions in Paragraph C-2 have been met and after coordination with other utilities, install along new streets and along existing streets not already served by overhead facilities, an underground electric distribution system with sufficient capacity and suitable materials which, in its judgment, will assure that the applicant will receive safe, adequate and proper electric service for the foreseeable future.

Note: "Suitable materials" shall be construed to mean those components of a direct buried residential-type underground distribution system including, but not limited to, transformers (which may be pad mounted or sub surface at the option of the company dependent upon conditions at the time and place of installation), cables, conduits, street lighting poles and fixtures, switch gear, enclosures, which the industry has adopted as standard consistent with

the "state of the art" as it applies to the development of such components and also consistent with the service requirements of this regulation. Such standards shall be understood to be reasonable standards designed to implement this regulation with a minimum increase in the difference in cost between overhead and underground distribution systems.

At the request of the applicant the utility may provide components which exceed such standards, provided that applicant shall bear the full cost of the excess facilities requested.

2. The applicant shall supply to the utility the preliminary or tentative subdivision map which has been submitted to and approved by the appropriate authorities, showing the subdivision of all of the applicant's property, together with the anticipated electric load requirements for each living unit, to facilitate planning for the ultimate supply in the form of branch circuit, main feeder and/or substation facilities required.

3. The applicant shall also supply the final subdivision map of the section of the subdivision which has received the final approval of the subject appropriate authorities and which said applicant proposes to develop in the immediate future. This submission shall also detail the planned electric load requirements as described in subparagraph (2) above.

4. The applicant in addition shall supply an estimate of the date electric service will initially be required and the time schedule for the full development of the subject section.

5. Based on the recognition that at the present time the cost of such underground construction exceeds the cost of comparable overhead construction, and further that the difference in such construction costs varies substantially among the various utilities and areas of the State, because of location, topography, soil conditions and also the economic and financial statuses of the utilities, every public utility furnishing electric service to the public shall submit to the Board for its approval:

a. The amounts which the utility proposes to insert for the various items listed in Appendix A of this regulation.

b. A detailed calculation, supporting the amounts which the public utility proposes to insert in said Appendix. The amounts shall primarily represent the actual differences in cost between the construction of underground and equivalent overhead distribution systems, but shall give appropriate consideration to other factors and indirect benefits including, but not limited to, the differential in maintenance cost between the two systems.

c. In addition to the above, each utility shall submit to the Board with its application for approval of Appendix A, a report on the number of new residential homes for which underground services were provided during calendar year 1970 and the total and average cost of such installations. Each utility shall also provide an estimate, based on previous experience, of the total and average cost of providing comparable overhead service to these same residential homes. The utility shall also indicate the impact of rolling the applicant charges, for said calendar year 1970 underground residential installations, into the rate base.

6. Every such public utility shall, within sixty days after the first year of operation under this regulation, and within sixty days after each two years of the operation thereafter, submit to the Board detailed calculations and information similar to the requirements of paragraphs D5-b & -c above, and reflecting the utility's experience

with the regulation during such one or two years, as the case may be. If such calculations and data so warrant, the utility shall adjust the amounts set forth in the Appendix A, subject to the approval of the Board.

7. Such amounts as the public utility receives pursuant to Appendix A of the regulation and not subject to further refund shall be credited to Account 271, Contributions in Aid of Construction.

8. The average building lot width shall be determined by measuring the total front footage of all property along the streets within the subdivision (excepting those portions of existing streets along which overhead facilities are already installed) and then dividing the total length so determined by the number of building lots to be served from the underground system, as shown on the builder's layout plat. Buildings in the subdivision facing an existing street on which overhead facilities are presently installed may be served overhead.

9. The service connection to the building will be at the nearest corner of the building to the point at which the service enters the property to be served. If such service length on property served is more than fifty feet, then the applicant shall pay the utility the amount per foot listed in Appendix A, for the length in excess of fifty feet.

10. For a new multiple-occupancy building the underground distribution system within the subdivision shall be constructed to the building by the utility in the most economical manner, as determined by the utility, at the charge listed on Appendix A. Any such buildings in the subdivision facing an existing street on which overhead facilities are presently installed may be served overhead. Should such buildings be served overhead, neither the number nor the frontage of such lots shall be included in the calculation to determine the average building lot width.

11. The charges specified in this regulation may not be waived or refunded unless such waiver or refund is specifically approved by the Board.

#### E. Connection to Supply System

The utility shall provide a connection, using the normal method of construction, from the boundary line of the applicant's subdivision to the utility's existing supply facilities. The extension adjacent to the boundary line of the subdivision, for a minimum distance of 200 feet, shall be made underground, at the utility's expense, unless such extension is on an existing street along which overhead facilities are installed.

#### F. Advances by Applicant

1. Prior to the start of construction on a section of the subdivision which has received the final approval of the appropriate authorities, the utility may require from the applicant a deposit equivalent to not more than twice the amount of the charges payable to the utility in accordance with the approved Appendix A, for the total number of building lots shown on the final subdivision map supplied to the utility by the applicant under the provisions of Section D-3 of the regulation.

2. Deposits will not carry interest.

3. If the amount of the deposit is in excess of the charges under this regulation as listed in approved Appendix A, then the excess amount shall be returned quarterly to the applicant, on a proportional basis as each permanent service is installed.

4. Any portion of a deposit remaining unrefunded ten years from the date the utility is first ready to render service from the extension will be retained by the utility and credited to an appropriate account.

#### G. Cooperation by Applicant

1. The charges specified in this regulation are based on the premise that each applicant shall agree to cooperate with the utility in accordance with Section C-2 in an effort to keep the cost of construction and installation of the underground electric distribution system as low as possible. This includes the scheduling of construction to preclude the necessity for trenching in frozen soils, or in land fill operations before soils have become stabilized.

2. Should unusual circumstances arise which would require that work be scheduled during periods of adverse weather conditions or other situations which makes it impractical or undesirable to bury electric facilities, temporary facilities may be installed in whatever manner is most practical under the circumstances; provided, however, that such temporary facilities shall be replaced as soon as practicable with a permanent installation in accordance with the provisions of this regulation.

3. Requests for adjustment of charges specified in approved Appendix A, to cover excess cost, if any, due to temporary installations, may be referred to the Board in accordance with Section K, Special Conditions.

#### H. Construction

Where practicable, as determined by the affected utilities, electric cables, communication cables, and also gas pipes to the extent permitted by N.J.S.A. 48:7-2, and N.J.S.A. 48:9-21, shall be installed in the same trench, care being taken to conform to any applicable Codes and regulations.

#### I. Street Lighting

1. All new subdivisions to be supplied from underground electric facilities shall have incorporated in their design the requirements for street lighting in accordance with the standards in general use in the municipality. Such street lighting shall also be served underground. Poles and fixtures shall be selected from the types and sizes adopted by the utility as standard.

#### J. Records

1. Each electric utility shall maintain on a calendar year basis for periodic review by, or, upon request, submission to the Board the following records:

a. The amount of trench which it has shared with communication cables and/or gas pipes. The record shall also show the contributions per foot by it and by the collaborating telephone and/or gas companies for joint use of trench. Should joint trenching be accomplished through a "trench sharing agreement" each utility shall maintain a record of the amount and the value per foot of the trenching provided by it and also the amount and the value per foot of the trenching provided by the collaborating telephone and/or gas companies.

b. The number of subdivisions, the number of lots and the number of buildings of all types, including mobile home, for which service was made available under this regulation.

#### K. Special Conditions

When the application of this regulation appears impracticable or unjust to either party, or discriminatory to other customers, the utility or applicant shall refer the matter to the Board for special ruling or for approval of special conditions which may be mutually agreed upon, prior to commencing construction.

#### L. Prior Regulations

Except as otherwise provided herein, rules, regulations and standards heretofore promulgated with respect to the subject matter encompassed by this regulation are hereby superseded and revoked.

**M. Compliance**

This regulation having been enacted in the public interest calls for cooperation by utilities, developers, builders and municipal bodies to achieve the desired underground electric service in new residential subdivisions at the lowest reasonable cost consistent with system reliability and safety. Therefore, in accordance with N.J.S.A. 48:2-13, which grants general supervision and regulation of, and jurisdiction and control over, all public utilities to the Board, requirements in conflict with this regulation should not be imposed through municipal ordinances or regulations which would prevent or interfere with electric utilities' compliance with this regulation.

**APPENDIX A — REGULATION FOR RESIDENTIAL ELECTRIC UNDERGROUND EXTENSIONS**

A. For each building lot being served, the applicant shall pay the utility the amount determined from the following table.

Type Building	Average Bldg. Lot Width	Charge Per Foot Per Avg. Bldg. Lot Width*
1 Single-family	0-100 feet, incl	
2 Duplex-family (single service)	" " " "	
3 Duplex-family (separate service)	" " " "	
4 Mobile Home	" " " "	
5 Multiple-Occupancy	" " " "	

**B. Additional Charges**

Item	Unit	Additional Charge
1 Sub-surface Transformers	Per Foot Per Lot	
2 Special Type Street Light Poles & Foundations	Per Unit	
3 Excess Service Length	Per Foot Trench	
4 Excess Average Building	Per Foot Per Lot	
5 Other (Specify)		

\*Based on use of pad mounted transformers, standard street light poles, foundations and cable, and including the cost of all trenching and backfilling.

**14:489 REGULATION FOR RESIDENTIAL TELEPHONE UNDERGROUND EXTENSIONS**

**A. Applicability.**

1. Extensions of telephone distribution lines installed after the effective date of this regulation, and necessary to furnish permanent telephone service to new residential buildings and mobile homes within an approved subdivision having three or more building lots, or to new multiple-occupancy buildings, shall be made underground, except for interconnecting points and pedestals. Such extensions of service shall be made by the utility in accordance with the provisions in this regulation. This regulation shall not apply to those lines on which construction is in progress at the time this regulation is adopted.

**B. Definitions.**

1. The following words and terms, when used in this regulation, shall have the meaning indicated:

"Applicant" means the developer, builder or owner applying for the construction of an underground telephone communication system in a subdivision.

"Board" means Department of Public Utilities, Board of Public Utility Commissioners.

"Utility" means a "telephone company" as defined in N.J.S.A. 48:2-13.

"Building" means a permanent structure enclosed within exterior walls, fire walls, built, erected and framed of component structural parts and designed for single-family or duplex-family occupancy.

Note: A duplex family building may consist of either a duplex apartment with rooms on two floors and a private inter-stairway, or a duplex house with two separate family units side by side.

"Mobile Home" means a dwelling unit constructed for permanent occupancy, which is designed for moving along roads and highways by towing with a truck or tractor and which is installed on a permanent foundation.

"Multiple-Occupancy Building" means a permanent structure enclosed or within exterior walls or fire walls, built, erected and framed of component structural parts and designed to contain three or more individual dwelling units and consisting of not more than four stories.

"Subdivision" means the tract of land which is divided into lots as approved by the appropriate authorities for the construction of new residential buildings or the placement of mobile homes, or the land on which new multiple-occupancy buildings are to be erected.

"Existing Street" means a paved public street, road or highway, traversing or located within the applicant's subdivision, that was in existence and utilized prior to the approval and establishment of the subdivision.

"New Street" means a public street, road or highway, traversing, or located within the applicant's subdivision, that was constructed subsequent to the approval and establishment of the subdivision.

"Extension" means an extension shall be construed to mean the extension of facilities located on streets, highways, and/or rights of way acquired by the utility for common distribution.

"Distribution Facilities" means those telephone wires or cables, and supporting structures, running along the public right of way, or in an easement, containing circuitry to provide telephone service to a particular geographical area and with fixtures to permit connection to service entrance facilities. These cables may sometimes feed other distribution facilities more distant from the central office.

**C. Rights of Way and Easements**

1. Within the applicant's subdivision the utility shall construct, own, operate, and maintain underground distribution lines only along public streets, roads, and highways which the utility has the legal right to occupy, and on public lands and private property across which rights of way and easements satisfactory to the utility both as to location and legal sufficiency are provided without cost to or condemnation by the utility.

2. Rights of way and easements suitable to the utility must be furnished by the applicant in sufficient time to permit the utility to meet service requirements and at no cost to the utility. The rights of way or easements so granted must be cleared of trees, tree stumps and other obstructions above or below grade at no charge to the utility to a width sufficient to permit the use of machinery and equipment, and must be graded to within 6 inches of final grade by the applicant before the utility will commence construction. Such clearance and grading must be maintained by the applicant during construction by the utility.

3. The applicant shall supply to the utility the preliminary or tentative subdivision map which has been submitted to and approved by the appropriate authorities,

showing the full layout of the subdivision to be developed in order to facilitate planning for the cables.

4. The applicant shall also supply the final subdivision map of the section of the subdivision which has received the final approval of the subject appropriate authorities and which said applicant proposes to develop in the immediate future.

5. The applicant in addition shall supply an estimate of the date on which telephone service will initially be required and the time schedule for the full development of the subject section.

#### D. Installation of Underground Communication System Within Subdivision.

1. Upon receipt of a proper application the utility shall, after conditions in Paragraph C-2 have been met and after coordination with other utilities, install an underground telephone communication system with suitable materials to assure that the applicant will receive safe, adequate and proper service.

2. Normally the underground telephone communication system will be installed without charge. However, it is recognized that the cost of such installations vary substantially among the various utilities and areas of the state, because of location, topography, soil conditions and also the economic and financial status of the utilities. Accordingly, every public utility furnishing telephone service to the public shall submit to the Board for its approval:

a. The amounts which the utility proposes to insert for the various items listed in Appendix B of this regulation.

b. A detailed calculation supporting the amounts which the public utility proposes to insert in said appendix. Appropriate consideration shall be given to the differential in maintenance cost and to the increased revenue factor.

3. Every such public utility shall, within 60 days after the first year of operation under this regulation, and within 60 days after each two years of the operation thereafter, submit to the Board detailed calculations, similar to those required by paragraph D2-b above, but reflecting the utility's experience with the regulation during such one or two years, as the case may be. If such calculations so warrant, the utility shall adjust the amounts set forth in the Appendix B, subject to the approval of the Board.

4. Contributions in the form of money or its equivalent toward the construction of telephone plant shall be credited to the accounts charged with the cost of such construction.

#### E. Connection to Existing System

1. The connections from the existing telephone distribution system to the underground system installed within the applicant's subdivision shall be made by an extension of existing facilities in the normal method of construction, along the established route which will serve the subdivision, except that the extension adjacent to the boundary line of the subdivision for a minimum distance of 200 feet, shall be made underground, at the utility's expense unless such extension is on an existing street along which overhead facilities are installed.

#### F. Advances by Applicant

1. Prior to the start of construction on a section of the subdivision which has received the final approval of the appropriate authorities, the utility may require from the applicant a deposit equivalent to not more than twice the amount of the charges payable to the utility in accordance with the approved Appendix B, for the installation of the entire communication facilities shown on the final subdivision map supplied to the utility by the applicant under the provisions of Section C-4, of the regulation.

2. Deposits will not carry interest.

3. If the amount of the deposit is in excess of the charges under this regulation as listed in approved Appendix B, then the excess amount shall be returned quarterly to the applicant, on a proportional basis as applications for customer service are received.

4. Any portion of a deposit remaining unrefunded 10 years from the date the utility is first ready to render service from the extension will be retained by the utility and credited to an appropriate account.

#### G. Cooperation by Applicant

1. The charges specified in this regulation are based on the premise that each applicant shall agree to cooperate with the utility in accordance with Section 2 in an effort to keep the cost of construction and installation of the underground telephone communication system as low as possible. This includes the scheduling of construction to preclude the necessity for trenching in frozen soils, or in land fill operations before soils have become stabilized.

2. Should unusual circumstances arise which would require that work be scheduled during periods of adverse weather conditions or other situations which makes it impractical or undesirable to bury telephone wires, temporary wires may be installed in whatever manner is most practical under the circumstances, provided, however, that such temporary wires shall be replaced as soon as practicable with a permanent installation in accordance with the provisions of this regulation.

3. Bequests for adjustment of charges specified in approved Appendix B, to cover excess cost, if any, due to temporary installations, may be referred to the Board in accordance with Section J, Special Conditions.

#### H. Construction

Where practicable, as determined by the affected utilities, electric cables, communication cables, and also gas pipes to the extent permitted by N.J.S.A. 48:7-2, and N.J.S.A. 48:9-21, shall be installed in the same trench, care being taken to conform to any applicable Codes and regulations.

#### I. Records

Each telephone utility shall maintain on a calendar year basis for periodic review by, or upon request, submission to the Board the following records:

a. The amount of trench which it has shared with electric cables and/or gas pipes. The record shall also show the contributions per foot by it and by the collaborating electric and/or gas companies for joint use of trench. Should joint trenching be accomplished through a "trench sharing agreement" each utility shall maintain a record of the amount and the value per foot of the trenching provided by it and also the amount and the value per foot of the trenching provided by the collaborating electric and/or gas companies.

b. The number of subdivisions, the number of lots and the number of buildings of all types, including mobile home, for which service was made available under this regulation.

#### J. Special Conditions

When the application of this regulation appears impracticable or unjust to either party, or discriminatory to other customers, the utility or applicant shall refer the matter to the Board for special ruling or for approval of special conditions which may be mutually agreed upon, prior to commencing construction.

#### K. Prior Regulations

1. Except as otherwise provided herein, rules, regulations and standards heretofore promulgated with respect to the subject matter encompassed by this regulation are hereby superseded and revoked.

#### L. Compliance

This regulation, having been enacted in the public interest, calls for cooperation by utilities, developers, builders and municipal bodies to achieve the desired underground telephone service in new residential subdivisions at the lowest reasonable cost consistent with system reliability and safety. Therefore, in accordance with N.J.S.A. 48:2-13, which grants general supervision and regulation of, and jurisdiction and control over, all public utilities to the Board, requirements in conflict with this regulation should not be imposed through municipal ordinances or regulations which would prevent or interfere with telephone utilities' compliance with this regulation.

#### APPENDIX B — REGULATION FOR RESIDENTIAL TELEPHONE UNDERGROUND EXTENSIONS

##### A. Charges

Item	Unit	Charge
1. Rock Excavation	Cubic Yard	
2. Excess Wire*	Pair	
3. Other (Specify)		

\*Excess wire is considered to be the number of pairs in excess of two per family unit.

An order adopting these rules was filed October 19, 1971, as R.1971 d.183 to be effective on and after December 31, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Proposed Rule On Payment For Transcripts of Proceedings

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-12 and 48:2-32, proposes to adopt a new rule concerning the payment for transcripts of its proceedings. Purpose of the rule is to impose the expense of the transcript upon the person seeking affirmative relief. The proposed rule is intended to take effect on December 1, 1971.

Text of the proposed rule follows:

14:6-20 In addition to the requirements set forth in Rule 14:6-1 to 14:6-19, every petitioner seeking affirmative relief where a hearing is held shall furnish the Board with a copy of the transcript required by Board Rule 14:10-10 at the petitioner's cost and expense within 14 days of the date of the hearing unless a different period is ordered by the hearing officer.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971, to:

Department of Public Utilities  
101 Commerce Street  
Newark, New Jersey 07102

The Board of Public Utility Commissioners, upon its own motion or at the instance of any interested party, may thereafter adopt the rule substantially as proposed without further notice.

William E. Ozzard  
President  
Board of Public Utility Commissioners  
Department of Public Utilities

(b)

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Amendments to Uniform System of Accounts For Class A and B Gas and Electric Utilities

On October 4, 1971, the Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-16 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to the uniform system of accounts for Class A and B Gas and Electric Utilities, as proposed in the Notice published July 9, 1970, at 2 N.J.R. 57(a).

An order adopting these amendments was filed October 5, 1971, as R.1971 d.176.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## STATE

### DIVISION OF ADMINISTRATIVE PROCEDURE

#### Revision on Elapsed Time Between Proposal and Adoption of a Rule

On September 30, 1971, Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State, pursuant to authority of N.J.S.A. 52:14B-7(g) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revision to N.J.A.C. 15:15-4.11 (Time of Filing) concerning the allowable length of time between the publication of a proposed rule or rule change in the New Jersey Register and the adoption thereof, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 181(c).

An order adopting this revision was filed and effective September 30, 1971, as R.1971 d.169.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## STATE

### STATE ATHLETIC COMMISSION

#### Reservation of Dates for Boxing Matches

On September 30, 1971, Morris Mogelever, Deputy State Athletic Commissioner of the State Athletic Commission in the Department of State, pursuant to authority of N.J.S.A. 5:2-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the rule on reservation of dates for boxing matches, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 182(b).

An order adopting the rule was filed and effective September 30, 1971, as R.1971 d.170.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## STATE

### STATE ATHLETIC COMMISSION

#### Revisions in Scoring Boxing Rounds

On September 30, 1971, Morris Mogelev, Deputy State Athletic Commissioner of the State Athletic Commission in the Department of State, pursuant to authority of N.J.S.A. 5:2-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions concerning scoring boxing rounds, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 182(a).

An order adopting these revisions was filed and effective September 30, 1971, as R.1971 d.171.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## STATE

### STATE ATHLETIC COMMISSION

#### Deletion of Rule Concerning Duration Of Rounds, Controls and Licenses

On September 30, 1971, Morris Mogelev, Deputy State Athletic Commissioner of the State Athletic Commission in the Department of State, pursuant to authority of N.J.S.A. 5:2-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, deleted the rule concerning duration of rounds, controls and licenses, as proposed in the Notice published September 9, 1971, at 3 N.J.R. 182(c).

An order deleting this rule was filed and effective September 30, 1971, as R.1971 d.172.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION

### DIVISION OF RIGHT OF WAY

#### Proposed Revision of Rules Concerning Right of Way

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 20:1-1 through 20:1-33, 27:7-22, 27:7-44.6, 27:7-58 through 27:7-71 and 27:12-1, proposes to revise certain sections of Chapters 5, 6 and 7 of Title 16 of the New Jersey Administrative Code. The proposed revisions are deemed necessary in order to clarify rules previously published and also to more accurately describe the governance of the Department's internal organization.

The proposed revisions are as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

#### SUBTITLE B. [DIVISION OF] RIGHT OF WAY

##### 16:5-1.2 Approval of Right of Way Maps

All Right of Way maps used for acquisition purposes are first approved by formal resolution of the Commissioner and, where applicable, by the [Federal Bureau of Roads.] **Federal Highway Administration.**

##### 16:5-2.5 Full Price Offer

(c) Waivers in any special and rare instances where it is in the public interest to deviate from this policy require prior written approval of the Right of Way Director and/or [as applicable, of the Federal Bureau of Roads.] the **Federal Highway Administration, as applicable.**

##### 16:6-1.1 Services Provided

4. Payment of replacement housing [supplements] **additives (when applicable).**

16:6-1.2 (b) To assure that the public has adequate advance general knowledge of the relocation program, the Transportation Department [through its Planning and Design Divisions, whichever is applicable], shall arrange for **Division of Right of Way representatives to discuss the relocation procedures and benefits at all public hearings.**

##### 16:6-2.2 Definition

The following words and terms, when used in this Subchapter shall have the following meanings, unless the context clearly indicates otherwise.

"Moving Expense"—[means] **The cost of transporting personal property, including the cost of dismantling, disconnecting, crating, loading, insuring, [Transportation,] unloading and reinstalling [of] personal property.**

##### 16:7-1.1 Buildings

(a) As soon as buildings come into the legal possession of the State, the [Property Bureau] **Bureau of Property & Relocation** shall determine if the buildings are to be sold, time permitting. All saleable buildings shall be advertised for sale at the earliest possible date.

(c) Public notice shall clearly and adequately identify the building or buildings for sale by individual item and list all terms and conditions of the sale or auction, where and how interested persons may apply for permission to inspect the building or buildings, and the place and time of the auction. Such **public notices shall include legal notice by publication in a newspaper of general circulation in the County where the building to be sold is located.**

##### 16:7-1.2 Excess Lands

Land declared excess by formal resolution of the Commissioner on the recommendation of the [Director of Design, Planning and Maintenance Divisions] **Director of Transportation Planning and Research, Chief Engineer, Design and the Chief Engineer, Construction and Maintenance** may also be sold at public sale. Public Notices for land sales shall be the same as for buildings except the sale sign shall be placed on the land.

##### 16:7-1.3 Public Auctions

(c) Auctions are open to the public as well as to any interested departmental observers. Official observers may include representatives of the [Bureau of Public Information and the Office of Investigations and Security.] **Office of Information Services.** [Both of these offices] **The Office of Information Services** shall be notified at least 24 hours in advance of the auction.

(d) The auction registrar shall promulgate a record of all persons admitted to the auction. He shall furnish each possible bidder with a copy of the public advertisement and of any special supplements and by the attendee's signature an acknowledgement shall be made of the receipt of such notices, specifications and procedures.

##### 16:7-2.2 Rental Application and Rate

(d) If the property is to be rented to other [s] than occupants displaced by the **acquisition of Right of Way,**

the rental rate shall be established by means of competitive public auction bidding [.] , subject to the acceptance and approval of the Commissioner of Transportation.

(e) Such rental proceedings shall conform to the applicable provisions of the New Jersey Statutes Annotated governing rental of lands or structures acquired by the Commissioner of Transportation for highway purposes.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 26, 1971, to:

James V. Hyde  
Director of Right of Way  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

The Department of Transportation, upon its own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

John C. Kohl  
Commissioner  
Department of Transportation

(a)

## TREASURY

### STATE TREASURER

#### Proposed Rule On Investment of Proceeds Of Bonds for School Building Construction

Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 18A:58-33.4 et seq., proposes to adopt a rule concerning the investment of proceeds of sale of bonds or notes to be issued for school building construction.

Text of the proposed rule follows:

The chief financial officer of any school district or municipality receiving aid pursuant to this law shall submit an investment plan to the State Treasurer designating the manner in which the proceeds from the sale of bonds or notes issued under this statute are to be invested or deposited, subject to the following conditions:

A. Proceeds may be invested in any securities authorized under the provisions of N.J.S.A. 40:3-7.1(a) or 40:5-7.1 (b), but shall not be invested in bonds or other obligations of a county, municipality or school district.

B. Cash may be deposited in the legal depository designated in accordance with the provisions of N.J.S.A. 40A:5-14.

The State Treasurer may either approve the plan as submitted, or return it for modification.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1971, to:

Norman E. Hardy  
Deputy State Treasurer  
Department of the Treasury  
State House  
Trenton, New Jersey 08625

The Department of the Treasury, upon its own motion or at the instance of any interested party, may thereafter adopt the rule substantially as proposed without further notice.

Norman E. Hardy  
Deputy State Treasurer  
Department of the Treasury

(b)

## TREASURY

### DIVISION OF TAXATION

#### Proposed Revisions in Sales Tax on Motor Vehicles Used by Automobile Dealers for Business Promotion

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:32B-24, proposes to delete in their entirety subsections (b), (c), (d) and (e) of N.J.A.C. 18:24-7.14 (Taxability of motor vehicles used by automobile dealers for demonstration and other company purposes; computation) and adopt in place thereof new subsections (b), (c) and (d) as outlined below.

Text of the proposed new subsections follows in full:

(b) Retail dealers of motor vehicles who withdraw such vehicles from inventory or stock but do not in fact use such vehicles in the promotion of business (as defined at paragraph 3 hereof) prior to the sale thereof, shall be required to pay a compensating use tax on such uses. Said tax shall be imposed upon the dealers' net invoice price, or, if there is a vehicle returned to inventory or stock in exchange therefor, on the dealers' net invoice price less the fair market value of the exchanged vehicle.

(c) There shall be no compensating use tax imposed on the use of motor vehicles by retail dealers who withdraw such vehicles from inventory or stock prior to the sale thereof when such vehicles are available for and are in fact used for the promotion of the business of the dealership. "Available for use in the promotion of the business of the dealership" means that the vehicle is present at the dealership during a substantial portion of the hours of normal business operation of the dealership. "In fact used" means that the vehicle must not only be available but also must actually be used by the dealership in the promotion of its business. "Promotion of business" means any and all efforts directed toward effecting the sale at retail of motor vehicles.

(d) In order to be entitled to the exemption provided at paragraph 3 above, a dealer shall file together with his quarterly return, a certification wherein the dealer certifies the usage of all company owned motor vehicles withdrawn from inventory or stock, which certification shall be on a form prescribed by the Director of the Division of Taxation.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, on or before November 25, 1971, to:

Jay G. Destribats  
Chief, Legal Section  
Division of Taxation Building  
State and Willow Streets  
Trenton, New Jersey 08625  
Telephone: (609) 292-5995

The Department of the Treasury, upon its own motion or at the instance of any interested party, may thereafter adopt the revisions substantially as proposed without further notice.

Sidney Glaser  
Director  
Division of Taxation  
Department of the Treasury

(a)

## TREASURY

### STATE TREASURER

#### Regulations on Authorization Of Bonds or Notes Issued For County College Capital Projects

On October 1, 1971, Joseph M. McCrane Jr., State Treasurer, and Ralph A. Dungan, Chancellor of Higher Education, pursuant to the requirements of Chapter 12, P.L. 1971 and under the authority of N.J.S.A. 18A:3-21(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted regulations concerning the authorization of bonds or notes to be issued for county college capital projects, substantially as proposed in the Notice published September 9, 1971, at 3 N.J.R. 183(d) but with subsequent, substantive changes not detrimental to the public, according to the Department of the Treasury.

Complete text of the adopted regulations follows:

The following regulations and procedures are hereby established, pursuant to authority of N.J.S.A. 18A:3-21e, for carrying out the provisions of Chapter 12, P.L. 1971 (N.J.S.A. 18A:64A-22.1 to 18A:64A-22.8, inclusive):

1. The Board of Trustees of the County Community College shall submit a request for capital project funding to the State Board of Higher Education as prescribed in the "Facilities Standards and Planning Manual for New Jersey Community Colleges" (Department of Higher Education, Revised September 1, 1970), and in accordance with N.J.S.A. 18A:64A-22.

2. The Board of Higher Education shall review the request and make a determination as required. The Chancellor shall then prepare a certificate, using a form to be prescribed and distribute it as follows:

.Original—State Treasurer

.Copy—Director of the County Board of  
Chosen Freeholders

.Copy—President of the County Community College

3. The Director of the Board of Chosen Freeholders of the county affected, upon receipt of its copy of the Chancellor's certification, shall complete the acknowledgement portion of the certification form and forward the form to the State Treasurer.

4. The State Treasurer, upon receipt of the certification and acknowledgement, shall examine the certification and after determining the necessity or advisability of making available the additional State support shall certify, in the prescribed form, the amount of bonds entitled to the benefits of the Act. Distribution of the State Treasurer's certification is:

.Original—Board of Chosen Freeholders

.Copy—Chancellor of Higher Education

.Copy—Director of the Division of Local Finance

.Copy—County Community College President

5. The Director of the County Board of Freeholders, upon adoption by the Board of a bond resolution, and not less than 15 days prior to the sale of the bonds, shall forward to the State Treasurer the maturity schedule proposed for repayment of such bonds, in a form prescribed under these regulations. Such action shall be taken within one year following the date of the certification by the State Treasurer to the Board of Chosen Freeholders, as provided in 4. above. If the said action is not taken within that one year period, the certification shall automatically lapse.

6. The State Treasurer, after reviewing the proposed

maturity schedule and upon approval of the schedule shall notify the County Treasurer of such approval, after which the bonds may be sold. The State Treasurer's approval shall be conditioned upon the acceptance by the County of the regulations prescribed below for the investment or deposit of the proceeds of any bonds or notes sold under this authorization.

7. The County Treasurer, within 10 days after the issuance of any bonds or notes issued under these regulations, shall certify to the State Treasurer the exact amounts payable for interest and principal on such bonds or notes and the dates on which such amounts are payable by the county.

8. The County Treasurer shall submit an investment plan to the State Treasurer designating the manner in which the proceeds from the sale of bonds or notes issued under these regulations are to be invested or deposited, subject to the following conditions:

A. Proceeds may be invested in any securities authorized under the provisions of N.J.S.A. 40:3-7.1(a) or 40:5-7.1(b), but shall not be invested in bonds or other obligations of a county, municipality or school district.

B. Cash may be deposited in the legal depository designated by the Board of Chosen Freeholders in accordance with the provisions of N.J.S.A. 40:5-14.

9. The State Treasurer may either approve the plan as submitted, or return it for modification.

10. The County Treasurer shall on January 10 following each year in which the county has received earnings from the investment or deposit of the proceeds from the sale of any such bonds or notes certify and pay to the State Treasurer the amount of such earnings.

An order adopting these regulations was filed and effective October 1, 1971, as R.1971 d.175A.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### STATE LOTTERY COMMISSION

#### New Rules of Lottery Commission

On October 15, 1971, the New Jersey State Lottery Commission, pursuant to authority of N.J.S.A. 5:9-7 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new rules concerning the sale of lottery tickets at specific locations licensed, tickets stolen from an agent or lottery bank, payment of prizes upon death of a prize winner and transfer of lottery license, substantially as proposed in the Notice published September 9, 1971, at 3 N.J.R. 184(a), but with subsequent, substantive changes not detrimental to the public, according to the Department of the Treasury.

Complete text of the adopted rules follows:

#### N.J.A.C. 17:5-5.11 — SALE OF LOTTERY TICKETS AT SPECIFIC LOCATIONS LICENSED

The sale of lottery tickets shall be made only pursuant to a lottery agent's license at a specific location named therein. No other sales shall be permitted.

#### N.J.A.C. 17:5-10.5 — TICKETS STOLEN FROM AGENT OR LOTTERY BANK

Whenever tickets are stolen from an agent or lottery

# STATE NEWS OF PUBLIC INTEREST

bank or while in transit to, from or between the State Lottery and the said agents or banks, the Lottery Commission may in its sole and absolute discretion, unless otherwise delegated to the Executive Director, upon good cause shown provide for reimbursement to the party responsible for the tickets when stolen.

When reimbursement occurs, the tickets stolen shall be removed from the pool in question and shall not under any circumstances be entitled to any prize. The party responsible for the tickets must be able to provide the Lottery Commission with a series and serial number of the tickets stolen. When the party responsible for the tickets stolen is reimbursed for said tickets, he must in all instances agree to hold the Lottery Commission harmless, and provide the Director such information as deemed necessary to appropriately process said claim.

## N.J.A.C. 17:6-5.2—PAYMENT OF PRIZES UPON DEATH OF PRIZE WINNER

Upon the death of a prize winner, all monies or any portion thereof that remain payable to his or her estate shall be paid either to an executor (executrix) or administrator (administratrix) of the decedent's estate, in accordance with the provisions of N.J.S.A. 54:35-19. Said moneys may be transferred either by interstate succession or by testamentary disposition. Upon payment to the estate the Lottery Commission shall be absolved of any further liability or payment of prizes. Under no circumstances will the payment of prize money be accelerated beyond its normal date of payments upon the happening of the death of the prize winner.

## N.J.A.C. 17:5-5.10 — TRANSFER OF LOTTERY LICENSE

A lottery license issued pursuant to these regulations shall not be transferable. If the business or location to which a license is issued or the ownership thereof substantially changes, the Lottery Commission reserves the right to terminate the lottery license. The Lottery Commission must be notified in writing at least 20 days prior to any proposed transfer of any licensed business or the ownership thereof.

An order adopting these rules was filed and effective October 19, 1971, as R.1971 d.182.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### DIVISION OF PENSIONS

#### Revisions to Rules of State Health Benefits Commission

On October 1, 1971, William J. Joseph, Secretary of the State Health Benefits Commission, pursuant to authority of N.J.S.A. 52:14-17.27 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules of the State Health Benefits Commission (N.J.A.C. 17:9-42 Local; Multiple Coverage Refunds), as proposed in the Notice published July 8, 1971, at 3 N.J.R. 138(a).

An order adopting these revisions was filed and effective October 5, 1971, as R.1971 d.177.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

## EXPANSION OF MARINE TERMINALS ANNOUNCED BY CAHILL, PORT AUTHORITY

An agreement between the Port Authority and the Central Railroad of New Jersey for a major expansion of the Port Authority's Marine Terminal in Elizabeth was recently announced by Gov. William T. Cahill.

The comprehensive agreement, to run for an initial period of 35 years, would provide the Jersey Central with substantial new revenues and would bring Elizabeth tax revenues which could grow to more than a half-million dollars a year.

The marine terminal project would provide expanded rail service for port users, additional cargo buildings and open storage areas, and an improved southern exit roadway from both Port Newark and the Elizabeth Marine Terminals at an estimated cost of \$20 million, the Governor said.

The Jersey Central is in reorganization under the jurisdiction of the Federal District Court and must have court approval for the agreement to become effective.

Development of the Elizabeth Marine Terminal and adjacent Port Newark by the Port Authority has been carried out to insure that facilities would be available to handle the wide variety of products handled by New Jersey industries. These industries produce products for worldwide markets which rank the state eighth among the States in dollar value of exports.

The local economic impact of these two marine terminals is significant. About 300,000 workers, or 37 per cent of all manufacturing employees in New Jersey, produce export products moving through these facilities. Over 7,200 workers earning \$57 million a year handle and process the goods at the seaports. An additional 800 are working on construction of the additional facilities needed to meet increased port operations.

## DON'T PUT ON THOSE STUDDED TIRES UNTIL NOV. 15, WARNS DIRECTOR

Motor Vehicle Director Ray J. Marini has reminded motorists that studded tires are not permitted on New Jersey roads until Nov. 15.

In the past, studded tires could be used Oct. 15 until April 15. The new regulation allows them only until April 1.

"This winter, we are cutting out six weeks of studded tire use, as a result of studies which indicate they cause increased road wear damage," Marini said.

It is estimated that studded tires double the expense of state highway maintenance, adding more than \$2 million to the cost of annual highway repairs.

"By eliminating 25 per cent of the time studded tires are in use, we will reduce road wear by more than 25 per cent," Marini explained.

"In the meantime, we are continuing to study the effect of studded tires with an eye toward over-all safety and accelerated road deterioration," he added.

## RECEIVE \$1 MILLION FEDERAL FUNDS TO STAFF STATE'S DRUG ABUSE AGENCY

Dr. James R. Cowan, Commissioner of Health, said he had been informed by U.S. Sen. Clifford Case that the state Department of Health has been awarded a staffing grant of \$1,100,000 as the first step in an eight-year program to help fund operations of the New Jersey Regional Drug Abuse Agency.

The grant was made by the National Institute of Mental Health in the U.S. Department of Health, Education, and Welfare.

The Regional Drug Abuse Agency, a non-profit corporation, operates a residential treatment center of 150 beds at Liberty Park, Jersey City, in addition to 30 infirmary and detoxification beds. The agency also operates outreach centers in Newark, Jersey City and Hoboken and provides preventive education programs in the Essex-Hudson Counties target area.

The Regional Drug Abuse Agency had previously received financial assistance from the Office of Economic Opportunity as well as the state Department of Health. The newly-announced grant will be administered by the department's Division of Narcotic and Drug Abuse Control.

## BUILDING OF MULTI-FAMILY UNITS UP SHARPLY AFTER SEVEN-YEAR LAG

For the first time since 1963, New Jersey last year recorded a major increase in the construction of new multi-family dwelling units, according to a report by the state Department of Community Affairs.

The report notes that rents for the new three or more family units rose to a statewide average of \$211 a month, a 10 per cent increase over 1969.

The publication, "New Multi-Family Dwellings in New Jersey — 1970," shows that 13,537 new multiple dwelling units were constructed during the calendar year, a 71 per cent increase over 1969, with 7,932 new units.

Except for 1967, when a slight two per cent rise was recorded, construction of multi-family dwelling units has declined every year since 1963, which saw a peak production of 25,000 units. In 1969 new construction declined 23 per cent from 1968.

Camden County, quadrupling its 1969 figure, recorded 2,975 new multiple dwelling units in 1970 to lead the state. Burlington County was second at 2,304 units. Bergen, Monmouth, Atlantic and Middlesex Counties all reported over 1,000 new units. In all, 15 of the state's 21 counties reported increases in new construction.

Of the six showing decreases, only Ocean County, down 60 per cent, and the 1969 leader, Gloucester County, down 80 per cent, showed significant declines. The other counties reporting decreases in multiple dwelling unit construction were Cape May (89 to 88), Cumberland (235 to 226), Hunterdon (68 to 46), and Mercer (543 to 328).

The average size of apartments, according to the report, increased slightly during 1970. Builders favored three- to four-rooms as they have in past years, but construction of five- and six-room apartments showed a considerable increase.

A total of 95 municipalities reported 163 new construction projects during 1970. The 1969 report listed 78 municipalities and 317 new construction projects.

The annual publication covers volume, cost, size and other data by county and municipality on new private rental apartments, excluding public housing, cooperatives and hostels. It is available free of charge from the Department's Bureau of Housing Services, P.O. Box 2768, Trenton, N.J. 08625.

## NEW PROGRAM EXTENDS MEDICAID BENEFITS TO INSTITUTION PATIENTS

Gov. William T. Cahill last month announced a new program which extends Medicaid benefits to residents of additional state institutions, but which will save the state from \$4.5 to \$7.5 million a year.

Cahill pointed out that in the past the state has paid the full cost of approximately \$9 to \$15 million for medical-surgical services. "Now, under a recently-approved program, the Federal government will share 50 per cent of the costs to provide Medicaid benefits to those in our state institutions," he said.

"Included in this extended coverage are approximately 14,000 residents of state schools for the retarded and psychiatric hospitals. Medicaid will pay the costs of medical-surgical services not only in institutions but for private care in the community when needed."

In addition, counties will not have to pay maintenance charges during the time one of their residents is in a hospital or nursing home, he said.

To determine the eligibility of institutional residents, the state applied the same criteria used under the State Plan for Medical Assistance.

This provides that those eligible include: children under 21 supervised by the Bureau of Children Services; adults between 21 and 64 who would be eligible for Disability Assistance; and those over 65 eligible for Old Age Assistance or Medicaid Assistance to the Aged.

## SUGGESTION WINNER AWARDED \$1,200 FOR IMPROVED FORM IDEA

James A. Auway, President of the Department of Civil Service, announced that the latest 10 award winners in the New Jersey State Employees' Suggestion Awards Program received a total of \$1,528 in awards, with annual savings to the state government of \$15,280.

At the top of the list, representing the Department of Treasury, was Christian G. Wieger, an assistant chief examiner, of Trenton, who received an award of \$1,200 for his suggestion that a form be amended which would lead to the elimination of the need for correspondence and personal visits.

From the Department of Law and Public Safety was Joseph A. D'Errico, a motor vehicle examiner, of Robbinsville, who received \$63 for suggesting that reports be done on a monthly basis rather than more frequently as in the past.

Also from Law and Public Safety were Lawrence J. Novellino, a motor vehicle examiner, of Old Bridge, who received \$50 for his suggestion that the Bell Telephone Selective Calling System be installed in all inspection stations; Peter E. Wolf, a motor vehicle officer, of Trenton, \$50 for the suggestion that a motor vehicle's mileage be listed on the Certificate of Ownership when it is purchased or traded; Roland A. Williams, supervisor, of Cape May Court House, \$35; and Mrs. Mary Tron, senior clerk stenographer, of Trenton, who received an award of \$20.

Representing Labor and Industry was James M. Peters, an assistant chief rehabilitation services, Willingboro, who received \$50 for a procedure to simplify the processing of checks to students and colleges.

Mrs. Nancy C. Sciortino, an illustrator in the Department of Civil Service, Burlington, received awards of \$20 and \$15 for two ideas dealing with the drawing of maps.

Two suggesters represented the Department of Health. Mrs. Mary M. Spanicciati, a principal clerk typist, of Trenton, won \$15 and Mrs. Barbara G. Burns, a senior variety operator, Trenton, \$10.

## STATE BEGINS FIRST MODULAR PUBLIC HOUSING IN JERSEY CITY

Gov. William T. Cahill recently announced that the State has approved a \$17.2 million mortgage loan to finance construction of the first major modular public housing project in the northeast.

The project, to be located near Journal Square in Jersey City, is part of the Federal program "Operation Break-through", in which entire rooms and dwelling units are built in factories, transported to the site and installed on foundations.

The mortgage loan is being provided by the New Jersey Housing Finance Agency and represents the largest single loan made by the agency since its creation four years ago.

Cahill, after inspecting the site, said:

"This signals another advance in 20th century housing. Science and technology have joined with government to break through traditional housing concepts in an effort to solve the housing crisis of our state and nation."

He noted that the project "contains many significant features that could change our outlook on factory-built housing."

Among its major features are the use of three different systems of modular housing for an 18-story high rise, a 15-story high rise, two units of six stories, and three-story townhouses ranging from efficiencies to four-bedroom apartments.

The project will also include a self-contained power plant generating 3,000 kilowatts of energy an hour to supply heating, electricity and air conditioning for the estimated 1,300 tenants, and a pneumatic garbage disposal system operating on suction and vacuum.

The Governor said that New Jersey is currently in need of 100,000 housing units a year and that modular unit construction such as this could save eight months to a year in construction time. Producers estimate that the first modular units will be completed in 13 months.

The project will include Federal rent interest subsidy and will contain a modern kindergarten through third grade school for up to 250 pupils, a "Day Care 100" center funded by the Department of Community Affairs, and commercial space.

The site for the project was made available by the Jersey City Redevelopment Authority on cleared urban renewal land and a tax abatement program has been approved by Jersey City.

## STATE HIGHWAY CONSTRUCTION TO RISE TO \$800 MILLION BY END OF YEAR

On the occasion of National Highway Week during mid-September, Transportation Commissioner John C. Kohl reported that there are under way in New Jersey 146 highway construction projects with a total contract value of \$645 million.

He estimated that by the end of this year more than \$800 million in highway projects will be in progress.

Commissioner Kohl said this work reflects the objective of his Department to make the fullest and most effective use of funds from the 1968 transportation bond issue as well as Federal aid for both the interstate and primary road systems.

He noted that of the total of 414.5 miles in New Jersey's Interstate System, 213 miles are open to traffic, 84.8 miles are under construction and 93.8 miles are in the preliminary study stage.

A significant opening expected about the end of this year—the seven-tenths of a mile on Interstate Route 80 around Garret Mountain Reservation in Paterson—will permit uninterrupted travel from the George Washington Bridge west to Parsippany-Troy Hills Township in Morris County. This is a distance of 25.8 miles, utilizing 4.2 miles of Interstate Route 95 which crosses the bridge from New York and connects with I-80 in Teaneck Township, Bergen County, thus completing the so-called Bergen-Passaic Expressway.

An additional seven miles of the Interstate system will be placed under contract shortly for work on I-80 in Warren County and I-287 in Morris County, with all of I-80 to be open to traffic by late 1973.

In Central New Jersey, 12.6 miles of Interstate Route 195—the Trenton to the Shore Expressway—will be opened early next year.

On the primary highway system many important projects are in progress, he said. In Sussex and Morris Counties, a demolition contract is preparing the way for construction of the Route 15 Freeway, which may commence this year.

Along the Jersey Shore, three multi-million dollar construction projects are already under way. One is a new Route 13 bridge over the Point Pleasant Canal in Ocean County, another the twin span to the Route 37 bridge over Barnegat Bay in Ocean County, and the third a new Route 87 bridge over Absecon Inlet in Atlantic County.

And in South Jersey, two construction projects under way totaling \$13 million will extend Route 55 Freeway around Vineland and Millville in Cumberland County.

## KRAMER APPOINTED TO TOP POST IN COMMUNITY AFFAIRS DEPARTMENT

Lawrence F. (Pat) Kramer, former Mayor of Paterson, was named Acting Commissioner of the state Department of Community Affairs, effective Oct. 15, 1971, by Gov. William T. Cahill.

Kramer has been working the past month with Commissioner Edmund T. Hume, who earlier had announced his resignation as of Oct. 15. Cahill said that he will submit Kramer's nomination as Commissioner of the Department to the State Senate for confirmation when it returns to Trenton this month.

Cahill said that Kramer "has demonstrated, as a young mayor, enthusiasm and dynamic activity in helping to bring about the rebirth of Paterson" and that he was sure this would be an asset in his new role as head of the Department of Community Affairs.

Kramer was elected Mayor of Paterson in 1966 at age 33, breaking a long line of Democratic mayors in that city, and was reelected in 1969. Prior to that time he had been associated with his family in the operation of the Lawrence F. Kramer Brick Company.

During his administration, he was active in the New Jersey Conference of Mayors, serving as president in 1970. In 1969 he was appointed by President Richard M. Nixon to the Advisory Council on Intergovernmental Relations, one of four mayors in the United States to be so honored.

Kramer was educated in the Paterson schools, graduating from Central High School in 1952, and in 1956 he received a degree in business administration from Clemson University.

He is married to the former MaryEllen Forbes of Paterson, and the couple has three children—Kim Kramer, Lawrence (Kip) Kramer and Kelly Kramer.

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## NORCROSS NAMED TO CAHILL STAFF AS ASSISTANT COUNSEL

David F. Norcross of 409 Kenwood Drive, Moorestown, was recently named as Assistant Counsel to the Governor, it was announced by Gov. William T. Cahill.

Norcross replaced James J. Petrella, who recently was named Associate Counsel to the Governor following the resignation of John L. Kraft.

Norcross, 34, was a member of the Archer, Greiner, Hunter & Read law firm in Camden. He served in the U. S. Army from 1962 to 1964 as a Captain in the Judge Advocate General's Corps and with the Imperial Ethiopian Air Force in Asmara, Ethiopia in 1964.

He is a graduate of the University of Pennsylvania Law School, University of Delaware and Moorestown High School.

## MRS. MCKINLAY, BUREAU HEAD AT STATE LIBRARY, RETIRES

Mrs. Janet Z. McKinlay, head of the State Library's Bureau of Public and School Library Services, retired Oct. 1 after a career of 39 years in library work.

Mrs. McKinlay joined the staff of the State Library in 1948 as its first supervisor of public library service following the reorganization of 1945 which joined the former Public Library Commission with the State Library and placed it in the Department of Education. She was appointed head of the Public and School Library Services Bureau in 1952.

Mrs. McKinlay received a citation and honorary membership in the New Jersey Library Association last May. The widow of Duncan E. McKinlay, she resides in Sylvan Glen, Bordentown.

## MICHNIEWSKI APPOINTED BUREAU HEAD AT STATE LIBRARY

Appointment of Henry J. Michniewski as head of the Library Development Bureau of the State Library in the Department of Education was announced by Roger H. McDonough, state librarian.

Michniewski succeeds Mrs. Janet Z. McKinlay, who retired Oct. 1 as head of the Public and School Library Services Bureau. The bureau has been renamed to reflect more accurately its increasing responsibilities for all types of libraries, including the development of cooperative arrangements among school, academic, institutional and other special libraries.

Michniewski joined the library staff in 1962 as a public libraries consultant and in 1965 became head of the Library Services and Construction Act Section. In 1969, he was appointed coordinator of library planning and development and among other duties coordinated the State Library's budgets for all state and federal funds.

He is a graduate of New Haven Teachers College and Rutgers Graduate School of Library Service. The Michniewskis and their two children live in Ewing Township.

## NEW JERSEY NET FARM INCOME DROPPED 14 PER CENT IN 1970

Net farm income in New Jersey totaled \$57.3 million during 1970, 14 per cent less than in 1969 and the lowest in six years, according to the New Jersey Crop Reporting Service. The decrease was due entirely to higher costs of farm production, since total gross farm income rose slightly.

Realized net farm income (unadjusted for changes in farm inventories) decreased from \$68 million in 1969 to \$60.9 million in 1970. Farm inventories decreased \$3.7 million.

Total gross farm income at \$289 million was up \$1.6 million, mainly from the increased rental value of farm dwellings. Cash receipts from the sale of livestock and livestock products were down from 1969 but were more than offset by increased receipts from crops.

Total production expenses increased from \$219.3 million in 1969 to \$228.1 million in 1970. Taxes, higher labor costs, depreciation and capital consumption were significant factors in the increase in farm expenses.

Net income per New Jersey farm averaged \$6,462 in 1970, off sharply from the \$7,672 of the year before. The 1970 average farm net income nationally was \$5,392, and figures for nearby states were: Pennsylvania, \$4,703; New York, \$6,114; Delaware, \$12,369; and Maryland, \$7,024.

## FHA INVESTED \$18 MILLION THROUGHOUT STATE LAST YEAR

The Farmers Home Administration invested \$18 million in rural New Jersey last year and this cannot help but bring about change, Chester J. Tyson Jr., state director of the agency, declared recently.

New Jersey has seen tremendous changes in its rural situation in the last 30 years, and the program of the Farmers Home Administration has adjusted accordingly, he said.

Loans and grants from the Farmers Home Administration last year enabled several rural communities to install sewage systems, furnished new homes for 1,000 rural families, and created rental housing for senior citizens.

These accomplishments were in addition to the agency's more traditional function of making loans to farmers— young farmers who are just getting started or established farmers who need financing to stay in business, Tyson said.

## NEW CODE STILL AVAILABLE

Continued from Page 24

Title is on a per-volume basis rather than for the Title. However, he added that it has been decided that if only one section of any Departmental Title is required, subscribers need purchase only that one volume rather than the full Title, which for 6 of the 17 Departments requires from two to five volumes.

The Code marks the first time that rules of all State Departments will be available in one source which will be kept automatically up to date, Bonacci emphasized.

It will be legally citable and its importance in court use was underscored when among the earliest orders was one for eight full sets for use by the New Jersey Supreme Court, as well as the Superior Court.

A leading attorney in subscribing wrote, "I think it will be as standard as the Rule Books."

Bonacci added, "Of course, these rules and regulations do have the same effect as state laws, and they impinge on more of the public than do most laws."

# ADMINISTRATIVE CODE STILL AVAILABLE AT CHARTER RATES

With nearly 5,000 volumes ordered since September, Albert E. Bonacci, Director of Administrative Procedure, announced today that charter subscriptions are still open for the New Jersey Administrative Code.

"With initial volumes to be distributed shortly, we will accept orders at the pre-publication rate from those who may have missed the original announcement," the Director said.

A full set of this first official codification of rules of all State Departments in 20-plus volumes is now priced at a \$50 initial payment with an agreement for three years of updating service at \$100 per year. Individual volumes are \$5 each with updating for three years at \$10 a year per volume.

The charter subscription form (below) must be used, Bonacci emphasized, with check or money order made out to: Director, Div. of Administrative Procedure.

The Code, contained in handsome and sturdy loose-leaf binders, with updating at regular intervals, is entirely compatible with New Jersey Statutes Annotated, he said. It includes two extensive tables of contents based on subjects and arrangement is by titles for Departments and subtitles for Divisions.

The Titles available are listed in the adjoining column. The first to be distributed will be Titles 1 and 2 in one volume and Title 18 in two volumes, the Director said.

Early subscriptions show more are purchasing the full set than individual Titles, Bonacci revealed. Among Departments, however, those whose rules are in greatest demand are Treasury-Taxation, Education and Labor and Industry. These are closely followed by Law and Public Safety, Public Utilities, Environmental Protection and Banking.

Bonacci pointed out that the price for a Departmental

## OFFICIAL LISTING OF THE 19 TITLES

The list of Titles available in the New Jersey Administrative Code includes all 17 State Departments, with Treasury broken into two Titles for Taxation and General rules.

Six of the Departmental Titles involve such a number of rules as to require two or more volumes, with price based on a per-volume, rather than Title, basis.

1. CHIEF EXECUTIVE
2. AGRICULTURE
3. BANKING
4. CIVIL SERVICE
5. COMMUNITY AFFAIRS—In 2 Volumes.
6. EDUCATION
7. ENVIRONMENTAL PROTECTION—In 2 Volumes.
8. HEALTH
9. HIGHER EDUCATION
10. INSTITUTIONS AND AGENCIES—In 3 Volumes.
11. INSURANCE
12. LABOR AND INDUSTRY—In 5 Volumes.
13. LAW AND PUBLIC SAFETY—In 2 Volumes.
14. PUBLIC UTILITIES
15. STATE
16. TRANSPORTATION
17. TREASURY-GENERAL
18. TREASURY-TAXATION—In 2 Volumes.

Final Title OTHER AGENCIES, including inter-state (later).

Continued on Page 23

<p><b>CHARTER SUBSCRIPTION FORM —</b></p> <p><b>Original Purchase at \$5 per Volume or \$50 per Set includes mandatory 3-Year Update Service to be billed after six months at \$10 per volume per year or \$100 per set per year.</b></p> <hr style="border-top: 1px dashed black;"/> <p>Please enter my order for Sets or Titles and update service. </p> <p>Mail with check or money order to: Division of Administrative Procedure, 10 North Stockton Street, Trenton, N. J. 08608</p>	<p><b>YOUR MAILING ADDRESS:</b></p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Number of Full Sets ..... (Enclose \$50 each)</p> <p>Departmental Titles:</p> <p>.....</p> <p>No. Vol's ..... (Enclose \$5 per volume)</p> <p>Total Enclosed      Signed .....</p> <p>\$.....                      Title .....</p>
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