

NEW JERSEY

REGISTER



IN THIS ISSUE— “INDEX OF ADOPTED RULES”

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RULE PROPOSALS

LEGISLATURE

(a)

LEGISLATURE

Civil Service Rule (14 N.J.R. 184(a)) Senate Concurrent Resolution No. 81

**Postponement of Proposed New Rules:
N.J.A.C. 4:1-24.1 and 24.3 through 24.12
Postponement of Proposed Repeal: N.J.A.C.
4:1-16.1 through 16.5, 4:2-16.1 and 16.2
and 4:3-16.1 and 16.2**

The following concurrent resolution was adopted by the New Jersey State Legislature on March 15, 1982.

ASSEMBLY CONCURRENT RESOLUTION NO. 81

STATE OF NEW JERSEY

Introduced March 1, 1982

By Assemblywomen KALIK, ASSEMBLYMEN SANGARI,
BOCCHINI, ZIMMER and FRANKS

(Without Reference)

A Concurrent Resolution to provide that Proposed Rule Number 1982-77 by the Civil Service Commission concerning layoffs and demotions shall not take effect for 60 days.

WHEREAS, Proposed Rule Number 1982-77 by the Civil Service Commission concerning layoffs and demotions, repealing certain sections of Title 4 of the New Jersey Administrative Code

and proposing the adoption of new sections of Title 4 of the New Jersey Administrative Code was submitted to the Legislature on January 22, 1982 for review pursuant to the provisions of P.L. 1981, c.27 (C.52:14B-4.1 et seq.); and

WHEREAS, The Civil Service Commission may adopt the proposed rule without further notice after March 18, 1982; and

WHEREAS, The General Assembly State Government, Civil Service, Elections, Pensions and Veterans Affairs Committee calendared this proposed rule for consideration at its meeting on March 1, 1982, gave it due consideration at the meeting, and recommended that the proposed rule not take effect for 60 days; now therefore,

BE IT RESOLVED by the General Assembly of the State of New Jersey (the Senate concurring):

1. That pursuant to section 3 of P.L. 1981, c.27 (C.52:14B-4.3), PRN 1982-77 shall not take effect for 60 days following the adoption of this resolution.

STATEMENT

The policy of the Civil Service Commission on layoffs and demotions affects the careers and lives of thousands of public employees. This resolution would prevent the hasty adoption of rules that concern this important area of civil service responsibility.

NEW JERSEY REGISTER

The official publication containing notices of proposed rules and rules adopted 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. Issued monthly since September 1969, and twice-monthly since November 1981.

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Thomas H. Kean, Governor. OFFICE OF ADMINISTRATIVE LAW—Howard H. Kestin, Director. Steven Lefelt, Deputy Director. Filings—Burton Weltman, Assistant Director. Richard Dana Krebs, Rules Analyst. Norman Olsson, Editor. Helen Jeffrey, Filing and Rules Information. Publications—G. Duncan Fletcher, Assistant Director. Circulation: Rae Van Kirk, Toni Harrison. Production: Ann Pustay, Lee Roberts, Daria Senyk, Sandra Smith, Velma Square.

CIVIL SERVICE

(a)

CIVIL SERVICE COMMISSION

Leaves of Absence Amount of Sick Leave

Proposed Amendment: N.J.A.C. 4:1-17.16
Proposed Repeal: N.J.A.C. 4:2-17.14 and
4:3-17.6 (formerly C.S.P.M. 17-16.102 State
and Local)

Authorized By: Civil Service Commission, Peter J. Calderone, Director of Administrative Practices and Labor Relations.
Authority: N.J.S.A. 11:1-7a, 11:5-1a and 11:14-1.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Peter J. Calderone
Director, Division of Administrative Practices and Labor Relations
CN 312
Trenton, New Jersey 08625

The Civil Service Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-113.

The agency proposal follows:

Summary

The proposed rule has been amended pursuant to a recent change in Civil Service policy concerning sick leave credit for State employees. During the first year of service, an employee will earn one day of sick leave per each month worked. At the beginning of the second year of service, and in succeeding years thereafter, the employee will be advanced 15 sick days per year. If an employee uses all accumulated sick leave within any one year, the employee will not be advanced sick days for a subsequent year. If an employee terminates State service, sick leave will be calculated on a proportionate basis up to the date of termination to determine whether the employee has "overused" yearly sick leave requiring reimbursement to the State.

N.J.A.C. 4:2-17.14 and 4:3-17.6, (formerly C.S.P.M. 17-16.102 State and Local), will be repealed and codified into N.J.A.C. 4:1-17.16. However, the rate schedule pertaining to part-time employees has been included in the amended rule but has been changed slightly to accommodate inaccuracies in the schedule and promote administrative ease in determining the amount of leave part-time employees are entitled. The hours/month for the first calendar year have been rounded off to the nearest one-half hour so as to eliminate computations down to minutes.

Social Impact

The rule will have an impact on all full and part-time State employees. Full-time employee will receive one sick day for each month actually worked during the first year. Thereafter, the employee will receive 15 sick days at the beginning of each year. However, if the employee exhausts all sick leave days during any

one year, he or she will not be advanced a subsequent year's sick days in the current calendar year. Sick leave time for part-time employees will be granted pursuant to the calculations in the chart.

Economic Impact

It is anticipated that this rule will allow the State to recoup overextended sick leave time when an employee terminates State service before the end of the calendar year.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

4:1-17.16 Amount of sick leave [(State service)]

[(a) The minimum sick leave with pay shall accrue to any full-time employee on the basis of one working day per month during the remainder of the first calendar year of employment after initial appointment and 15 working days in every calendar year thereafter. Part-time permanent employees shall be entitled to sick leave as established by regulation.]

(a) During the first calendar year of employment after initial appointment, a full-time State employee shall be granted sick leave with pay on an earned basis of one day per month of service.

(b) At the beginning of each succeeding calendar year thereafter, a State employee shall be granted 15 days sick leave per year. Any amount of sick leave allowance not used in any calendar year shall accumulate to the employee's credit from year to year to be used if and when needed for such purpose.

[(c) An employee shall not be reimbursed for accrued sick leave at the time of termination of his employment. Upon termination, the appointing authority shall certify to the Department of Civil Service the employee's accumulated sick leave which shall be made a part of the employee's permanent record.]

(c) A State employee who exhausts all accumulated sick leave days in any one year shall not be credited with additional sick leave days until the beginning of the next calendar year.

(d) A State employee shall not be reimbursed for accumulated sick leave upon termination of service except as provided in N.J.A.C. 4:5. The employee shall, however, reimburse the State for any sick leave days used prior to termination which had not yet accumulated. Upon termination, the appointing authority shall certify to the Department of Civil Service the employee's accumulated sick leave which shall be made part of the employee's permanent record.

[(d)] **(e) A [n] State employee who has been reemployed shall be credited with the total accrued sick leave at the termination of [his] the previous employment.**

(f) A part-time State employee shall be granted sick leave time on a proportionate basis as follows:

Percentage of F/Time Position	8 Hour/Day Position	7 Hours/Day Position		
	(Hours/ Month During First Year)	(Hours/ Every Year Thereafter)	(Hours/ Month During First Year)	(Hours/ Every Year Thereafter)
20	1.5	24	1.5	21
25	2.0	30	2.0	26
30	2.5	36	2.0	31.5
40	3.0	48	3.0	42
50	4.0	60	3.5	52.5
60	5.0	72	4.0	63
70	5.5	84	5.0	73.5
75	6.0	90	5.5	79
80	6.5	96	5.5	84
90	7.0	108	6.5	94.5

1. EXAMPLE: If a part-time employee works 40 percent of the normal 8 hour per day position (40 hours per week), that

person should be credited with sick leave at the rate of 3.0 hours per month during the initial year of employment. For every year thereafter, a total of 48 hours per year should be credited.

4:2-17.14 [Sick leave for employees employed on a part-time basis] (Reserved)

[(a) This section describes the extent to which part-time employees will be permitted to accrue sick leave.

(b) "Part-time employee" means any employee who, by arrangement regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid

Percentage of Full-Time Position	8 Hours/Day Position (Hours/Month)	12 Days/Year (1st Year) (Hours/Year)	15 Days/Year (Hours/Year)	7 Hours/Day Position (Hours/Month)	12 Days/Year (1st Year) (Hours/Year)	15 Days/Year (Hours/Year)
20	1.60	19	24	1.40	17	21
25	2.00	24	30	1.75	21	26
30	2.40	29	36	2.10	25	31.5
40	3.20	38.5	48	2.80	33.5	42
50	4.00	48	60	3.50	42	52.5
60	4.80	57.5	72	4.20	50.5	63
70	5.60	67	84	4.90	59	73.5
75	6.00	72	90	5.25	63	79
80	6.40	77	96	5.60	67	84
90	7.20	86.5	108	6.30	75.5	94.5

EXAMPLE: If a part-time employee works 40% of the normal 8 hour per day position (40 hours per week), that person should be credited with sick leave at the rate of 3.2 hours per month. For every month of the first calendar year of employment this would be a total of 38.5 hours sick leave credit. For every year thereafter, a total of 48 hours per year should be credited.]

4:3-17.6 [Sick leave for employees employed on a part-time basis] (Reserved)

[(a) This section describes the extent to which part-time employees will be permitted to accrue sick leave.

(b) "Part-time employee" means any employee who, by arrangement, regularly works a constant percentage of the regular and normal work week in a class or for an agency; and who is paid a percentage of an annual salary for the title in which such employee

works or is paid at an hourly rate.

(c) Temporary, provisional and permanent part-time employees who meet the definition as set forth in (b) above and accordingly are in the classified service shall be granted sick leave credit on a proportionate basis. (See the chart below concerning sick time credits.)

(d) Sick time credits prorated for 1 day per month and 1 1/4 days per month:

1. For the convenience of employees and personnel offices the following chart prorates sick benefits.

works or is paid at an hourly rate.

(c) Permanent part-time employees who meet the definition as set forth in (b) above and accordingly are in the classified service shall accrue sick leave credit on a proportionate basis. (See chart for computation guide). The appointing authority has the option of granting sick leave credit to temporary and provisional part-time employees as it deems appropriate.

SICK LEAVE CREDITS

Prorated for 1 day per month and 1 1/4 days per month

Percentage of Full-Time Position	8 Hours/Day Position (Hours/Month)	12 Days/Year (1st Year) (Hours/Year)	15 Days/Year (Hours/Year)	7 Hours/Day Position (Hours/Month)	12 Days/Year (1st Year) (Hours/Year)	15 Days/Year (Hours/Year)
20	1.60	19	24	1.40	17	21
25	2.00	24	30	1.75	21	26
30	2.40	29	36	2.10	25	31.5
40	3.20	38.5	48	2.80	33.5	42
50	4.00	48	60	3.50	42	52.5
60	4.80	57.5	72	4.20	50.5	63
70	5.60	67	84	4.90	59	73.5
75	6.00	72	90	5.25	63	79
80	6.40	77	96	5.60	67	84
90	7.20	86.5	108	6.30	75.5	94.5

EXAMPLE: If a part-time employee works 40 percent of the normal 8 hour per day position (40 hours per week), that person should be credited with sick leave at the rate of 3.2 hours per month. For every month of the first calendar year of employment this would be a total of 38.5 hours sick leave credit. For every year thereafter, a total of 48 hours per year should be credited.]

COMMUNITY AFFAIRS

(a)

LOCAL FINANCE BOARD

Annual Budget Dedication by Rider to The Budget of the Local Unit

Proposed Amendment: N.J.A.C. 5:30-3.3

Authorized By: Local Finance Board, Helen L. Mathews,
Secretary.
Authority: N.J.S.A. 52:27BB-10(2).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

H. L. Mathews, Secretary
Local Finance Board
Division of Local Government Services
Department of Community Affairs
363 West State Street
CN 803
Trenton, New Jersey 08625

The Local Finance Board thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-109.

The agency proposal follows:

Summary

As part of the county budget preparation process, revenues generated by the tax appeal filing fees collected should be placed in a specific trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the county.

As part of the municipal and county budget preparation process, a trust fund should be established to guarantee the proper closure of sanitary landfill activities and such trust fund will be considered a "Dedication by Rider" to the budget of the local unit. Proper closure of sanitary landfill activities can require capital expenditures at a time when revenues collected are minimal or nonexistent and it is necessary to guarantee that adequate funds are reserved to insure such closure.

"Dedication by Rider" to the local budget is used when the amount of revenue to be received cannot reasonably or accurately be anticipated in advance. When the revenue is received it is held in trust and can be spent against the bills without going through the budget process.

Social Impact

There is no social impact regarding this rule since the rule deals with the budget-making process of the county and merely provides a specific trust fund for fees collected.

The proper closure of sanitary landfills is essential to the public health, safety and welfare.

Economic Impact

In preparing a local budget, there should be a guarantee that adequate funds are reserved to insure proper closure of sanitary landfill activities.

In preparing a county budget a trust fund should be set up for fees collected on tax appeals which will defray the costs incurred in tax appeal proceedings and will be an economic benefit to the county.

Such fees will be used for paying salaries to County Board personnel related to the increased County Board responsibilities resulting from the enactment of Chapter 499, P.L. 1979.

5:30-3.3 Examination of budget

(a)-(b) (No change.)

(c) Rules concerning dedication by rider to the budget of the local unit are:

1.-5. (No change.)

6. Utilization of Revenues generated by the Tax Appeal Filing Fees collected by the County Boards of Taxation are to be used exclusively for modernization of record-retention capabilities of County Boards: for defraying the costs incurred in recording and transcribing tax appeal proceedings; for the issuance of memoranda of judgments with regard to tax appeals; and for paying salaries to County Board personnel relating to increased County Board responsibilities resulting from the enactment of Chapter 499, P.L. 1979. Any surplus revenues generated by County Tax Board fees must be separately retained by the county for future application consistent with the purposes specified in N.J.S.A. 54:3-21.3(a). Monies transmitted to the County Treasurer by the County Tax Administrator shall be placed in a specific trust fund and shall be considered a "Dedication by Rider" to the budget of the County per N.J.S.A. 40A:4-39 for the sole purposes stated in (c)6 of this section.

7. The owner or operator of every sanitary landfill facility shall deposit on a monthly basis in an interest-bearing account with an accredited financial institution an amount equal to \$0.30 per cubic yard of solids and \$0.004 per gallon of liquids of all solid waste, accepted for disposal during the preceding month at the sanitary landfill facility. The account established shall constitute an escrow account for the closure of the particular sanitary landfill and no withdrawals therefrom may be made without written approval of the New Jersey Department of Environmental Protection. Any county or municipality that is the owner or operator of a sanitary landfill shall consider such a trust fund a "Dedication by Rider" to the budget of the local unit per N.J.S.A. 40A:4-39 and any interest earned shall remain in the trust fund for the purpose for which it was created.

(b)

NEW JERSEY HOUSING FINANCE AGENCY

Conversion of Nonprofit Sponsored Projects to Limited Dividend Ownership The Sale of Nonprofit Sponsored Projects to Limited Dividend Partnership

Proposed Amendments: N.J.A.C. 5:80-2

Authorized By: New Jersey Housing Finance Agency,
Bruce G. Coe, Secretary.
Authority: N.J.S.A. 55:14J-34(f).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Richard H. Godfrey, Jr.
 Director of Policy Development
 New Jersey Housing Finance Agency
 CN070
 3625 Quakerbridge Road
 Trenton, New Jersey 08625

The New Jersey Housing Finance Agency thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-118.

The agency proposal follows:

Summary

The proposal reflects the Agency's desire to insure that the amended conversion regulations serve to strengthen the overall process and reflect the Agency's practical experiences in the field. It is hoped that as our expertise in this area expands, future amendments will be forthcoming.

Social Impact

The proposal will result in the preservation of decent, safe and affordable housing for low and moderate income residents of New Jersey. A few examples of the types of social activities funded from the community development escrow are as follows: 1) The purchase and operation of mini-buses to transport senior citizens; 2) maintenance cost associated with municipal parks; 3) construction of Geriatric Centers; and 4) construction of Babyland Nursery facilities.

Economic Impact

The proposal will insure the continued financial viability of Agency financed projects. The escrow funds generated by the conversion process will be utilized to offset operating deficits, debt service arrears and to provide funds for community development activities.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

SUBCHAPTER 2. [AGENCY-FINANCED LIMITED-DIVIDEND HOUSING PROJECTS] **THE SALE OF NONPROFIT SPONSORED PROJECTS TO LIMITED DIVIDEND PARTNERSHIPS**

[5:80-2.1 Equity syndication

(a) The agency will require that the sponsor of agency-financed limited-dividend housing projects must comply with the following regulations:

1. The equity escrow account shall be required to meet project operating deficits for the first five years of a development. This account shall be established in the amount of five percent of the total rent roll of the project, including Federal subsidies under the Housing and Community Development Act of 1974 as projected in the mortgage commitment. The amount is to be funded by the agency accepting a satisfactory letter of credit from the general partner of the sponsor for a term of five years plus the term of the construction contract. This account is to be used in its entirety to meet operating deficits prior to closing on the development cost escrow account established by paragraph 2 of this subsection;
2. A development cost escrow account shall be established in an amount determined by:
 - i. Reducing a sponsor's maximum return on equity from eight per cent to five per cent;
 - ii. Determining how much of mortgage this three per cent of rental income will support and adding that amount to the total development cost;
 - iii. At initial mortgage closing, this latter amount shall be deposited with the agency and drawn upon after the equity escrow

account established by paragraph 1 of this subsection is fully depleted for the following purposes:

- (1) Project operating deficits; and
- (2) Supplement to the normal reserves for painting and decorating, and repairs and replacements;
- iv. Said development cost escrow account shall be established for a period of not less than ten years from the date of the initial mortgage closing, unless the agency agrees to decrease the amount by resolution.]

5:80-2.1 Reasons for permitting sale

(a) The New Jersey Housing Finance Agency may approve the sale of nonprofit sponsored projects to limited dividend partnerships if the sale provides any of the following benefits:

1. Additional reserves that will further protect the project's financial stability;
2. Additional security for Agency bonds and mortgage loans;
3. Additional funds for physical improvements or capital expenditures that will reduce operating costs or enhance the project environment;
4. Funds for social services for tenants, such as visiting nurses, recreational activities, etc.;
5. Funds for community development activities.

5:80-2.2 Definitions

The following words or phrases have particular meanings or inference within the text of N.J.A.C.5:80-2 and should be noted:

- "Agency" means the New Jersey Housing Finance Agency.
- "Closing" means the date on which title to the development or project is transferred from the nonprofit to the partnership.
- "Community Development Escrow" (CDE) means that fund established pursuant to N.J.A.C. 5:80-2.8(c) hereof.
- "Conversion" means the overall transaction in which title is transferred from the nonprofit to the partnership.
- "Conversion proceeds" means the net proceeds received by the nonprofit.
- "Development Cost Escrow" (DCE) means that fund established pursuant to N.J.A.C. 5:80-2.8(b).
- "Gross syndication proceeds" means the sum of all capital contributions.
- "Net proceeds" means the gross proceeds of the syndication, which are received from investor limited partners, less the costs of the syndication. The net proceeds include all payments made to or on behalf of the nonprofit and may include interest due on deferred payments. The net proceeds may not be used for any purpose other than to pay transaction costs or to fund the DCE or CDE unless otherwise expressly authorized by the Agency.
- "Nonprofit" means original nonprofit owner of the project that is conveying its interest in the project and assigning its Agency mortgage on the premises to the partnership.
- "Operating deficits" means all obligations arising out of the management and operation of the project including without limitation:
 1. Reserves; escrows or fees required by the Agency or by law;
 2. All taxes or payments in lieu of taxes;
 3. All utility bills;
 4. Legal, accounting and other professional services fees incurred by the partnership which have received prior approval by the Agency;
 5. Insurance premiums; and
 6. Judgments or settlements approved by the Agency to the extent such obligations cannot be paid in full out of operating income.
- "Partnership" means the limited partnership, which qualifies as a limited dividend housing association pursuant to N.J.S.A. 55:16-1 et seq., which takes title to the project from the nonprofit.

"Stated equity" means that portion of the net proceeds determined by the Agency to be a necessary and desirable part of the total development cost of the project and shall include monies paid on behalf of the nonprofit as transaction costs or as funding of the DCE, as set forth in N.J.A.C. 5:80-2.7. Return on equity will only be paid on that portion of the stated equity as has been funded.

"Syndication" means the admission of limited partners to the partnership in return for capital contributions to the partnership.

"Transaction costs" means those costs related directly to the sale of the project which are paid by or on behalf of the nonprofit. All transaction costs must be approved by the Agency and include payment of the portfolio reserve account fee, the Agency conversion fee, legal fees of the nonprofit, title insurance and interest on seed money loans.

5:80-2.3 Choice of syndicator and counsel

(a) Nonprofit sponsors who intend to convert and syndicate their projects must interview and solicit proposals from several syndicators.

(b) The interviewing and selection process must provide equal opportunity to all competent syndicators with the goal of obtaining the best financial package possible for the project.

(c) Evaluation of the proposals shall be done with the advise of competent legal counsel who shall not be permitted to represent any other parties involved in the transaction in any manner whatsoever. Upon acceptance of a syndication bid the sponsor must submit the preferred proposal to the Agency along with the rejected proposals for Agency review and approval.

(d) These submissions must be accompanied by a summary of the search process and the basis for its decision as well as a financial analysis of all proposals including the following information:

1. Gross capital contributions by all partners;
2. Costs of organization and syndication;
3. Net proceeds to be paid to the nonprofit sponsor;
4. Schedule of payments to the nonprofit;
5. Present value of net proceeds.

(e) No sale, contract for sale or any other transfer of interest in the property may be effectuated without the approval of the Agency. It shall be the general policy of the Agency to only approve the most financially beneficial proposal unless significant reasons to act otherwise can be demonstrated.

5:80-2.4 Nonprofit sponsor as managing general partner

The original nonprofit sponsor must become the managing general partner of the partnership unless otherwise approved by the Agency. The managing general partner shall not be removed or replaced without prior approval of the Agency.

5:80-2.5 Conditions for sale

(a) Within 10 working days of the Agency's approval of the proposed sale of project, the prospective purchaser or syndicator shall deliver to the Agency cash, bond or a letter of credit payable to the Agency in an amount equal to two percent of the net proceeds. This cash will be retained by the Agency or shall be drawn and retained by the Agency on behalf of the nonprofit as liquidated damages in the event that the full purchase price is not paid in with the offer. The security will be returned to the purchaser or syndicator upon payment of purchase proceeds in excess of the amount deposited.

(b) At the time of closing, the purchaser or syndicator or their representative shall provide cash payments, unconditional promissory notes or irrevocable letters of credit in amounts which when combined with transaction costs and required escrow payments are no less than one-ninth of the mortgage proceeds advanced by the Agency pursuant to the mortgage and

note. Thereafter the syndicator shall provide such additional cash, promissory notes or letters of credit as are necessary to establish and maintain the ratio of one to nine (1:9) with regard to stated equity and mortgage funds.

(c) The purchaser shall pay out of the net proceeds into the Portfolio Reserve Account (PRA) established by the Agency, 10 percent of the net proceeds. This requirement may be waived or reduced upon a determination by the Agency that there is likelihood that the funds will be needed for the operating viability of the subject development. Funds deposited in the PRA may be used by the Agency to fund debt service arrearages or operating deficits of any project financed by the Agency which cannot, in the Agency's opinion, fund these items from normal project income. A prerequisite to the use of these funds for any given project shall be a finding by the Agency staff that the sponsor and managing agent are performing satisfactorily at the subject project.

(d) At closing or at such other time as may be approved by the Agency, the Agency shall receive out of the net proceeds a conversion fee of one-half of one percent of the original mortgage amount.

(e) At closing the nonprofit must pay to the Department of Community Affairs interest on seed money originally loaned to the nonprofit. The interest shall be calculated at a rate of one percent above the average prime interest rate for each given year, on the amount of outstanding principal from the date on which any disbursement is made until the time of repayment.

5:80-2.6 Professional services and fees

(a) The nonprofit may obtain such legal, financial, and other professional services as are necessary to investigate, process and complete the transaction. The scope of all services and compensation for such services must be approved, in advance, by the Agency. If, for any reason, the conversion is not completed and approved services have been provided to the nonprofit, then the Agency may, if requested by the nonprofit, approve payments for said services out of first mortgage proceeds or operating income.

(b) No member of the nonprofit, its employees or professional advisors, including loan consultants and attorneys, shall receive any fees in conjunction with the transaction other than those disclosed to and approved by the New Jersey Housing Finance Agency. The president of the nonprofit, the attorney for the nonprofit, the syndicator and the attorney for the syndicator shall provide affidavits at closing stating that, to the best of their knowledge, no fees or payments have been made nor will any be made to any member of the nonprofit or any of its agents, counsellors, advisors or consultants other than those payments which have been approved by the Agency.

5:80-2.7 Determination of revised total development cost and stated equity

Prior to granting its approval of the sale of the project, the Agency will make a determination of its estimate as to the revised total development cost of the project, which shall consist of the original mortgage loan amount plus those additional funds to be paid out of the net proceeds which are reasonable and necessary for the development and financial viability of the housing project. These additional funds shall be defined as the "stated equity" of the partnership in the project and can be no less than one-ninth of the original mortgage amount.

5:80-2.8 Proceeds of sale and syndication

(a) All of the net proceeds shall be paid to the Agency as trustee for the nonprofit except for transaction costs which may be paid directly to third parties at closing as approved by the Agency.

(b) Those funds comprising the stated equity amount other than transaction costs paid at closing, shall be held by the Agency in the DCE created in the name of the nonprofit

sponsor. If the stated equity amount is less than 60 percent of the net proceeds, then an amount equal to such deficiency shall also be deposited into the DCE.

1. The DCE shall be used to fund development cost overruns, capital improvements, debt service arrearages, operating deficits and reserves, and such other purposes as will improve the financial viability or physical structure of the project, or increase tenant safety or comfort as may be approved by the Agency.

2. Any funds in the DCE in excess of two percent of the original mortgage amount may be withdrawn for the CDE purposes set forth below upon a determination by the Agency that it finds that such purposes are necessary, convenient or desirable for the project and that such a withdrawal will not jeopardize the financial viability of the project.

(c) After full funding of the DCE, the balance of net proceeds shall be held by the Agency in the CDE created in the name of the nonprofit. The CDE shall consist of the balance of the net proceeds after payment of transaction costs and funding of the DCE. These funds may be utilized by the nonprofit to increase amenities of the project, reduce maintenance and replacement costs, provide or assist desirable social services benefiting the residents of the project or undertake community development activities or for any allowable use of DCE funds.

(d) The nonprofit may request advances from the DCE or CDE for their respective purposes in the manner set forth in N.J.A.C. 5:80- 2.16. All uses of the net proceeds and any income generated by such proceeds shall be subject to the approval of the Agency. The Agency may, on its own initiative, advance funds from the DCE (upon 10 days written notice to the nonprofit and Agency Board approval) to satisfy operating deficits and debt service arrearages to the extent funds are not available from operating income.

5:80-2.9 Investment income

(a) The investment income earned on the DCE and CDE funds shall be distributed as follows:

1. The first \$3,500 per annum, to the New Jersey Housing Finance Agency as a servicing fee, to be assessed equally against the income generated on the respective accounts to the extent available.

2. The balance of the income shall remain in the respective accounts on which it was earned and shall be used for the express purpose of those accounts except for the following additional purposes which may be approved by the Agency:

i. The limited partners and general partners may be paid upon the request of the nonprofit and approval of the Agency an amount from the DCE income which provides an annual return of two percent (or higher if approved by the Agency) on the funded stated equity;

ii. The nonprofit may agree to pay from available investment income up to \$10,000 per year, to the municipality in which the project is located as an additional payment in lieu of taxes; and

iii. Neither of the above payments shall be made if the project incurred operating deficits during the preceding 12 month period.

5:80-2.10 Notice to municipality

At least 30 days prior to conversion, the nonprofit sponsor shall give the municipality in which the project is located, written notice of its intention to convey the project to the partnership.

5:80-2.11 Tax obligation

The partnership shall be responsible for all tax consequences arising out of the sale of the project and the general contractor shall be responsible for the payment of New Jersey State sales tax from the date of conversion closing. To the extent funds are available, mortgage proceeds may be utilized to reimburse the

contractor for sales tax incurred and reasonable fees for additional accounting services. To the extent mortgage proceeds are insufficient the DCE may be utilized to satisfy said payment.

5:80-2.12 Profits upon sale or refinancing

From the profits received by the partnership upon the sale or refinancing of the project, not subject to payment to the State of New Jersey pursuant to N.J.S.A 55:16-5, the nonprofit shall receive at least 50 percent of the profits and the Agency shall receive, to the extent allowed by law, 10 percent of the profits.

5:80-2.13 Termination of mortgage

At the termination of the mortgage, funds remaining in any of the escrow accounts shall be distributed 45 percent to the nonprofit, 45 percent to the limited partners, and 10 percent to the Agency Portfolio Reserve Account.

5:30-2.14 Approval and disclosure requirements

The agency specifically reserves the right to investigate and approve any party involved in the transaction including without limitation all limited and general partners, attorneys, syndicators, brokers or consultants, as well as any partners or shareholders thereof. Prior to its approval the Agency may require any party to disclose such information as may be reasonably related to the transaction and may require any party to sign such waivers, releases or affidavits as may be necessary to authenticate or investigate the information requested.

5:80-2.15 Conversion closing requirements

(a) At closing the nonprofit shall provide the following information to the Agency syndication officer:

1. A closing statement, check register, and schedule detailing all payouts made or to be made from net proceeds.

2. A resolution from the nonprofit designating and granting specific authorization to those individuals who may request payments from the DCE and CDE accounts. The resolution should also contain the specific address to which correspondence may be sent.

3. A list of all persons issuing promissory notes corresponding to each scheduled payment to the nonprofit and the amount of each note. As each payment is made to the sponsor and trustee a schedule must be attached indicating which scheduled payment should be credited and which specific promissory note should be returned.

4. Police check information on all general and limited partners. Administrative questionnaires and FHA Forms Number 2530 on all general partners and any limited partners having in excess of 25 percent partnership interest.

5:30-2.16 Request for use of escrow funds

(a) All uses of escrow funds must receive advance written approval by the Agency. Requests for the use of escrow funds shall be made in writing, by the nonprofit to the Agency's Director of Management.

1. The request shall specify the purpose, amount and payee and include a statement that all general partners and the syndicator have been notified of the request.

2. The request must be accompanied by a resolution of the nonprofit authorizing the use of such funds.

3. If the request is for social or professional services, the request must also be accompanied by a proposal outlining the scope of services and the cost.

4. If the request involves payment to a third party, an administrative questionnaire, completed by the third party, must also accompany the request in accordance with then existing Agency procedures.

5:80-2.17 Deviation from subchapter

The Executive Director, with the approval of Members of the Agency, may permit deviations from this subchapter upon a determination that is in the best interest of the project to do so.

EDUCATION

(a)

STATE BOARD OF EDUCATION

Teacher Education and Academic Credentials

New Jersey Instructional Supplement to Standards for State Approval of Teacher Education

Proposed New Rules: N.J.A.C. 6:11-8.11 through 8.13

Proposed Amendments: N.J.A.C. 6:11-8.1, 8.2, 8.4, 8.8, 8.9 and 8.10

Authorized By: New Jersey State Board of Education,
Fred G. Burke, Secretary
Authority: N.J.S.A. 18A:4-15 and 18A:6-38.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-123.

The agency proposal follows:

Summary

The proposal incorporates new minimum standards for undergraduate teacher education programs at New Jersey colleges and universities. The changes are consistent with and go beyond those minimum standards already adopted by the State Board of Higher Education. The intention is to establish higher admission and graduation standards for teacher preparation programs in the various colleges and universities. These standards would be used along with existing criteria and would lead to the issuance of certificates to teach in the public schools of New Jersey.

This proposal would establish more rigorous criteria for evaluating and approving teacher preparation programs in colleges and universities. The new criteria strengthen the admission, retention and graduation standards; breadth of curriculum requirements; student teaching experience; and provide an exceptions clause for the Commissioner of Education.

Social Impact

The intent of the proposal is to upgrade the quality of candidates

for teacher licensure in New Jersey and to produce a teaching force that is able to meet the increasing demands that society is placing on the public schools of New Jersey.

Economic Impact

The cost of the proposed change will be covered by a reallocation of resources within the colleges and universities. Some institutions may revise the student teaching fee schedule due to the expanded number of required observations.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

6:11-8.1 Scope

(a) This supplement will be used by the [Bureau of Teacher Education and Academic Credentials] **Department of Education** in the following ways:

1.-6. (No change.)

6:11-8.2 Common requirements; all teacher education programs

(a) Except when specifically indicated below, the following requirements apply to all college programs leading to a New Jersey teacher's certificate.

1. (No change.)

2. (No change.)

i. (No change.)

ii. (No change.)

(1)-(2) (No change.)

(3) Accredited New Jersey two-year colleges provided: the courses are accepted toward meeting the requirements in professional education by a New Jersey college approved for the preparation of teachers by the New Jersey State Board of Education and such acceptance is submitted in writing to the Bureau of Teacher [Education and Academic Credentials] **Certification** by the accepting institution, and no more than six semester-hour credits in professional education are completed on the two-year college level.

iii. (No change.)

3. [Except where indicated in 6:11-8.4, approved programs will include a minimum of 45 semester-hour credits of college study in general education areas, including study in at least four of the following areas: English, mathematics, science, social studies (anthropology, economics, geography, history, political science, sociology), fine and practical arts, foreign languages, music, philosophy, psychology. Programs leading to the elementary endorsement must include study in English, mathematics, science, and social studies.] **Each approved undergraduate teacher education program shall provide approximately 60 semester-hour credits of general education including electives. General education courses shall be distributed among the arts, humanities, mathematics, science, technology, and the social sciences. There must be some study in each area. The inclusion of technology as an aspect of general education is intended to allow for the inclusion of courses and topics (such as computer literacy, the history of technology and the sociological impact of technological advancement) which would contribute to the general technical literacy of students. The purpose of general education is to develop the prospective teacher as an educated person. This component of the program shall exclude courses which are clearly professional or vocational in nature, but may include up to 12 semester-hour credits of overlapping with the 30 semester-hour credits required in the coherent sequence of study.**

4. (No change.)

[5. Except where indicated below, approved programs will include a minimum of 15 semester-hour credits in professional education distributed over four or more of the following areas, and including study in each area in subparagraphs i through iii of this

paragraph. This study may be accomplished in either separate or integrated courses. These 15 credits do not include student teaching.

i. Methods of teaching: Studies designed to develop understanding of the aims and techniques of instruction, including courses such as the following: general methods, methods of teaching elementary, secondary, vocational-technical subjects, or handicapped children visual aids in education, and individualizing instruction, or methods of teaching a specific field when so indicated in the regulations.

ii. Educational psychology: Studies designed to develop understanding of human development and learning, including courses such as the following: psychology of learning, human growth and development, child psychology, adolescent psychology, psychology of the handicapped, psychological foundations of education, educational measurements and mental hygiene.

iii. Human and intercultural relations: Studies designed to develop understanding of social interaction and culture change, including courses such as the following: urban sociology, history of minority groups, intergroup relations, and suburban and innercity problems. (This area will be required after 1975. Students enrolled in approved programs who will be graduated before that date should be encouraged to take advantage of existing courses in this area.)

iv. Field experience: Pre-student teaching field experiences and studies in working with innercity, suburban, and rural children, youth and adults in a variety of community and school programs, including activities such as tutoring, small group leadership, community agency participation and individual case studies.

v. Curriculum: Studies designed to develop understanding of curriculum design and construction, including courses such as the following: principles of curriculum construction, the elementary, secondary, special education, or vocational-technical curriculum, a study of the curriculum in a specific subject or field or teaching, and extracurricular activities.

vi. Foundations of education: Studies designed to develop understanding of the educational implications of social, political, historical, cultural and philosophical context in which schools are conducted, including courses such as the following: history of education, philosophy of education, social foundations of education, comparative education, and educational sociology.

vii. Student personnel services: Studies designed to develop understanding of the student personnel and special services program of the school, including courses such as the following: student personnel problems, principles of guidance, tests and measurements, educational, vocational, psychological, and health counseling, school psychology, school social work, educating the handicapped.

viii. Electives in professional education.]

5. Professional preparation:

i. Each approved undergraduate teacher preparation program shall provide a minimum of 18 semester-hour credits in courses related to the theory of teaching through the study of the behavioral or social sciences. Study shall emphasize such topics as child and adolescent development; individual differences; learning, motivation and memory; testing and measurements; human relationships and group dynamics; and cultural, minority and urban concerns.

ii. Each approved undergraduate teacher preparation program shall provide a minimum of 30 semester-hour credits in a coherent sequence of professional courses which shall emphasize the study of school curriculum and teaching methodology, including materials and technology; instructional management; and student achievement research. This component of the undergraduate program shall provide students, normally beginning in the sophomore year, with practical experiences in an elementary or secondary school setting. These opportunities shall increase in intensity and

duration as the student advances through the program and culminate with a student teaching experience.

iii. Electives in professional education.

6. Student teaching:

[i. This requirement is an addition to the 15 credits in professional education in paragraph 5 of this subsection;]

i. The student teaching experience of each approved undergraduate program shall be the equivalent of a full-time experience of one semester's duration, and credit hours for this experience shall be included among the minimum of 30 semester hours in the coherent sequence of professional courses;

ii. Guidelines for student teaching programs in New Jersey colleges are available on request from the Bureau of Teacher [Education and Academic Credentials] Certification.

7. (No change.)

8. Reading requirements:

i. All subject education teaching programs shall include six semester-hours or at least two courses in the teaching of reading as it pertains to the field for which certification is being sought. Such courses will be part of an approved program, and will be reviewed by the Bureau of Teacher [Education and Academic Credentials] Certification before approval of their inclusion is forthcoming. In addition, the courses shall be constructed so that the following minimum specific knowledge is developed for students in subject teaching fields:

(1)-(5) (No change.)

ii.-iii. (No change.)

iv. In addition to the course requirements for reading set forth above, colleges are directed to [N.J.A.C. 6:11-7.65,] Standards for innovative and experimental programs (see N.J.S.A. 6:11-7.1) and are encouraged to utilize these regulations as an alternate approach to meeting the reading requirements[.].

[v. This shall be effective September 1, 1977.]

6:11-8.4 Teaching field endorsements

(a) [Unless specified otherwise, approved programs will include at least one teaching major field of 24 semester-hour credits, or one comprehensive field of 30 semester-hour credits. Study within all areas listed below is recommended.] **Each approved teacher preparation program shall require students to complete a coherent sequence of study no fewer than 30 semester-hour credits in the arts/humanities, behavioral/social science and/or mathematics/science/technology disciplines. Introductory courses in the coherent sequence may also satisfy up to 12 semester-hour credits of the general education requirements. Coherent sequences in areas such as psychology or sociology may satisfy part of the 18 semester-hour credits required in the study of behavioral or social sciences. The inclusion of technology as a potential academic area is intended to provide for those candidates who will be certified to teach one of the technical disciplines such as distributive occupations or industrial technology.**

1. Required areas of study are starred (*).

2. Requirements other than, and/or different from, those prescribed in Standards for State Approval of Teacher Education (see N.J.A.C. 6:11-7.1) are listed below.

(b) Specific field endorsements are [24] 30 semester-hour credits in a coherent sequence [unless] or as specified otherwise below:

1. Agricultural occupations: (experience background). Applicants who present five years of experience in a particular area of agriculture, such as farm machinery repairman, nursery worker, greenhouse florist or poultryman, may receive this endorsement without the requirement of a bachelor's degree. They must present approved training for the agricultural occupation, and have completed an approved teacher education program. [Instead of 6:11-8.2(c) above, t] The program must include 18 semester-hour credits in general background courses, including study in at least three of the following fields: English, social studies, fine arts,

science, mathematics and foreign language. The [24] 30 credit major field requirement does not apply to this endorsement.

2.-3. (No change.)

4. Data processing: [Instead of a 24 semester-hour major, t] This endorsement is available on the basis of [a minimum of 12 semester-hour credits, including] at least six **semester-hour credits** in data processing, three in accounting and three in general business subjects **as part of the coherent sequence of study of 30 semester-hour credits in 6:11-8.4(a) above.**

5. Distributive occupations: Candidates who present two years of approved work experience in distributive occupations, or a program of supervised internship in a college curriculum for the preparation of business education and/or distributive education teachers, may obtain this endorsement by completing a college program of 15 semester-hour credits in content appropriate to distributive education; such as the following, including study in the three starred areas: **technology**, economics, business administration, marketing and distribution,* retailing,* sales promotion,* personnel management, color and design, and textiles.

6. Driver education: [Instead of requirements 6:11-8.2 (a), (c), (d):] **This endorsement is available on the basis of the following:**

i.-iv. (No change.)

7.-14. (No change.)

15. Practical nursing: (Experience Background). Registered nurses who present three years of approved full-time nursing experience may receive this endorsement without the requirement of a bachelor's degree if they have completed an approved teacher education program. [Instead of 6:11-8.2(c) above, t] The program must include 18 semester-hour credits in general background courses, including study in at least three of the following fields: English, social studies, fine arts, science, mathematics, and foreign languages. The [24] 30-credit field requirement does not apply to this endorsement.

i. (No change.)

16. Production, personal and service occupations: (Experience Background). Applicants who present three years of experience in occupations such as beauty culture, dry cleaning and pressing, shoe repairing, lathe operation, and commercial foods preparation, may receive this endorsement without the requirement of a bachelor's degree if they present approved training for the skilled occupation and have completed an approved teacher education program. [Instead of 6:11-8.2(c) above, t] The program must include 18 semester-hour credits in general background courses, including study in at least three of the following fields: English, social studies, fine arts, science and mathematics. The [24] 30-credit field requirement does not apply to this endorsement.

17. Reading: Completion of a [24] 30 semester-hour credit **coherent sequence** [field] in an approved teacher education program or completion of an approved master's degree program in reading, including a supervised practicum in a public school setting.

18. Secretarial studies: See Standards for State Approval of Teacher Education (see **N.J.A.C. 6:11-7.1**). Students applying for this endorsement must include methods of teaching shorthand and typewriting in their **coherent sequence** of professional education credit.

19. Skilled trades: (Experience Background). Applicants who present six years of approved full-time experience (which may include apprenticeship) in a skilled trade requiring a minimum learning period of two years on-the-job training before reaching the classification of skilled worker or journeyman, of any trade listed by the Federal Committee on Apprentice Training, may receive this endorsement without the requirement of a bachelor's degree. Such candidates must present approved training, and have completed an approved teacher education program. [Instead of 6:11-8.2(c) above, t] The program must include 18 semester-hour credits in general background courses, including study in at least three of the following fields: English, social studies, fine arts, science and mathematics. The [24] 30-credit field requirement does not apply

to this endorsement.

i. (No change.)

20. (No change.)

21. Technical occupations: (Experience Background). Applicants who present approved training in technical occupations such as electronic technicians, chemical technicians, industrial drafting and design technicians, engineering aides, and metallurgical technicians may receive this endorsement without a bachelor's degree. Such applicants must present approved training and either:

i. (No change.)

ii. Four years experience without the bachelor's degree. [Instead of 6:11-8.2(c) above, t] The program must include 18 semester-hour credits in background courses, including study in at least three of the following fields: English, social studies, fine arts, science, and mathematics. The [24] 30 credit field requirement does not apply to this endorsement.

22. Vocational-technical related subjects: A minimum of two years of approved occupational experience is required. The [24] 30-credit field requirement does not apply to this endorsement.

23. Typewriting: [In lieu of a major in this field, the applicant must present:] **This endorsement is available on the basis of the following:**

i.-ii. (No change.)

(c) Comprehensive field endorsements are 30 semester-hour credits as **specified in N.J.A.C. 6:11-4(a)** [required], [unless] or as specified otherwise below.

1.-3. (No change.)

4. Handicapped: This endorsement authorizes teaching the physically limited, socially and emotionally maladjusted, mentally retarded (educable and trainable) children, or children with multiple handicaps. [Instead of 6:11-8.2(d) above, t] The program must include a **minimum** [total] of 30 semester-hour credits in a **coherent sequence of professional courses** [education], including 18 in education of the handicapped. These 18 credits must include study in each of the following areas: nature and causes of disabilities, practices and materials in teaching the handicapped, resources and community agencies available in teaching the handicapped. These 30 credits do not include student teaching.

i. (No change.)

ii. Blind or partially sighted: [Instead of 6:11-8.2(d) above, t] The program must include a **minimum** [total] of 30 semester-hour credits in a **coherent sequence** of professional education, including 18 in education of the handicapped. These 18 credits must include study in each of the following areas: nature and causes of disabilities, curriculum and/or methods of teaching blind or partially sighted children, including typewriting and Braille, resources and community agencies available for teaching the handicapped. These 30 credits do not include student teaching.

iii. (No change.)

iv. Deaf or hard of hearing: [Instead of 6:11-8.2(d) above, t] The program must include a **minimum** [total] of 30 semester-hour credits in **coherent sequence** of professional education including 18 in education of the handicapped. These 18 credits must include study in each of the following areas: nature and causes of disabilities, curriculum and/or methods of teaching speech, speech reading, and language to the deaf or hard of hearing, resources and community agencies available in teaching the handicapped. These 30 credits do not include student teaching.

v. (No change.)

5. Health education: See Standards for State Approval of Teacher Education (**N.J.A.C. 6:11-7.1**).

6. Health and physical education: See Standards for State Approval of Teacher Education (**N.J.A.C. 6:11-7.1**).

7. Home economics: See Standards for Approval of Teacher Education (**N.J.A.C. 6:11-7.1**).

8. Industrial Arts: See Standards for State Approval of Teacher Education (**N.J.A.C. 6:11-7.1**).

i. Persons without a bachelor's degree who possess a background of four years of approved industrial trade or technical experience

may qualify for an industrial arts endorsement if they present high school graduation or its equivalent, and an approved program that has included 18 semester-hour credits or general background studies, including at least three of the fields of study specified in N.J.A.C. [6:11-8.2(c), (d), and (e)] **6:11-8.4(a)** and content in industrial arts as specified in Standards for State Approval of Teacher Education (see N.J.A.C. **6:11-7.1**).

9. Instrumental music: An approved program including: Proof of ability to play the piano or organ and one other instrument, of the equivalent of one year (32 semester-hour credits) in the study of education in music, including study in each of the following fields: music theory (harmony, counterpoint, orchestration); music appreciation and history; instrumental music; orchestra and band; conducting; education (studies in educational psychology, principles, methods of teaching). [For this certificate, requirements N.J.A.C. 6:11-8.2(a), (c), (d) and (f) do not apply.]

10. Music: See Standards for State Approval of Teacher Education N.J.A.C. **6:11-7.1**).

11. Physical education: See Standards for State Approval of Teacher Education (N.J.A.C. **6:11-7.1**). Students who complete an approved program in physical education may also obtain a health education endorsement if the program includes 18 semester-hour credits in health education.

12. (No change.)

13. Social studies: See Standards for State Approval of Teacher Education (N.J.A.C. **6:11-7.1**). Applicants who have completed an approved teaching field in an out-of-State college in one of the component fields of social studies, such as, anthropology, economics, history, sociology, and so forth, that does not include all of the areas of study required in an approved social studies teacher education program may be issued a temporary social studies certificate valid for one year and renewable annually upon presentation of a specified number of semester-hour credits of additional study applicable toward meeting the remaining requirements.

6:11-8.8 Bilingual/bicultural education

(a)-(c) (No change.)

(d) The participants in such approved programs shall acquire the skills and knowledge prescribed in **this section** [these rules and regulations] before the dean of education recommends the candidate to the Bureau of Teacher [Education and Academic Credentials] **Certification** for a bilingual/bicultural certificate.

6:11-8.9 Teaching English as a second language

(a) (No change.)

(b) The requirements are as follows:

1.-2. (No change.)

3. Successful completion of a program of college studies including the following. Required areas of studies are starred(*).

[i. A minimum of 45 semester-hour credits in general background courses distributed in at least four of the following fields:

- (1) English;
- (2) Social studies;
- (3) Science;
- (4) Fine arts;
- (5) Mathematics;
- (6) Foreign languages;
- (7) Philosophy and psychology;
- (8) Music.]

i. Each approved undergraduate teacher education program shall provide approximately 60 semester-hour credits as described in N.J.A.C. **6:11-8.2(a)3**.

ii. [Fifteen] **Thirty** credits in the field of professional education in accordance with [New Jersey certification standards;] **6:11-8.2(a)5**.

iii. Thirty credits, comprehensive field endorsement[.] and as specified in N.J.A.C. **6:11-8.4(a)** for the coherent sequence of study.

(1)-(5) (No change.)

iv.-v. (No change.)

(c) (No change.)

(d) (No change.)

1. The participants in such approved programs shall acquire the skills and knowledge prescribed in these rules and regulations before the dean of education recommends the candidate to the Bureau of Teacher [Education and Academic Credentials] **Certification** for an English as a second language certificate.

6:11-8.10 Teaching of psychology; certification endorsement

(a) (No change.)

(b) The requirements are as follows:

1.-2. (No change.)

3. Completion of [24] **30** semester-hour credits in a **coherent sequence** in psychology including work in each of the following areas:

i.-v. (No change.)

6:11-8.11 Supervision of practicum students

(a) **Collegiate faculty assigned to supervise practicum students shall:**

1. **Have had experience supervising, consulting or otherwise working in an elementary/secondary school in contact with classroom teachers within the previous two years;**

2. **Be full-time faculty members or part-time faculty with demonstrated expertise in the field they are supervising.**

(b) **College supervisors of student teachers shall be assigned supervisory loads which permit observation of each student once every other week.**

6:11-8.12 Admission, retention, and graduation of students

(a) **Teacher preparation programs are those curricula which lead to a recommendation for a New Jersey instructional certificate irrespective of the organizational unit of the college which the curriculum is offered. Formal admission to teacher preparation programs shall be reviewed at the beginning of the junior year and shall be granted only to those students who have:**

1. **Maintained a cumulative grade point average of at least 2.5(4=A) for the first two years of college. It is the intent of this and other standards which refer to minimum grade point average to insure that institutions determine the intellectual competence of those recommended for certification. The required average of 2.5 should be viewed as only a minimal means of achieving this goal; the variability of the GPA among institutions should also be recognized. Therefore, institutions are encouraged to exceed this standard when appropriate and to develop additional criteria for insuring that prospective teachers are intellectually capable.**

2. **Achieved acceptable levels of proficiency in the use of the English language (oral and written) and mathematics. Students with deficiencies in these areas upon admission to college shall be required to demonstrate the elimination of such deficiencies through an oral or written assessment at the beginning of the junior year.**

3. **Demonstrated aptitude for the profession of teaching through successful completion of an introductory course which provides appropriate practical experiences in an elementary or secondary school. This requirement would normally have to be met before the student is granted status as a junior in the program.**

(b) **Each student shall be evaluated at the end of the junior year by college faculty (both education and subject matter) and confirmed as a candidate for certification on the basis of a comprehensive assessment of relevant indicators which shall include:**

1. **Having maintained a cumulative grade point average of at least 2.5(4=A);**

2. Having demonstrated acceptable levels of teaching proficiency in junior practica as indicated by the evaluation reports of college and school faculty. Such evaluations shall be communicated to the student and shall be included in the student's permanent file.

(c) Only students who have been confirmed as candidates for certification shall be assigned to student teaching.

(d) Colleges shall recommend for certification to the Department of Education only those students who have completed the certification program and have:

1. Maintained a cumulative grade point average of 2.5(4-A);
2. Demonstrated continued competence, aptitude, motivation, and potential for outstanding success in teaching as indicated by assessments of student teaching performance by college and school supervisors. Such assessments shall be communicated to the student and shall be a part of the student's file;
3. Demonstrated knowledge of the behavioral/social foundations of teaching through successful completion at the end of the senior year of a comprehensive oral or written test devised or selected by the institution (this standard applies to all elementary and secondary teacher candidates);
4. Demonstrated knowledge of the academic subject area major through successful completion at the end of the senior year of a comprehensive oral or written test devised or selected by the institution.

(e) All standards are to be applied equitably to all students, including transfer students, and without discrimination based upon legally prohibited criteria. All admissions and retention processes are to be consistent with State and institutional affirmative action policies and goals.

(f) Colleges shall develop appropriate procedures for placing on probation and dismissing from the program students who fall below minimum requirements before graduation, and shall incorporate into these procedures methods for appeals by students.

(g) Students completing an approved program must be recommended for a certificate by their college or university before one will be issued by the State Board of Examiners.

6:11-8.13 Exception to standards

Exceptions to one or more of the rules in this subchapter may be granted by the Commissioner of Education in cases where an institution is able to document the qualitative equivalency of an alternate approach.

(a)

STATE BOARD OF EDUCATION

**Bookkeeping and Accounting in Local School Districts
Budget and Cost Distribution Records**

Proposed Amendments: N.J.A.C. 6:20-2.3

Authorized By: New Jersey State Board of Education,
Fred G. Burke, Secretary.
Authority: N.J.S.A. 18A:4-15, 18A:7A-1 et seq. and
18A:22-8.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-122.

The agency proposal follows:

Summary

The proposed amendments delete the requirement that district boards of education adopt a program-oriented budgeting format for the 1983-84 school year.

These amendments allow districts to adopt program-oriented budgeting at the option of the district board of education. Currently, all district boards of education must adopt a program-oriented format for the 1983-84 school year. The amendments are intended to make program-oriented budgeting optional. Since program-oriented budgeting would be optional, districts will not be required to crosswalk their 1982-83 budget format by July 1, 1982.

The amendments also require that the Commissioner of Education report not less than annually on the number of districts that have adopted an approved program-oriented budgeting format, and the number of districts proceeding toward the adoption of program-oriented budgeting.

Social Impact

These amendments will affect all district boards of education in New Jersey. Line item districts will continue to budget using their traditional format. PPBS districts which continue to use a program budgeting approach will have to adopt the classifications in the present program-oriented system.

Economic Impact

These amendments will remove the economic burden placed upon traditional line item districts as a result of the present mandate to implement program-oriented budgeting. PPBS districts will incur some cost as a result of the necessity to convert to the classifications used in the present program-oriented system.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

6:20-2.3 Budget and cost distribution records

(a)-(c) (No change.)

(d) [Local] **District** boards of education may adopt, by board resolution, the approved program-oriented budget format. [for the fiscal year 1979-80 budget, or for the fiscal year 1980-81 budget. All local boards of education shall adopt the approved program-oriented format for the fiscal year 1983-84 budget.]

(e) (No change.)

(f) [In preparation for the 1983-84 conversion, all districts shall crosswalk their 1982-83 budget to a program-oriented format and submit said crosswalk as part of classification documentation by July 1, 1982]. **The Commissioner of Education shall report periodically, but not less than annually, to the State Board of Education of the number of districts that have adopted the approved program-oriented budget format, and the number of districts proceeding toward that end.**

ENVIRONMENTAL PROTECTION

(a)

BUREAU OF SHELLFISH CONTROL

Shellfish-Growing Water Classification Growing Water Condemnations

Proposed New Rules: N.J.A.C. 7:12-1.4 and 1.5

Proposed Amendments: N.J.A.C. 7:12-1.2 and 1.3

Authorized By: Robert E. Hughey, Commissioner,
Department of Environmental Protection.
Authority: N.J.S.A. 13:1D-1, 13:1B-5 and 58:24-1.
DEP Docket No.: 003-82-03.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Eisele Jr., Chief
N.J. Department of Environmental Protection
Bureau of Shellfish Control
Richards Lane, Leeds Point
Star Route
Absecon, New Jersey 08201

The Department of Environmental Protection thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-124.

The agency proposal follows:

Summary

The Department of Environmental Protection proposes to amend its rules on the classification of certain shellfish beds resulting from surveys conducted by the Bureau of Shellfish Control.

The investigatory work consists of the collection and analysis of water samples, the inventory of actual and potential sources of pollution, and hydrographic studies of flow patterns which distribute pollution. These surveys are conducted in accordance with applicable State and Federal (Food and Drug Administration (FDA)) guidelines and regulations. The FDA further requires that each state appraise, every two years, the quality of those waters Approved for the harvest of shellfish. New Jersey conducts investigatory work and research and pursuant to N.J.S.A. 58:24-1 et seq., revises the regulations annually.

These proposed amendment will result in the reclassification of approximately 3241 acres. The names of the waterways and number of acres reclassified are listed below in general terms:

Chart No.	Area	Action Proposed	Acres
2	McClees Creek (Navesink River)	Special Restricted to Condemned	15
3	Upper Barnegat Bay (Swan Point area)	Seasonal to Condemned	31
3	Atlantic Ocean	Condemned to Approved	2515
3 & 4	Silver Bay	Seasonal to Condemned	395
7	Atlantic Ocean	Condemned to	205

9	Great Sound (Holmes Creek)	Approved Condemned to Seasonal	80
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Additionally, the Seasonal areas formerly listed at N.J.A.C. 7:12-1.3 (b) and (c) will be recodified as N.J.A.C. 7:12-1.4 and 1.5, respectively.

Social Impact

Minimal social impact is expected from this action. Areas being recommended for downgrading to Condemned are currently not used or used to a minimal degree by the shellfish industry and recreational harvesters. The areas being recommended for upgrading to the Approved or Seasonally Approved category will now be available for use by these groups. The acreages in case are small in comparison to the total for the State.

Economic Impact

It is anticipated that the economic impact associated with the various growing water reclassifications contained herein, will be positive in nature. Overall, there is more water being upgraded (2800 acres) than downgraded (441 acres). In addition, the areas being recommended for downgrading are considered to be relatively non-productive from the commercial and recreational standpoint. Conversely, several of the areas being recommended for upgrading are considered productive by the shellfish industry. The net effect of these reclassifications will be to increase the acreage available for shellfish harvesting in productive areas.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

7:12-1.2 Definitions

“Seasonal area” means waters Condemned and opened for the harvest of shellfish each year automatically by operation of regulations according to the schedule in N.J.A.C. 7:12-1.3 (b) and (c) **1.4 and 1.5**.

“Special [r]Restricted Areas” means certain **Condemned** waters meeting specified sanitary standards as setforth by the National Shellfish Sanitation Program. Applications for removal of shellfish to be used for human consumption from areas classified as Special Restricted will be considered for transplant, transfer, relaying, and depuration/controlled purification.

7:12-1.3 Growing water condemnations

(a) Charts designating Condemned areas as hereinafter described are available from the Bureau of Shellfish Control offices, Marine Police Stations, and Shellfisheries field offices at Bivalve and Nacote Creek. However, all persons are cautioned that emergency closures may be necessary and may not be charted. These Approved Area Charts are developed from Nautical Charts Number 12327 New York Harbor [73rd] **76th** Edition, [March 10, 1979] **December 20, 1980**; Number 12324 Intracoastal Waterway, Sandy Hook to Little Egg Harbor, [17th] **19th** Edition, [January 1979] **December 13, 1980**; Number 12316 Intracoastal Waterway, Little Egg Harbor to Cape May [16th] **18th** Edition, [January 1979] **December 6, 1980**; and Number 12304 Delaware Bay, [25th] **27th** Edition [December 2, 1978] **March 28, 1981**. The state Department of Environmental Protection hereby Condemns all shellfish growing waters or other places from which shellfish are or may be taken, at all times of the year, except when otherwise noted in **N.J.A.C. 7:12-1.4 and 1.5**[:].

- 1.-4. (No change.)
- 5. Navesink River ([a] A portion is designated as a [special restricted] **Special Restricted** area.):
 - i. (No change.)
 - ii. Special [r]Restricted area: That portion of the Navesink River

(excluding McClees Creek which shall remain Condemned) lying east and north of a straight line beginning at the point of land on the north bank immediately southwest of Jones Point and bearing approximately 142 degrees T, extending through navigational aid C23 to its terminus on the south bank.

- 6.-8. (No change.)
- 9. Bay Head and Metedeconk River (A portion is designated [s]Seasonal. See: N.J.A.C. 7:12-[1.3(c)1]1.5.): . . .
- 10. Island Beach areas; Bay Head to Berkeley Township (A portion is designated Seasonal. See: N.J.A.C. 7:12-[1.3(c)2]1.5.): . . .
- 11. Barnegat Bay - Brick Township area and Dover Township from the Metedeconk River to Toms River (A portion is designated Seasonal. See: N.J.A.C. 7:12-[1.3(c)3]1.5.):
 - i. [All those waters of the small cove located immediately north and west of Swan Point, west of a line connecting the points of land at its mouth;] **All those waters west of a straight line beginning at the easternmost point of land on the peninsula supporting the western approach to the Route 528 (Ocean County) Bridge and bearing approximately 202 degees T to its terminus on the easternmost point of land on Swan Point.**
 - ii. (No change.)
 - iii. (No change.)
 - iv. All those waters of Silver Bay [lying north of a line beginning at the southernmost point of Andrew Point (on Green Island) and bearing 263 degrees T to the mouth of a small lagoon complex located between the southern terminus of Lagoon Drive East and the eastern terminus of Bay Stream Drive, then all those waters lying west of a line from the above lagoon mouth and bearing approximately 180 degrees T to a point of land on the southern bank of Silver Bay, then those waters of the small cove formed by the above point, south from a line beginning at said point and bearing approximately 128 degrees T and terminating in a small section of old bulkhead on the opposite bank;] **and its tributaries west of a straight line beginning at the southernmost point of land on Andrew Point (Green Island) and bearing approximately 181 degrees T and terminating on the most easterly point of land on Cattus Island Park (Ocean County).**
 - v. (No change.)
- 12.-13. (No change.)
- 14. Barnegat Bay - Berkeley Township, Potter Creek to Forked River ([a] A portion is designated Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(b)1]1.4.). . .
- 15. Forked River and Barnegat Bay; Forked River to Barnegat (Double Creek) area ([a] A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(b)1ii]1.4.): . . .
- 16. Barnegat Bay - Little Egg Harbor - Long Beach Island area; Barnegat Light to Holgate ([a] A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(b)2]1.5.): . . .
- 17. Manahawkin Bay, Mallard Island, Beach Haven West (Village Harbor) area ([a] A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(c)4]1.5.): . . .
 - i. (No change.)
 - ii. All of those waters in an unnamed creek north and west of a line beginning on Oyster Point and bearing approximately 032 degrees T to its terminus on the northeast shore of the unnamed creek. This line of Condemnation is an extension of a line (terminating on Oyster Point) defined in N.J.A.C. 7:12-[1.3 (c) 4] 1.4.
 - 18. Cedar Run area ([a] A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(c)6]1.5.): . . .
 - 19.-20. (No change.)
 - 21. Tuckerton area (A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(c)6]1.5.): . . .
 - 22. (No change.)
 - 23. Mullica River - Great Bay area: (A portion is designated as Seasonal[, see]. See: N.J.A.C. 7:12-[1.3(b)2i]1.4.):
 - i. Mullica River and tributaries (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)]1.4.): All of

- the Mullica River and tributaries, thereof, upstream from a straight line beginning at the easternmost point of Moss Point and bearing approximately [037] 093 degrees T [across the small cut or thorofare separating Blood Point from the mainland] **to the southwesternmost point of land on the north bank of the northernmost ditch (Bloody Ditch) separating Blood Point from the mainland.**
- ii. (No change.)
- iii. Ballanger Creek area (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)3ii]1.4.): . . .
- iv. Roundabout Creek area (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)3iii]1.4.): . . .
- v. Judies Creek (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)3iv]1.4.): . . .
- vi.-viii. (No change.)
- 24. Reed Bay area: (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)]1.4.):
 - i.-v. (No change.)
 - 25. Brigantine area (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3 (c)6]1.5.):
 - i.-ii. (No change.)
 - iii. All of [Law] Low Water Thorofare.
 - 26. Atlantic City - Absecon area: (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)]1.4.):
 - i.-x. (No change.)
 - 27. Pleasantville - Northfield - Linwood - Margate - Ventnor - Longport area (Portions are designated as [special restricted and seasonal, see] Special Restricted and Seasonal. See: N.J.A.C. 7:12-[1.3(b)5]1.4.):
 - i. (No change.)
 - ii. All that portion of Lakes Bay and Shelter Island Bay not specified in the [special restricted] Special Restricted area in the [seasonal] Seasonal area described in N.J.A.C. 7:12-[1.3(b)5]1.4.).
 - iii.-vii. (No change.)
 - 28. Ocean City - Somers Point area (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(b)6 and (c) 2] 1.4 and 1.5.):
 - i.-x. (No change.)
 - 29. Great Egg Harbor River (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(c)]1.5.):
 - i. All of Great Egg Harbor River and tributaries upstream from a line beginning at Flashing Light number 7 (Fl "7") and bearing approximately 020 degrees T to the west bank at the mouth of Lakes Creek. This line coincides with the line described in N.J.A.C. 7:12-[1.3(c)7ii]1.5;
 - ii-iv. (No change.)
 - 30. (No change.)
 - 31. Strathmere and Sea Isle City area (A portion is designated as [seasonal, see] Seasonal. See: N.J.A.C. 7:12-[1.3(c)8] 1.5.):
 - i.-viii. (No change.)
 - 32. (No change.)
 - 33. Stone Harbor area (A portion is designated as Seasonal. See: N.J.A.C. 7:12-1.4.):
 - i. All of Gull Island Thorofare, Cresse Thorofare and Great Channel south and east from a straight line beginning at Halfmile Point, bearing approximately [100] 110 degrees T passing across the northern tip of Gull Island and terminating on the easterly bank at the entrance of Sturgeon Hole, south to Hereford Inlet;
 - ii.-xi. (No change.)
 - xii. All of Holmes Creek [, a tributary of Great Sound and that portion of Great Sound into which it flows as far off shore as a straight line beginning at Halfmile Point and bearing approximately 354 degrees T to the opposite shore, including all those drainage ditches hydraulically connected with these condemned waters.] **upstream of a line across the creek beginning at the first drainage ditch on the north bank inside the creek's mouth.**
 - 34.-36. (No change.)
 - 37. Delaware Bay area (A portion designated as [Seasonal, see:]

Seasonal. See: N.J.A.C. 7:12-[1.3(b)7]1.4.):

i.-ii. (No change.)

iii. Bidwell Creek (A portion is designated as [seasonal, see]

Seasonal. See: N.J.A.C. 7:12-[1.3(b)7i]1.4.): . . .

iv.-v. (No change.)

vi. Maurice River and Maurice River Cove (A portion is designated as [seasonal, see] **Seasonal. See:** N.J.A.C. 7:12-[1.3(b)7iii]1.4.): . . .

vii. Dividing Creek (A portion is designated as [seasonal, see] **Seasonal. See:** N.J.A.C. 7:12-[1.3(b)7iv]1.4.): . . .

viii. Oranoaken Creek (A portion is designated as [seasonal see] **Seasonal. See:** N.J.A.C. 7:12-[1.3 (b) 7v] 1.4.): . . .

ix. (No change.)

x. Nantuxent Cove area (A portion is designated as [seasonal see] **Seasonal. See:** N.J.A.C. 7:12-[1.3 (b) 4vi] 1.4.): . . .

xi. (No change.)

38. (No change.)

39. Atlantic Ocean:

i. All of the ocean waters east of a line connecting the northernmost point of Sandy Hook and the southwesternmost point of Rockaway Point and south of the New York State line and extending to and following the New Jersey [3] **three** nautical mile jurisdictional limit in a southerly direction until it intersects a line bearing approximately [209] **269** degrees T connecting a point with coordinates of latitude 40 degrees 20.8 minutes N., longitude 73 degrees 47.7 minutes W. (generally marked by a buoy charted as BW "BA" Mo (A) WHIS marking the separation zone of the Ambrose-Barnegat traffic lane) and the radio tower located at the New Jersey Marine Police Station, 128 Ocean Avenue, Borough of Monmouth Beach, with coordinates of latitude 40 degrees 20.5 minutes N., longitude 73 degrees 58.5 minutes W., then along that line to a point 1.5 nautical miles directly offshore, then along the shoreline in a southerly direction 1.5 nautical miles offshore until it intersects a line beginning at the water tank located on 509 Monmouth Avenue, Borough of Spring Lake, with coordinates of latitude 40 degrees 08.8 minutes N., longitude 74 degrees 02.2 minutes W., and bearing approximately [084] **085** degrees T through the dome of the Essex-Sussex Hotel, 700 Ocean Avenue, Borough of Spring Lake, with coordinates of latitude 40 degrees 08.8 minutes N., longitude 74 degrees 01.5 minutes W., then proceeding from that point of intersection in a westerly direction along that line towards the above noted dome until it is [one (1)] **0.5** nautical miles directly offshore, then continuing in a southerly direction [one (1)] **0.5** nautical miles offshore until it intersects a line bearing approximately 146 degrees T from the water tank located on Lake Avenue, Borough of Bay Head, with coordinates of latitude 40 degrees 04.1 minutes N., longitude 74 degrees 02.7 minutes W., then proceeding in a southeasterly direction along that line for approximately [1.4] **2.2** nautical miles until it intersects a line [at coordinates of latitude 40 degrees 01.6 minutes N., longitude 74 degrees 00.5 minutes W.,] bearing approximately 056 degrees T from the water tank located on Normandy Way in the Normandy Beach section of Dover Township, with coordinates of latitude 39 degrees 59.9 minutes N., longitude 74 degrees 03.8 minutes West. This point of [intersection] **intersecting lines** is approximately 2 nautical miles from the shoreline and has [the following Loran coordinates: Loran A: 3H4-4355; 3H5-3231; Loran C: 9930-W-16367.0; 9930-X-40036; 9930-Y-51271; 9930-Z-6991I.] **coordinates of latitude 40 degrees 01.6 minutes N., longitude 74 degrees 00.5 minutes West.** The line then continues, bearing approximately 236 degrees T (**reciprocal 056 degrees T**) from the point of intersection, towards the above noted water tank in Normandy Beach for approximately 1.4 nautical miles until it is one (1) nautical mile directly offshore, then continuing in a southerly direction one (1) nautical mile offshore until it intersects a line bearing approximately 132 degrees T from the water tank located on 127 Decatur Avenue, Borough of Seaside Park, with coordinates of latitude 39 degrees 56.1 minutes N., longitude 74 degrees 04.7 minutes W., then proceeding in a southeasterly

direction along that line for approximately 0.6 nautical miles until it intersects a line bearing approximately 096 degrees T from the water tank located on the corner of Barnegat Avenue and 12th Avenue, Borough of Seaside Park, with coordinates of latitude 39 degrees 54.9 minutes N., longitude 74 degrees 05.0 minutes West. This point of intersecting lines is approximately 1.5 nautical miles from the shoreline and has coordinates of latitude 39 degrees 54.7 minutes N., longitude 74 degrees 02.7 minutes West. The line continues from this point along the shoreline in a southerly direction 1.5 nautical miles offshore until it intersects a line bearing approximately 096 degrees T from the cupola located on top of Island Beach State Park's Maintenance Center (the old Coast Guard Station number 110), with coordinates of latitude 39 degrees 53.7 minutes N., longitude 74 degrees 04.9 minutes [W] **West.** This point of intersecting lines has coordinates of latitude 39 degrees 53.6 minutes N., longitude 74 degrees 02.9 minutes West. The line continues from this point bearing approximately 218 degrees T (**reciprocal 038 degrees T**) to the first ocean bath house and concession building from the entrance of Island Beach State Park (approximately 3.3 statute miles south of Park's entrance) with coordinates of latitude 39 degrees 51.2 minutes N., longitude 74 degrees 05.2 minutes W., and terminating. This condemnation adjoins the closures defined in [paragraphs 3i, 3ii, 6i and 8i of this subsection] (a) **3i, ii, 6i and 8i;**

ii. (No change.)

iii. All of the ocean waters inshore of a line beginning at the water tank at 44th Street and Bayshore Avenue, City of Brigantine, with coordinates of latitude 39 degrees 23.4 minutes N. [and], longitude 74 degrees 23.4 minutes W., and bearing approximately 157 degrees T for approximately 2.5 nautical miles to a point with coordinates of latitude 39 degrees 21.2 minutes N., longitude 74 degrees 22.5 minutes W. (generally marked by a buoy charted as "1A" FI G 4 sec GONG at the entrance to Absecon Inlet), then bearing approximately [272] **276** degrees (**reciprocal 096 degrees T**) for approximately [two] **1.9** nautical miles [to] **towards** the outermost tip of [Steel Pier, Atlantic City, then bearing approximately 153 degrees T for approximately 2 nautical miles from the shoreline to a point with coordinates of latitude 39 degrees 19.7 minutes N., longitude 74 degrees 24.0 minutes W., then along the shoreline in a southwesterly direction, 2 nautical miles offshore.] **Garden Pier, Atlantic City, until it is 0.25 nautical miles directly offshore, then parallel along the shoreline in a southwesterly direction, 0.25 nautical miles offshore, for approximately 0.4 nautical miles until it intersects a line bearing approximately 153 degrees T from the tip of Steel Pier, Atlantic City, then proceeding in a southeasterly direction along that line for approximately 1.75 nautical miles to a point with coordinates of latitude 39 degrees 19.7 minutes N., longitude 74 degrees 24.0 minutes W., then from this point which is approximately 2 nautical miles offshore, the line runs parallel to the shoreline in a southwesterly direction for approximately 4.1 nautical miles to a point with coordinates of latitude 39 degrees 17.8 minutes N., longitude 74 degrees 28.7 minutes W., then bearing approximately 333 degrees T (reciprocal 153 degrees T) for approximately 2.5 nautical miles to the water tank located at the corner of Amherst Avenue and North Gladstone Avenue, City of Margate, with coordinates of latitude 39 degrees 20.0 minutes N., longitude 74 degrees 30.2 minutes W., and terminating. [(This condemnation adjoins the closure defined in [paragraph] (a)26i [of this subsection]).**

iv.-vii. (No change.)

[(b) The seasonal waters described in this subsection shall be condemned for the harvest of shellfish from May 1 through October 31 yearly and approved for the harvest of shellfish November 1 through April 30 yearly. The areas are designated on the charts referred to in subsection (a) of this section.

1. Barnegat Bay-Berkeley Township area:

i. Potter Creek to Forked River: Seasonal- condemned May 1 through October 31 yearly, approved November 1 through April 30

yearly:

(1) All those waters east of the line described in N.J.A.C. 7:12-1.3(a)14i and west of a line beginning at the easternmost point of land on the south bank of Potter Creek and bearing 156 degrees T to Nun buoy 62 (N "62"), then bearing approximately 168 degrees T to Can buoy 63 (C "63"), then bearing 193 degrees T to Flashing Red light 64 (Fl R "64"), then bearing approximately 197 degrees T to Special Purpose buoy "A" of Laurel Harbor, then bearing approximately 296 degrees T to the juncture with the condemned area line described in N.J.A.C. 7:12-1.3(a)14i;

ii. Forked River area: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All those waters east of the line delineated at section 1.3 (a) 15 and west of a line beginning at Flashing Red light 2 (Fl R "2") off the mouth of Forked River and bearing approximately 347 degrees T to a point of land north of Forked River; also beginning at the same light (Fl R "2") the line bears approximately 219 degrees T to Flashing light 3 (Fl "3") marking the entrance to channel to Oyster Creek.

2. Barnegat Bay-Little Egg Harbor-Long Beach Island area: Barnegat Light to Holgate: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly: All that portion of Barnegat Bay and Manahawkin Bay lying east and south from a line beginning on the northern point of land forming the mouth of the most northerly lagoon complex in High Bar Harbor and bearing approximately 270 degrees T to the northeast point of the northernmost of the two islands just offshore, then along the east shore of that island to its southeast point, then across the unnamed gut or thorofare to the northeast point of the southernmost island, then along the east shore of that island to its southeast point, then bearing approximately 142 degrees T to the most easterly tip of Vol Sedge, then along the east shore of that island and across the easternmost tip of the other island of Vol Sedge, then bearing approximately 213 degrees T to the westernmost tip of Lovelady Harbor (marsh), then bearing approximately 190 degrees T to the westernmost point of land at the end of Bay View Road which forms the (southern bank) entrance to the Lovelady Harbor lagoon complex, then bearing approximately 178 degrees T to Fl R "2", then bearing approximately 217 degrees T to the next point of land (just SE of Fl 8ft "82") and along the western shoreline across the mouths of the two lagoons to the point of land on the southern bank forming the entrance to the second of these lagoons, then bearing approximately 205 degrees T to the northwest corner of the largest of the unnamed islands (just east of Fl 8ft "85") off the mouth of Harvey Cove (Harvey Cove itself shall remain condemned - see: N.J.A.C. 7:12-1.3 (a)) then along that island's northern shoreline to its easternmost point then bearing approximately 112 degrees T to the nearest point of land in Harvey Cedars, then bearing approximately 219 degrees T to the next point of land, then bearing approximately 196 degrees T to the point of land just north of Barbay Road in Long Beach Township, then bearing approximately 209 degrees T to the end of the pier at the end of Bay Shore Street in Long Beach Township, then bearing approximately 229 degrees T to the pier at the end of North 9th Street in Surf City (Surf City Yacht Club), then bearing approximately 239 degrees T to the point of land at the end of North 3rd Street in Surf City then bearing approximately 263 degrees T to a point of land on Cedar Bonnett, then along the east and south shores of that island respectively, to its southernmost point of land, then across a small creek or thorofare to an unnamed island just to the south, then those waters lying east and south of a line beginning at the range markers (Department maintained) located on the above unnamed island and bearing 203 degrees T to Flashing light 28 (Fl R 8ft "28") marking the intracoastal waterway, then bearing approximately 177 degrees T to the most northerly point of land on High Island and along this island's eastern shoreline to its southeastern point, then in a straight line to channel marker number 36 (RN "36"), then continuing to Flashing light 38 (Fl R 8ft "38"), then following in the west side

of the intracoastal, waterway to Flashing light 44 (Fl R 8ft "44"), then in a straight line to Flashing light 47 (Fl G 8ft "47"), then in a straight line to Can buoy 49 (C "49"), then in a straight line to Can buoy 49A (C "49A"), then in a straight line to Flashing light 53 (Fl G 8ft "53"), then continuing in a straight line to channel marker number 54 (R "54"), and then following the west side of the intracoastal waterway to Flashing Red Light number 64 (Fl R 8ft "64"), then bearing approximately 239 degrees T to the southernmost tip of the small island off the Beach Haven Yacht Club, then bearing approximately 226 degrees T to the northernmost tip of Mordecai Island, then along the western shore of that island to its southwest point, then bearing approximately 267 degrees T to Flashing Light number 75 (Fl G 8ft "75"), then bearing approximately 191 degrees T to a point of land, then continuing along the shoreline to the southwest, closing off the entrances to Tebco's Boat Basin and Silver Sands Marina, then from the bulkhead at the end of Inlet Drive, the line bears 215 degrees T and terminates at the point of land on the south side of Holgate.

3. Mullica River-Great Bay area:

i. Mullica River: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All those waters of the Mullica River (excluding Nacote Creek and the small cut or thorofare separating Moss Point from the mainland which shall remain Condemned) lying between a straight line beginning at the easternmost point of Moss Point and bearing approximately 107 degrees T to Fl "5" (upstream boundary) and a straight line beginning at the northernmost point of land on Akimbo Point and bearing approximately 070 degrees T to the southernmost point of land on Doctor Point (downstream boundary);

ii. Ballanger Creek area: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Ballanger Creek and tributaries upstream from a straight line beginning at the westernmost point of land on the south bank of Ballanger Creek and bearing approximately 000 degrees T to the opposite shore of the creek to the Department maintained markers located upstream and as defined in N.J.A.C. 7:12-1.3(a)23iii(1);

(2) All of Winter Creek from its juncture with Ballanger Creek upstream to the Department maintained marker described in N.J.A.C. 7:12-1.3(a)23iii(2).

iii Roundabout Creek area: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Roundabout Creek and tributaries upstream from a straight line beginning at the southernmost point of land on the east bank of Roundabout Creek and bearing approximately 306 degrees T to the opposite shore of the creek to the Department maintained markers described in N.J.A.C. 7:12-1.3(a)23iv;

iv. Judies Creek: Seasonal-condemned May 1 through October 30 yearly, approved November 1 through April 30 yearly:

(1) All of Judies Creek and tributaries up-stream from its confluence with Basses Bay to the Department maintained markers as described in N.J.A.C. 7:12-1.3(a)23v.

4. Absecon Bay-Absecon Channel area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly.

i. All of Middle Thorofare, Wills Thorofare, Absecon Channel and Absecon Bay contained within a line beginning at day beacon "73" (located at the Confluence of Broad Creek and Man Killer Bay) and bearing approximately 227 degrees T to the point of land on the western shore at the mouth of Point Bar Thorofare, then along that shoreline and across the mouth of Newfound Thorofare, then along that shoreline and across the mouth of Jonathan Thorofare, then along that shoreline to the Department maintained marker located at the mouth of the first major man-made cut or lagoon (not including mosquito ditches) and bearing approximately 36 degrees T to another Department maintained marker on the opposite bank and continuing along that shoreline in a northeast direction to the Department maintained marker, then bearing approximately 120 degrees T to the point of land on the north shore of Cordery Thorofare, then across the mouth of Cordery Thorofare,

then along that shoreline in a southerly direction to a Department maintained marker, then across the mouth of Steelman Thorofare to its mouth, then in an easterly direction along Absecon Channel to Middle Thorofare, then along the northwest shoreline of Middle Thorofare to Flashing Red 10 (Fl R 10 ft "74"), then bearing 164 degrees T to its point of origin at day beacon G "73" and terminating.

5. Pleasantville-Northfield-Linwood-Margate-Ventnor-Longport area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

i. Lakes Bay: All that portion of Lakes Bay and Shelter Bay lying southwest from the channel leading from the Pleasantville Yacht Club around the north shore of the bay to Fl G "7", then continuing to the northern tip of Whirlpool Island, then bearing approximately 311 degrees T to the mainland and continuing to its point of origin at the Pleasantville Yacht Club channel and terminating.

6. Ocean City-Somers Point area-Great Egg Harbor Bay: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

i. All that portion of Great Egg Harbor Bay contained within a line beginning at the northern end of the Somers Point-Ocean City Bridge at Somers Point, then along the northeastern side of the causeway in a southeasterly direction to the first island after crossing Rainbow Channel, then in a westerly direction along the shoreline to the point of land adjacent to the small unnamed cove, then to Flashing Red light 4 (Fl R "4"), then to Flashing Red light 16 (Fl R "16"), then along the north shore of that island to the eastern tip of Shooting Island, then along the northern shore of Shooting Island to the range markers (Department maintained), then bearing approximately 352 degrees T to the eastern tip of Drag Island, then along the shoreline in a westerly direction to the Garden State Parkway Bridge, then across Drag Island following the northbound lane of the parkway across Drag Channel to the mainland, then along the mainland shore in a north-easterly direction to, and terminating at, the northernmost point of the Somers Point-Ocean City Bridge.

7. Delaware Bay area:

i. Bidwell Creek: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Bidwell Creek and tributaries downstream from the easterly side of the Route 47 bridge to its confluence with the Delaware Bay;

ii. East Point area: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All that portion of Delaware Bay contained within a line beginning at the East Point Lighthouse and bearing approximately 229 degrees T to the Flashing Green number 5 buoy (Fl G 4 sec "5" turn buoy) in the Maurice River Approach Channel, then bearing approximately 098 degrees T to the marker (Department maintained) on the point of land on the west shore at the mouth of West Creek and terminating.

iii. Maurice River Cove: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All those waters inside of a line beginning at the East Point Lighthouse and bearing approximately 311 degrees T (known as the Summer Line) to a marker on the western bank at the mouth of New England Creek, then along the shoreline in a westerly direction to the first tower, then bearing approximately 144 degrees T to Flashing Green 4 Second 5 (Fl G 4 sec "5"), then bearing approximately 048 degrees T to the East Point Lighthouse and terminating;

iv. Dividing Creek: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Dividing Creek and tributaries, including Weir Creek lying between the line described in N.J.A.C. 7:12-1.3(a)37vii and a line beginning at the southernmost point of land on the west bank at the mouth of Dividing Creek and bearing 000 degrees T to the opposite shore of Dividing Creek;

v. Oranoaken Creek: Seasonal-condemned May 1 through

October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Oranoaken Creek and tributaries, except the connecting branches of Fortescue Creek, downstream from The Glades and south of Weir Creek to a line beginning at the easternmost point of land on the west bank at the mouth of Oranoaken Creek and bearing approximately 090 degrees T to the opposite shore of Oranoaken Creek:

vi. Fishing Creek: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Fishing Creek and tributaries thereof;

vii. Nantuxent Cove, Back Creek and portions of Cedar Creek and Nantuxent Creek: Seasonal-condemned May 1 through October 31 yearly, approved November 1 through April 30 yearly:

(1) All of Nantuxent Cove north of a line beginning at the light (Fl 4 sec 36 feet 6M) located at the western tip of Nantuxent Point and bearing approximately 289 degrees T to the light (Fl 6 sec 21 feet 6M) located at the southern tip of Ben Davis Point, all of Back Creek and tributaries, including Tweed Creek, all of Nantuxent Creek lying downstream from the line described in N.J.A.C. 7:12-1.3(a)37x(1), and all of Cedar Creek lying downstream from the line described in N.J.A.C. 7:12-1.3(a)37x(2).

(c) The Seasonal waters as described in this subsection shall be Condemned for the harvest of shellfish from May 1 through December 31 yearly and approved for the harvest of shellfish January 1 through April 30 yearly. The areas are designated on the charts referred to in subsection (a) of this section and are described as:

1. Bay Head, Mantoloking area, Metedeconk River and Northern Barnegat Bay: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly. All of that area lying between the lines described in N.J.A.C. 7:12-1.3(a)9 and 10 including all of Barnegat Bay north of a straight line extending from Swan Point and bearing approximately 141 degrees T through Fl G 8ft "25" off Mantoloking.

2. Island Beach areas; Mantoloking to Island Beach State Park: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly.

i. All of those areas lying between the lines described in N.J.A.C. 7:12-1.3(a)10, 12 and 13 and a straight line beginning at the most westerly point of land on Dutchman's Point, just south of Mantoloking Shores, and bearing approximately 227 degrees T to the most northwesterly point of land on NW Point I. off Chadwick Beach, then following that island's northeasterly shore to its most easterly point of land, then bearing approximately 191 degrees T to the northwestern-most tip of the most northern of the two islands off Ocean Beach, then bearing approximately 236 degrees T to Fl "1", then bearing approximately 186 degrees T to Fl R "2" off Ortleigh Beach, then all those waters lying between the eastern shoreline and the Thomas A. Mathis Bridge and a straight line bearing approximately 234 degrees T to Fl G 8ft "43" which forms a common point of termination with the seasonal area line described in paragraph 3iii below.

ii. All of those areas lying between the lines described in N.J.A.C. 7:12-1.3(a)10, 12 and 13 including all those waters north of a straight line extending from the northernmost cupola on Island Beach State Park (currently the Island Beach State Park Maintenance Center, formerly the old USCG Station number 110) and bearing approximately 304 degrees T through Fl R 8ft "60" just north of Berkeley Shores. The northern boundary of this Condemned area shall be the Thomas A. Mathis Bridge.

3. Barnegat Bay-Brick Township area and Dover Township from the Metedeconk River to Toms River: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly:

i. All of those areas of Barnegat Bay lying between the Condemned area line at the mouth of Kettle Creek as described in N.J.A.C. 7:12-1.3(a)1iii, and a straight line beginning at Seaweed Point and bearing approximately 135 degrees T to Fl R 8 ft "30" off Seaweed Point then bearing approximately 251 degrees T to

Andrew Pt. on Green Island.

ii. All of those areas of Silver Bay lying between the lines described in N.J.A.C. 7:12-1.3(a)11iv and a line beginning at the southernmost point of Andrew Point on (Green Island) and bearing approximately 181 degrees T and terminating on the most easterly point of land on Cattus Island County Park.

iii. All of those waters of Barnegat Bay lying between the lines described in N.J.A.C. 7:12-1.3(a)11iv and a straight line extending from the point of land forming the northern bank/mouth of Shelter Cove and bearing approximately 160 degrees T to Fl R 8ft "40" then all those waters lying between the westernshoreline (mainland) and the Thomas A. Mathis Bridge and a straight line bearing approximately 152 degrees T to Fl G 8 ft "43" which forms a common point of termination with the Seasonal area line described in paragraph 2i above.

4. Manahawkin Bay, Mallard Island, Beach Haven West (Village Harbor) area: Seasonal-Condemned May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All those waters of Manahawkin and Little Egg Harbor Bays lying between the Condemned area lines described in N.J.A.C. 7:12-1.3(a), paragraphs 17i and 17ii and a straight line beginning on the westernmost end of the most westerly island along the Manahawkin Causeway, then bearing approximately 173 degrees T to the most easterly tip of Thorofare Island, then bearing approximately 218 degrees T to Special Purpose buoy "J", then bearing approximately 275 degrees T to Special Purpose buoy "K", then bearing approximately 032 degrees T and terminating on the southeastern tip of Oyster Point.

5. Cedar Run area: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly:

i. All of Cedar Run Cove lying between the above described line and a straight line beginning at Horse Point and bearing approximately 037 degrees T to a point of land on the opposite side of the cove.

6. Tuckerton area: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly:

i. All of Tuckerton Cove lying between the line described at N.J.A.C. 7:12-1.3(a)21i and a straight line connecting Thorofare Point and Gaunt Point.

7. Brigantine area: Seasonal-condemned May 1 through December 31 yearly, approved January 1 through April 30 yearly: An area adjacent to the City of Brigantine inshore from a line beginning at the telephone pole (A4229) at the north end of 13th Street North and bearing approximately 325 degrees T through Steelman Bay to Flashing light 5 (Fl "5"), then to the northwest tip of George's Dock (1427 North Shore Drive), then proceeding in a westerly direction to the first pier end west of the Brigantine Country Club (1048 North Shore Drive), then to the pier end at 1002 North Shore Drive (next to dead end street), then to the third pier end west of the Lafayette Boulevard Street end (860 North Shore Drive), then from pier end to pier end to 800 West Shore Drive, then to the pier end at 714 West Shore Drive and bearing approximately 173 degrees T into Shore Drive and bearing approximately 173 degrees T into Wading Thorofare until it intersects a line connecting Flashing lights 6 and 8 (Fl R "6" and Fl R "8") in Wading Thorofare, then along the line connecting Flashing lights 6 and 8 (Fl R "6" and Fl R "8") to Flashing light 8, then bearing approximately 211 degrees T to a point of land on the west shore of Bonita Tideway, then along the shoreline in a southerly direction to the first unnamed creek past Sand Creek, then bearing approximately 030 degrees T to the point of land on the opposite shore and terminating.

8. Steelman Bay: Seasonal-condemned May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All of Steelman Bay from a line beginning at a Department maintained marker on the southern shore of Steelman Bay and bearing approximately 306 degrees T, touching the shoreline of an unnamed island and continuing to a Department maintained marker on the opposite shore, then along the northern shoreline, including

the first tributary, the continuing along the shoreline of Steelman Bay, across several tributaries and back to its point of origin at the Department maintained marker and terminating.

9. Strathmere area: Seasonal-condemned May 1 through December 31, Approved January 1 through April 30 yearly:

i. All that portion of Main Channel from a straight line beginning at the north end of the Ocean Drive Bridge, along the western side of the bridge to the portion that opens, then bearing approximately 212 degrees T to the boat ramp located at the end of Bayview Avenue, Strathmere, then from a straight line beginning on the east bank at the mouth of Whale Creek and bearing approximately 285 degrees T to the opposite bank, then to a straight line across Main Channel bearing approximately 026 degrees T to a small ditch on the opposite shore of Main Channel, then along that shoreline to its point of origin at the Ocean Drive Bridge and terminating.]

7:12-1.4 Seasonally Approved growing waters (Approved November 1 through April 30, Condemned May 1 through October 31 yearly):

(a) The Seasonal waters described in this subchapter shall be Condemned for the harvest of shellfish from May 1 through October 31 yearly and Approved for the harvest of shellfish from November 1 through April 30 yearly. The areas are designated on the charts referred to in N.J.A.C. 7:12-1.3 and are described as:

1. Barnegat Bay-Berkeley Township area:

i. Potter Creek to Forked River: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All those waters east of the line described in N.J.A.C. 7:12-1.3(a) 14i and west of a line beginning at the easternmost point of land on the south bank of Potter Creek and bearing approximately 156 degrees T to Nun buoy 62 (N "62"), then bearing approximately 168 degrees T to Can buoy 63 (C "63"), then bearing 193 degrees T to Flashing Red light 64(Fl R "64"), then bearing approximately 197 degrees T to Special Purpose buoy "A" of Laurel Harbor, then bearing approximately 296 degrees T to the juncture with the Condemned area line described in N.J.A.C. 7:12-1.3(a)14i;

ii. Forked River area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All those waters east of the line delineated in section 1.3 (a) 15 and west of a line beginning at Flashing Red light 2 (Fl R "2") off the mouth of Forked River and bearing approximately 347 degrees T to a point of land north of Forked River; also beginning at the same light (Fl R "2") the line bears approximately 219 degrees T to Flashing light 3 (Fl "3") marking the entrance to the channel to Oyster Creek.

2. Barnegat Bay-Little Egg Harbor-Long Beach Island area: Barnegat Light to Holgate: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly: All that portion of Barnegat Bay and Manahawkin Bay lying east and south from a line beginning on the northern point of land forming the mouth of the most northerly lagoon complex in High Bar Harbor and bearing approximately 270 degrees T to the northeast point of the northernmost of the two islands just offshore, then along the east shore of that island to its southeast point, then across the unnamed gut or thorofare to the northeast point of the southernmost island, then along the east shore of that island to its southeast point, then bearing approximately 142 degrees T to the most easterly tip of Vol Sedge, then along the east shore of that island and across the easternmost tip of the other island of Vol Sedge, then bearing approximately 213 degrees T to the westernmost tip of Loveladies Harbor (marsh), then bearing approximately 190 degrees T to the westernmost point of land at the end of Bay View Road which forms the (southern bank) entrance to the Loveladies Harbor lagoon complex, then

bearing approximately 178 degrees T to Fl R "2", then bearing approximately 217 degrees T to the next point of land (just SE of Fl 8ft "82") and along the western shoreline across the mouths of the two lagoons to the point of land on the southern bank forming the entrance to the second of these lagoons, then bearing approximately 205 degrees T to the northwest corner of the largest of the unnamed islands (just east of Fl 8ft "85") off the mouth of Harvey Cove (Harvey Cove itself shall remain Condemned - see: N.J.A.C. 7:12-1.3(a)) then along that island's northern shoreline to its easternmost point then bearing approximately 112 degrees T to the nearest point of land in Harvey Cedars, then bearing approximately 219 degrees T to the next point of land, then bearing approximately 196 degrees T to the point of land just north of Barbay Road in Long Beach Township, then bearing approximately 209 degrees T to the end of the pier at the end of Bay Shore Street in Long Beach Township, then bearing approximately 229 degrees T to the pier at the end of North 9th Street in Surf City (Surf City Yacht Club), then bearing approximately 239 degrees T to the point of land at the end of North 3rd Street in Surf City then bearing approximately 263 degrees T to a point of land on Cedar Bonnett, then along the east and south shores of that island respectively, to its southernmost point of land, then across a small creek or thorofare to an unnamed island just to the south, then those waters lying east and south of a line beginning at the range markers (Department maintained) located on the above unnamed island and bearing 203 degrees T to Flashing light 28 (Fl R 8ft "28") marking the intracoastal waterway, then bearing approximately 177 degrees T to the most northerly point of land on High Island and along this island's eastern shoreline to its southeastern point, then in a straight line to channel marker number 36 (RN "36"), then continuing to Flashing light 38 (Fl R 8ft "38"), then following in the west side of the intracoastal waterway to Flashing light 44 (Fl R 8ft "44"), then in a straight line to Flashing light 47 (Fl G 8ft "47"), then in a straight line to Can buoy 49 (C "49"), then in a straight line to Can buoy 49A (C "49A"), then in a straight line to Flashing light 53 (Fl G 8ft "53"), then continuing in a straight line to channel marker number 54 (R "54"), and then following the west side of the intracoastal waterway to Flashing Red light number 64 (Fl R 8ft "64"), then bearing approximately 239 degrees T to the southernmost tip of the small island off the Beach Haven Yacht Club, then bearing approximately 226 degrees T to the northernmost tip of Mordecai Island, then along the western shore of that island to its southwest point, then bearing approximately 267 degrees T to Flashing Light number 75 (Fl G 8ft "75"), then bearing approximately 191 degrees T to a point of land, then continuing along the shoreline to the southwest, closing off the entrances to Tebco's Boat Basin and Silver Sands Marina, then from the bulkhead at the end of Inlet Drive, the line bears approximately 215 degrees T and terminates at the point of land on the south side of Holgate.

3. Mullica River-Great Bay area:

i. Mullica River: Seasonal-Condemned May 1 through October 31, Approved November 1 through April 30 yearly:

(1) All those waters of the Mullica River (excluding Nacote Creek and the small cut or thorofare separating Moss Point from the mainland which shall remain Condemned) lying between a straight line beginning at the northernmost point of land on Akimbo Point and bearing approximately 070 degrees T to the southernmost point of land on Doctor Point (downstream boundary) and a straight line beginning at the easternmost point of land on Moss Point and bearing approximately 093 degrees T, to the southwesternmost point of land on the north bank of the northernmost ditch (Bloody Ditch) separating Blood Point from the mainland (upstream boundary). The line defining the upstream boundary described here coincides with that described in N.J.A.C. 1.3(a) 23i.

ii. Ballanger Creek area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through

April 30 yearly:

(1) All of Ballanger Creek and tributaries upstream from a straight line beginning at the westernmost point of land on the south bank of Ballanger Creek and bearing approximately 000 degrees T to the opposite shore of the creek to the Department maintained markers located upstream and as defined in N.J.A.C. 7:12-1.3(a)23iii(1);

(2) All of Winter Creek from its juncture with Ballanger Creek upstream to the Department maintained marker described in N.J.A.C. 7:12-1.3(a)23iii(2).

iii. Roundabout Creek area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Roundabout Creek and tributaries upstream from a straight line beginning at the southernmost point of land on the east bank of Roundabout Creek and bearing approximately 306 degrees T to the opposite shore of the creek to the Department maintained markers described in N.J.A.C. 7:12-1.3(a)23iv;

iv. Judies Creek: Seasonal-Condemned May 1 through October 30 yearly, Approved November 1 through April 30 yearly:

(1) All of Judies Creek and tributaries upstream from its confluence with Basses Bay to the Department maintained markers as described in N.J.A.C. 7:12-1.3(a)23v.

4. Absecon Bay-Absecon Channel area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

i. All of Middle Thorofare, Wills Thorofare, Absecon Channel and Absecon Bay contained within a line beginning at day beacon "73" (located at the Confluence of Broad Creek and Man Killer Bay) and bearing approximately 227 degrees T to the point of land on the western shore at the mouth of Point Bar Thorofare, then along that shoreline and across the mouth of Newfoundland Thorofare, then along that shoreline and across the mouth of Jonathan Thorofare, then along that shoreline to the Department maintained marker located at the mouth of the first major man-made cut or lagoon (not including mosquito ditches) and bearing approximately 036 degrees T to another Department maintained marker on the opposite bank and continuing along that shoreline in a northeast direction to the Department maintained marker, then bearing approximately 120 degrees T to the point of land on the north shore of Cordery Thorofare, then across the mouth of Cordery Thorofare, then along that shoreline in a southerly direction to a Department maintained marker, then across the mouth of Steelman Thorofare to its mouth, then in an easterly direction along Absecon Channel to Middle Thorofare, then along the northwest shoreline of Middle Thorofare to Flashing Red 74 (Fl R 10ft "74"), then bearing 164 degrees T to its point of origin at day beacon G "73" and terminating.

5. Pleasantville-Northfield-Linwood-Margate-Ventnor-Longport area: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

i. Lakes Bay: All that portion of Lakes Bay and Shelter Bay lying southwest from the channel leading from the Pleasantville Yacht Club around the north shore of the bay to Fl G "7", the continuing to the northern tip of Whirlpool Island, then bearing approximately 311 degrees T to the mainland and continuing to its point of origin at the Pleasantville Yacht Club channel and terminating.

6. Ocean City-Somers Point area-Great Egg Harbor Bay: Seasonal-Condemned May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

i. All that portion of Great Egg Harbor Bay contained within a line beginning at the northern end of the Somers Point-Ocean City Bridge at Somers Point, then along the northeastern side of the causeway in a southeasterly direction to the first island after crossing Rainbow Channel, then in a westerly direction along the shoreline to the point of land adjacent to the small

unnamed cove, then to Flashing Red light 4 (Fl R "4"), then to Flashing Red light 16 (Fl R "16"), then along the north shore of that island to the eastern tip of Shooting Island, then along the northern shore of Shooting Island to the range markers (Department maintained), then bearing approximately 352 degrees T to the eastern tip of Drag Island, then along the shoreline in a westerly direction to the Garden State Parkway Bridge, then across Drag Island following the northbound lane of the Parkway across Drag Channel to the mainland, then along the mainland shore in a northeasterly direction to, and terminating at, the northernmost point of the Somers Point-Ocean City Bridge.

7. Great Sound area:

i. Holmes Creek and Holmes Creek Cove: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Holmes Creek and Holmes Creek Cove contained within a straight line beginning at Halfmile Point and bearing approximately 335 degrees T to the opposite shore and along that shoreline in a westerly direction, excluding drainage ditches which remain Condemed to the mouth of Holmes Creek, then continuing along the northern side of Holmes Creek to the first drainage ditch, then directly across Holmes Creek and continuing along that shoreline to the cove and along that shoreline to the point of origin at Halfmile Point and terminating.

8. Delaware Bay area:

i. Bidwell Creek: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Bidwell Creek and tributaries downstream from the easterly side of the Route 47 bridge to its confluence with the Delaware Bay;

ii. East Point area: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All that portion of Delaware Bay contained within a line beginning at the East Point Lighthouse and bearing approximately 229 degrees T to the Flashing Green number 5 buoy (Fl G 4 sec "5" turn buoy) in the Maurice River Approach Channel, then bearing approximately 098 degrees T to the marker (Department maintained) on the point of land on the west shore at the mouth of West Creek and terminating.

iii. Maurice River Cove: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All those waters inside of a line beginning at the East Point Lighthouse and bearing approximately 311 degrees T (known as the Summer Line) to a marker on the western bank at the mouth of New England Creek, then along the shoreline in a westerly direction to the first tower, then bearing approximately 144 degrees T to Flashing Green 4 Second 5 (Fl G 4 sec "5"), then bearing approximately 048 degrees T to the East Point Lighthouse and terminating;

iv. Dividing Creek: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Dividing Creek and tributaries, including Weir Creek lying between the line described in N.J.A.C. 7:12-1.3(a)37vii and a line beginning at the southernmost point of land on the west bank at the mouth of Dividing Creek and bearing 000 degrees T to the opposite shore of Dividing Creek;

v. Oranoaken Creek: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Oranoaken Creek and tributaries, except the connecting branches of Fortescue Creek, downstream from The Glades and south of Weir Creek to a line beginning at the eastern-most point of land on the west bank at the mouth of Oranoaken Creek and bearing approximately 090 degrees T to

the opposite shore of Oranoaken Creek;

vi. Fishing Creek: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Fishing Creek and tributaries thereof;

vii. Nantuxent Cove, Back Creek and portions of Cedar Creek and Nantuxent Creek: Seasonal-Condemed May 1 through October 31 yearly, Approved November 1 through April 30 yearly:

(1) All of Nantuxent Cove north of a line beginning at the light (Fl 4 sec 36 feet 6M) located at the western tip of Nantuxent Point and bearing approximately 289 degrees T to the light (Fl 6 sec 21 feet 6M) located at the southern tip of Ben Davis Point, all of Back Creek and tributaries, including Tweed Creek, all of Nantuxent Creek lying downstream from the line described in N.J.A.C. 7:12-1.3(a)37x(1), and all of Cedar Creek lying downstream from the line described in N.J.A.C. 7:12-1.3(a)37x(2).

7:12-1.5 Seasonally Approved Growing Waters, (Approved January 1 through April 30 yearly, Condemed May 1 through December 31 yearly)

(a) The Seasonal waters described in this subchapter shall be Condemed for the harvest of shellfish from May 1 through December 31 yearly and Approved January 1 through April 30 yearly. The areas are designated on the charts referred to in subchapter 1.3 of this chapter and are described as:

1. Bay Head, Mantoloking area, Metedeconk River and Northern Barnegat Bay: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly. All of that area lying between the lines described in N.J.A.C. 7:12-1.3(a)9, 10 and 11 including all of Barnegat Bay north of a straight line extending from Swan Point and bearing approximately 141 degrees T through Fl G 8ft "25" off Mantoloking.

2. Island Beach areas; Mantoloking to Island Beach State Park: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly.

i. All of those areas lying between the lines described in N.J.A.C. 7:12-1.3(a)10, 12 and 13 and a straight line beginning at the most westerly point of land on Dutchman's Point, just south of Mantoloking Shores, and bearing approximately 227 degrees T to the most northwesterly point of land on NW Point I. off Chadwick Beach, then following that island's northeasterly shore to its most easterly point of land, then bearing approximately 191 degrees T to the northwestern-most tip of the most northern of the two islands off Ocean Beach, then bearing approximately 236 degrees T to Fl "1", then bearing approximately 186 degrees T to Fl R "2" off Ortlely Beach, then all those waters lying between the eastern shoreline and the Thomas A. Mathis Bridge and a straight line bearing approximately 234 degrees T to Fl G 8ft "43" which forms a common point of termination with the Seasonal area line described in (a)3ii below.

ii. All of those areas lying between the lines described in N.J.A.C. 7:12-1.3(a)10, 12 and 13 including all those waters north of a straight line extending from the northernmost cupola on Island Beach State Park (currently the Island Beach State Park Maintenance Center, formerly the old USCG Station number 110) and bearing approximately 304 degrees T through Fl R 8 ft "60" just north of Berkeley Shores. The northern boundary of this Condemed area shall be the Thomas A. Mathis Bridge.

3. Barnegat Bay-Brick Township area and Dover Township from the Metedeconk River to Toms River: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All of those areas of Barnegat Bay lying between the Condemed area line at the mouth of Kettle Creek as described

in N.J.A.C. 7:12-1.3(a)11iii, and a straight line beginning at Seaweed Point and bearing approximately 135 degrees T to Fl R 8ft "30" off Seaweed Point then bearing approximately 251 degrees T to Andrew Pt. on Green Island.

ii. All of those waters of Barnegat Bay lying between the lines described in N.J.A.C. 7:12-1.3(a)11iv and a straight line extending from the point of land forming the northern bank/mouth of Shelter Cove and bearing approximately 160 degrees T to Fl R 8 ft "40", then all those waters lying between the western shoreline (mainland) and the Thomas A. Mathis Bridge and a straight line bearing approximately 152 degrees T to Fl G 8ft "43" which forms a common point of termination with the Seasonal area line described in paragraph 2i above.

4. Manahawkin Bay, Mallard Island, Beach Haven West (Village Harbor) area: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All those waters of Manahawkin and Little Egg Harbor Bays lying between the Condemed area lines described in N.J.A.C. 7:12-1.3(a)17i and 17ii and a straight line beginning on the westernmost end of the most westerly island along the Manahawkin Causeway, then bearing approximately 173 degrees T to the most easterly tip of Thorofare Island, then bearing approximately 218 degrees T to Special Purpose buoy "J", then bearing approximately 275 degrees T to Special Purpose buoy "K", then bearing approximately 032 degrees T and terminating on the southeastern tip of Oyster Point.

5. Cedar Run area: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All of Cedar Run Cove lying between the above described line and a straight line beginning at Horse Point and bearing approximately 037 degrees T to a point of land on the opposite side of the cove.

6. Tuckerton area: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All of Tuckerton Cove lying between the line described at N.J.A.C. 7:12-1.3(a)21i and a straight line connecting Thorofare Point and Gaunt Point.

7. Brigantine area: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly: An area adjacent to the City of Brigantine inshore from a line beginning at the telephone pole (A4229) at the north end of 13th Street North and bearing approximately 325 degrees T through Steelman Bay to Flashing light 5 (Fl "5"), then to the northwest tip of George's Dock (1427 North Shore Drive), then proceeding in a westerly direction to the first pier end west of the Brigantine Country Club (1048 North Shore Drive), then to the pier end at 1002 North Shore Drive (next to dead end street), then to the third pier end west of the Lafayette Boulevard Street end (860 North Shore Drive), then from pier end to 800 West Shore Drive, then to the pier end at 714 West Shore Drive and bearing approximately 173 degrees T into Shore Drive and bearing approximately 173 degrees T into Wading Thorofare until it intersects a line connecting Flashing lights 6 and 8 (Fl R "6" and Fl R "8") in Wading Thorofare, then along the line connecting Flashing lights 6 and 8 (Fl R "6" and Fl R "8") to Flashing light 8, then bearing approximately 211 degrees T to a point of land on the west shore of Bonita Tideway, then along the shoreline in a southerly direction to the first unnamed creek past Sand Creek, then bearing approximately 030 degrees T to the point of land on the opposite shore and terminating.

8. Steelman Bay: Seasonal-Condemed May 1 through December 31 yearly, Approved January 1 through April 30 yearly:

i. All of Steelman Bay from a line beginning at a Department maintained marker on the southern shore of Steelman Bay and bearing approximately 306 degrees T, touching the shoreline of

an unnamed island and continuing to a Department maintained marker on the opposite shore, then along the northern shoreline, including the first tributary, then continuing along the shoreline of Steelman Bay, across several tributaries and and back to its point of origin at the Department maintained marker and terminating.

9. Strathmere area: Seasonal-Condemed May 1 through December 31, Approved January 1 through April 30 yearly:

i. All that portion of Main Channel from a straight line beginning at the north end of the Ocean Drive Bridge, along the western side of the bridge to the portion that opens, then bearing approximately 212 degrees T to the boat ramp located at the end of Bayview Avenue, Strathmere, then from a straight line beginning on the east bank at the mouth of Whale Creek and bearing approximately 285 degrees T to the opposite bank, then to a straight line across Main Channel bearing approximately 026 degrees T to a small ditch on the opposite shore of Main Channel, then along that shoreline to its point of origin at the Ocean Drive Bridge and terminating.

HIGHER EDUCATION

(a)

BOARD OF HIGHER EDUCATION

County Colleges Auditing and Accounting Standards

Proposed Amendments: N.J.A.C. 9:4-3.1 and 3.10

Authorized By: Board of Higher Education, T. Edward Hollander, Chancellor and Secretary.
Authority: N.J.S.A. 18A:64A-7(b).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Eric M. Perkins
Administrative Practice Officer
New Jersey Department of
Higher Education
225 West State Street
CN 542
Trenton, New Jersey 08625

The Board of Higher Education thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-115.

The agency proposal follows:

Summary

The proposed amendments revise the requirements for county college audits to require the provision of information required for the implementation of the new county college funding formula provided under P.L. 1981 c. 329.

Social Impact

The proposed amendments will affect the 19 county colleges in New Jersey.

Economic Impact

County colleges are currently required to have an annual audit by a certified public accountant. The proposed amendment will require the audit to contain additional information which may require a small increase in the cost of the annual audit to the county college.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

9:4-3.1 Accounting and finances

(a)-(b) (No change.)

(c) Not later than October 1, each county college shall file with the Chancellor of Higher Education an audit of the college's accounts and financial transactions for the previous fiscal year, together with a copy of the auditor's management letter as soon as it is available. The management letter shall include, but not be limited to, all material comments, findings, and recommendations resulting from the audit engagement, including those concerning internal controls, administrative controls, and other financial matters. Each college shall also file an audit of student enrollment by such date as the Chancellor shall establish. These audits shall be conducted by a certified public accountant of New Jersey. The audits shall be in accordance with AICPA standards and must include compliance with all county college regulations. A college shall every five years either change certified public accounting firms or within the same firm change account partners and complete auditing staff. **For funds allocated under P.L. 1981 c.329 and designated as categorical funding, the auditor shall separately certify that at least a corresponding level of expenditures have been made out of the current operating fund for one or more of the designated purposes outlined in the annual funding formula approved by the Board of Higher Education.**

(d)-(f) (No change.)

9:4-3.10 Work load data

(a) (No change.)

Renumber (c) as (b). (See 14 N.J.R. 26(b).)

(c) The following rules and guideline shall apply specifically to the classification of enrollments for enrollment audits and State aid requests under P.L. 1981 c.329.

1. Only those credit-hour or equivalent credit-hours generated by courses, credit or non-credit, the direct expenditures for which are borne by the college, are eligible to be counted in determining State support.

2. The same rules that are contained in (a)1iv above for non-credit courses also apply here.

3. Enrollment data shall be accumulated and maintained by each college in a format and according to such differential categories as promulgated by the Department of Higher Education. Tenth-day enrollments shall be used for calculating enrollments during the academic year and fifth day enrollments during summer sessions.

4. Equivalent credit hours for State fundable non-credit courses shall be calculated by dividing total contact hours by 15.

5. The same rules that apply to student residency as contained in (a)1v-vii above shall also apply here.

6. In preparing the audited schedule of credit-hour enrollments and equivalent credit hours by differential category as required by this section, the audit firm must adhere to the following:

i. The auditor shall review the rules concerning enrollment data as found in this subsection and/or other referenced subsections and in the audit instructions published by the Department of Higher Education.

ii. The college shall maintain a clearly defined audit trail to enable the auditor to certify credit-hour and equivalent credit hour counts by differential category reported by the college.

iii. Student credit hours and equivalent credit hours shall be reconciled to tuition income, including cash received, accounts

receivable, and waivers, exclusive of tuition income from non-credit, non-fundable enrollments.

iv. The auditor shall follow the same procedure as outlined in (a)4iv above.

v. The auditor shall follow the format for the audited enrollment schedule outlined in enrollment audit instructions provided by the Department of Higher Education. If the auditor plans to deviate from any of the procedures in (c) of this section, he or she shall obtain prior written approval from the Department of Higher Education. Such approval, if granted, shall be valid only for the audit in process.

vi. Course outlines shall be made available to the auditors who shall submit sample course outlines along with the differential category classification assigned to these courses by the college. The auditor shall certify that course outlines are on file for all of the college's State fundable course offerings and that these courses have been classified by differential category. The Department of Higher Education may review all course outlines on file at any college. The county college shall have the burden of establishing that a course has been properly classified. The decision to approve or reject a course's classification as proper rests with the Department of Higher Education.

vii. The auditor shall examine the college's audit trail including the registration records, attendance records and course descriptions and certify that the audit trail is valid and adequate for certification of the schedule of credit hour and equivalent credit hour enrollment by differential category. The auditor shall further certify the accuracy of the schedule of credit hour and equivalent credit hour enrollments by differential category submitted to the Department of Higher Education.

viii. The auditor shall certify that the review of the documentation underlying the calculation of credit hours and equivalent credit hours is valid and adequate for the certification of the credit-hour enrollment schedule. The auditor shall forward to the Department of Higher Education the methodology and results of a statistically valid sampling of registration and student attendance records with the year end audit report.

ix. The same procedures required in (a)5iv and v above are also required here.

x. The auditor shall additionally certify that he or she has reviewed (c) of this section and has completed the enrollment audit in accordance with the rules and guidelines as outlined.

xi. All certifications required in (c) of this section shall be included in a letter of certification to the Department of Higher Education that shall accompany the schedule of credit hour and equivalent credit-hour enrollments by differential category.

OFFICE OF ADMINISTRATIVE LAW NOTE: N.J.A.C. 9:4-3.1 and 3.10, as amended by this notice of proposed rule, appear in a notice of adoption in this issue of the Register at 14 N.J.R. 343(a).

HUMAN SERVICES

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Pharmaceutical Services Manual and Appendices B and D Legend and Non-Legend Drugs

Proposed Amendment: N.J.A.C. 10:51-1.2 and Appendices B and D

Authorized By: Thomas Blatner, Acting Commissioner, Department of Human Services.
Authority: N.J.S.A. 30:4D-6b(6) and 30:4D-7 and 7b.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN-712
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-106.

The agency proposal follows:

Summary

The product Debrisan is now being marketed as a non-legend device. This proposal will make the necessary modifications to indicate this change. Providers will continue to be reimbursed at cost plus a dispensing fee.

Social Impact

If there is any social impact, it will be positive since Medicaid recipients will be able to receive this product if it is prescribed by their physician.

Economic Impact

There is no economic impact on either the government or the providers, who are being reimbursed at the same fee.

Medicaid recipients are not required to pay for this product.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

- 10:51-1.2 Covered pharmaceutical services
(a) Covered pharmaceutical services include:
1.-4. (No change.)
[5. Legend devices (debrisan).]
5. Certain legend and non-legend devices.
(b) (No change.)

APPENDIX B

GENERAL NON-LEGEND DRUGS

This list replaces all previous issued non-legend drug lists. This listing is divided into sections on contraceptive materials, insulin

and diabetic testing material. Reimbursable products are listed in each section alphabetically. [Because diaphragms are legend devices they are priced at cost plus a dispensing fee.] Diaphragms and debrisan are legend and non-legend devices respectively. They are priced at cost plus a dispensing fee. They are listed in Appendix D [under contraceptive materials]. All other listed items are to be charged at no more than the provider's usual and customary retail selling price, including sheath contraceptives which are listed generically as "prophylactics - rubber" under contraceptive materials. All non-legend preparations are coded according to the National Drug Code number and must be dispensed and charged only in accordance with the sizes listed at no more than the provider's usual and customary retail selling price. All eligible non-legend preparations shall be reimbursed only in accordance with the number of units actually dispensed (tabs, caps, ccs, gms, suppositories or packets, each, etc.). Payment will be based on the maximum allowable charge set forth in this subchapter, prorated on the package size or the reporting unit listed in Appendix B. All reporting units listed as "each" (package) in Appendix B are limited to reimbursement for one dispensing unit per claim. For non-legend preparations not listed in Appendix B, prior authorization from the local Medical Assistance Unit is required in order to be reimbursed. (See section 10:51-1.13 of this subchapter). All items, other than insulin, having a reporting "quantity dispensed" of "one" and only one such unit is allowed per claim. Insulin may be dispensed in multiple vials in accordance with "days supply" regulations. The appropriate National Drug Code number as listed in Appendix B should be entered on the claim form. The multiple metric quantity should be listed in the "quantity dispensed" space on the claim form. For example, four vials of insulin are reported as "40" in the "quantity dispensed" space and the National Drug Code listed for the particular strength is entered in the "NDC" space.

APPENDIX D

[LEGEND DEVICES]

LEGEND AND NON-LEGEND DEVICES

Instructions for use:

1. Diaphragms are reported on the MC-6 claim form as "each" (one in metric quantity).

2. Only those legend devices listed in Appendix D are reimbursable under the New Jersey Health Services (Medicaid) Program.

LEGEND DEVICES

Table with 3 columns: Device Name, Unit, and Code. Includes DEBRISAN BEADS 60GM, 120GM, 7 UNIT DOSES OF 4GM, and 14 UNIT DOSES OF 4GM.

NON-LEGEND DEVICES

Table with 3 columns: Device Name, Unit, and Code. Includes DEBRISAN BEADS 60GM, 120GM, 7 UNIT DOSES OF 4GM, and 14 UNIT DOSES OF 4GM.

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Placement of Psychiatric Patients in Long Term Care Facilities

**Agency Response to Petition for Rulemaking: N.J.A.C. 10:63-1.16
Initial Publication of Notice of Petition for Rulemaking: November 16, 1981 at 13 N.J.R. 813(a)**

Pursuant to authority of N.J.S.A. 52:14B-4(F), as implemented by N.J.A.C. 1:30-3.6, the Division of Medical Assistance and Health Services has provided the Office of Administrative Law with the following response to the petition for rulemaking received from Peter Shapiro, County Executive of Essex County, and Stanley C. Van Ness, (then) Public Advocate of New Jersey.

The petition suggested an amendment to N.J.A.C. 10:63-1.16 concerning the placement of psychiatric patients in long term care facilities, and was concurrently filed as a notice of pre-proposal for a rule pursuant to N.J.S.A. 52:4B-4(e), as implemented by N.J.A.C. 1:30-3.2. The original notice of petition for rulemaking and the concurrent pre-proposal first appeared in the November 16, 1981 New Jersey Register at 13 N.J.R. 813(a).

The **pertinent part** of the agency response to the petition, as received by the Office of Administrative Law, follows:

“Comments were submitted by several organizations, associations, and long term care facilities, including the New Jersey Association of Health Care Facilities, New Jersey Association of Non-Profit Homes for the Aging, New Jersey Hospital Association, the Warren and Sussex County Welfare Boards and Board of Chosen Freeholders, and the Camden County Director of Social Services.

Some commentators suggested modifications to the pre-proposal that was submitted. Therefore, the matter is under review by the Department of Human Services.”

(b)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

**Pharmaceutical Assistance for the Aged and Disabled
Changes in Eligibility Standards**

Proposed Amendments: N.J.A.C. 10:69A-2.1 and 6.2

Authorized By: Selma Rubin, Acting Commissioner,
Department of Human Services.
Authority: N.J.S.A. 30:4D-21 and 30:4D-24.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Administrative Practice Officer
Division of Medical Assistance
and Health Services
CN-712
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-116.

The agency proposal follows:

Summary

The Pharmaceutical Assistance to the Aged Program was recently amended to increase income levels and cover certain disabled individuals (P.L. 1981, c.499). These regulations reflect the statutory amendments.

The annual income level for single individuals has been raised from \$9,000 to \$12,000; the annual income level for married persons has been raised from \$12,000 to \$15,000. Persons who are receiving Social Security Disability Benefits and come within the annual income standards are also eligible.

The proposal also includes changes that were not specifically mentioned P.L. 1981, c.499 but are part of the Commissioner's rule-making power to establish a system for determining eligibility as required by N.J.S.A. 30:4D-24. The definition of a separated spouse has been added to cover those situations where one spouse does not have access to the other's income, e.g., One spouse is institutionalized in a long term care facility, while the other resides in the community and needs help in paying for prescription drugs. Also, proceeds from life insurance of a deceased spouse will not be considered in determining eligibility.

Social Impact

There should be a positive social impact for those individuals who qualify, since they will be able to obtain prescription drugs at a minimal expense.

There should be no social impact on pharmaceutical providers, who are already participating in the PAA Program.

Economic Impact

The creation of additional eligibles will increase program costs. The New Jersey Legislature has already appropriated an additional 15 million dollars for fiscal year 1982.

The PAAD beneficiaries will still be required to pay the \$2.00 co-pay. Pharmaceutical providers will be reimbursed in the same manner.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:69A-2.1 Definitions

“Annual income” means[:] **all income from whatever source derived, actually received or anticipated.**

[1. Income, actually received or anticipated, shall include all income received from whatever source derived, including but not limited to salaries, wages, bonuses, commissions, fees, tips, and other compensation before payroll deductions, all dividends, interest, realized capital gains, royalties, bequests, income and support payments, unemployment benefits in their entirety, pensions, annuity and retirement benefits, including benefits under the following:

- i. Federal Social Security Act and all amendments and supplements thereto;
- ii. Any other program of the Federal government, or pursuant to any other Federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under item i of this paragraph, including but not limited

to, the Federal Railroad Retirement Act and Federal pension, disability and retirement programs; or

iii. Pension, disability or retirement programs of any state or its political subdivisions or agencies thereof.

2. Dividends, interest, realized capital gains, pensions, annuities, retirement benefits, and bequests must be included in full without deductions even though they may be wholly or partially exempt for Federal income tax purposes.

3. "Business income" means net income derived from a business, trade or profession or from the rental of property after deductions of the ordinary and necessary expenses attributable to the business, trade, profession, or to the rental of property which are allowed under the Federal Internal Revenue Code and regulations issued thereunder.

4. When dividends, interest, realized capital gains, etc., and rental or business income is derived from personal or real property that is jointly owned with a spouse or other person, such income must be divided or allocated according to the degree of ownership.]

"Anticipated income" means the amounts of income [as described above, which] the applicant can reasonably be expected to receive during the calendar year.

"Applicant" means an individual who [has decided to apply] **applies for [PAA] PAAD**, either personally or through an authorized agent.

"Authorized agent" means a person [whom a PAA applicant has designated to initiate or help to initiate the PAA] **who initiates the PAAD application for a person who is incompetent or incapable of filing the PAAD application on his/her behalf.**

"Beneficiary" means an individual who has been found eligible for [PAA] PAAD benefits.

"Business income" means net income derived from a business, trade or profession or from the rental of property after deductions of the ordinary and necessary expenses attributable to the business, trade, profession, or to the rental of property which are allowed under the Federal Internal Revenue Code and regulations issued thereunder.

"Calendar year" means a year beginning January 1 and ending on December 31. It is the base period utilized to determine annual income and [PAA] PAAD eligibility.

"Current year" means the calendar year in which a person applies or reapplies for [PAA] PAAD.

"Expiration date" means the date when a beneficiary's [PAA] PAAD eligibility ends. [The "expiration date" is printed on the beneficiary's PAA identification card.]

"Legend Drug" means any drug product which by Federal Law cannot be dispensed without a prescription and bears the statement on the Label: "Caution: Federal law prohibits dispensing without a prescription".

"Lifeline Credit Program" means [the line of credit to be used to pay annual utility bills. Such credit under provisions of P.L. 1979, C.197 shall not be considered annual income for purposes of financial eligibility for PAA. Applicants and re-applicants for PAA are not required to report the benefits of the Lifeline Credit Program on the PAA application or reapplication form.]; **the utility assistance program that offers a benefit in the form of a credit to the utility account during the heating season to eligible New Jersey residents.**

"[PAA] PAAD co-pay" means the amount of \$2.00 which must be paid by each [PAA] PAAD beneficiary to the pharmacy toward the cost for each prescription for a legend drug and/or insulin, insulin syringes and insulin needles. The co-pay is not reimbursable by the [PAA] PAAD. The \$2.00 co-payment shall be paid in full by each eligible person to the pharmacist at the time of each purchase of prescription drugs, and shall not be waived, discounted or rebated in whole or in part.

"Pharmaceutical assistance" means the payments authorized by the Division of Medical Assistance and Health Services in the form of a check to a participating pharmacy on behalf of a [PAA] PAAD beneficiary.

"Prescription drugs" means all legend drugs, including any interchangeable drug products contained in the latest list approved and published by the Drug Utilization Review Council in conformance with the provisions of the "Prescription Drug Price and Quality Stabilization Act", and insulin, insulin syringes and insulin needles[.] **when prescribed.**

1. (No change.)

"Previous year" means the calendar year preceding the year in which the person [applies or reapplies for PAA] **is applying or reapplies for PAAD.** For example, 1978 is the "previous year" when referring to an application which is dated between January 1, 1979 through December 31, 1979, inclusive.

1. If a person, who is required to submit a Federal, State and/or City Income Tax return, applies for [PAA] PAAD at the beginning of a calendar year but has not yet filed an income tax return for the previous year, the last year is considered to be the "previous year" when completing the [PAA] PAAD application.

"Resident" means "one legally domiciled within the State (of N.J.) for a period of 30 days immediately preceding the date of application for inclusion in the [PAA] PAAD Program. Mere seasonal or temporary residence within the State, of whatever duration, does not constitute domicile." (See N.J.A.C. 10:69A-6.4 for residence requirements.)

"Tenants Lifeline Assistance Program" means a utility assistance program that offers a benefit in the form of a check issued to tenants whose utilities are included in their rent and do not have a separate utility bill.

10:69A-6.2 Income standards

[a] Any single resident of New Jersey 65 years of age and over whose annual income is less than \$9000, or any married resident 65 years of age and over whose annual income when combined with that of his/her spouse totals less than \$12,000, may be eligible for PAA. The law prohibits payment of pharmaceutical assistance for persons under age 65, however, the income of such a person must be counted when determining eligibility for his/her spouse who is 65 or over. The applicant must be able to document the amounts reported upon request by the Division of Medical Assistance and Health Services, and will be required to submit photocopies of his or her Federal, State and/or City income tax return and other acceptable evidence.]

(a) Any single permanent resident of New Jersey who is 65 years of age and over or who is under 65 and over 18 years of age and is receiving Social Security Title II disability benefits must have an annual income of less than \$12,000 to be eligible for PAAD.

(b) Any married permanent resident of New Jersey who is 65 years of age and over or who is under 65 and over 18 years of age and receiving Social Security Title II disability benefits must have a combined (applicant and spouse) annual income of less than \$15,000 to be eligible for PAAD.

1. An applicant and spouse shall be considered separated when each maintains a separate residence and the applicant does not have access to or receive support from the spouse's income.

2. An applicant and spouse shall be considered separated when the spouse has been institutionalized in a long-term care facility, either skilled or intermediate, or in a State or county psychiatric hospital at least 30 consecutive days prior to application.

(c) All income, from whatever source derived, is considered in determining eligibility for the purposes of PAAD. Jointly owned income sources will be allocated according to degree of ownership.

1. Examples of possible sources of income, (gross amounts unless otherwise noted), are as follows:

- i. Salaries;
- ii. Wages;
- iii. Bonuses;
- iv. Commissions;

- v. Fees;
- vi. Dividends;
- vii. Interest;
- viii. Capital gains;
- ix. Royalties;
- x. Bequests;
- xi. Support payments;
- xii. Unemployment benefits;
- xiii. Pensions (including Social Security);
- xiv. Annuities;
- xv. Retirement benefits;
- xvi. Business income (net).

2. Sources of income which are excluded in considering eligibility for PAAD are as follows:

- i. Benefit amounts received under the New Jersey State Lifeline Credit Program/Tenants Lifeline Assistance Program;
- ii. Benefits received under New Jersey State Homestead Rebates;
- iii. Proceeds from spouse's life insurance.

(d) The applicant must be able to document the amounts reported upon request by the Division of Medical Assistance and Health Services, and will be required to submit photocopies of his/her Federal, State and/or City income tax return and other acceptable evidence.

[(b)](e) [PAA]PAAD eligibility is conferred based upon annual income for the current calendar year, which is estimated at the time of application. Previous year income information is used as a gauge and supplements estimates of current income to determine current eligibility. However, if previous year income exceeds the standard, but current year income is expected to fall within legal limits, an initial applicant may estimate current year income for the purpose of establishing [PAA] PAAD eligibility.

[(c)](f) Since [PAA]PAAD eligibility is based upon actual annual income, if the actual annual income for the current calendar year exceeds the [PAA] PAAD income standard, the person will become ineligible for the entire calendar year.

[(d)](g) Upon renewal of eligibility, all re-applicants must submit previous year income information to substantiate previous estimates. Requests by re-applicants to use anticipated income, as the basis for eligibility, when previous year income exceeds the [PAA] PAAD standard, will be reviewed individually.

[(e)](h) The [PAA] PAAD program shall take necessary action to recover the full amount of payments made on behalf of beneficiaries during an ineligible period, when appropriate.

[(f)](i) [PAA] PAAD beneficiaries are required to notify the [PAA] PAAD Bureau immediately if their current year income exceeds the [PAA] PAAD income standard.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-111.

The agency proposal follows:

Summary

This proposal will designate speed limits along Route I-195 in Hamilton, Washington, Jackson, Upper Freehold, Millstone, Howell and Wall Townships; Mercer, Monmouth and Ocean Counties; Route US40 in Egg Harbor Township, Pleasantville City and Atlantic City in Atlantic County also Route US130 in Westville Borough, Gloucester County. Appropriate signs will be erected to advise the motoring public.

Social Impact

These amendments will reduce speed limits, the number of accidents and enhance the safety and well being of the populace within the townships and counties involved.

Economic Impact

These rules will cause signs to be erected advising the motoring public and will involve direct and indirect costs for the Department's workforce, based upon mileage, equipment and personnel to be utilized.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28-1.16 Route I-195

(a) The rate of speed designated for the certain part of State highway Route I-195 described in (a) of this section is established and adopted as the maximum legal rate of speed **thereat:**

- 1. For both directions of traffic:**
 - i. Fifty-five miles per hour (55 mph) along the completed parts in Hamilton, Washington, Jackson, Upper Freehold, Millstone, Howell and Wall Townships and Mercer, Monmouth and Ocean Counties (milepost 1.57 to 34.5).**

16:28-1.56 Route US40 and US322

(a) The rate of speed designated for the certain part of State highway Route number US40 and US322 described in (a) of this section shall be and hereby is established and adopted as the maximum legal rate of speed **thereat**:

- 1. For both directions of traffic[.] in Egg Harbor Township, Pleasantville City and Atlantic City in Atlantic County:**
 - i.-x. (No change.)
 - [xi. 55 miles per hour to a point 700 feet east of Pineview Avenue, Egg Harbor Township; thence
 - xii. 50 miles per hour to a point 400 feet of Route US9 in the City of Pleasantville; thence
 - xiii. 40 miles per hour to a point 100 feet west of Athens Place, Egg Harbor Township; thence
 - xiv. 50 miles per hour to a point 100 feet west of West End Avenue, Atlantic City; thence]
 - xi. 50 miles per hour to a point 700 feet east of Pineview Avenue and Washington Avenue (milepost 56.58 to 56.94);**

TRANSPORTATION

(a)

TRANSPORTATION OPERATIONS

Speed Limits for State Highways Routes I-195, US 40 and US 322 and US 130

Proposed New Rules: N.J.A.C. 16:28-1.16 Proposed Amendments: N.J.A.C. 16:28-1.56 and 1.69

Authorized By: David W. Gwynn, Chief Engineer,
Transportation Operations and Local Aid.
Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:4-98.

- xii. 45 miles per hour between Washington Avenue and Searstown Circle (milepost 56.94 to 57.40);
 - xiii. 50 miles per hour between Searstown Circle and the Egg Harbor Township-westernmost Pleasantville City Line (milepost 57.40 to 58.50);
 - xiv. 50 miles per hour between Egg Harbor Township-westernmost Pleasantville City Line and 400 feet west of Route US9 (milepost 58.50 to 59.10);
 - xv. 40 miles per hour to a point 400 feet west of Route US9 and Egg Harbor Township-easternmost Pleasantville City Line (milepost 59.10 to 59.92);
 - xvi. 40 miles per hour between the Egg Harbor Township-easternmost Pleasantville City Line and 100 feet west of Athens Avenue (milepost 59.92 to 60.48);
 - xvii. 45 miles per hour to a point 100 feet west of Athens Avenue and the Jonathan Thorofare (Atlantic City corporate line) (milepost 60.48 to 61.74);
 - xviii. 50 miles per hour between the Jonathan Thorofare and 100 feet west of West End Avenue (milepost 61.74 to 63.54).
- Renumber xv and xvi as xix and xx.

16:28-1.69 Route US130 including parts of Route I-295, Route US30 and Route US206

(a) The rate of speed designated for State [H]highway Route US130 including parts of Route I-295, Route US30 and Route US206 described [herein below] in this section shall be and hereby [is]are established and adopted as the maximum legal rate of speed for both directions of traffic:

- 1. (No change.)
- 2. Gloucester County:
 - i. (No change.)
 - ii. West Deptford and Westville Borough:
 - (1) (No change.)
 - (2) Zone 8: 50 miles per hour from 425 feet south of Delaware Street (Route 534) underpass [to] and Route 45: (milepost 21.7 to 25.05) [except 35 mph in the Westville School zone during recess or while children are going to or leaving school during opening or closing hours: (milepost 21.7 to 25.05)];
 - (3) (No change.)
- 3.-6. (No change.)

(a)

TRANSPORTATION OPERATIONS

**Speed Limits for State Highways
Route US 206 Including US 206 and US 130**

Proposed Amendments: N.J.A.C. 16:28-1.72

Authorized By: David W. Gwynn, Chief Engineer,
Transportation Operations and Local Aid.
Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:4-98.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Mr. Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-105.

The agency proposal follows:

Summary

This proposal will redesignate the 40 miles per hour speed limit from Farnsworth Avenue (Route 545) to Cemetery Lane in the City of Bordentown and Bordentown Township, Burlington County, causing signs to be relocated and posted to advise the motoring public.

Social Impact

This amendment will reduce the number of accidents and enhance the safety and well being of the populace within Bordentown City and Bordentown Township in Burlington County.

Economic Impact

This amendment will cause signs to be erected advising the motoring public and will involve direct and indirect costs for the Departments' workforce.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28-1.72 Route US 206 including US 206 and US 130

(a) The rate of speed designated for the certain part of State highway Route US 206 described [herein below] in (a) of this section, shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic.

1.-2. (No change.)

3. Zone three: 40 MPH [(also part Route US 130)] **speed limit between Cemetery Lane (Milepost 35.5) in the City of Bordentown [from Farnsworth Avenue (Route 545)] and Bordentown Township, Burlington County, to the northernmost intersection of Route US 130 [(milepost 35.1 to 36.4).] milepost 36.4 which includes the part coincident with Route US 130.**

(b)-(e) (No change.)

(b)

TRANSPORTATION OPERATIONS

**Restricted Parking and Stopping
Routes 77 and 35**

**Proposed Amendments: N.J.A.C. 16:28A-1.41
and 1.25**

Authorized By: David W. Gwynn, Chief Engineer,
Transportation Operations and Local Aid.
Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1 and 39:4-139.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adopted rules become effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-119.

The agency proposal follows:

Summary

This proposal will establish "no parking" zones along Route 77 and 35 in Upper Deerfield Township, Cumberland County, and Dover Township, Ocean County, respectively, reducing traffic congestion and cause appropriate signs to be erected advising the motoring public.

Social Impact

This amendment will restrict parking along the areas designated and enhance the safety and well being of the populace in Upper Deerfield and Dover Townships.

Economic Impact

This rule will cause signs to be erected advising the motoring public. Additionally, direct and indirect costs will be incurred by the Departments' workforce and is dependent upon mileage, personnel and equipment to be utilized.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28A-1.25 Route 35

(a) The certain parts of State highway Route 35 described in (a) of this section [shall be and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-6. (No change.)

7. No stopping or standing in Dover Township, Ocean County: i. Along eastside of Route 35:

(1) From the southerly curb line of 6th Avenue to a point 110 feet southerly therefrom.

ii. Along westside of Route 35:

(1) From the southerly curb line of 6th Avenue to a point 61 feet southerly therefrom.

(b) (No change.)

16:28A-1.41 Route 77

(a) The certain parts of State highway Route [number] 77 described in (a) this section [shall be and hereby] are designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1. (No change.)

2. No stopping or standing in Upper Deerfield Township:

i. Along the northbound side:

(1) From a point 1,550 feet south of the southerly curb line of Cornwell Drive (north intersection) to the southerly curb line of Cornwell Drive (north intersection).

(2) From a point 1,550 feet south of the southerly curb line of Hoover Road to the southerly curb line of Hoover Road:

[(2)](3). From a point 100 feet south of the southerly curb line of Old Deerfield Road to a point 700 feet south of the prolongation of the southerly curb line of [Friesbury] Friesburg Road.

ii. Along the southbound side:

(1) (No change.)

(2) From a point 100 feet north of the prolongation of the northerly curb line of Hoover Road to a point 600 feet south of the prolongation of the southerly curb line of Hoover Road.

Re-number (2) as (3)

(b)-(c) No change.)

(a)

TRANSPORTATION OPERATIONS

Restricted Parking and Stopping Route 71

Proposed Amendment: N.J.A.C. 16:28A-1.38

Authorized By: David W. Gwynn, Chief Engineer, Transportation Operations and Local Aid.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1 and 39:4-139.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-110.

The agency proposal follows:

Summary

This proposal will establish "no parking" zones along Route 71 in Belmar Borough, Monmouth County in compliance with the request from local officials and confirmed in engineering studies conducted by the Department. It will cause signs to be erected advising the motoring public.

Social Impact

This rule will establish "no parking" zones in the areas indicated, reduce the volume of traffic and enhance the safety and well being of the local populace.

Economic Impact

This amendment will cause the Department to incur direct and indirect costs, based upon mileage, personnel and equipment to be utilized.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28A-1.38 Route 71

(a) The certain parts of State highway Route 71 described [herein below] **in this section** shall be and hereby are designated and established as "no parking" zones where stopping and standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-4. (No change.)

5. No stopping or standing in Belmar Borough, Monmouth County:

i. Along the easterly (northbound) side:

(1) Between the Wall Township-Belmar Borough corporate line and the intersection of Route 35;

ii. Along the westerly (southbound) side:

(1) Between points 100 feet north of the northerly curb line and 100 feet south of the southerly curb line of Sixteenth Avenue.

iii. Along the northerly (westbound) side:

(1) Between Railroad Avenue and Highway 35;

(a)

DIVISION OF AERONAUTICS**Licensing of Aeronautical Facilities
Definitions****Proposed Amendment: N.J.A.C. 16:54-1.3**

Authorized By: Melvin R. Lehr, Assistant Commissioner
for Transportation Services.

Authority: N.J.S.A. 27:1A-3, 27:1A-5, 27:1A-6, 6:1-29
and 6:1-44.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before April 14, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Mr. Charles L. Meyers
Administrative Practice Officer
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-103.

The agency proposal follows:

Summary

This proposed amendment will clarify the meaning of "commercial purposes" as pertains to balloon operations.

Social Impact

This amendment will provide balloonists with the specific definition of "commercial purposes" and enhance confidence in State government.

Economic Impact

This rule will cause the Department to incur costs for reprinting and mailing of regulations to aeronautical facilities and balloon clubs, as required.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:54-1.3 Definitions

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

"Commercial purposes", pertaining to the operation of balloons, means any exhibitions, demonstrations, meets, student or upgrade training, research, development, [or] flight-testing, **carrying of passengers or goods, with or without compensation**, where members of the general public are notified of, or invited by any means whatsoever, to observe[,] or participate in balloon operations.

(b)

NEW JERSEY TRANSIT CORPORATION**Destructive Competition
Procedure for Claims****Proposed New Rules: N.J.A.C. 16:74**

Authorized By: The New Jersey Transit Corporation,
Albert R. Hasbrouck, III, Assistant Executive Director
for Legal Affairs.

Authority: N.J.S.A. 27:25-5(e) and 7(b).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Albert R. Hasbrouck, III
Assistant Executive Director for Legal Affairs
New Jersey Transit Corporation (NJ TRANSIT)
P.O. Box 10009
Market Street and McCarter Highway
Newark, New Jersey 07101

The NJ TRANSIT thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-121.

The agency proposal follows:

Summary

The New Jersey Transit Corporation (NJ TRANSIT) was established by the New Jersey Public Transportation Act of 1979 (N.J.S.A. 27:25-1 et seq.) as the instrumentality of the State government responsible to establish and provide for the operation and improvement of a coherent public transportation system in the most efficient and effective manner. One of the legislative findings set forth in the Act is that, in the provision of public transportation services, it is desirable to encourage to the maximum extent feasible the participation of private enterprise and to avoid destructive competition. To insure the accomplishment of this goal, N.J.S.A. 27:25-7(b) requires NJ TRANSIT to establish procedures for the handling of claims of destructive competition which are brought by private entities providing motor bus regular route service. The proposed new rule establishes the required procedures.

Social Impact

It is not anticipated that this rule will have significant social impact. It simply establishes a procedure required by statute for the resolution of claims of destructive competition.

Economic Impact

It is not anticipated that this rule will have significant economic impact because it merely establishes a procedure required by law. The results of a proceeding in a particular case carried out under this rule could have economic impact upon the claimant as well as NJ TRANSIT.

Full text of the proposal follows.

SUBCHAPTER 1. GENERAL PROVISIONS

16:74-1.1 Purpose

The New Jersey Transit Corporation (NJ TRANSIT) was established by the New Jersey Public Transportation Act of 1979 (N.J.S.A. 27:25-1 et seq.) as the instrumentality of the State

government responsible to establish and provide for the operation and improvement of a coherent public transportation system in the most efficient and effective manner. One of the legislative findings set forth in the Act is that, in the provision of public transportation services, it is desirable to encourage to the maximum extent feasible the participation of private enterprise and to avoid destructive competition. To insure the accomplishment of this goal, N.J.S.A. 27:25-7(b) requires NJ TRANSIT to establish procedures for the handling of claims of destructive competition which are brought by private entities providing motor bus regular route service.

16:74-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings.

“Act” means the New Jersey Public Transportation Act of 1979.

“NJ TRANSIT” means the New Jersey Transit Corporation.

“Board” means the Board of Directors of NJ TRANSIT.

“Executive Director” means the Executive Director of NJ TRANSIT or his designee.

“Motor bus regular route services” means the operation of any motor bus or motor buses on streets, public highways or other facilities, over a fixed route and between fixed termini on a regular schedule for the purpose of carrying passengers for hire or otherwise, in this State or between points in this State and points in other states.

“Carrier” means any individual, co-partnership, association, corporation, joint stock company, trustee or receiver operating or controlling regular route motor bus service on established routes within the State or between points in this State and points in adjacent states.

“Established routes” means all regular intrastate or interstate routes as authorized by NJ TRANSIT, the New Jersey Department of Transportation, the Interstate Commerce Commission, a municipality, or any other regulatory body.

“Actions of NJ TRANSIT” means the operation of equipment or facilities by NJ TRANSIT, its subsidiaries, or other carriers contracting with NJ TRANSIT pursuant to Section 6 of the Act to the extent that such operation by contract carriers is within the control of NJ TRANSIT.

“Equipment or facilities” means passenger stations, shelters and terminals, automobile parking facilities, ramps, track connections, signal systems, power systems, information and communication systems, roadbeds, transit lanes or rights of way, equipment storage and servicing facilities, bridges, grade crossings, rail cars, locomotives, motor bus and other motor vehicles, maintenance and garage facilities, revenue handling equipment and any other equipment, facility or property useful for or related to the provision of public transportation service.

SUBCHAPTER 2. PROCEDURES

16:74-2.1 Filing of claims

(a) All claims must be filed in writing with NJ TRANSIT, Department of Legal Affairs, Market Street and McCarter Highway, P.O. Box 10009, Newark, New Jersey 07101.

(b) Claims may be filed only by properly certificated private Carriers providing regular route motor bus services who do not receive financial assistance from NJ TRANSIT. Financial assistance for the purpose of this chapter shall not mean the receipt of equipment from NJ TRANSIT or participation in NJ TRANSIT’S Senior Citizen or Student Reduced Fare Programs although the receipt of such equipment and participation in such programs may be considered by the administrative law judge (ALJ) or the Board in ruling on a claim.

(c) The claim must contain the following information or it will not be cognizable under this chapter or N.J.S.A. 27:25-7(b):

1. The names and addresses of the Carrier and its officers;
2. A copy of the relevant operating authority or Certificate of Public Convenience and Necessity issued by the New Jersey

Department of Transportation, Interstate Commerce Commission, a municipality, or any other regulatory body;

3. A description of the actions of NJ TRANSIT alleged to be destructively competitive including but not limited to the date of such actions and the actions taken by the Carrier in response thereto. This statement must contain all of the facts upon which the Carrier relies to support its claim of destructive competition;

4. The economic and operational impact of NJ TRANSIT’S actions on the Carrier, its employees and its users;

5. A statement setting forth the Carrier’s reasons why particular competitive actions of NJ TRANSIT are alleged to be “destructively competitive”;

6. Copies of relevant documents including all correspondence and records of communications between the Carrier and NJ TRANSIT related to the Carrier’s allegations;

7. A statement of the relief sought including alternatives deemed appropriate by the Carrier.

16:74-2.2 Conferences

(a) Settlement conferences will be held in accordance with the provisions of N.J.A.C. 1:1-5.4.

(b) Unaccepted proposals of settlement or of adjustment not agreed to shall be privileged and shall not be admissible in evidence against NJ TRANSIT, the Carrier, or their attorneys.

16:74-2.3 Transmittal to OAL; Board

(a) The Executive Director or his designee shall determine whether the Carrier has complied with the above requirements and whether the matter is a contested case as defined in N.J.A.C. 1:1-1.5. If the Carrier has satisfied these requirements and the matter cannot be settled, in accordance with 16:74-2.2, the Executive Director or his designee shall:

1. Refer the complaint to the Board to be heard by them in accordance with N.J.S.A. 52:14F-8(b); or
2. Refer the complaint to the OAL to be processed in accordance with N.J.S.A. 52:14F-1 et seq. and the applicable rules and regulations of the OAL.

16:74-2.4 Factors to be considered

(a) The following factors shall be considered by the ALJ in determining whether NJ TRANSIT intended to adversely affect a Carrier:

- i. Whether the alleged destructive competition existed prior to:
 - i. The creation of NJ TRANSIT on July 16, 1979; or
 - ii. The acquisition of any Carrier by NJ TRANSIT; or
 - iii. The operation of any public transportation service pursuant to contract with NJ TRANSIT or any subsidiary thereof.

2. Whether the action of NJ TRANSIT was the primary cause of the adverse impact on the Carrier;

3. Whether NJ TRANSIT is complying with all applicable Federal and State laws, its Certificates of Public Convenience and Necessity and applicable tariffs, in providing the service alleged to be destructively competitive; and

4. Whether the NJ TRANSIT service alleged to be destructively competitive is in the public interest.

(b) The diversion of revenue or traffic from a Carrier shall not in and of itself be sufficient to support a finding that NJ TRANSIT is engaged in destructive competition.

(c) Nothing in this section should be construed to prevent the ALJ from considering factors other than those set forth in this section in determining whether NJ TRANSIT has engaged in destructive competition.

16:74-2.5 Remedy

The sole remedy that may be recommended by an ALJ pursuant to this chapter and N.J.S.A. 27:25-7(b) is to require NJ TRANSIT to cease and desist in whole or part from using its equipment or facilities in a destructively competitive manner. Under no circumstances may an ALJ recommend an award of damages allegedly caused by the actions of NJ TRANSIT.

16:74-2.6 Order

Upon receipt of the Initial Decision of the ALJ, the Executive Director shall present the matter to the Board and the Board shall adopt an order or final decision accepting, rejecting, or modifying the Initial Decision by the ALJ or remanding the decision to the OAL all in accordance with N.J.A.C. 1:1-16.5 and 1:1-16.6.

TREASURY-GENERAL

(a)

DIVISION OF PENSIONS

Pensioners' Group Health Insurance Plan Amount of Coverage; Termination

Proposed Amendments: N.J.A.C. 17:1-1.24

Authorized By: William J. Joseph, Director, Division of Pensions.

Authority: N.J.S.A. 52:18A-96.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Joseph
Director, Division of Pensions
20 West Front Street
CN 295
Trenton, New Jersey 08625

The Division of Pensions thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-101.

The agency proposal follows:

Summary

The proposed amendments further explain the standards for the Pensioners' Group Health Insurance Plan concerning the amount of coverage available and the effects of termination from the Plan which are similar to those established within the State Health Benefits Program.

Social Impact

Present and future participants in the Pensioners' Group Health Insurance Plan may be affected by this proposal since it involves the maximum amount of coverage available and the effect that a termination or withdrawal from the plan has on subsequent coverage.

Economic Impact

The proposal may have an economic effect upon present and future participants in the Plan insofar as the amount of available coverage is concerned as well as the inability to again participate in the Plan if such participant terminates coverage therein.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

17:1-1.24 Amount of coverage; termination; Pensioners' Group Health Insurance Plan

(a) (No change.)

(b) Only a pensioner, whose original retirement allowance or pension is equal to or greater than the premium to be deducted to pay for the cost of coverage available to such pensioner, will be permitted to continue coverage.

(c) An employee may elect voluntarily to terminate his coverage or coverage for his dependents at any time, but termination of the employees' own coverage shall automatically terminate the coverage of his dependents. Such voluntary termination shall be effected by written notice thereof to the Division of Pensions.

Renumber (b) as (d).

(b)

DIVISION OF PENSIONS

Claims and Credit Purchase Terms

Proposed Amendments: N.J.A.C. 17:1-4.11

Authorized By: William J. Joseph, Director, Division of Pensions.

Authority: N.J.S.A. 52:18A-96.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Joseph
Director, Division of Pensions
20 West Front Street
CN 295
Trenton, New Jersey 08625

The Division of Pensions thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-102.

The agency proposal follows:

Summary

The proposed amendments are necessary due to the recently enacted Chapter 451, Laws of 1981, and concern purchases and final payments of outstanding amounts at retirement.

Social Impact

The proposed amendments may affect eligible members of certain State-administered retirement systems who may elect to purchase previous service under the provisions of Chapters 7 or 451 of the Laws of 1981.

Economic Impact

Depending on whether or not the eligible member completes the purchase of such previous service, such member's retirement allowance may be affected by this proposal.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

17:1-4.11 Purchase terms; computation; employee pay-all

(a)-(b) (No change.)

(c) [On occasion, the statute, such as] **Pursuant to the provisions of Chapter 7, Laws of 1981, [may require the member of the retirement system to pay the entire cost of a purchase of service, stipulating that the employer shall not be liable for the cost of any such purchase. In that event,] the following shall apply:**

1. At the time of purchase request, an estimated cost for purchase of service will be calculated based on factors supplied by the actuary [in which the estimate will be based on the employee initially paying twice the factor charge]. This cost will be communicated to the member in a manner such that is clearly understood that [a final] **an additional** lump sum cost may be required at retirement to consummate the purchase.

2. Upon application by the member for retirement, the actual cost of the service purchased will be calculated. The difference between this actual cost and any monies accumulated based upon the estimated cost will have to be paid in a lump sum. [If the actual cost is less than the monies accumulated, the difference will be refunded to the member.]

[3. The actual cost of the service purchased is equal to the reserve for the total retirement allowance to be received based upon all service including the purchase less the reserve for the retirement allowance earned to date based upon actual service credited under the System. The latter reserve would also reflect any deferral of payment required based upon actual service credited under the System to meet minimum eligibility requirements for immediate payment of a retirement allowance.]

Renumber 4 as 3.

[5.] 4. If a required final payment is not made and the member is not eligible to retire based on actual service, the application for retirement will not be approved pending completion of the purchase [or of the minimum eligibility requirements for retirement].

(d) Pursuant to the provisions of Chapter 451, Laws of 1981, the following shall apply:

1. **At the time of purchase request, an estimated cost for purchase of service will be calculated based on factors supplied by the actuary. This cost will be communicated to the member in a manner such that is clearly understood that an additional lump sum cost may be required at retirement to consummate the purchase.**

2. **Upon application by the member for retirement, the actual cost of the service purchased may be calculated. The difference between this actual cost and any monies accumulated based upon the estimated cost may have to be paid in a lump sum.**

3. **If a required final payment is not made, but the member is eligible to retire, the member will be retired with a benefit based on pro-rata service.**

(a)

DIVISION OF PENSIONS

**General Administration
Administrative Practices**

Proposed New Rule: N.J.A.C. 17:1-12.1

Authorized By: William J. Joseph, Director, Division of Pensions.

Authority: N.J.S.A. 52:18A-96.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Joseph
Director, Division of Pensions
20 West Front Street
CN 295
Trenton, New Jersey 08625

The Division of Pensions thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-100.

The agency proposal follows:

Summary

The proposed new rule sets forth the priorities for performing a particular obligation within the Division of Pensions.

Social Impact

Members of the various, State-administered retirement systems who make contact with the Division of Pensions as well as the employees of the Division of Pensions may be affected by the priorities resulting from this proposal.

Economic Impact

There is no significant economic impact connected with this proposal since the rule is merely an internal and administrative directive with no increased processing costs.

Full text of the proposed new rule follows.

SUBCHAPTER 12. ADMINISTRATIVE PRACTICES

17:1-12.1 Priorities

(a) In the event the Division of Pensions is required to establish priorities for the performance of a particular obligation, such priorities shall be made known to all members involved and shall be established in the following order:

1. Those who are retiring or who contemplate retirement within the year;
2. Those who are at or beyond the normal retirement age; and
3. All other members.

(b)

DIVISION OF INVESTMENT

Classification of Funds

Proposed Amendments: N.J.A.C. 17:16-5.1 and 5.2

Proposed Repeal: N.J.A.C. 17:16-5.3 through 5.6

Authorized By: Roland M. Machold, Director, Division of Investment.

Authority: N.J.S.A. 52:18A-91.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roland M. Machold
Division of Investment
349 West State Street
Trenton, New Jersey 08625

The Division of Investment thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adopted rules become effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-117.

The agency proposal follows:

Summary

The purpose of this proposal is to establish a separate list to cover the funds under the jurisdiction of the State Investment Council.

Social Impact

Provision for a separate list will permit more prompt implementation of investments for those funds being added by permitting the funds to be activated as soon as approved by the State Investment Council.

Economic Impact

There will be no anticipated economic impact because this proposal is merely a procedural change.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

17:16-5.1 General provision

(a) Funds having similar investment characteristics and objectives under their respective enabling acts shall be grouped together.] **in any of the following classifications:**

- 1. Pension and Annuity Group;**
- 2. Static Group;**
- 3. Demand Group;**
- 4. Temporary Reserve Group; and**
- 5. Trust Group.**

17:16-5.2 [Pension and annuity group] **Approved list**

[(a) The pension and annuity group shall include:

1. Consolidated Police and Firemen;
2. Police and Firemen's Retirement System;
3. Public Employees' Retirement System;
4. State Police Retirement System;
5. Teachers' Pension and Annuity Fund;
6. Judicial retirement System of New Jersey.]

A "list of funds under the supervision of the Council" shall be maintained by the Director. Funds will be added to or deleted from the list by approval of the Council.

17:16-5.3 [Static group] **(Reserved)**

[(a) The static group shall include:

1. College of Medicine and Dentistry of New Jersey—Construction Grant Fund;
2. College of Medicine and Dentistry of New Jersey—Grant Fund;
3. College of Medicine and Dentistry of New Jersey—Grant Fund B;
4. 1837 Surplus Revenue Fund;
5. Rutgers Medical School—Restricted Fund;
6. Trustees for the Support of Public Schools.]

17:16-5.4 [Demand group] **(Reserved)**

[(a) The demand group shall include:

1. Emergency Services Fund;
2. Escheat Reserve fund—Unclaimed Bank Deposits;
3. Escheat Reserve Fund—Unclaimed Domestic Life Insurance Reserve Fund;
4. Higher Education Assistance Fund;
5. Motor Vehicle Liability Security Fund;
6. Motor Vehicle Security Responsibility Fund;
7. New Jersey Insurance Development Fund;
8. New Jersey Spill Compensation Fund;
9. Outstanding Checks Account;
10. Real Estate Guaranty Fund;
11. State Disability Benefits Fund;
12. Unclaimed Personal Property Trust Fund;
13. Unemployment Compensation Auxiliary Fund;
14. Unsatisfied claim and Judgment Fund;
15. Workmen's Compensation Security Fund—Mutual;
16. Workmen's Compensation Security Fund—Stock.]

17:16-5.5 [Temporary reserve group] **(Reserved)**

[(a) The temporary reserve group shall include the following:

1. Beaches and Harbors Funds;
2. Clean Waters Fund;
3. CMF/Administrative Expense Fund No. 097;
4. CMF/Non-State Fund No. 098;

5. CMF/Pension Division Funds;
6. CMF/Reserve Fund No. 099;
7. College of Medicine and Dentistry of New Jersey—Self Insurance Reserve Fund I 10;
8. Disability Benefit Liability Fund;
9. Emergency Flood Control Fund;
10. General Investment Fund;
11. General Revenue Sharing Fund;
12. General Trust Funds;
13. Higher Education Buildings Construction Fund (Act of 1971);
14. Housing Assistance Fund;
15. Institutional Construction Fund;
16. Institutions Construction Fund;
17. Medical Education Facilities Fund;
18. Mortgage Assistance Fund;
19. New Home Warranty Security Fund;
20. New Jersey Educational Facilities Authority;
21. New Jersey Housing Finance Agency;
22. New Jersey State Area Redevelopment Fund;
23. Pension Adjustment Fund;
24. Public Buildings Construction Fund;
25. School Building Aid—Capital Reserve Fund;
26. Special Railroad Deposits Trust Fund;
27. State Facilities for Handicapped Fund;
28. State Health Benefits Fund;
29. State Land Acquisition and Development Fund;
30. State Lottery Fund—Investment;
31. State of New Jersey—Alternate Benefit Program;
32. State of New Jersey—Cash Management Fund;
33. State 1964 Institution Construction Fund;
34. State Recreation and Conservation Land Acquisition Fund;
35. State Recreation and Conservation Land Acquisition Fund (Act of 1971);
36. State Recreation and Conservation Land Acquisition and Development Fund;
37. State Transportation Fund;
38. State Water Development Fund;
39. Transportation Benefit Fund;
40. Transportation Fund;
41. Transportation Rehabilitation and Improvement Fund;
42. Unemployment Benefits Liability Fund No 844;
43. Veterans' Loan Guaranty and Insurance Fund (Veterans' Guaranteed Loan Fund);
44. Water Conservation Fund.]

17:16-5.6 [Trust group] **(Reserved)**

[(a) The trust group shall include:

1. College of Medicine and Dentistry of New Jersey Funds:
 - i. Endowment Funds;
 2. College of Medicine and Dentistry of New Jersey—Endowment Fund B;
 3. Supplemental Annuity Collective Trust;
 4. Tischler Memorial Fund.]

TREASURY-TAXATION

(a)

DIVISION OF TAXATION

Cigarette Tax Smuggling Unstamped Cigarettes

Proposed Amendment: N.J.A.C. 18:5-12.5

Authorized By: Sidney Glaser, Director, Division of Taxation.
Authority: N.J.S.A. 54:40A-20 and P.L. 1981 c.361.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jack Silverstein
Chief Tax Counselor
Division of Taxation
West State and Willow Streets
Trenton, New Jersey 08646

The Division of Taxation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-112.

The agency proposal follows:

Summary

The Director of the Division of Taxation, pursuant to N.J.S.A. 54:40A-20 and 54:40A-32, is amending N.J.A.C. 18:5-12.5 in order to impose an additional penalty of a monetary nature for illegal transportation of unstamped cigarettes.

Social Impact

This proposal should deter "buttlegging" and increase cigarette tax revenue to this State thus benefiting all New Jerseyans. The additional penalty on "buttleggers" is an opportunity to obtain funds plus reach into the "buttleggers" pocket for the cigarette tax revenue lost for illegal transportation of unstamped cigarettes.

Economic Impact

The economic impact will be upon "buttleggers" who are illegally transporting unstamped cigarettes into or through the State of New Jersey.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

18:5-12.5 Civil penalties

(a)-(b) (No change.)

(c) **As stated in N.J.S.A. 54:40A-32 (P.L. 1981 c.361), every transporter who violates the provisions of this act is a disorderly person and shall, in addition to such penalties as attached thereto, be liable to a penalty equal to the amount of tax due on any unstamped cigarettes transported by him, which penalty shall be sued for and recovered in the same manner as provided for the penalties imposed by section 601 of the act (N.J.S.A. 54:40A-24).**

(b)

DIVISION OF TAXATION

Motor Fuels Tax Retail Sales of Motor Fuels; Signs for Blending Pumps

Proposed Amendments: N.J.A.C. 18:19-2.2

Authorized By: Sidney Glaser, Director, Division of Taxation.
Authority: N.J.S.A. 56:6-6 and P.L. 1981, c.230.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jack Silverstein
Chief Tax Counselor
Division of Taxation
West State and Willow Streets
Trenton, New Jersey 08646

The Division of Taxation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-120.

The agency proposal follows:

Summary

The proposed amended rule provides that in the case of blending pumps or multiple pumps, a large sign be displayed, readable from the street, showing prices of each blend of gasoline available from such pump or pumps. In addition, the required pump sign would show the highest and lowest price of fuel available from such pump.

Social Impact

The proposed amendment would permit consumers to know the prices of fuels available from blending pumps as they drive into the station. It would require sellers of fuel to display a sign showing prices of fuels sold through blending pumps or multiple pumps.

Economic Impact

The proposed amendment would require that a special sign be posted by sellers of motor fuels through blending pumps. The proposed rule is intended to accomplish the purpose of notice to consumers without imposing on sellers of fuel the burden and added cost of the oversized pump signs on every pump which would be necessary to permit legible display of prices of each type of fuel sold from a blending or multiple pump.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

18:19-2.2 Special conditions for price signs

(a)-(b) (No change.)

(c) Any Motor Fuel Retail Dealer possessing built-in masonry [or blending pumps, or other similar devices] of such construction or operation which prohibits the attachment of the price sign in the manner or of the type set forth in **this subchapter** [these regulations] must seek instruction from the Division of Taxation. **A pump sign affixed to a blending pump, multiple pump or other similar device having the capacity to dispense several types of fuel shall display the lowest and highest price of fuel dispensed from such pump, and the owner or operator of such facility shall have one large sign readable from the street which**

shall indicate the price of each type of fuel dispensed at such pump or pumps.

(d) (No change.)

(a)

DIVISION OF TAXATION

**Gross Income Tax
Exclusion of Interest on All-Savers
Certificates**

Proposed New Rule: N.J.A.C. 18:35-1.16

Authorized By: Sidney Glaser, Director, Division of Taxation.

Authority: N.J.S.A. 54A:10-9.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jack Silverstein
Chief Tax Counselor
Division of Taxation
West State & Willow Streets
Trenton, New Jersey 08646

The Division of Taxation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-108.

The agency proposal follows:

Summary

The proposed rule explains and implements P.L. 1981, c.423 which exempts interest received by taxpayers on All-Savers Certificates. The proposed rule sets forth four criteria by which qualification for exemption is determined, including: (1) time issued; (2) maturity; (3) yield; and (4) dollar denomination of the certificate.

Social Impact

The proposed rule would have an impact on those taxpayers who are in a position to set aside funds for one year in amounts of \$500.00 or more. The rule would also affect those institutions which issue All-Savers Certificates.

Economic Impact

The proposed rule carries out and implements a legislative purpose contained in P.L. 1981, c.423. The economic impact would be felt by those taxpayers who are relieved from paying New Jersey Gross Income Tax on interest earned by All-Savers Certificates.

Full text of the proposal follows.

18:35-1.16 Exclusion of interest income on All-Savers Certificates

(a) Any amounts received by any individual during the taxable year as interest on a depository institution tax-exempt savings certificate (All-Savers Certificate) from a qualified institution that meets the requirements of this rule shall be excludable from gross income under the New Jersey Gross Income Tax Act. The same guidelines that are used for Federal income tax purposes for the exclusion from gross income of amounts received as interest on the All-Savers Certificates will be followed for New Jersey gross income tax purposes.

(b) The term "depository institution tax-exempt savings certificate" means any certificate:

1. Which is issued by a qualified institution after September 30, 1981 and before January 1, 1983;

2. Which has a maturity of one year;

3. Which has an investment equal to 70 percent of the average investment yield for the most recent auction (before the week in which the certificate is issued) of United States Treasury bills with maturities of 52 weeks; and

4. Which is made available in denominations of \$500.00.

(c) The aggregate amount excludable from gross income under this rule for any taxable year shall not exceed the excess of \$1,000 (\$2,000 in the case of a joint return), over the aggregate amount received by the taxpayer which was excludable under this rule for any prior taxable year.

(d) If a taxpayer receives interest in excess of the excludable amount, the first interest received is the interest eligible for exclusion. For purposes of this rule, one-half of the amount excluded from gross income under this rule on any prior joint return shall be treated as received by each spouse.

(e) The term "qualified institution" means:

1. A bank or trust company incorporated and doing business under the laws of the United States, including laws relating to the District of Columbia, of any state, or of any territory, a substantial part of the business of which consists of receiving deposits and making loans and discounts, or of exercising fiduciary powers similar to those permitted to national banks under authority of the Comptroller of the Currency, and which is subject by law to supervision and examination by state, territorial, or Federal authority having supervision over banking institutions;

2. A mutual savings bank, cooperative bank, domestic building and loan association, or other savings institution chartered and supervised as a savings and loan or similar institution under Federal or state law;

3. A credit union, the deposits or accounts of which are insured under Federal or state law or are protected or guaranteed under state law; or

4. An industrial loan association or bank chartered and supervised under Federal or state law in a manner similar to a savings and loan institution.

(f) A qualified institution (other than a credit union) issuing tax-exempt savings certificates (All-Savers Certificates) must comply with the qualified residential financing requirements of N.J.S.A. 54A:6-18. A qualified institution which is a credit union issuing tax-exempt savings certificates (All-Savers Certificates) must comply with the qualified residential financing requirements of N.J.S.A. 54A:6-19.

(g) If any portion of a depository institution tax-exempt savings certificate (All-Savers Certificate) is redeemed or otherwise disposed of (other than a disposition by reason of the holder's death) before the date on which it matures:

1. Exclusion from gross income shall not apply to any interest on such certificate for the taxable year of redemption or disposition and any subsequent year; and

2. There shall be included in the gross income of the holder (or holders) for the taxable year of redemption or disposition the amount of any interest on such certificate excluded under this rule for any preceding taxable year.

3. Where a holder redeems a certificate and thereafter purchases a new certificate, interest on the new certificate may be excluded under this section without regard to the interest received on the redeemed certificate.

(h) For purposes of this section, if the taxpayer uses any depository institution tax-exempt savings certificate (or portion thereof) as collateral or security for a loan, the taxpayer shall be treated as having redeemed such certificate.

(i) Except as provided in (i) of this section the exclusion from

taxable gross income for the All-Savers Certificate shall not apply to estates. If an estate receives interest on an All-Savers Certificate acquired by reason of the death of the decedent, the exclusion provided by (c) and (d) above shall be applied as if the estate were the decedent. If an All-Savers Certificate is acquired by or passes to any person other than the purchaser's estate by reason of the death of the purchaser of the certificate, interest on the All-Savers Certificate shall be subject to that person's separate limitation under (c) and (d) above.

(j) The exclusion from taxable gross income for the All-Savers Certificate shall not apply to trusts. If a grantor or other individual is treated as the owner of the interest from an All Savers Certificate held by a trust by reason of Internal Revenue Code sections 671 through 679, the grantor or other individual treated as the owner of the interest is entitled to the exclusion from taxable gross income, subject to the grantor's or other individual's separate limitation under (c) and (d) above. However, if the trust subsequently becomes treated as the owner of the interest from the All-Savers Certificate, the change in tax status will be treated for purposes of this section as a disposition of the All-Savers Certificate and (g) above shall apply to such disposition (unless such change in tax status is as a result of the death of the individual treated as the owner of the interest.

(k) Although an estate or trust is not entitled to the exclusion from taxable gross income (except as provided in (i) and (j) above), interest received by an All-Savers Certificate and distributed to a beneficiary retains its character. Such interest shall be subject to the individual beneficiary's separate limitation under (c) and (d) above.

1. Examples:

i. On October 1, 1981, A, a single individual purchased an All-Savers Certificate and had the interest credited monthly to his savings account. A's savings account is credited with \$250.00 of interest in 1981 and \$750.00 of interest in 1982 on the All-Savers Certificate. A can exclude \$250.00 of interest on his 1981 tax return and \$750.00 of interest on his 1982 tax return.

ii. In 1982, A, a single individual, receives \$1,000 of interest on an All-Savers Certificate. In 1983, A marries B. B has not previously received any interest on an All-Savers Certificate and has not excluded any interest on any return. A receives \$2,000 of interest on an All-Savers Certificate in 1983. The maximum amount that can be excluded on A's and B's joint return for 1983 is \$1,000 (\$2,000 reduced by the amount treated as received by either spouse for prior taxable years).

iii. In 1982, C receives \$2,000 of interest on an All-Savers Certificate. C and D, filing jointly, exclude that \$2,000 on their 1982 return. In 1983, C dies and D marries E. E has not previously received any interest on an All-Savers Certificate and has not excluded any interest on any return. D and E receive \$2,000 of interest on an All-Savers Certificate in 1983. The maximum amount that can be excluded on D's and E's joint return for 1983 is \$1,000 (\$2,000 reduced by the amount treated as received by D in 1982).

iv. In 1982, F, a single individual, receives \$600.00 of interest on an All-Savers Certificate. Even though the interest qualifies for the exclusion under this section, F reports the interest as taxable on F's 1982 return and pays tax on the interest. In 1983, F receives an additional \$800.00 of interest on an All-Savers Certificate. On F's 1983 return, F may exclude only \$400.00 of the All-Savers interest received in 1983, that is, the excess of \$1,000 over \$600.00 (the aggregate amount excludable under paragraph (c) and (d) of this section for any prior taxable year). F is entitled to file an amended return and claim a refund of 1982 taxes attributable to interest on the All-Savers Certificate.

v. On October 1, 1981, A and B, two single individuals, each contribute \$7,000 and purchase a single All-Savers Certificate for \$14,000. A and B take title to the certificate as tenants in common. On December 20, 1981, A redeems \$5,000 of A's share of the certificate. None of the interest on the All-Savers Certificate may be excluded from either A's or B's income under this section for either 1981 and 1982 inasmuch as there was a redemption before

the maturity date pursuant to (g) above.

vi. On February 1, 1982, D, an individual taxpayer, purchases an All-Savers Certificate for \$10,000 from Y, a qualified institution. On December 1, 1982, D deposits an additional \$500.00 with Y to be added to the certificate, and the term of the certificate is extended through November 30, 1983. Under applicable depository institution regulations, the additional deposit and extension of the certificate are treated as a redemption of the preexisting certificate (without penalty for premature redemption) and a purchase of a new certificate. None of the interest earned on the certificate from February 1, 1982 through November 30, 1982, may be excluded from D's gross income. Interest earned on the new certificate from December 1, 1982 through November 30, 1983 may be excludable under this section.

vii. E, a married individual, purchases an All-Savers Certificate in 1982 and receives \$1,200 of interest on the certificate in that year. E and E's spouse, F, exclude that \$1,200 on their 1982 joint return. E prematurely redeems the certificate in 1983, and E and F file separate 1983 returns. The full \$1,200 of interest excluded by E and F on their 1982 joint return is included in E's gross income in 1983 and must be reported on E's 1983 return. None of the interest excluded on the 1982 joint return is included in F's gross income in 1983. Thereafter, the interest excluded on E and F's 1982 joint return is not taken into account by either E or F for purposes of the limitations under (c) and (d) above.

viii. On October 1, 1981, G an individual taxpayer, purchases an All-Savers Certificate. On February 1, 1982, G dies and the certificate passes to G's estate. The transfer of the certificate to G's estate at G's death does not cause any interest from the certificate to be included in the gross income of either G or G's estate. However, if G's estate redeems or disposes of the certificate prior to its maturity, no interest is excludable in the taxable year of the redemption or disposition and all interest previously excluded from gross income by G or G's estate is included in the gross income of G's estate. A distribution of the certificate to a beneficiary is not treated as a disposition for purposes of (g) above.

ix. In 1982, A, a single individual, earns \$600.00 of interest on an All-Savers Certificate. A dies in 1983 and A's estate receives an additional \$600.00 of interest on the certificate during the estate's first taxable year. The estate excludes \$400.00 of that interest on its income tax return for its first taxable year.

OTHER AGENCIES

(a)

GARDEN STATE PARKWAY

**Limitations on Use of Parkway
Maximum Allowable Length of Buses**

Proposed Amendment: N.J.A.C. 19:8-1.9

Authorized By: F. Joseph Carragher, Executive Director,
New Jersey Highway Authority.
Authority: N.J.S.A. 27:12B-5(j).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before May 5, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

F. Joseph Carragher,
Executive Director
New Jersey Highway Authority
Garden State Parkway
Woodbridge, New Jersey 07095

The New Jersey Highway Authority thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-114.

The agency proposal follows:

Summary

N.J.A.C. 19:8-1.9(b)11iii is being amended. The proposed amendment would permit use of the Parkway by autobuses and articulated autobuses approved by the Board of Public Utilities and the New Jersey Department of Transportation which have a maximum overall length not exceeding 61 feet. This amendment would provide conformance with the Board of Public Utilities' and New Jersey Department of Transportation's newly adopted regulations increasing the allowable overall length to 61 feet. The proposed amendment specifies a one-year trial period for articulated autobuses as opposed to rigid body autobuses.

Social Impact

The Board of Public Utilities and the New Jersey Department of Transportation have jointly adopted a regulation allowing autobuses up to 61 feet in length to use all state-controlled highways. There are portions of the Garden State Parkway which are a part of the State highway system. Allowing autobuses up to 61 feet in length to operate on the Garden State Parkway should facilitate the movement of vehicular traffic without any significant negative impact.

Economic Impact

Allowing autobuses up to 61 feet in length to operate on the Garden State Parkway will allow carriers to carry more passengers at an appreciable cost savings.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

19:8-1.9 Limitations on use of Parkway

(a) (No change.)

(b) Use of the Parkway and entry thereon by the following is prohibited at all times:

1.-10. (No change.)

11. Vehicles, or combination of vehicles, including any load thereon, exceeding the following maximum dimensions, except by special permit from the Authority:

i.-ii. (No change.)

iii. Length-55 feet, no inches[.], **except that autobuses, excluding articulated autobuses, which have been approved and authorized to exceed 55 feet, no inches by the Board of Public Utilities, and which are not in excess of 61 feet, no inches, shall be permitted use of the Parkway.**

(1) Articulated autobuses which have been approved and authorized by the Board of Public Utilities and which are not in excess of 61 feet, no inches, will be permitted use of the Parkway, subject to a one-year trial period.

12.-17. (No change.)

(c) (No change.)

RULE ADOPTIONS

ADMINISTRATIVE LAW

(a)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Applicability; Motions; Participation; Initial Decision

Adopted Amendments: N.J.A.C. 1:1-1.1, 9.1, 12.6 and 16.3

Proposed: January 4, 1982 at 14 N.J.R. 2(a).
Adopted: March 11, 1982 by Howard H. Kestin, Director, Office of Administrative Law.
Filed: March 11, 1982 as R.1982 d.87, **with technical change** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks *[thus]*).

1:1-9.1 When and how made; generally; interim relief
(a) (No change from proposal.)

1. [A motion other than one made by a party during a hearing, shall be] **A party shall make each motion in writing, unless it is made orally during a hearing or unless *[a]* *the* judge otherwise permits it to be made orally.**

2. (No change from proposal.)

(b)-(f) (No change from proposal.)

(b)

OFFICE OF ADMINISTRATIVE LAW

Uniform Administrative Procedure Rules of Practice Settlement and Withdrawal

Adopted Amendments: N.J.A.C. 1:1-17.1 and 17.2

Proposed: January 4, 1982 at 14 N.J.R. 4(b).
Adopted: March 11, 1982 by Howard H. Kestin, Director, Office of Administrative Law.
Filed: March 11, 1982 as R.1982 d.86, **without change, except** that N.J.A.C. 1:1-17.3, which was part of the notice of proposed rule, was not adopted, **and is still pending.**

Authority: N.J.S.A. 52:14F-5e, f and g.

Effective Date: April 5, 1982.

CIVIL SERVICE

(c)

CIVIL SERVICE COMMISSION

Certification and Appointment Limitation of Number of Times Eligible is Certified

Adopted Amendment: N.J.A.C. 4:1-12.8
Adopted Repeal: N.J.A.C. 4:2-12.4 and 4:3-12.5

Proposed: February 1, 1982 at 14 N.J.R. 114(a).
Adopted: March 16, 1982 by Civil Service Commission, Peter J. Calderone, Director of Administrative Practices and Labor Relations.
Filed: March 22, 1982 as R.1982 d.107, **without change.**

Authority: N.J.S.A. 11:1-7a, 11:5-1a, 11:6-2e, 11:10-1, 11:10-6 and 11:22-17.

Effective Date: April 5, 1982.

(d)

CIVIL SERVICE COMMISSION

Pre-Layoff Actions Procedures Prior to Layoff Implementation

Adopted New Rule: N.J.A.C. 4:1-24.2
(proposed as 4:1-16.A)

Proposed: December 7, 1981 at 13 N.J.R. 862(a).
Adopted: March 2, 1982 by Civil Service Commission, Peter J. Calderone, Director of Administrative Practices and Labor Relations.
Filed: March 12, 1982 as R.1982 d.88, **with substantive and technical changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 11:6-2e.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks *[thus]*).

4:1-[16.1A]**24.2* Pre-layoff actions
(a) The appointing authority should lessen the possibility of layoff or demotion of permanent employees by taking the following preventive actions:

[1. Abolish non-essential vacant positions;]
Renumber 2.-6. as 1.-5.

(b) If all preventive measures have been considered and it is * [still]* necessary to abolish positions filled by permanent classified employees, the permanent titles of the employees in positions earmarked for abolition must be identified.

(c) When the appointing authority decides to institute layoff actions the following information concerning the impending layoff should be sent to the Department of Civil Service, Director, Division of Classification and Compensation (State *[service]*) or to the Director *[Division]* of Local Government Services (local *[service]*) 30 days before the 45-day layoff notices are issued to employees:

1.-4. (No change from proposal.)
(d) (No change from proposal.)

(a)

CIVIL SERVICE COMMISSION

Compensation Plan
Anniversary Dates

Adopted New Rules: N.J.A.C. 4:2-7.1A
Adopted Amendments: N.J.A.C. 4:2-7.2,
7.3, 7.4, 7.5, 7.6, 7.7 and 7.9

Proposed: January 18, 1982 at 14 N.J.R. 68(a).
Adopted: March 2, 1982 by Civil Service Commission,
Peter J. Calderone, Director of Administrative Practices
and Labor Relations.
Filed: March 17, 1982 as R.1982 d.91, with substantive
changes not requiring additional public notice and
comment.

Authority: N.J.S.A. 11:8-1 et seq.

Effective Date: April 5, 1982.

Full text of the changes in the rule between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

4:2-7.2 [Determination of a] Anniversary dates
(a) Anniversary dates for employees who are newly hired, promoted, or have received pay adjustments shall correspond to bi-weekly pay periods.
1. (No change from proposal.)
2. *[Years which contain 27 pay periods shall require that the anniversary date of pay-period 27 be advanced to pay-period 1.]* *Anniversary dates assigned or changed in years which contain 27 pay-periods shall be determined in accordance with a schedule approved and issued by the Department of Civil Service.*

(b)-(c) (No change.)

(d) Examples of how to use this section are as follows:

Table with 4 columns: Pay Period, Begins On, Personnel Action Date, Anniversary Date (Pay Period). Rows show transitions between pay periods 16 and 20 with specific dates and asterisks indicating changes.

[27 12-11-82 12-11-82 1/84]

(b)

CIVIL SERVICE COMMISSION

Separations and Demotions
Displaced Manpower Placement

Adopted Repeal: N.J.A.C. 4:2-16.3 (formerly
CSPM 16-5.102 State)

Proposed: February 1, 1982 at 14 N.J.R. 117(b).
Adopted: March 16, 1982 by Civil Service Commission,
Peter J. Calderone, Director of Administrative Practices
and Labor Relations.

Filed: March 22, 1982 as R.1982 d.108, without
change.

Authority: N.J.S.A. 11:1-7a, 11:5-1a, 11:6-2e, 11:9-12
and 11:15-9.

Effective Date: April 5, 1982.

ENVIRONMENTAL PROTECTION

(c)

DIVISION OF WATER RESOURCES

Water Pollution Control Act
Statewide Management of Septage Disposal

Adopted Amendment: N.J.A.C. 7:14-5
Appendix A

Proposed: March 5, 1981 at 13 N.J.R. 124(a)
Adopted: March 5, 1982 by Robert E. Hughey,
Commissioner, Department of Environmental
Protection

Filed: March 5, 1982 as R.1982 d.82, with substantive
changes not requiring additional public notice and
comment (see N.J.A.C. 1:30-3.5)

Authority: N.J.S.A. 13:1D-9, 13:1E-6(2) and 58:10A-4.

Effective Date: April 5, 1982.
DEP Docket No.: 008-81-01

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

ADOPTIONS

ENVIRONMENTAL PROTECTION

**Appendix A
Statewide Septage Management Plan**

Atlantic County

Buena ***[Boro]* *Borough***

[10]* *140 Houses

Bergen County

Northwest Bergen County SA

NPDES Number 0024813

Compliance Date: ***[January 1, 1981]* *July 1, 1982*** Category B

Ridgewood Village STP

NPDES Number 0024791

Compliance Date: October 1, 1980 Category ***[A]* *B***

Burlington County

Septage disposal alternatives include addition to existing of modified treatment works, disposal within an approved landfill, land application, composting or co-composting operations, and contracting to other treatment plants with excess capacity. Plans may be required to include provisions for septage collection and transfer facilities if long distances exist between point of generation and the contract facility.

[The Department is working cooperatively with haulers, sewerage agencies, and County Boards of Chosen Freeholders to develop and implement short or long-term alternatives, typically on a county basis, to minimize transportation distances. However, in lieu of availability of any other Departmentally approved septage disposal alternatives, septage generated in these municipalities shall be accepted at the Middlesex County Utilities Authority on an interim basis.]

The Department is working cooperatively with haulers, sewerage agencies, and County Boards of Chosen Freeholders to develop and implement short and/or long-term alternatives, typically on a county-wide basis to minimize transportation distances. Accordingly, the Department anticipates the designation of the Mount Holly Sewerage Authority as the lead agency to develop and implement the short-term planning for the disposal of septage will be the responsibility of the County. It is anticipated that the Mount Holly Sewerage Authority will be capable of disposing of all of Burlington County's septage by July 1, 1983. However, in lieu of availability of any other Departmentally approved septage disposal alternatives, septage generated in the municipalities listed below shall be accepted at the Middlesex County Utilities Authority on an interim basis.

...

[Mount Holly Township]

[Westhampton Township]

[15,659]* *13,539 Houses

TGY: ***[5,220]* *4,514***

TGD: ***[24]* *21***

Camden County

***Camden County M.U.A.**

NPDES No. 0026182

Compliance Date: June 1, 1982 Category B*

***[Septage disposal alternatives include addition to existing or modified treatment works, disposal within an approved landfill, land application, composting or co-composting operations, and contracting to other treatment plants with excess capacity.**

Plans may be required to include provisions for septage collection and transfer facilities if long distances exist between point of generation and the contract facility.

The Department is working cooperatively with haulers, sewerage agencies, and County Boards of Chosen Freeholders to develop and implement short or long-term alternatives, typically on a county basis, to minimize transportation distances. However, in lieu of

availability of any other Departmentally approved septage disposal alternatives, septage generated in these municipalities shall be accepted at the Middlesex County Utilities Authority on an interim basis.]*

Cape May County

***[Lower Township M.U.A.]**

NPDES No. 0023809

Compliance Date: December 1, 1981 Category B

Lower Township TGY: 330

1,000 homes TGD: 1.5]*

Cape May County M.U.A.—Ocean City STP

***NPDES No. 0035343* Category B**

Compliance Date: *[September 1, 1981]* *March 15, 1982*

...

Lower Township

[7,222]* *8,222 Homes

TGY: ***[2,400]* *2,730***

TGD: ***[11]* *12.5***

Essex County

Livingston Township STP

NPDES No. 0024511

Compliance Date: March 15, 1981 Category ***[A]* *B***

[Florham Park Borough]

Livingston Township

[95]* *20 houses TGY: ***[31.6]* *6.7***

TGD: ***[0.14]* *.03***

Gloucester County

***[Logan Township Sewage Treatment Plant**

NPDES No. 0027545

Compliance Date: March 15, 1981 Category B

Logan Township TGY: 181

545 houses TGD: 0.8]*

Hudson County

Secaucus Town STP

NPDES No. 0025038

Compliance Date: January 1, 1981 Category ***[A]* *B***

[Bayonne City]

[North Bergen Township]

[Guttenburg Town]

...

[Hoboken City]

[Union City]

[Jersey City]

[Weehawken Township]

[Kearny Town]

[West New York Town]

[1,008]* *334 Houses

TGY: ***[335]* *110***

TGD: ***[1.5]* *.5***

***Pending Development of a county-wide disposal plan, septage generated in other areas of Hudson County will be accepted at the Middlesex County Utilities Authority.**

Bayonne City

North Bergen Township

Guttenberg Town

Union City

Hoboken City

Weehawkin Township

Jersey City

West New York Town

674 Houses

TGY: 224.6

TGD: 1.02*

Mercer County

East Windsor M.U.A.

NPDES No. 0023787

Category A

Compliance Date: ***[September 1, 1981]* *July 1, 1982***

Morris County

Temporary Septage Service Area:

(Compliance date: March 15, 1981)

Florham Park Boro.

[31,085]* *31,174 Houses

TGY: ***[10,350]* *10,370***

TGD: 47
Total TGD: 54

(a)

Ocean County
Ocean County U. A.
NPES No. 0029408 – Central Plant
Category B
Compliance Date: *[December 31, 1981]* ***September 1, 1982***

Warren County
Belvidere STP
NPDES No. 0035114
Category B
Compliance Date: *[May 1, 1981]* ***August 1, 1981***
Belvidere Town ***Oxford Twp.***
Hope Twp. ***White Twp.***
Liberty Twp.
[915] ***3,462*** house TGY: ***[305]* *1,153***
TGD: ***[1.4]* *5***

Hackettstown M. U. A.
NPDES No. 0021369
Compliance Date: *[January 1, 1981]* ***July 1, 1982*** Category A

*[Oxford STP
Compliance Date: September 1, 1981 Category B
Oxford Twp.
540 houses TGY: 180
TGD: 0.8]*

[The Department is working cooperatively with haulers, sewerage agencies, and County Boards of Chosen Freeholders to develop and implement short or long-term alternatives, typically on a county basis, to minimize transportation distances. However, in lieu of availability of any other Departmentally approved septage disposal alternatives, septage generated in these municipalities shall be accepted at the Middlesex County Utilities Authority on an interim basis, until the treatment plants' compliance date.]

The Department is working cooperatively with haulers, sewerage agencies, and County Boards of Chosen Freeholders to develop and implement short or long-term alternatives, typically on a county basis, to minimize transportation distances. ***However***, ***[i]* *n** lieu of availability of any other Departmentally approved septage disposal alternatives, septage generated in these municipalities shall be accepted at the Middlesex County Utilities Authority on an interim basis, ***until the treatment plants' compliance date.***

[Belvidere Town] ***[Oxford Twp.]***
[Hope Twp.] ***[White Twp.]***
[Liberty Twp.]
[8,362] ***4,900*** houses TGY: ***[2820]* *1,632***
TGD: ***[13]* *7.4***
Category D Facilities

Morris County
Hanover STP 0024902

DIVISION OF WATER RESOURCES

DIVISION OF ENVIRONMENTAL QUALITY

**New Jersey Pollutant Discharge Elimination System
Hazardous Waste Management**

Adopted New Rules: N.J.A.C. 7:14A-11.12, 11.13, and 7:26-1.8

Adopted Amendments: N.J.A.C. 7:14A-11.1, 11.2, 11.3, 11.5, 11.8, 11.9, 11.11, 13.1 and N.J.A.C. 7:26-12.2

Proposed: November 2, 1981 at 13 N.J.R. 724(a).

Adopted: March 12, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: March 19, 1982 as R.1982 d.97, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 58:10A-1 et seq., specifically; N.J.S.A. 58:10A-2, 4, 5, 6, 7, 9 and 10; N.J.S.A. 58:11-49 et seq., specifically; N.J.S.A. 58:11-51, N.J.S.A. 13:1E-1 et seq.

Effective Date: April 5, 1982.
DEP Docket No.: 050-81-10.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

7:14A-11.1 Public access to information

(a) All permit applications, documented information concerning actual and proposed discharges, comments received from the public, and draft and issued permits shall be made available to the public for inspection and duplication in accordance with Section 9 of the State Act[.] **and pursuant to N.J.S.A. *1*3:1E-1 et seq.**

7:14A-11.3 Procedures for asserting or reasserting confidentiality

(a) Reasserting a confidentiality claim. With regard to NPDES or RCRA permits issued by EPA and taken over by the Department upon the date of EPA approval of the State NPDES program (NJPDES/DSW) **or RCRA program (including interim authorization of Phase I)**: any person who has made a confidentiality claim under 40 CFR Part 2 shall reassert such claim as follows:

1. Within 60 days of the effective date of [these regulations] **program approval and/or interim authorization of Phase I**, a NPDES **or RCRA** permittee shall submit the appropriate fee in accordance with N.J.A.C. 7:14A-11.4 if the permittee desires to maintain the claim of confidentiality which was previously made to EPA. Failure to submit such fee as required shall not entitle the permittee to such claim of confidentiality in accordance with the State Act and [these regulations] ***[this chapter]* *N.J.S.A. 13:1E-1 et seq.***

2. (No change from proposal.)

(b)–(g) (No change from proposal.)

7:14A-11.13 Use of confidential information in rulemaking, permitting, and enforcement proceedings

(a) Notwithstanding any other provisions of this subchapter, the Department may use confidential information in rulemaking, permitting and enforcement proceedings.

*1. Where the Department uses confidential information in any enforcement proceeding, the Department shall simultaneously indicate that such information has been used.

2. Where the Department uses confidential information in administrative proceedings, the procedures in (b) and (c) below shall apply.*

(b) (No change from proposal.)

(c) Where the Department determines that there shall not be an adjudicatory hearing*,* information determined to be eligible for confidential treatment pursuant to N.J.A.C. 7:14-11.5 and 11.6 may be used in any enforcement, permitting, or rulemaking proceeding *[provided the procedures set forth below are followed]**as provided below*:

1.-4. (No change from proposal.)

(a)

DIVISION OF ENVIRONMENTAL QUALITY

**Noise Control
Procedures for the Determination of Noise
from Stationary Sources**

Adopted New Rules: N.J.A.C. 7:29B

Proposed: March 5, 1981 at 13 N.J.R. 127(b).

Adopted: March 5, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: March 5, 1982 as R.1982 d.81, with substantive and technical changes not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 13:1D-1, 13:1G-4 and 7:29-1.5.

Effective Date: April 5, 1982.

DEP Docket No.: 007-81-01.

Full text of the rule as adopted follows.

7:29B-1.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this section are intended to be used as defined in the New Jersey Noise Control Act, N.J.S.A. 13:1G, and in the Noise Control Regulations N.J.A.C. 7:29, or are used in their common engineering or scientific sense.

“A-weighted sound level” means the sound level in decibels, reported as measured by a sound level measuring instrument having an “A”-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity or the human ear. The level so read is designated dBA.

“Department” means the Department of Environmental Protection.

“Duty cycle” means the period of time for one operating cycle for equipment which cycles periodically at a regular rate: e.g., five minutes on, 10 minutes off equals a 15 minute duty cycle.

“Extraneous sound” means a sound which is neither part of the neighborhood residual sound nor comes from the source under investigation.

“Facility” means land and/or buildings used for commercial or industrial operations which produce the sound under investigation.

“Neighborhood residual sound level” means that measured value which represents the summation of the sound from all of the discrete sources affecting a given site at a given time, exclusive of extraneous and transient sounds and the sound from the source of interest.

“Noise” means, for purposes of this procedure, any sound which is not in conformance with the provisions of N.J.A.C. 7:29.

“Octave” means any two frequencies whose ratio is exactly two to one.

“Octave band” means a spectrum of sound frequencies between band edge frequencies an octave apart. For purposes of this procedure, octave band frequencies are as specified in Table 1, Page 11, of ANSI S1.11-1966 (R-1976) “specifications for octave, half-octave and third-octave band filter sets” (see N.J.A.C. 7:29B-1.12(a)1).

“Sound level meter” means an instrument approved by the Department for the measurement of noise and sound levels.

“Sound source” means any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

“Sound spectrum” means the description of the resolution of a sound into its frequency and amplitude components.

“Steady state sound” means a sound whose level remains constant during measurement.

“Total sound level” means that measured level which represents the summation of the sounds from all of the sound sources affecting a given place at a given time.

“Transient sound” means a sound whose level does not remain constant during measurement.

“Wind screen” means a device recommended by the manufacturer as a microphone cover to reduce the effect of wind.

7:29B-1.2 Acceptable test methods

Testing shall be conducted in accordance with methods set forth hereinafter. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the Department. The Department may itself employ such alternatives when warranted by test conditions or other circumstances.

7:29B-1.3 Measurement principle

For purposes of measuring noise in accordance with applicable provisions of the rules of the Department, sound levels shall be determined by a qualified investigator using instruments and procedures prescribed by the Department.

7:29B-1.4 Operating conditions during the test

Insofar as practicable, sound will be measured while the source under investigation is operating at normal, routine conditions and, as necessary, at other conditions including, but not limited to, design, maximum and fluctuating rates. For test purposes, these conditions will apply during the times from 7:00 A.M. to 10:00 P.M. and from 10:00 P.M. to 7:00 A.M.

7:29B-1.5 General requirements

(a) All tests shall be conducted in accordance with the following procedures:

1. The investigator shall, to the extent practicable, identify all sources contributing sound to the point of measurement.

2. Measurements shall be taken at or within the property line of any affected person.

3. The measuring device must be calibrated before and after each series of readings and at least once every hour.

4. The measuring device must be recertified and the calibrator must be recalibrated at least once per year by the manufacturer or by a person that has been approved by the Department. A copy of written documentation of such recertification and recalibration, in a form approved by the Department, shall be kept with the equipment to which it refers.

5. No outdoor measurements shall be made:

- i. During periods when the wind speed exceeds 12 miles per hour (including gusts).
- ii. Without a wind screen properly attached to the measuring device.
- iii. Under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.
- iv. When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).

7:29B-1.6 Equipment

(a) Requirements for equipment are as follows:

1. Sound level meters:

i. Measurements of continuous sound shall be made either with a Type 1 (Precision) or a Type 2 (General Purpose) sound level meter manufactured to the requirements of ANSI S1.4-1971 "specification for sound level meters" (see N.J.A.C. 7:29B-1.12(a)2) or its successor. These meters shall have a range which includes 30-130 decibels.

ii. Measurements of impulse sound shall be made with a Type 1 (Precision) or with a Type 2 (General Purpose) sound level meter equipped for measuring peak values and manufactured to the requirements of IEC Publication 651 (1979) "Sound Level Meters" (see N.J.A.C. 7:29B-1.12(a)3) or its successor.

iii. Measurements of sound by octave bands shall be made with a sound level meter with octave band frequency filter set that conforms to the requirements of Class II as specified in ANSI S1.11-1966 (R-1976) "specification for octave, half-octave, and third-octave band filter sets" (See N.J.A.C. 7:29B-1.12(a)1).

2. Calibrators used should be those recommended by the manufacturer of the sound level meter.

3. Other equipment:

i. A wind screen, as recommended by the sound level meter manufacturer.

ii. A wind speed measuring instrument including a range of five to 15 miles per hour (2.2 to 6.7 meters per second) with plus or minus two miles per hour (plus or minus 0.9 meters per second) accuracy.

iii. A tape measure or an optical distance indicator for determining distance.

iv. A compass for determining direction or, alternatively, a suitable map of the vicinity.

v. A thermometer for determining ambient temperature.

vi. Optional equipment including a flashlight or miner's lamp, a microphone extension cable, an extension pole with microphone holder, a headphone equipped with a plug to fit the sound level meter.

7:29B-1.7 Reporting requirements

(a) Reports shall be provided on forms approved by the Department.

(b) The report for each test shall include:

1. The date and day of the week on which the test is made;
2. The time of measurements, clearly indicating A.M. or P.M.;
3. The times of calibration of the measuring devices while on site;
4. The weather conditions;
5. The temperature when the ambient is below 14 degrees F (-10 degrees C);
6. The wind speed;
7. The identification of all measurement equipment by manufacturer, model number, and serial number;
8. The date each piece of equipment was last recertified or recalibrated by the manufacturer or other approved person;
9. The duty cycle of source of interest;
10. The total sound level in dBA, or dB if in octave bands, or in dBA peak if measuring maximum instantaneous sound pressure level of impulse sound at the measurement point;
11. The neighborhood residual sound level in dBA, or dB if in octave bands, at the measurement point;
12. A sketch of the site, not necessarily to scale, orienting the

facility of interest, the points of measurement, topographic features, and relevant distances, containing sufficient information for another investigator to repeat the measurements under similar conditions;

13. A description of the sound sources by character and location;

14. A description of the neighborhood residual sound by character and location, to the extent feasible.

7:29B-1.8 Preparation for testing

(a) Survey: Prior to taking noise measurements the investigator shall explore the vicinity of the suspected source on foot to identify any other sound sources which could affect measurements, to establish the approximate location and character of the main sound source, and to select suitable points from which to measure the sound from the suspected source and the neighborhood residual sound.

(b) Nature of sound: While the sound source or sources are under observation the investigator shall ascertain whether the sound is steady state or transient. The duty cycle time, if any, shall be measured and noted.

(c) Wind speed measurement: The investigator shall measure the wind speed at the measurement site with an appropriate wind meter. If the wind speed does not exceed 12 miles per hour (5.4 meters per second), proceed using a sound level meter equipped with a wind screen. When the wind speed exceeds 12 miles per hour (5.4 meters per second), including gusts, sound level readings shall not be made, but shall be postponed until the wind speed decreases below 12 miles per hour (5.4 meters per second).

(d) Instrument selection: After determining the character of the sound to be measured, the investigator shall select the appropriate measuring equipment pursuant to the requirements of N.J.A.C. 7:29B-1.6. If the sound is concentrated within a narrow band of frequencies, an instrument capable of octave band analysis shall be selected. If impulse sound is predominant, an instrument capable of impulse peak measurement shall be selected.

7:29B-1.9 Procedure

(a) Calibration of Sound Measuring Equipment: When a meter zero adjust screw is accessible from outside the sound measuring equipment, then prior to making sound level measurements, the investigator shall zero adjust in accordance with the manufacturer's instructions. If the zero adjust screw of the equipment is not readily accessible, and if the investigator observes that the meter zero adjust is defective, the equipment shall be taken out of service until repaired. Before and after making a set of sound level measurements, the investigator shall check, and if warranted, adjust the sound level meter calibration at the level specified by the sound level calibrator used. When a multi-frequency calibrator is used, it shall be set for 1000 Hertz. The procedure below shall be followed before and after each set of measurements:

1. Turn on the sound level meter and allow it to warm-up as specified by the manufacturer—usually three to five minutes;
2. Check the condition of the sound level meter battery and replace if necessary;
3. Set the sound level meter range or attenuator setting to the appropriate level (most calibrators produce sound levels in the range of 94 to 124 dB);
4. Set the sound level meter for slow response and set the sound level meter weighting switch to the appropriate position in accordance with the manufacturer's instructions for the sound level calibrator to be used;
5. Test the calibrator batteries and replace them if necessary;
6. Allow the calibrator to warm-up if necessary as specified by the manufacturer;
7. Place the calibrator on the microphone gently to prevent damage to the microphone diaphragm;
8. Adjust the sound level meter using the calibration (sensitivity or amplifier gain) adjustment until the meter reads the calibrator output;

ADOPTIONS

9. If the sound level meter being calibrated is to be used for measuring impulse sound, the following additional steps must be taken:

- i. Switch the detector characteristic setting from "Slow Response" to "Impulse" and note the meter reading. The change must be not more than 0.25 dB.
- ii. Switch the detector characteristic setting from "Impulse" to "Peak". The meter reading must increase by 3.0 plus or minus 0.5 dB.

iii. If the requirements of either (a)9i or (a)9ii above are not met, no further measurements shall be made with that sound level meter. It shall be taken out of service for repair and recertification.

(b) Measurement: After calibrating the sound level meter, switch to the appropriate weighting position and place the wind screen over the microphone. The appropriate weighting position is "A" for measurement of continuous or impulse sound, and "flat" or "ext. Filter" for octave band measurements. The meter is now ready for measuring the sound level.

1. Total sound level is measured as follows:
i. Position the microphone at the point at which the sound is to be measured.

ii. During sound level measurements, the sound level meter microphone is to be mounted on a tripod or held at arm's length, at a minimum of three feet (0.9 meter) above ground level, and pointed at the proper angle to an imaginary line from the sound source to the microphone. The proper angle is specified by the manufacturer, according to the microphone characteristics.

iii. When measuring continuous sound, the measuring device shall be set for "A" weighting, "slow" meter response, and the range switch shall be set to that range in which the meter needle reads nearest to the maximum end of the scale. When the measured sound is variable, causing the meter needle to fluctuate, record both the minimum and maximum readings, e.g. 66-69 dBA, indicating that the reading was not less than 66 nor more than 69, during the measurement. When selecting the proper range setting for making the measurement, do not include extraneous sounds.

iv. When octave band measurements are made, the sound from the source must be constant in level and in character. Record the maximum and minimum readings in dB. Use "flat" response or "ext. Filter" setting as appropriate to the instrument. (Do not use "A" scale.). If level variations exceed plus or minus 2 dB in the bands containing the principal source frequencies, discontinue the measurement. The octave band level shall be used as a supplement to "A" weighted level measurements.

v. To measure impulse noise, the investigator shall set the meter for "A" weighting, peak hold, and the appropriate range for the needle to be on scale. After measuring an impulse peak, press the reset button to prepare for measurement of the next impulse. If the impulses follow each other rapidly as for example in a fusillade, it is not necessary to measure every impulse. In such a case, measure as many impulses as feasible, estimate the number of impulses occurring, and the time period during which they occur.

vi. While making sound level measurements, observe whether the meter reading is increased by extraneous sound sources such as passing vehicles, aircraft flying overhead, barking dogs, etc. In such cases, postpone the sound level measurement until the extraneous sound has abated. This shall not apply, however, if the source of the extraneous sound is located on the facility under investigation.

vii. There are instances in which the sound propagation from a source is such that the sound level varies significantly with altitude. In such cases, connect the sound level meter to its microphone by a long cable and, after calibrating, elevate the microphone with a long pole or other means to measure the sound level at different altitudes.

viii. Continue the test over a period of time sufficient to ensure that the sound levels measured are typical of the source under observation but in no event should the duration of the test be less than 10 minutes.

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ix. No less frequently than at one hour intervals during the investigation, and again at the conclusion of measurement, calibrate the sound level meter, check the condition of the batteries, measure the wind speed, and record the results for inclusion in the Noise Measurement Report. If the sound level meter has drifted more than 0.5 dB off calibration, or if the sound level meter battery check procedure indicates that the battery charge is too low, or if the wind speed has increased to greater than 12 miles per hour (5.4 meters per second), then measurements taken since the previous calibration check shall be considered invalid. Wind gusts over 12 miles per hour (5.4 meters per second) at this time shall not invalidate measurements since readings would not have been taken during previous gusts.

2. Neighborhood residual sound is measured as follows:
i. When the sound from the source under investigation can be discontinued, the neighborhood residual sound shall be measured at the same location at which the total sound was measured. When the sound under investigation cannot be reasonably discontinued, the neighborhood residual sound may be measured at an alternative location, in accordance with the following procedure:

(1) The alternative location should be as close as feasible to the original sound measurement location, but so located that the sound from the source has as little effect as possible on the neighborhood residual sound measurement. Even if the source sound is audible or is sufficient to raise the sound level above that which would be measured were it inaudible at the alternative location, the reading is sufficient for the purpose of this procedure.

(2) The alternative location chosen must be such that buildings in the vicinity are similar in size and distribution, the local topography is similar in character to the location of the affected property where the total sound was measured.

(3) Traffic conditions at the time of neighborhood residual sound measurement must be similar to those at the location of the affected property where the total sound was measured.

7:29B-1.10 Calculations

(a) Corrected source sound level: Correct the total sound level for the neighborhood residual sound in accordance with the procedure for using Table 1 to determine the sound level from the sound source of interest. If the difference between the total sound level and the neighborhood residual sound level is greater than 10 dB no correction is necessary.

TABLE 1

THE DETERMINATION OF SOURCE SOUND LEVEL FROM TOTAL AND NEIGHBORHOOD RESIDUAL SOUND MEASUREMENTS

A Sound Level Difference (Decibels)	B Correction Factor (Decibels)
0.5	9.6
1	7
2	4
3	3
4	1.8
5	1.6
6	1.2
7	1
8	0.75
9	0.6
10	0.5
Greater than 10	0.0

Procedure for Using Table 1

Step 1: Subtract the maximum measured level of the neighborhood residual sound from the minimum measured level of the total sound.

Step 2: In Column A, find the difference determined under Step 1 and its corresponding correction factor in Column B.

Step 3: Subtract the value obtained from Column B in Step 2 from the minimum measured total sound level (used in Step 1) to determine the sound level attributable to the sound source.

7:29B-1.11 Qualifications of investigative personnel

(a) For the purposes of this procedure, persons shall be considered qualified to make noise measurements who have satisfactorily completed any of the following:

1. "Community noise - A Short Course" offered by the Department of Environmental Sciences of Cook College, Rutgers, the State University; or
2. A program of tutoring and on-the-job training offered by the Office of Noise Control to its employees; or
3. Education or experience or a combination thereof certified by the Department as equivalent to the provisions of paragraphs (a)1 or (a)2 of this section.

7:29B-1.12 Incorporation by reference

(a) Wherever referenced in N.J.A.C. 7:29B-1, the following sources are incorporated by reference as part of this subchapter:

1. ANSI: S1.11-1966 (R 1976) "specifications for octave, half-octave and third-octave filter sets" can be purchased from: American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018. Cost: \$5.50.
2. ANSI: S1.4-1971 "specification for sound level meters" can be purchased from: American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018. Cost: \$5.50.
3. "Sound Level Meters" IEC Publication 651 (1979) can be purchased from the Catalogue of International Electrotechnic Commission Publications-1980, 1, Rue de Varembe, Geneva, Switzerland. Approximate Cost: \$48.14.

OFFICE OF ADMINISTRATIVE LAW NOTE: The pertinent part of the Department's statement explaining the reasons for the changes in the rule between proposal and adoption, and its explanation for its compliance with the requirements of N.J.A.C. 1:30-3.5 (Office of Administrative Law's "Rules for Agency Rulemaking") follows:

"All of the changes made from the version proposed for public comment (Docket No. DEP 007-81-01) were for one or more of the following purposes:

1. to clarify the intended meaning, e.g. N.J.A.C. 7:29B-1.1, definition of "A-weighted sound level";
2. to include an element inadvertently omitted, e.g. N.J.A.C. 7:29B-1.9(b)1ii;
3. to provide more latitude in choice of instruments or devices, e.g. N.J.A.C. 7:29B-1.6(a)2;
4. to recodify in accordance with the prescribed state procedure".

The Department further states that there are "no changes which would cause any person not subject to the proposed rule to become so or which would make the rule more onerous to comply with."

HEALTH

(a)

DRUG UTILIZATION REVIEW COUNCIL

Interchangeable Drug Products List

Adopted Amendment: N.J.A.C. 8:71

Proposed: January 4, 1982 at 14 N.J.R. 22(b).

Adopted: March 2, 1982 by Drug Utilization Review Council, Robert G. Kowalski, Chairman.

Filed: March 22, 1982 as R.1982 d.106, **without change**.

Authority: N.J.S.A. 24:6E-6.

Effective Date: April 5, 1982.

HIGHER EDUCATION

(b)

BOARD OF HIGHER EDUCATION

Licensing and Degree Standards Baccalaureate Teacher Education Programs at Public Colleges and Universities

Adopted New Rules: N.J.A.C. 9:2-12.1 through 12.4 (proposed as N.J.A.C. 9:1-7.1 through 7.4)

Proposed: January 4, 1982 at 14 N.J.R. 24(a).

Adopted: February 19, 1982 by State Board of Higher Education, T. Edward Hollander, Chancellor.

Filed: March 19, 1982 as R.1982 d.99, **with substantive and technical changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 18A:3-14(d) and (e).

Effective Date: April 5, 1982.

Operative Dates: September 1, 1983 (for entering freshmen)
September 1, 1985 (for transfer students).

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks ***thus***; deletions from proposal shown in brackets with asterisks ***[thus]***).

9:2-12.1**[9:1-7.1] Admission, retention and graduation of students

(a) ***Teacher preparation programs are those curricula which lead to a recommendation for a New Jersey instructional certificate irrespective of the organizational unit of the college by which the curriculum is offered.*** Formal admission to teacher preparation programs shall be ***[confirmed]* *reviewed*** at the beginning of the junior year and shall be granted only to those students who have:

1.-3. (No change from proposal.)

(b)-(e) (No change from proposal.)

(f) Colleges shall develop appropriate procedures for placing on probation and dismissing from the program students who fall below minimum requirements ***[after they have been admitted.]* *before graduation.***

9:2-12.2* *9:1-7.2) Curriculum

(a) Each undergraduate teacher education program shall provide approximately 60 semester credit hours of general education including electives. General education courses shall be distributed among the arts/humanities, mathematics/science/technology, and the social sciences. The inclusion of technology as an aspect of general education is intended to allow for the inclusion of courses

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and topics (such as the history of technology and the sociological impact of technological advancement) which would contribute to the general technical literacy of students. However, the purpose of general education is to develop the prospective teacher as an educated person rather than to provide professional preparation. Therefore, this component of the program shall exclude courses which are clearly professional or vocational in nature. * **Introductory courses in other areas of the program may also be applied toward meeting the general education requirement when such courses are consistent with institutional standards for general education.** *

(b) Each teacher preparation program shall require its students to complete a coherent sequence of study no fewer than 30 semester credit hours in *[one of]* the arts/humanities, social science or mathematics/science/technology disciplines. The inclusion of technology as a potential academic *[major]* ***area*** is intended to provide for those candidates who will be certified to teach one of the technical disciplines such as distributive occupations or industrial technology.

(c) Each undergraduate teacher preparation program shall provide a minimum of 18 semester credit hours in the study of the behavioral *[or]* ***and*** social sciences.

(d)-(e) (No change from proposal.)

9:2-12.3 *[9:1-7.3]*

(No change in text from proposal.)

9:2-12.4 *[9:1-7.4]*

(No change in text from proposal.)

(a)

BOARD OF HIGHER EDUCATION

County Colleges Auditing and Accounting Standards

**Adopted Amendments: N.J.A.C. 9:4-1.5,
1.12, 2.13, 3.1-3.10 and 3.57**

**Adopted Repeal: N.J.A.C. 9:4-1.4, 2.4,
Foreword to Subchapter 3, 3.11-3.56 and
3.58-3.88**

Proposed: January 4, 1982 at 14 N.J.R. 26(b).
Adopted: February 18, 1982 by State Board of Higher
Education, T. Edward Hollander, Chancellor and
Secretary.

Filed: March 19, 1982 as R.1982 d.100, **with substantive
changes** not requiring additional public notice and
comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 18A:64A-7(b)1.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows
(additions to proposal shown in boldface with asterisks ***thus***;
deletions from proposal shown in brackets with asterisks ***[thus]***).

[9:4-1.4] **9:4-3.1** Accounting and finances

(a) (No change from proposal.)

(b) (No change from proposal.)

(c) Not later than October 1, [the community] **each county** college shall file with the Chancellor of Higher Education an audit of the college's accounts **and** financial transactions [and enrollment] for

the previous fiscal year, **together with a copy of the auditors' management letter as soon as it is available.** ***The management letter shall include, but not be limited to, all material comments, findings, and recommendations resulting from the audit engagement, including those concerning internal controls, administrative controls and other financial matters.*** **Each college shall also file an audit of student enrollment by such date as the Chancellor shall establish.** These [this] audits [it to] shall be conducted by a certified public ***[account]*** ***accountant*** of New Jersey. [or a registered municipal accountant who holds a valid registration license as a public school accountant of New Jersey] **The audits shall be in accordance with AICPA standards and must include compliance with all county college regulations.** ***[A college shall not employ the same certified public accountant for more than five consecutive years.]*** ***A college shall every five years either change certified public accounting firms or within the same firm change account partners and complete auditing staff.***

(d)-(f) (No change from proposal.)

HUMAN SERVICES

(b)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Independent Clinic Services Manual Family Planning Codes

Adopted Amendment: N.J.A.C. 10:66-3.3

Proposed: October 8, 1981 at 13 N.J.R. 663(a).
Adopted: April 5, 1982 by Selma Rubin, Acting
Commissioner, Department of Human Services.
Filed: March 10, 1982 as R.1982 d.84, **with substantive
change** not requiring additional public notice and
comment.

Authority: N.J.S.A. 30:4D-6(b)(3) and 30:4D-7 and 7b.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows
(additions to proposal shown in boldface with asterisks ***thus***;
deletions from proposal shown in brackets with asterisks ***[thus]***).

10:66-3.3 Procedure code listing

(a) (No change.)

1.-3. (No change.)

4. Family planning services: Only those clinics which have been specifically approved by the New Jersey Medicaid Program to provide family planning services may be reimbursed for the following codes:

0086 (No change from proposal.)

0087 (No change from proposal.)

0088 (No change.)

0089 Routine or follow-up visit, prolonged - may include pelvic examination, changes in method or physicians' instructions. Involves 20 or more minutes of personal time in patient contact, including documentation of time as well as adequate significant progress notes on the clinic record. ***[Includes cost of birth control drugs dispensed.]*** *** This code includes costs of birth control drugs dispensed. A prescription cannot be substituted.***

0090 (No change from proposal.)

5.-14. (No change.)

(a)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual
RSDI Lump Sum Death Benefit

Adopted Amendments: N.J.A.C. 10:81-7.26
and 8.4

Proposed: December 21, 1981 at 13 N.J.R. 925(a).
Adopted: March 11, 1982 by George Albanese,
Commissioner, Department of Human Services.
Filed: March 16, 1982 as R.1982 d.90, **without change.**

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: April 5, 1982.

(b)

DIVISION OF PUBLIC WELFARE

General Assistance Manual
Household Size and Eligibility

Adopted Amendment: N.J.A.C. 10:85-3.1

Proposed: December 21, 1981 at 13 N.J.R. 927(a).
Adopted: March 18, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: March 22, 1982 as R.1982 d.102, **with technical changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 44:8-111(d).

Effective Date: April 5, 1982.
Operative Date: May 1, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

*[8]**10*:85-3.1 Persons eligible for [g]General [a]Assistance
(a)-(f) (No change from proposal.)

(c)

DIVISION OF PUBLIC WELFARE

General Assistance Manual
Exemptions from Work Requirements

Adopted Amendments: N.J.A.C. 10:85-3.2

Proposed: December 21, 1981 at 13 N.J.R. 927(b).

Adopted: March 16, 1982 by George J. Albanese, Commissioner, Department of Human Services.
Filed: March 22, 1982 as R.1982 d.103, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:8-111(d).

Effective Date: April 5, 1982.
Operative Date: May 1, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

- 10:85-3.2 Application process
 - (a)-(f) (No change from proposal.)
 - (g) (No change from proposal.)
 - 1.-2. (No change from proposal.)
 - 3. Exemptions from work requirement: An individual shall be exempt from the work requirement if any *[to]* *of* the following exist:
 - i. (No change from proposal.)
 - [ii.-v.] (No change from proposal.)
 - ii.-iv. (No change from proposal.)
 - v. **The individual is unemployable: For purposes of General Assistance, unavailability of employment cannot be the basis of a determination of unemployability. Only persons included in any of the following groups are unemployable:**
 - (1)-(2) (No change from proposal.)
 - (3) **Persons receiving inpatient hospital care and treatment who were or would have been classified as unemployable prior to entering the hospital (persons who were or would have been listed *as* employable shall retain such status until hospital discharge);**
 - (4)-(6) (No change from proposal.)
 - (7) **Pregnant persons when *an* examining physician certifies that employment poses a threat to the mother or the fetus;**
 - (8)-(9) (No change from proposal.)
 - 4.-8. (No change from proposal.)
 - (h)-(i) (No change from proposal.)

(d)

DIVISION OF PUBLIC WELFARE

General Assistance Manual
Compliance with Work Requirements

Adopted Amendments: N.J.A.C. 10:85-3.2,
10.3 and 10.6
Adopted Repeal: N.J.A.C. 10:85-10.8

Proposed: December 21, 1981 at 13 N.J.R. 929(a).
Adopted: March 18, 1982 by George J. Albanese,
Commissioner, Department of Human Services.
Filed: March 22, 1982 as R.1982 d.104, **without change.**

Authority: N.J.S.A. 44:8-111(d).

Effective Date: April 5, 1982.
Operative Date: May 1, 1982.

(a)

DIVISION OF PUBLIC WELFARE**General Assistance Manual
Hospital Services: Shelter Continuity****Adopted Amendment: N.J.A.C. 10:85-3.3**

Proposed: December 21, 1981 at 13 N.J.R. 930(a).

Adopted: March 11, 1982 by George J. Albanese,
Commissioner, Department of Human Services.Filed: March 19, 1982 as R.1982 d.98, with **technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:8-111(d).

Effective Date: April 5, 1982.

Operative Date: May 1, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

10:85-3.3 Financial eligibility

(a)-(e) (No change from proposal.)

(f) (No change from proposal.)

1.-4. (No change from proposal.)

5. Shelter continuity: When a person who had been living alone and is otherwise eligible for General Assistance is hospitalized for more than 30 days, grants of assistance may be continued for up to 60 additional days for the purpose of retaining shelter to which the person can return. See N.J.A.C. 10:8*[7]*5*-3.3(e)4ii for appropriate deduction for in-kind income.

(g) (No change from proposal.)

INSURANCE

(b)

REAL ESTATE COMMISSION**Special Accounts for Funds of Others;
Commingling
Use of Name of License for the Benefit of
Others****Adopted Amendments: N.J.A.C. 11:5-1.8
and 1.14**

Proposed: May 7, 1981 at 13 N.J.R. 302(b).

Adopted: March 22, 1982 by New Jersey Real Estate
Commission, Joan Haberle, Director.Filed: March 22, 1982 as R.1982 d.101, with **substantive changes** not requiring additional public notice and comment and with action on N.J.A.C. 11:5-1.8(c) **still pending.**

Authority: N.J.S.A. 45:15-6 and 45:15-10.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows

(additions to proposal shown in boldface with asterisks *thus*; deletions from proposal shown in brackets with asterisks *[thus]*).

11:5-1.8 **Special accounts for [F]funds of others *[-]* **,*
commingling**

(a) (No change from proposal.)

(b) Every real estate broker shall file with the *[Real Estate Commission]* *broker's application for licensure or license renewal,* an affidavit or certification setting forth the name or names of the financial institution or institutions where said special account or accounts have been established and shall identify any and all account numbers. Any change in an existing account or the establishment of any new account shall be immediately reported to the Real Estate Commission in the form of an affidavit or certification.

(c) (Proposal not adopted, action still pending.)

(d)-(h) (No change from proposal.)

11:5-1.14 Use of name or license for the benefit of others

(a) (No change from proposal.)

(b) [Any arrangement . . . for the benefit of another person, firm or corporation.] **Lending a broker's license for the benefit of another person, firm or corporation shall be construed as including any arrangement whereby a corporation shall be construed as including any arrangement whereby a corporation seeks to be licensed in, or whereby a corporation, firm, or individual uses as a business name, a name containing the name of a salesperson or broker-salesperson in, or proposed to be in, the broker's employ, which does not also contain the name of the broker or record, in the case of a corporation or the name of the employing broker, in all other cases *[-]. However, if a broker buys the real estate business of a person licensed as a broker immediately preceding the purchase and employs the former broker as a broker-salesperson or salesperson, the broker may use the name of the broker-salesperson or salesperson in a business name or corporate name which does not also contain the name of the broker.* **,* with the following exceptions:**

1. If a broker buys the real estate business of a person who, immediately preceding the purchase, had been licensed as a broker and had used his name in the business or corporate name of the real estate business, the purchaser-broker may use the name of the former broker in a business or corporate name which does not also contain the name of the purchaser-broker, even if the former broker is employed by the purchaser-broker as a broker-salesperson or salesperson.

2. In the event of the death of an employing broker or broker of record of a corporation whose name, had been used in a business or corporate name immediately preceding the death, if the new broker employs the deceased broker's widow or widower as a broker-salesperson or salesperson, the new broker may use the deceased broker's name in a business or corporate name which does not also contain the name of the new broker.*

OFFICE OF ADMINISTRATIVE LAW NOTE: Action is still pending on the following rules which were proposed in the May 7, 1981 Register at 13 N.J.R. 302(b): 1.4, 1.8(c), 1.9, 1.18, 1.19 and 1.37.

LAW AND PUBLIC SAFETY**(a)****DIVISION OF MOTOR VEHICLES****Driver Control Service
Reciprocity Agreement Between Delaware
and New Jersey****Adopted Repeal: N.J.A.C. 13:19-6**

Proposed: January 18, 1982 at 14 N.J.R. 87(a).
 Adopted: February 24, 1982 by Joan H. Wiskowski,
 Director, Division of Motor Vehicles.
 Filed: March 18, 1982 as R.1982 d.94, **without change**.

Authority: N.J.S.A. 39:2-3 through -16 and 5:30-1.

Effective Date: April 5, 1982.

(b)**DIVISION OF MOTOR VEHICLES****Driver License
Nonresident Licensees' Legend****Adopted Repeal: N.J.A.C. 13:21-8.18**

Proposed: January 18, 1982 at 14 N.J.R. 88(a).
 Adopted: February 24, 1982 by Joan H. Wiskowski,
 Director, Division of Motor Vehicles.
 Filed: March 18, 1982 as R.1982 d.95, **without change**.

Authority: N.J.S.A. 39:3-10.

Effective Date: April 5, 1982.

(c)**BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS****General Rules and Regulations
Work Standards and Inspections****Adopted Amendment: N.J.A.C. 13:31-1.8**

Proposed: September 10, 1981 at 13 N.J.R. 607(b).
 Adopted: November 4, 1981 by Board of Electrical
 Contractors, Earle Harder, Chairman.
 Filed: March 18, 1982 as R.1982 d.92, **without change**.

Authority: N.J.S.A. 45:5A-6.

Effective Date: April 5, 1982.

(d)**BOARD OF MORTUARY SCIENCE****Administration
Board Fees and Charges****Adopted Amendment: N.J.A.C. 13:36-1.6**

Proposed: June 4, 1981 at 13 N.J.R. 367(c).
 Adopted: March 3, 1982 by Board of Mortuary Science,
 Mary Jane Johnesee, President.
 Filed: March 22, 1982 as R.1982 d.105, **without change**.

Authority: N.J.S.A. 45:7-38 and 45:1-3.2.

Effective Date: April 5, 1982.

(e)**OFFICE OF WEIGHTS AND MEASURES****Precious Metals
Regulation of Buyers of Precious Metals****Adopted Repeal: N.J.A.C. 13:47C-5**

Proposed: November 16, 1981 at 13 N.J.R. 818(a).
 Adopted: January 4, 1982 by William J. Wolfe, Sr.,
 State Superintendent, Office of Weights and Measures.
 Filed: March 18, 1982 as R.1982 d.96, **without change**.

Authority: N.J.S.A. 51:6A-1 et seq.

Effective Date: April 5, 1982.

(f)**OFFICE OF WEIGHTS AND MEASURES****Precious Metals
Regulation of Bonds Required of Transient
Buyers of Precious Metals****Adopted New Rules: N.J.A.C. 13:47C-6**

Proposed: November 16, 1981 at 13 N.J.R. 819(a).
 Adopted: January 4, 1982 by William J. Wolfe, Sr.,
 Superintendent, Office of Weights and Measures.
 Filed: March 18, 1982 as R.1982 d.93, **without change**.

Authority: N.J.S.A. 51:6A-1i and 51:1-61.

Effective Date: April 5, 1982.

(a)

NEW JERSEY RACING COMMISSION**Racing
Harness Rules****Adopted Amendments: N.J.A.C. 13:71**

Proposed: November 16, 1981 at 13 N.J.R. 820(a).
 Adopted: December 22, 1981 by New Jersey Racing
 Commission, John J. Reilly, Executive Director.
 Filed: March 22, 1982 as R.1982 d.109, **with technical
 substantive changes** not requiring additional public
 notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 5:5-30.

Effective Date: April 5, 1982.

Full text of the changes between proposal and adoption follows
 (additions to proposal shown in boldface with asterisks ***thus***;
 deletions from proposal shown in brackets with asterisks ***[thus]***).

13:71-7.5 Items requiring registration

(a) (No change from proposal.)

1. (No change from proposal.)

**2. Corporate stable names must be registered with the
 Commission. The initial fee shall be *[\$1,000]* *\$50.00* and
 renewals thereafter shall have a fee of *[\$250.00]* *\$50.00*.**

**3. Multiple ownership initial registration with the
 Commission shall be *[\$100.00]* *\$50.00* and renewals
 thereafter shall also have a fee of *[\$100.00]* *\$50.00*.**

13:71-7.17 Multiple ownership

Each and every multiple ownership must be registered with the
 Racing Commission. [The numbers of participants in any multiple
 ownership shall not exceed ten persons] ***All multiple ownerships
 with the exception of partnerships wherein no more than two
 persons are involved shall race in a multiple ownership stable
 name.* No license shall be granted to any partnership,
 syndicate or other form of multiple ownership or to the lessee
 of any such entity excluding corporations wherein the number
 of persons having a beneficial interest therein exceeds *[30]* *
 35*.** Each and every partnership must be registered with the
 Commission.

13:71-15.30 Elimination plans

(a)-(d) (No change from proposal.)

**(e) The judges shall draw the positions in which the horses are
 to start in the main event, that is, they shall draw positions to
 determine which of the two dash winners shall have the pole and
 which one shall have the second position; which of the two
 horses that have been second shall start in third position and
 which in fourth, and so forth. All elimination dashes and the
 concluding heat must be programmed to be raced upon the
 same day or night unless special provisions for earlier
 elimination dashes are set forth in the conditions. In the event
 there are three separate heat or dash winners, and they alone
 come back in order to determine the race winner according to
 the conditions, they will take *[most]* *post* positions
 according to the order of their finish in the previous heat or
 dash.**

13:71-21.2 Dashes

(a) Unless otherwise specified in the conditions, the money
 distribution in dashes shall be [45] **50 percent, *25 percent,*** [15]
12 percent, [ten] eight percent and [five] five percent. Where in
 early closing races, late closing races or added money events, there

are less than five starters, the remaining premium shall go to the
 race winner unless the conditions call for a different distribution.
 Where, in overnight events, there are less than five starters, the
 premium for the positions for which there are no starters may be
 retained by the association.

(b) (No change from proposal.)

TRANSPORTATION

(b)

TRANSPORTATION OPERATIONS**Restricted Parking and Stopping
Route 4****Adopted Amendments: N.J.A.C. 16:28A-1.4**

Proposed: January 18, 1982 at 14 N.J.R. 98(a).
 Adopted: March 3, 1982 by David W. Gwynn, Chief
 Engineer, Transportation Operations and Local Aid.
 Filed: March 8, 1982 as R.1982 d.83, **without change.**

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1 and
 39:4-199.

Effective Date: April 5, 1982.

TREASURY-GENERAL

(c)

PENSION OFFICERS' PENSION FUND**Retirement
Medical Examinations; Physicians****Adopted Amendment: N.J.A.C. 17:7-3.10**

Proposed: November 2, 1981 at 13 N.J.R. 750(a)
 Adopted: March 2, 1982 by the Prison Officers' Pension
 Fund Commission, Robert C. Parsons, Secretary.
 Filed: March 15, 1982 as R.1982 d.89, **without change.**

Authority: N.J.S.A. 43:7-19.

Effective Date: April 5, 1982.

TREASURY-TAXATION

(a)

DIVISION OF TAXATION

Sales and Use Tax Sale and Installation of Gasoline Service Station Equipment

Adopted Amendment: N.J.A.C. 18:24-24.2

Proposed: December 7, 1981 at 13 N.J.R. 883(b).
Adopted: March 11, 1982 by Sidney Glaser, Director,
Division of Taxation.
Filed: March 11, 1982 as R.1982 d.85, **without change**.

Authority: N.J.S.A. 54:32B-24.

Effective Date: April 5, 1982.

Premium "Hourly"	\$ 2.00 for 1st 2 hrs. or part
Lots	\$ 1.00 per hr. or part thereafter
	\$16.00 maximum to 24 hrs.
	\$ 1.00 per hr. or part thereafter
	\$16.00 maximum each 24 hrs.

OTHER AGENCIES

(b)

PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Schedule of Charges

Public Vehicular Parking at Kennedy, LaGuardia, and Newark International Airports

Notice of Correction: 14 N.J.R. 162(d)

Take notice that an error appears in the schedule of charges of the Port Authority of New York and New Jersey for public vehicular parking at Kennedy, LaGuardia, and Newark International Airports, appearing in the February 1, 1982 Register at 14 N.J.R. 162(d).

The pertinent portions of the adoption follows (additions to adoption shown in boldface **thus**).

1. By revising the rates relative to LaGuardia Airport as follows:

Parking Garage and All	\$ 2.00 for 1st 2 hrs. or part
Lots except Premium	\$ 1.00 for third hr. or part
Metered Areas	\$ 1.00 per 2 hrs. or part thereafter
	\$12.00 maximum to 24 hrs.
	\$ 1.00 per 2 hrs. or part thereafter
	\$12.00 maximum each 24 hrs.

2. By revising the rates relative to Kennedy International Airport as follows:

Premium	\$ 2.00 for 1st 2 hrs. or part
Pan Am Rooftop (Lot No. 6)	\$ 1.00 per hr. or part thereafter
	\$16.00 maximum to 24 hrs.
	\$ 1.00 per hr. or part thereafter
	\$16.00 maximum each 24 hrs.

3. By revising the rates relative to Newark International Airport as follows:

MISCELLANEOUS NOTICES

ENVIRONMENTAL PROTECTION

(a)

THE COMMISSIONER

State Certifications of Draft NPDES Permits

Public Notice

Robert E. Hughey, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of State law.

The Department publishes public notice of certifications in the DEP Bulletin. Copies of the Bulletin may be obtained by calling (609) 292-3178 or writing to the Documents Distribution Center, P.O. Box 1390, Trenton, New Jersey 08625.

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19K. Casino Control Commission	\$35

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INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code, with the exception of rules promulgated in this Register appearing in the *Table of Rules in This Issue*. The rules in this index are listed in order of their Code citations. At the bottom of the listing for each Title is the date of the most recent Code update for that Title. Accompanying the Code citation for each rule is a brief description of the rule's contents, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL) and the Register citation for its adoption notice.

The *Index of Adopted Rules* will appear in the first Register of each month, complementing the *Index of Proposed Rules* which will appear in the second Register of each month. Together, these indices make available to a Code and Register subscriber all legally

effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

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To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with July 5, 1979.

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
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1:1-1.1	Applicability of OAL rules	R. 1981 d. 118	13 N.J.R. 254(a)
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1:1-3.7	Appearances and representation in contested cases	R. 1981 d. 442	13 N.J.R. 842(b)
1:1-3.10	Interpreters	R. 1981 d. 441	13 N.J.R. 842(c)
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1:1-12.3	Standards for intervention in administrative hearings	R. 1981 d. 119	13 N.J.R. 255(a)
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1:1-14.1, 14.2	Motions to consolidate	R. 1981 d. 117	13 N.J.R. 255(c)
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2:2-2.16	Slaughtering of market cattle and goats	R. 1981 d. 40	13 N.J.R. 115(b)
2:3-2.3, 2.4	Brucellosis and tuberculosis tests for cattle	R. 1981 d. 39	13 N.J.R. 115(a)
2:3-4.1	Movement of livestock	R. 1981 d. 41	13 N.J.R. 115(c)
2:5-1	Repeal hog cholera quarantines	R. 1981 d. 42	13 N.J.R. 115(d)
2:22-2	Mediterranean fruit fly control	R. 1981 d. 508	14 N.J.R. 101(a)
2:48-5.1	Use of coupons in milk promotion	R. 1981 d. 166	13 N.J.R. 318(b)
2:54-1.1	Milk marketing order	R. 1981 d. 416	13 N.J.R. 753(a)
2:54-1.1, 2.1	Milk Marketing Order 57-3 and Order 63-1	R. 1981 d. 512	14 N.J.R. 101(b)
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3:1-1.1	Readoption: Interest rates on mortgages	R. 1981 d. 511	14 N.J.R. 101(c)
3:1-1.1	Correction: Interest rates on mortgages	R. 1981 d. 511	14 N.J.R. 205(a)
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3:6-12.1	Commercial bank parity	R. 1981 d. 351	13 N.J.R. 552(a)
3:11-2.1	Commercial bank lending: Approved subsidiaries	R. 1981 d. 516	14 N.J.R. 101(d)
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3:17-7.1, 7.3	Permits to small loan licensees	R. 1981 d. 430	13 N.J.R. 754(a)

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3:27-6	Repealed: Variable rate mortgage rules	R. 1981 d. 507	14 N.J.R. 40(b)
3:30-2.1	Reserve requirements	R. 1981 d. 90	13 N.J.R. 185(a)
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4:1-5.17	Determining back pay awards	R. 1982 d. 35	14 N.J.R. 205(b)
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4:1-8.8A	Residency standards	R. 1981 d. 501	14 N.J.R. 40(c)
4:1-8.11	Time and place of examinations	R. 1981 d. 461	13 N.J.R. 885(c)
4:1-8.11	Cancellation of examinations	R. 1981 d. 500	14 N.J.R. 40(d)
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4:1-12.15	Extension of certification list	R. 1981 d. 127	13 N.J.R. 257(a)
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4:2-20.11	Employee Advisory Service	R. 1981 d. 504	14 N.J.R. 41(b)
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(Title 4, Transmittal 15 dated November 10, 1980)

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5:12	Repeal State aid for urban renewal projects	R. 1981 d. 180	13 N.J.R. 333(a)
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5:17	Expiration date for retirement community disclosure requirements	R. 1981 d. 425	13 N.J.R. 782(c)
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5:23	Amend Uniform Construction Code	R. 1980 d. 508	13 N.J.R. 7(d)
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5:23-2.6	Uniform Construction Code inspections	R. 1981 d. 182	13 N.J.R. 333(b)
5:23-2.7	Amend UCC: Certificate of occupancy	R. 1981 d. 45	13 N.J.R. 123(a)
5:23-2.8	Manufactured homes	R. 1982 d. 7	14 N.J.R. 142(a)
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5:23-3.9	Manufactured homes	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-4.3	Temporary appointments of municipal code officials	R. 1982 d. 23	14 N.J.R. 142(b)
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5:23-5.5	Uniform Construction Code	R. 1981 d. 463	13 N.J.R. 886(c)
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5:24-1.3	Correction: Condominium and cooperative conversion	R. 1981 d. 131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	R. 1981 d. 354	13 N.J.R. 562(a)
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5:25	Readopt New Home Warranty and Builders' Registration	R. 1980 d. 522	13 N.J.R. 7(e)
5:25-2.8	Restoration of builders' registrations	R. 1982 d. 55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	R. 1982 d. 22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	R. 1981 d. 181	13 N.J.R. 333(d)
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5:27	Rooming and boarding houses	R. 1981 d. 359	13 N.J.R. 704(c)
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(Title 5, Transmittal 15 dated September 18, 1980)

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6:24-1.3	Format of petition for controversies and disputes	R. 1981 d. 265	13 N.J.R. 397(b)
6:24-1.3	Correction: Petition format	R. 1981 d. 265	13 N.J.R. 481(a)
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6:44-6,-7	Recodified as 6:30	R. 1982 d. 39	14 N.J.R. 205(c)
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6:66	Archives and history records management	R. 1981 d. 202	13 N.J.R. 397(c)

(Title 6, Transmittal 17 dated November 10, 1980)

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7:1G	Emergency rules concerning drought crisis	R. 1981 d. 93	13 N.J.R. 195(c)
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7:1G-3.1	Drought crisis	R. 1981 d. 147	13 N.J.R. 334(c)
7:1G-3.3	Emergency amendments on drought emergency	R. 1981 d. 105	13 N.J.R. 204(a)
7:1G-3.7, 3.8	Rules of Drought Coordinator	R. 1981 d. 222	13 N.J.R. 399(a)
7:1G-3.8	Water rationing plan	R. 1981 d. 266	13 N.J.R. 400(a)
7:1G-4.1	Emergency adoption: Use of fresh water for horticulture	R. 1981 d. 159	13 N.J.R. 335(a)
7:1G-5.4-5.7	Drought crisis	R. 1981 d. 147	13 N.J.R. 334(c)
7:1G-5.8	Landlord/tenant: Excess use charges	R. 1981 d. 217	13 N.J.R. 400(b)

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:1H	County environmental health services	R. 1980 d. 362	12 N.J.R. 514(a)
7:2-11.22	Amend Swimming River Natural Area map	R. 1981 d. 4	13 N.J.R. 91(a)
7:7	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:7-2	Waterfront and coastal resource development	R. 1980 d. 375	12 N.J.R. 576(a)
7:7-2	Waterfront development permits	R. 1981 d. 355	13 N.J.R. 564(b)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	R. 1981 d. 267	13 N.J.R. 401(b)
7:7E	Waterfront and coastal resource development	R. 1980 d. 375	12 N.J.R. 576(a)
7:7E	Coastal resource and development policies	R. 1981 d. 186	13 N.J.R. 338(a)
7:7E-7.2	Affordable housing and coastal development	R. 1982 d. 31	14 N.J.R. 206(a)
7:8	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:9-3	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:9-4, -5, -6	Water quality standards	R. 1981 d. 80	13 N.J.R. 194(b)
7:9-13.3, 13.5, 13.6	Sewer extension ban	R. 1981 d. 224	13 N.J.R. 402(a)
7:9-15	Grants for restoring publicly owned freshwater lakes	R. 1980 d. 374	12 N.J.R. 575(e)
7:10-8	Repealed: See 7:18	R. 1981 d. 279	13 N.J.R. 481(c)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	R. 1981 d. 190	13 N.J.R. 339(b)
7:12-1.3	Condemnation of certain shellfish areas	R. 1981 d. 431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	R. 1981 d. 190	13 N.J.R. 339(b)
7:13-1.11	Amend flood plain delineation along Mullica River	R. 1981 d. 8	13 N.J.R. 91(c)
7:13-1.11	Amend flood plain delineation along Cedar Creek	R. 1981 d. 9	13 N.J.R. 91(d)
7:13-1.11	Amend flood plain delineation of Great Egg Harbor River	R. 1981 d. 88	13 N.J.R. 194(d)
7:13-1.11	Amend flood plain delineation of Mullica River and tributaries	R. 1981 d. 89	13 N.J.R. 194(e)
7:13-1.11	Flood hazard area delineations	R. 1981 d. 144	13 N.J.R. 339(c)
7:13-1.11	Flood hazard area delineations	R. 1981 d. 145	13 N.J.R. 340(a)
7:14	Amend pollutant discharge and waste management	R. 1981 d. 84	13 N.J.R. 194(c)
7:14-1.4	New definition of "treatment works"	R. 1980 d. 424	12 N.J.R. 642(b)
7:14A	Conditions for users of DTW	R. 1981 d. 84	13 N.J.R. 194(c)
7:14A-4	Industrial waste management facilities	R. 1981 d. 373	13 N.J.R. 705(a)
7:14A-13.4	Pollutant discharge and waste management	R. 1981 d. 214	13 N.J.R. 403(a)
7:15	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:17	Hard clam depuration pilot plant program	R. 1981 d. 56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	R. 1981 d. 279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	R. 1981 d. 488	14 N.J.R. 42(a)
7:21	Water policy and supply council	R. 1981 d. 366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	R. 1981 d. 456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	R. 1981 d. 223	13 N.J.R. 403(b)
7:24	Dam restoration grants	R. 1981 d. 104	13 N.J.R. 195(b)
7:25-1.7	Penalties for shellfish law violations	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-4.6	Nongame and exotic wildlife inspection	R. 1981 d. 513	14 N.J.R. 102(a)
7:25-4.8	Amend potentially dangerous species	R. 1980 d. 448	12 N.J.R. 643(b)
7:25-5	Game Code	R. 1981 d. 253	13 N.J.R. 403(c)
7:25-6	1981 Fish Code	R. 1980 d. 400	12 N.J.R. 577(a)
7:25-6	1982-1983 Fish Code	R. 1981 d. 470	13 N.J.R. 887(a)
7:25-7.2	Oyster seed beds recodification	R. 1981 d. 189	13 N.J.R. 340(b)
7:25-7.3	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-7.4	Repeal rules prohibiting oyster dredging	R. 1980 d. 369	12 N.J.R. 575(b)
7:25-7.10	Taking of oysters	R. 1981 d. 199	13 N.J.R. 403(d)
7:25-7.13	Crab dredging	R. 1980 d. 396	12 N.J.R. 576(e)
7:25-7.13	Crab dredging	R. 1981 d. 200	13 N.J.R. 404(a)
7:25-9.2	Penalties for shellfish law violations	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-9.2	Hard clam harvest penalties	R. 1981 d. 362	13 N.J.R. 706(a)
7:25-9.4	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-9.4	Bay scallops	R. 1981 d. 256	13 N.J.R. 404(c)
7:25-10	Repeal of various rules	R. 1980 d. 433	12 N.J.R. 643(a)
7:25-12.1	Amend preservation of clam resource	R. 1980 d. 521	13 N.J.R. 11(b)
7:25-12.1	Sea clam harvesting (emergency adoption)	R. 1981 d. 448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	R. 1981 d. 486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	R. 1982 d. 80	14 N.J.R. 288(a)
7:25-14	Atlantic Coast crabbing	R. 1981 d. 299	13 N.J.R. 546(a)
7:25-14.9	Penalties for shellfish law violations	R. 1980 d. 395	12 N.J.R. 576(d)
7:25-16.1	Upstream line revisions	R. 1981 d. 469	13 N.J.R. 887(b)
7:25-18	Marine fisheries	R. 1980 d. 394	12 N.J.R. 576(c)
7:25-19.1	Atlantic Coast harvest season	R. 1980 d. 373	12 N.J.R. 575(d)
7:25-20.1	List of nongame wildlife species of New Jersey	R. 1980 d. 390	12 N.J.R. 576(b)
7:25-21	Terrapin	R. 1981 d. 198	13 N.J.R. 405(a)
7:25A-1.1	Emergency: Oyster dredging license moratorium	R. 1981 d. 94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	R. 1981 d. 188	13 N.J.R. 340(c)
7:25A-2.1-2.7	Oyster management in Delaware Bay	R. 1981 d. 197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	R. 1981 d. 189	13 N.J.R. 340(b)

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7:26-1	Solid waste administration	R.1981 d.281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	R.1981 d.370	13 N.J.R. 706(b)
7:26-1.1	Amend pollutant discharge and waste management	R.1981 d.84	13 N.J.R. 194(c)
7:26-3.2,4.7	Amend solid waste collection and haulage	R.1981 d.49	13 N.J.R. 129(a)
7:26-5.4	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:26-7, -8	Solid waste administration	R.1981 d.281	13 N.J.R. 484(b)
7:26-9	Hazardous waste management	R.1981 d.370	13 N.J.R. 706(b)
7:26-11	Resource recovery grants	R.1981 d.184	13 N.J.R. 340(d)
7:26-11, -12	Hazardous waste management	R.1981 d.370	13 N.J.R. 706(b)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:3-15)	R.1982 d.32	14 N.J.R. 206(b)
7:27-2	Control and prohibition of open burning	R.1981 d.135	13 N.J.R. 264(a)
7:27-10	Sulfur in coal	R.1981 d.185	13 N.J.R. 341(a)
7:27-16	Air pollution control: Volatile organic substances	R.1982 d.3	14 N.J.R. 145(b)
7:27A-1.4	Repeal of various rules	R.1981 d.185	12 N.J.R. 643(a)
7:28-41	Mercury vapor lamps	R.1981 d.464	13 N.J.R. 887(c)
7:36-2.2, 3.2, 5.5, 6.4	Amend Green Acres Program	R.1981 d.7	13 N.J.R. 91(b)
7:38	Wild and scenic rivers	R.1980 d.401	12 N.J.R. 577(b)
7:38-1.17	Wild and scenic rivers addition	R.1982 d.2	14 N.J.R. 147(a)
7:50	Repeal of various rules	R.1980 d.433	12 N.J.R. 643(a)
7:50	Pinelands Comprehensive Management Plan	R.1981 d.13	13 N.J.R. 91(e)

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8:21-10	Amend designated fluid milk products	R.1980 d.539	13 N.J.R. 13(f)
8:22-1	State Sanitary Code-Campgrounds	R.1981 d.161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	R.1980 d.499	13 N.J.R. 13(c)
8:30	Amend expiration date	R.1981 d.283	13 N.J.R. 485(b)
8:31-26.4	Child abuse and neglect	R.1981 d.157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	R.1981 d.157	13 N.J.R. 756(a)
8:31-27	Certificate of Need: Megavoltage radiation (recodified as 8:331)	R.1981 d.406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Amend certification of need and designation of regional services	R.1980 d.528	13 N.J.R. 13(d)
8:31-30.1	Amend Plan Review Fee multiplier	R.1981 d.284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	R.1981 d.325	13 N.J.R. 571(c)
8:31A-9.2	Correction to Code: SHARE Manual	R.1979 d.25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	R.1982 d.38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	R.1981 d.404	13 N.J.R. 756(c)
8:31B-3	Amend hospital procedural and methodological regulations	R.1980 d.455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	R.1981 d.494	14 N.J.R. 45(a)
8:31B-3.20D	Rate of return: For-profit hospitals	R.1981 d.290	13 N.J.R. 486(c)
8:31B-4	Amend hospital financial elements and reporting regulations	R.1980 d.453	12 N.J.R. 645(a)
8:31B-4.62	Amend excluded health care services	R.1981 d.10	13 N.J.R. 92(a)
8:31B-5.1,5.2,5.3	Diagnostic related groups	R.1982 d.27	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	R.1982 d.38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	R.1981 d.296	13 N.J.R. 487(b)
8:33D-1.3	Regional hemophilia care centers	R.1982 d.26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	R.1982 d.24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	R.1982 d.25	14 N.J.R. 147(e)
8:33G	Certificate of Need reviews: CT scanners	R.1981 d.472	13 N.J.R. 944(a)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	R.1981 d.406	13 N.J.R. 756(b)
8:37	Amend expiration date	R.1981 d.283	13 N.J.R. 485(b)
8:39-1	Foreword: Amend operational dates	R.1981 d.283	13 N.J.R. 485(b)
8:39-1.1	Amend long term care standards	R.1981 d.285	13 N.J.R. 495(a)
8:39-1.35	Amend operational dates	R.1981 d.283	13 N.J.R. 485(b)
8:42-1.8	Child abuse and neglect	R.1981 d.157	13 N.J.R. 342(b)
8:42A	Alcoholism treatment facilities	R.1981 d.236	13 N.J.R. 411(a)
8:43-2.13	Amend Manual for Licensure of Residential Health Care Facilities	R.1980 d.529	13 N.J.R. 13(e)
8:43-3.3, 3.20, 3.22	Residential health care standards	R.1981 d.297	13 N.J.R. 495(b)
8:43-3.22	Residential health care: Fire protection	R.1981 d.402	13 N.J.R. 756(d)
8:43-4.13, 4.14	Residential health care standards	R.1981 d.297	13 N.J.R. 495(b)
8:43-6.9	Amend Manual for Licensure of Residential Health Care Facilities	R.1980 d.529	13 N.J.R. 13(e)
8:43A-3.1	Child abuse and neglect	R.1981 d.157	13 N.J.R. 342(b)
8:43B-1.13	Child abuse and neglect	R.1981 d.157	13 N.J.R. 342(b)
8:45-1.3	Licensure of clinical laboratories	R.1981 d.493	14 N.J.R. 45(b)
8:57-1.1-1.18	Amend reportable disease rules	R.1980 d.498	13 N.J.R. 13(b)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	R.1981 d.502	14 N.J.R. 45(c)

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8:65-7.8	CDS prescription filling requirements	R. 1981 d.452	13 N.J.R. 845(a)
8:65-7.10	CDS: Prescriptions in LTCF's	R. 1981 d.453	13 N.J.R. 845(b)
8:65-8.7	Controlled dangerous substances	R. 1981 d.238	13 N.J.R. 411(b)
8:65-10.1, 10.2	Emergency amend controlled dangerous substances	R. 1981 d.50	13 N.J.R. 132(b)
8:65-10.4, 10.8	Emergency amend controlled dangerous substances	R. 1981 d.50	13 N.J.R. 132(b)
8:71	Amend interchangeable drug products	R. 1980 d.454	12 N.J.R. 645(b)
8:71	Amend interchangeable drug products	R. 1981 d.25	13 N.J.R. 131(b)
8:71	Amend interchangeable drug products	R. 1981 d.26	13 N.J.R. 131(c)
8:71	Emergency amend interchangeable drug products	R. 1981 d.27	13 N.J.R. 132(a)
8:71	Amend list of interchangeable drug products	R. 1981 d.81	13 N.J.R. 217(d)
8:71	Interchangeable drug product list	R. 1981 d.364	13 N.J.R. 706(c)
8:71	Interchangeable drug list	R. 1981 d.405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	R. 1981 d.403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	R. 1981 d.503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	R. 1981 d.503	14 N.J.R. 102(b)
8:71	Generic drug list additions	R. 1982 d.58	14 N.J.R. 235(a)
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HIGHER EDUCATION--TITLE 9			
9:1-1.1	Amend definition of "college"	R. 1980 d.524	13 N.J.R. 14(a)
9:1-4.6	Post-master's level programs	R. 1981 d.392	13 N.J.R. 757(c)
9:2-1.1, 1.2	Amend admission and baccalaureate degree standards for State colleges	R. 1981 d.19	13 N.J.R. 133(a)
9:2-2.8	Amend "visiting specialist" title at State colleges	R. 1980 d.525	13 N.J.R. 14(b)
9:2-3	State college reduction in force policies	R. 1981 d.38	13 N.J.R. 133(b)
9:2-8.1-8.10	Amend admission and degree standards for State colleges	R. 1981 d.19	13 N.J.R. 133(a)
9:2-9.9	Correction to Code: Contracts for professional staff (nonfaculty)		13 N.J.R. 132(c)
9:2-11.7	Veteran's Tuition Credit Program	R. 1981 d.449	13 N.J.R. 845(c)
9:3-1.3	Correction to Code: Program approval		13 N.J.R. 132(c)
9:3-2.14	Criteria; merit award recipients: Now cited as 9:2-9.11		13 N.J.R. 132(c)
9:4-1.2	Establishment of a community college	R. 1981 d.391	13 N.J.R. 758(a)
9:4-3.57	County college work load data	R. 1981 d.215	13 N.J.R. 412(a)
9:4-3.61	State aid to county colleges	R. 1981 d.271	13 N.J.R. 496(a)
9:5-1.1, 1.2, 1.3, 1.4	Resident/non-resident tuition charges at public colleges and universities	R. 1980 d.428	12 N.J.R. 661(a)
9:7-2	Student assistance	R. 1981 d.232	13 N.J.R. 412(b)
9:7-2.12	Amend Tuition Aid Grant and Garden State Scholarship Programs	R. 1980 d.461	12 N.J.R. 661(b)
9:7-3.1	Tuition Aid Grant Program	R. 1981 d.415	13 N.J.R. 758(b)
9:7-4.4,-6	Graduate fellowships	R. 1980 d.462	12 N.J.R. 694(d)
9:7-4.6	Amend academic eligibility for undergraduate grants	R. 1981 d.99	13 N.J.R. 220(b)
9:9-1.3	Guaranteed student loan program	R. 1981 d.275	13 N.J.R. 496(b)
9:11-1.8, 1.9	EOF guidelines and program support regulations	R. 1981 d.100	13 N.J.R. 220(c)
9:11-1.13, 1.22	Amend student refunds and repayment	R. 1980 d.523	13 N.J.R. 13(g)
9:12-1	EOF guidelines and program support regulations	R. 1981 d.100	13 N.J.R. 220(c)
9:16-1.3-1.5	Physician-dentist loan redemption program	R. 1981 d.60	13 N.J.R. 220(a)
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HUMAN SERVICES--TITLE 10			
10:38	Interim Assistance Procedures Manual	R. 1981 d.225	13 N.J.R. 412(c)
10:49-1.2	Amend recipient controls	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.3	Provider participation	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.5	Amend recipient controls	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.5	Record keeping by providers	R. 1981 d.329	13 N.J.R. 574(b)
10:49-1.7	Utilization of insurance benefits	R. 1981 d.123	13 N.J.R. 272(a)
10:49-1.9	Out-of-State hospital care	R. 1982 d.52	14 N.J.R. 235(b)
10:49-1.13, 1.14	Providers using service bureaus of management agencies	R. 1981 d.246	13 N.J.R. 412(d)
10:49-1.17	Amend suspension of provider from Medicaid program	R. 1980 d.501	13 N.J.R. 17(a)
10:49-1.17	Suspended providers	R. 1981 d.315	13 N.J.R. 574(c)
10:49-1.17	Provider participation	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.26	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:49-1.27	Final audits	R. 1981 d.114	13 N.J.R. 273(a)
10:49-5.3, 5.4	Amend recipient fair hearings	R. 1980 d.512	13 N.J.R. 17(f)
10:49-5.6	Amend recipient fair hearings	R. 1980 d.512	13 N.J.R. 17(f)
10:49-6.8	Compromising claims	R. 1980 d.502	13 N.J.R. 17(b)
10:50	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:50-2.7	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:51	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:51-1.13, 1.14	Emergency amend Pharmacy Manual: "Less than effective" drugs	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	R. 1982 d.28	14 N.J.R. 158(a)

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10:51-1.17	Legend drug dispensing fee	R. 1981 d.411	13 N.J.R. 758(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	R. 1982 d.28	14 N.J.R. 158(a)
10:51-App.B,D	Pharmaceutical Services Manual	R. 1981 d.124	13 N.J.R. 274(a)
10:51-App.B,D	Non-legend drugs and legend services	R. 1981 d. 505	14 N.J.R. 46(a)
10:51-2	Pharmacy Manual billing procedures	R. 1981 d.247	13 N.J.R. 415(a)
10:51-3	Pharmaceutical services in LTC facilities	R. 1981 d.344	13 N.J.R. 577(a)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	R. 1981 d.465	13 N.J.R. 887(d)
10:51-4.5	Repeal payments for pharmaceutical consultants	R. 1981 d.101	13 N.J.R. 228(c)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	R. 1981 d.248	13 N.J.R. 415(c)
10:52	Hospital and special hospital manuals	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Amend Hospital and Special Services Manual: Professional Standards Review Organization	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.3	Non-covered hospital services	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.4	Professional Standards Review Organization	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.17	Reimbursement for out-of-State inpatient hospital services	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.3	Surgical procedures requiring second opinion	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.4	Professional Standards Review Organization	R. 1981 d.51	13 N.J.R. 147(c)
10:53-2.18	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	R. 1982 d.73	14 N.J.R. 278(a)
10:54-1.3	Record keeping by providers	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Amend Physicians and Psychologist Manual	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Physicians Manual: Reimbursement for anesthesia time	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.22	Routine chest X rays	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Amend Procedure Code Manual	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	R. 1981 d.211	13 N.J.R. 418(c)
10:54-3	Procedure codes for mercury-zinc battery-powered pacemakers	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	R. 1981 d.475	13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	R. 1982 d.73	14 N.J.R. 278(c)
10:55	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:56	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	R. 1981 d.219	13 N.J.R. 430(b)
10:56-3.15	Orthodontics	R. 1981 d.113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:59	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:59-1.7, 1.8	Repair of durable medical equipment	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:60-2.6	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	R. 1981 d.110	13 N.J.R. 299(c)

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:61-1.4	Physician orders for laboratory services	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.4	Long Term Care Manual	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.5	Inspection of long-term care	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.8	Long Term Care Manual	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Amend clinical records in long-term care facilities	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	Amend LTCSM: Termination of Medicaid eligibility	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	R. 1981 d.23	13 N.J.R. 146(a)
10:63-3.1	Amend reimbursement to Long Term Care Facilities	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.8	LTC's nursing care costs	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.21	Rescission: Long-term care per diem reduction	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:65-2.1	Medical day care rates	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	R. 1981 d.112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	R. 1982 d.19	14 N.J.R. 158(c)
10:67-1.2	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Amend Physicians and Psychologist Manual	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5,2.8	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5,2.7	HCFA-1500 claim form	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	R. 1981 d.250	13 N.J.R. 418(a)
10:69A-5.6	PAA eligibility determinations	R. 1981 d.332	13 N.J.R. 580(c)
10:81	Emergency amend PAM: Federal Omnibus Reconciliation Act of 1981	R. 1981 d.397	13 N.J.R. 759(a)
10:81	PAM: Readopted Federal requirements	R. 1981 d.518	14 N.J.R. 102(c)
10:81-2.7	Amend PAM: Deprivation of parental support in AFDC-C	R. 1981 d.28	13 N.J.R. 146(b)
10:81-7.1	AFDC: New or changed income	R. 1981 d.262	13 N.J.R. 432(b)
10:81-7.22	AFDC: Funeral or burial payments for children	R. 1981 d.447	13 N.J.R. 845(d)
10:82	Emergency rules re ASH: Federal Omnibus Reconciliation Act of 1981	R. 1981 d.396	13 N.J.R. 763(a)
10:82	ASH: Readopted Federal requirements	R. 1981 d.519	14 N.J.R. 102(d)
10:82-2.9	Correction: Stepparent's income in AFDC-C	R. 1981 d.519	14 N.J.R. 281(a)
10:82-2.14	Amend ASH: Established monthly earnings	R. 1981 d.47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	R. 1981 d.262	13 N.J.R. 432(b)
10:82-3.2	Amend ASH: HUD community development block grant	R. 1981 d.96	13 N.J.R. 227(b)
10:82-3.2,4.5	Exempt resources and disregard of earned income	R. 1981 d.282	13 N.J.R. 499(a)
10:82-4.15	Irregular and nonrecurring income in AFDC	R. 1981 d.287	13 N.J.R. 499(b)
10:82-5.3	ASH: Day care rates	R. 1981 d.243	13 N.J.R. 432(c)
10:82-5.3	ASH: Care for unwed mothers	R. 1982 d.43	14 N.J.R. 235(c)
10:82-5.10	Amend ASH: Emergency assistance	R. 1980 d.552	13 N.J.R. 101(a)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	R. 1982 d.61	14 N.J.R. 281(b)
10:85-2.2	Amend GAM: Temporary and acting director of municipal welfare	R. 1980 d.505	13 N.J.R. 17(c)
10:85-2.2	Amend GAM: Local assistance board	R. 1981 d.98	13 N.J.R. 228(b)
10:85-3.1, 3.2	GAM: Referral and appeal procedures for prospective SSI recipients	R. 1981 d.160	13 N.J.R. 363(b)
10:85-3.2	Amend General Assistance application process	R. 1980 d.514	13 N.J.R. 18(a)
10:85-3.3	Amend GAM: Rate increases for recipients in residential health care facilities	R. 1980 d.547	13 N.J.R. 100(a)
10:85-3.3	Amend GAM: Financial eligibility	R. 1981 d.46	13 N.J.R. 147(a)
10:85-3.3	GAM: Food Stamps and medical payments	R. 1981 d.263	13 N.J.R. 433(a)
10:85-3.3	GAM: Boarding rate for residential care	R. 1982 d.53	14 N.J.R. 235(d)
10:85-4.6	Amend GAM: Emergency grants	R. 1980 d.538	13 N.J.R. 18(d)
10:85-5.2	Amend GAM: Diagnostic-Related Group payments	R. 1980 d.515	13 N.J.R. 18(b)
10:85-5.2	GAM-Payments for inpatients hospital care	R. 1981 d.394	13 N.J.R. 768(a)
10:85-5.3	Amend submission of Form GA-18	R. 1980 d.531	13 N.J.R. 18(c)
10:85-5.3	Amend GAM: Rate increases for recipients in residential health care facilities	R. 1980 d.547	13 N.J.R. 100(a)
10:85-5.3	GAM: Food Stamps and medical payments	R. 1981 d.263	13 N.J.R. 433(a)
10:85-5.4	GAM: Procedure for payments of medical bills	R. 1981 d.417	13 N.J.R. 768(b)

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:85-6.5	Amend GAM: Repayment by SSI recipients	R. 1980 d. 551	13 N.J.R. 100(d)
10:85-6.6	GAM: Food Stamps and medical payments	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-7.2	Amend GAM: Receipt of assistance	R. 1981 d. 53	13 N.J.R. 147(d)
10:85-7.3	General Assistance and Faulkner Act municipalities	R. 1982 d. 61	14 N.J.R. 281(b)
10:85-8.2	GAM: Food Stamps and medical payments	R. 1981 d. 263	13 N.J.R. 433(a)
10:85-8.3	GAM: Referral and appeal procedures for prospective SSI recipients	R. 1981 d. 160	13 N.J.R. 363(b)
10:87	Emergency amend Food Stamp Manual	R. 1981 d. 64	13 N.J.R. 226(b)
10:87	Amend student participation in Food Stamps	R. 1981 d. 97	13 N.J.R. 228(a)
10:87	Food Stamp Manual	R. 1981 d. 316	13 N.J.R. 581(a)
10:87	FSM: Federal Omnibus Reconciliation Act of 1981	R. 1981 d. 398	13 N.J.R. 769(a)
10:87	FSM: Readopted Federal requirements	R. 1981 d. 517	14 N.J.R. 103(a)
10:87	Correction: FSM—Federal requirements	R. 1981 d. 517	14 N.J.R. 208(b)
10:87-12.1, 12.2	Emergency amend Food Stamp Manual	R. 1980 d. 558	13 N.J.R. 100(e)
10:87-12.3	Food Stamp Program maximum net income levels	R. 1981 d. 400	13 N.J.R. 772(a)
10:87-12.3, 12.4	Emergency adoption: Food Stamp income levels	R. 1981 d. 278	13 N.J.R. 500(a)
10:87-12.4	Emergency amend Food Stamp Manual	R. 1980 d. 558	13 N.J.R. 100(e)
10:89	Home energy assistance (emergency adoption)	R. 1981 d. 466	13 N.J.R. 888(a)
10:89	Readopted Home Energy Assistance rules	R. 1982 d. 62	14 N.J.R. 281(c)
10:89-3.6	Emergency rule on Home Energy Assistance	R. 1980 d. 548	13 N.J.R. 100(b)
10:94-4,-5	Medicaid Only: Income and resource eligibility	R. 1981 d. 177	13 N.J.R. 364(b)
10:94-5.4, 5.5, 5.6	Emergency amend Medicaid Only computation amounts	R. 1981 d. 276	13 N.J.R. 501(a)
10:94-5.4, 5.5, 5.6	Readopt Medicaid Only computation amounts	R. 1981 d. 385	13 N.J.R. 773(a)
10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	R. 1981 d. 385	13 N.J.R. 846(a)
10:94-8	Medicaid Only	R. 1981 d. 177	13 N.J.R. 364(b)
10:100-1.23	Emergency amend SSI payment levels	R. 1981 d. 277	13 N.J.R. 502(a)
10:100-1.23	Readopt SSI payment levels	R. 1981 d. 386	13 N.J.R. 773(b)
10:109-1	Ruling 11	R. 1981 d. 445	13 N.J.R. 846(b)
10:109-3.2, 3.4	Ruling 11—Sick leave and leave without pay	R. 1981 d. 395	13 N.J.R. 774(a)
10:109—App. I, II	Ruling 11: Salary increases for CWA employees	R. 1981 d. 498	14 N.J.R. 46(b)
10:121-5.1	Medical information form	R. 1981 d. 63	13 N.J.R. 226(a)
10:121A	Adoption agency practices	R. 1981 d. 298	13 N.J.R. 516(a)
10:123-3.1, 3.2	Personal needs allowance	R. 1981 d. 423	13 N.J.R. 774(b)
10:132	Court actions and proceedings	R. 1981 d. 434	13 N.J.R. 846(c)

(Title 10, Transmittal 15 dated November 10, 1980)

CORRECTIONS—TITLE 10A

10A:31-4	County jails emergency rule	R. 1981 d. 270	13 N.J.R. 467(a)
10A:31-4	Readopt remission of time from sentence	R. 1981 d. 538	13 N.J.R. 596(a)
10A:71	Parole Board rules	R. 1981 d. 322	13 N.J.R. 597(a)
10A:71-3.3	Parole Board rules	R. 1980 d. 554	13 N.J.R. 101(c)
10A:71-3.19	Parole Board rules	R. 1981 d. 179	13 N.J.R. 364(c)
10A:71-6.9	Discharge from parole supervision	R. 1981 d. 324	13 N.J.R. 598(a)
10A:71-7.7	Notice for preliminary hearings	R. 1981 d. 106	13 N.J.R. 302(a)

(Title 10A, Transmittal 6 dated November 10, 1980)

INSURANCE—TITLE 11

11:2-1.6	Independent testing service	R. 1981 d. 433	13 N.J.R. 846(d)
11:2-17	Unfair claims-settlement practices	R. 1981 d. 407	13 N.J.R. 774(c)
11:2-17	Correction: Operative date for settlement practices	R. 1981 d. 407	13 N.J.R. 894(a)
11:4-2	Replacement of existing life insurance	R. 1982 d. 16	14 N.J.R. 158(d)
11:4-11.5, 11.6	Life insurance solicitation	R. 1982 d. 17	14 N.J.R. 159(a)
11:5-1.2, 1.3	Real Estate Commission rules	R. 1981 d. 261	13 N.J.R. 440(c)
11:5-1.33-1.35	Real Estate Commission rules	R. 1981 d. 261	13 N.J.R. 440(c)
11:5-1.36	Real Estate Guaranty Fund	R. 1981 d. 252	13 N.J.R. 441(a)
11:12	Legal insurance	R. 1981 d. 422	13 N.J.R. 776(a)

(Title 11, Transmittal 16 dated January 14, 1981)

LABOR AND INDUSTRY—TITLE 12

12:15-1.3	Maximum weekly benefit rates	R. 1981 d. 419	13 N.J.R. 777(a)
12:15-1.3	Correction: Operative date	R. 1981 d. 419	13 N.J.R. 894(b)
12:15-1.4	Taxable wage base for unemployment compensation	R. 1981 d. 421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	R. 1981 d. 421	13 N.J.R. 894(b)
12:15-1.5	Unemployment compensation contribution rates	R. 1981 d. 418	13 N.J.R. 777(c)
12:51	Vocational rehabilitation facilities	R. 1981 d. 289	13 N.J.R. 517(a)
12:57	Wage orders for minors	R. 1981 d. 226	13 N.J.R. 441(c)
12:235-1.5	Workers' compensation benefit rates	R. 1981 d. 420	13 N.J.R. 777(d)

(Title 12, Transmittal 14 dated January 14, 1981)

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
LAW AND PUBLIC SAFETY—TITLE 13			
13:2-7.10	ABC rules	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.1, 24.4	ABC rules	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.4	Correction: ABC debt regulation	R. 1981 d.432	13 N.J.R. 846(e)
13:2-24.4	Amend various regulations	R. 1981 d.71	13 N.J.R. 238(b)
13:2-38.1,39.3	Amend various regulations	R. 1981 d.71	13 N.J.R. 238(b)
13:2-41	Amend various regulations	R. 1981 d.71	13 N.J.R. 238(b)
13:19-5.1	Amend rules on convulsive seizures	R. 1981 d.18	13 N.J.R. 150(b)
13:20-25.2	Amend approval of safety glazing material	R. 1981 d.15	13 N.J.R. 149(d)
13:20-33.53	Amend motorcycle handlebars and grips	R. 1981 d.16	13 N.J.R. 149(e)
13:20-33.72	Repeal handhold devices	R. 1981 d.17	13 N.J.R. 150(a)
13:20-36	Special National Guard plates	R. 1981 d.31	13 N.J.R. 150(e)
13:21-3	Repeal rules on dealer's temporary certificates	R. 1981 d.14	13 N.J.R. 149(c)
13:21-7.2	Amend student permits	R. 1981 d.66	13 N.J.R. 237(d)
13:21-8.17	Amend waiver of driving test	R. 1981 d.65	13 N.J.R. 237(c)
13:26-1.2, 3.11	Amend transportation of bulk commodities	R. 1981 d.61	13 N.J.R. 237(b)
13:27-6	Division of responsibility in site planning	R. 1981 d.320	13 N.J.R. 607(a)
13:28-1.3	Toilet facilities in beauty shops	R. 1981 d.109	13 N.J.R. 308(a)
13:28-2.10, 2.14-2.16	Credit for Saturday beauty classes	R. 1982 d.70	14 N.J.R. 283(a)
13:28-2.24	Beauty schools: "Seniors" and clinical work	R. 1982 d.69	14 N.J.R. 283(b)
13:29-2.2	Examination for registered municipal accountant	R. 1981 d.67	13 N.J.R. 238(a)
13:30-2.5, 2.10-2.17	Dental hygienists and assistants	R. 1981 d.264	13 N.J.R. 442(a)
13:30-2.18	Application fees for dental hygienists	R. 1981 d.378	13 N.J.R. 707(c)
13:30-8.12	Dental insurance forms and professional misconduct	R. 1981 d.175	13 N.J.R. 366(a)
13:31-1.3	Examinations	R. 1981 d.491	13 N.J.R. 946(c)
13:31-2.1	Repeal: Uniform penalty letter (electrical)	R. 1981 d.372	13 N.J.R. 707(d)
13:33-1.41	Fee schedules	R. 1981 d.148	13 N.J.R. 366(b)
13:35-1.5	Military service in lieu of internship (podiatry)	R. 1981 d.346	13 N.J.R. 608(a)
13:35-2.7	Military service in lieu of internship	R. 1981 d.348	13 N.J.R. 608(b)
13:35-6.2	Guidelines for externship programs	R. 1981 d.149	13 N.J.R. 367(b)
13:35-6.19, 6.20	Excessive fees for professional services	R. 1981 d.237	13 N.J.R. 443(a)
13:35-9.3	Emergency amend certified nurse/midwife	R. 1981 d.21	13 N.J.R. 150(c)
13:35-9.3(c)	Operative date on certified nurse/midwife standards	R. 1981 d.24	13 N.J.R. 150(d)
13:36-5.12	Advertising of funeral services	R. 1981 d.349	13 N.J.R. 609(a)
13:36-9.1	Uniform penalty letter	R. 1981 d.347	13 N.J.R. 609(b)
13:37-1.26	Board of Nursing rule	R. 1981 d.174	13 N.J.R. 370(a)
13:38-1.9, 1.10	Optometric advertising	R. 1981 d.295	13 N.J.R. 519(a)
13:39-9.12	Outdated or sample drugs	R. 1981 d.350	13 N.J.R. 609(c)
13:39-9.17	Advertising and sale of prescription drugs	R. 1981 d.377	13 N.J.R. 708(a)
13:40-7	Division of responsibility in site planning	R. 1981 d.320	13 N.J.R. 607(a)
13:41-4	Division of responsibility in site planning	R. 1981 d.320	13 N.J.R. 607(a)
13:44-2.1	Veterinary prescriptions	R. 1981 d.451	13 N.J.R. 847(a)
13:44-2.12	Patient records	R. 1981 d.450	13 N.J.R. 847(b)
13:44-3.1	Repeal: Uniform penalty letter (veterinary)	R. 1981 d.371	13 N.J.R. 708(b)
13:45A-15.1-15.4	Posting of retail refund policies	R. 1982 d.29	14 N.J.R. 160(a)
13:45A-17	Sale of advertising in quasi-official journals	R. 1981 d.294	13 N.J.R. 520(b)
13:70-6.16	Racing: Eligibility of maidens	R. 1981 d.489	13 N.J.R. 946(d)
13:70-29.48	Emergency amend daily double pool	R. 1981 d.32	13 N.J.R. 150(f)
13:70-29.48	Racing: Entries and daily double	R. 1981 d.490	13 N.J.R. 947(a)
13:75-1.7	Violent crimes funeral compensation	R. 1982 d.37	14 N.J.R. 208(c)
(Title 13, Transmittal 17 dated January 14, 1981)			
PUBLIC UTILITIES—TITLE 14			
14:11-2.2	Auto bus specifications	R. 1982 d.30	14 N.J.R. 160(b)
(Title 14, Transmittal 15 dated January 14, 1981)			
ENERGY—TITLE 14A			
14A:2-5	State set-aside for energy emergency	R. 1981 d.492	14 N.J.R. 46(c)
14A:3-4.4	Thermal efficiency in new and renovated buildings		
14A:3-5	Seven-day, day-night thermostats in public buildings	R. 1981 d.468	13 N.J.R. 895(a)
14A:3-15	Recycling of municipal solid waste (joint adoption, see 7:26-15)	R. 1982 d.32	14 N.J.R. 206(b)
14A:11-4	Reporting of energy information (retail dealers)	R. 1981 d.379	13 N.J.R. 708(c)
14A:11-5	Reporting of energy information (retail merchants)	R. 1981 d.380	13 N.J.R. 708(d)
14A:13	Energy Conservation Bond Program	R. 1981 d.390	13 N.J.R. 778(a)
14A:21-14.3	Home Energy Savings Program	R. 1981 d.254	13 N.J.R. 450(a)
(Title 14A, Transmittal 7 dated January 14, 1981)			

STATE--TITLE 15

(Title 15, Transmittal 12 dated July 17, 1980)

PUBLIC ADVOCATE--TITLE 15A

(Title 15A, Transmittal 1 dated March 20, 1978)

TRANSPORTATION--TITLE 16

16:19	Repeal Traffic Operations Program	R. 1980 d.415	12 N.J.R. 675(c)
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	R. 1982 d.68	14 N.J.R. 284(a)
16:26-1.1	Traffic signal information	R. 1981 d.164	13 N.J.R. 372(a)
16:27-1.4	Repeal control of traffic and parking on NJDOT property	R. 1981 d.165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route I-80	R. 1981 d.150	13 N.J.R. 372(c)
16:28-1.3	Restricted parking and speed zones on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28-1.15	Speed limits along Route 13	R. 1981 d.152	13 N.J.R. 372(d)
16:28-1.17	Speed limits on Route 147	R. 1981 d.196	13 N.J.R. 451(a)
16:28-1.18	Speed zones along Routes 34 and US 202	R. 1981 d.74	13 N.J.R. 243(c)
16:28-1.23	Emergency amend speed limit on Route 18	R. 1981 d.34	13 N.J.R. 158(b)
16:28-1.23	Speed limits along Route 18	R. 1981 d.484	13 N.J.R. 947(d)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	R. 1982 d.11	14 N.J.R. 160(c)
16:28-1.49	Emergency amend speed zone along Route 35	R. 1981 d.59	13 N.J.R. 243(a)
16:28-1.49	Speed limits on Route 35	R. 1981 d.333	13 N.J.R. 612(a)
16:28-1.67	Speed zones along Route 34 and US 202	R. 1981 d.74	13 N.J.R. 243(c)
16:28-1.111	Speed limits for Route 87	R. 1981 d.334	13 N.J.R. 613(a)
16:28A-1.2	Restricted parking on US Routes 1 and 9	R. 1980 d.413	12 N.J.R. 675(a)
16:28A-1.2	Parking on Routes 1 and 9	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.4	Emergency amend restricted parking along Route 4	R. 1981 d.35	13 N.J.R. 159(a)
16:28A-1.6	Restricted parking along Route 7	R. 1981 d.383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	R. 1981 d.483	13 N.J.R. 947(b)
16:28A-1.7	Restricted parking along Route US 9	R. 1981 d.76	13 N.J.R. 243(f)
16:28A-1.7	Restricted parking along Route US 9	R. 1981 d.77	13 N.J.R. 244(a)
16:28A-1.7	Route US 9 parking	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.7	Parking on US 9	R. 1981 d.195	13 N.J.R. 453(a)
16:28A-1.7	Parking on US 9	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	R. 1981 d.335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	R. 1981 d.487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.9	Bus stops on Routes 17 and 166	R. 1982 d.45	14 N.J.R. 236(b)
16:28A-1.13	Route US 22	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	R. 1981 d.336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	R. 1981 d.337	13 N.J.R. 613(d)
16:28A-1.16	Restricted parking along Route 24	R. 1981 d.338	13 N.J.R. 613(e)
16:28A-1.18	Restricted parking along Route 27	R. 1981 d.312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	R. 1982 d.46	14 N.J.R. 236(c)
16:28A-1.19	Parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.19	Route 28 parking	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	R. 1981 d.193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.22	Restricted parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.23	Route 33 parking	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	R. 1982 d.12	14 N.J.R. 161(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	R. 1982 d.60	14 N.J.R. 284(b)
16:28A-1.26	Parking on Route 36	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	R. 1981 d.481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.29	Restricted parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.32	Parking on Route US 46	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	R. 1981 d.480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	R. 1982 d.47	14 N.J.R. 236(d)
16:28A-1.33	Emerg. amend restricted parking on Route 47	R. 1980 d.414	12 N.J.R. 675(b)

N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.33	Restricted parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.34	Restricted parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	R. 1981 d.194	13 N.J.R. 455(c)
16:28A-1.37	Restricted parking along Route 70	R. 1981 d.76	13 N.J.R. 243(f)
16:28A-1.37	Restricted parking along Route 70	R. 1981 d.339	13 N.J.R. 614(a)
16:28A-1.43	Restricted parking along Route 82	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	R. 1982 d.45	14 N.J.R. 236(b)
16:28A-1.51	Restricted parking along Route 168	R. 1981 d.384	13 N.J.R. 779(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	R. 1982 d.47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.55	Restricted parking on State highways	R. 1981 d.338	13 N.J.R. 613(e)
16:28A-1.55	Restricted parking along Routes 15,18 and US 202	R. 1981 d.75	13 N.J.R. 243(e)
16:28A-1.57	Restricted parking along US 206	R. 1981 d.77	13 N.J.R. 244(a)
16:28A-1.57	Route US 206 parking	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	R. 1981 d.336	13 N.J.R. 613(c)
16:28A-1.60	Restricted parking on Route US 322-47	R. 1981 d.382	13 N.J.R. 779(b)
16:28A-1.64	Route 41 parking	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.65	Route 15 parking	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.65, 1.66	Restricted parking along Routes 15, 18, and US 202	R. 1981 d.75	13 N.J.R. 243(e)
16:28A-1.66	Parking on Route 18	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.68	Route 93 parking	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.69	Parking on Route 124	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	R. 1982 d.60	14 N.J.R. 284(b)
16:29-1.22	No passing zones	R. 1981 d.78	13 N.J.R. 244(b)
16:29-1.23	No passing zones on Route 179	R. 1981 d.79	13 N.J.R. 244(c)
16:30-3.6	Readopt HOV lanes along Route 444	R. 1981 d.323	13 N.J.R. 614(b)
16:30-7.2	Limited access prohibition along US 9 and Route 444	R. 1981 d.73	13 N.J.R. 243(d)
16:30-8	No trespassing zones	R. 1981 d.36	13 N.J.R. 159(b)
16:31-1.4, 1.7	Turns along various State highways	R. 1980 d.412	12 N.J.R. 674(a)
16:31-1.10	Turns along Route US 30	R. 1981 d.340	13 N.J.R. 614(c)
16:31-1.15	Turns along various State highways	R. 1980 d.412	12 N.J.R. 674(a)
16:31-1.16	No left turn along Route 79	R. 1981 d.460	13 N.J.R. 895(b)
16:31A	Prohibited right turns on red signals	R. 1980 d.518	13 N.J.R. 44(c)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	R. 1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	R. 1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route I-280 right-on-red prohibition in Orange	R. 1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	R. 1982 d.51	14 N.J.R. 237(c)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	R. 1981 d.497	14 N.J.R. 46(d)
16:41-16	Amend permits for use or occupancy of State-owned railroad property	R. 1981 d.103	13 N.J.R. 244(d)
16:41A-7.1	Outdoor Advertising Tax Act	R. 1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	R. 1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers for reduced fare programs	R. 1982 d.40	14 N.J.R. 209(a)
16:53-2	Autobus specifications	R. 1982 d.30	14 N.J.R. 160(b)
16:54	Licensing of aeronautical facilities	R. 1981 d.141	13 N.J.R. 374(c)
16:56-3	Repeal aircraft registry logs	R. 1981 d.341	13 N.J.R. 616(b)
16:65-1.1	Definition of "prequalification committee"	R. 1981 d.72	13 N.J.R. 243(b)
16:65-9	Corporate reorganization of contractors	R. 1981 d.399	13 N.J.R. 779(c)
16:71	Recodified from 16:41-16	R. 1981 d.103	13 N.J.R. 244(d)
16:72	N.J. Transit procurement policies and procedures	R. 1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	R. 1982 d.40	14 N.J.R. 209(a)
(Title 16, Transmittal 14 dated September 18, 1980)			
TREASURY-GENERAL--TITLE 17			
17:1-1.1	Administration and receipt of checks	R. 1981 d.427	13 N.J.R. 779(d)
17:1-1.3	Amend pension reporting	R. 1980 d.301	12 N.J.R. 497(c)
17:1-1.15	Amend administration	R. 1981 d.85	13 N.J.R. 247(c)
17:1-1.15	Credit unions and direct deposit agreements	R. 1982 d.20	14 N.J.R. 161(b)
17:1-1.24	Pensioners' Health Plan: Coverage and termination	R. 1982 d.59	14 N.J.R. 237(d)
17:1-2.2	Alternate Benefit Program	R. 1981 d.239	13 N.J.R. 458(a)
17:1-2.6	Amend administration	R. 1981 d.85	13 N.J.R. 247(c)
17:1-2.18	Alternate Benefit Program	R. 1981 d.240	13 N.J.R. 458(b)
17:1-2.34	Alternate Benefit Program	R. 1981 d.213	13 N.J.R. 458(c)

**N.J.A.C.
CITATION**

**DOCUMENT
CITATION** **ADOPTION NOTICE
(N.J.R. CITATION)**

17:1-2.35	Alternate Benefit Program	R. 1981 d. 241	13 N.J.R. 458(d)
17:1-4.2	administration	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-4.11	Purchase terms and employee liability	R. 1981 d. 343	13 N.J.R. 617(a)
17:1-4.22	Amend availability of medical records	R. 1981 d. 86	13 N.J.R. 247(d)
17:1-4.32	Administration	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-4.33	Leaves of absence for maternity	R. 1981 d. 428	13 N.J.R. 779(e)
17:1-7.3	Administrative fees and investment earnings	R. 1981 d. 291	13 N.J.R. 525(a)
17:1-8.1	Repeal responsibility of director for Social Security	R. 1981 d. 1	13 N.J.R. 111(c)
17:1-8.3	Emergency rule on Social Security referendum	R. 1980 d. 467	12 N.J.R. 728(b)
17:1-8.13, 8.14	Administration	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance coverage for covered dependents	R. 1980 d. 487	12 N.J.R. 729(a)
17:2-2.1, 2.3	Amend Public Employees' Retirement System: Enrollment	R. 1981 d. 58	13 N.J.R. 247(b)
17:2-5.1, 6.2	PERS-retirement and purchases	R. 1981 d. 274	13 N.J.R. 525(b)
17:2-6.4	PERS loan repayments	R. 1981 d. 303	13 N.J.R. 618(a)
17:2-6.6	PERS revisions	R. 1981 d. 274	13 N.J.R. 525(b)
17:2-6.26	PERS: Critical disability claims	R. 1981 d. 515	14 N.J.R. 105(a)
17:3-1.4	Teachers' pension member-trustee election	R. 1980 d. 405	12 N.J.R. 678(a)
17:3-4.1	Amend creditable salary	R. 1981 d. 30	13 N.J.R. 162(a)
17:3-5	Teachers' Pension: Purchase and eligible service	R. 1981 d. 510	14 N.J.R. 105(b)
17:3-6.4	Loan repayments to teachers' fund	R. 1982 d. 14	14 N.J.R. 161(c)
17:3-6.6	Teachers' Pension and Annuity Fund: Retirement credit	R. 1981 d. 140	13 N.J.R. 376(a)
17:3-6.15	Teachers' Pension: Compulsory retirement	R. 1981 d. 509	14 N.J.R. 105(c)
17:3-6.25	Teacher's fund: Critical disability claims	R. 1982 d. 15	14 N.J.R. 161(d)
17:4-1.1	Police and firemen's pension board meetings	R. 1982 d. 64	14 N.J.R. 284(c)
17:4-2.6	Amend enrollment dates	R. 1981 d. 57	13 N.J.R. 247(a)
17:4-3.6	Insurance purchases and retirement	R. 1981 d. 292	13 N.J.R. 525(c)
17:4-5	Police and firemen's purchases and eligible service	R. 1982 d. 4	14 N.J.R. 161(e)
17:4-5.1, 6.2, 6.6	Insurance purchases and retirement	R. 1982 d. 292	13 N.J.R. 525(c)
17:4-6.13	Police and firemen's critical disability claims	R. 1982 d. 5	14 N.J.R. 162(a)
17:4-6.14	Insurance purchases and retirement	R. 1982 d. 292	13 N.J.R. 525(c)
17:5	Administration, insurance and death benefits, purchases, retirement and transfers	R. 1981 d. 361	13 N.J.R. 708(e)
17:5-2.5	State Police pension coverage and unpaid leaves	R. 1982 d. 65	14 N.J.R. 284(d)
17:5-4.1, 4.2, 4.3	State Police pension purchases and eligible service	R. 1982 d. 66	14 N.J.R. 284(e)
17:5-5.2, 5.6, 5.12	Effective dates, retirement credits, disability retirants	R. 1981 d. 360	13 N.J.R. 708(f)
17:5-5.15	State Police: Critical disability claims	R. 1982 d. 67	14 N.J.R. 285(a)
17:6-3.2, 3.6	Police-Firemen's Pension Fund	R. 1981 d. 201	13 N.J.R. 462(a)
17:7-3.2	Prison Officers' Pension Fund	R. 1981 d. 302	13 N.J.R. 620(b)
17:8-1.6	Amend variable benefit account and withdrawals	R. 1980 d. 530	13 N.J.R. 47(b)
17:8-2.10, 2.11	Repeal Supplemental Annuity reports and remittances	R. 1980 d. 419	12 N.J.R. 678(b)
17:8-3.3	Amend variable benefit account and withdrawals	R. 1980 d. 530	13 N.J.R. 47(b)
17:9-2.16	Policy provisions adoption for State Health Benefits Program	R. 1981 d. 138	13 N.J.R. 376(b)
17:9-5.8	Medicare refunds	R. 1981 d. 139	13 N.J.R. 376(c)
17:10-5.3	Judicial Retirement System	R. 1981 d. 244	13 N.J.R. 462(b)
17:16-41	Amend Cash Management Fund	R. 1980 d. 443	12 N.J.R. 679(a)
17:20-5.10	Emergency amend agent's compensation	R. 1980 d. 460	12 N.J.R. 681(a)
17:21-8.1	Emergency amend unclaimed prize money	R. 1980 d. 459	12 N.J.R. 680(b)
17:21-11	Emergency rules on 10th Anniversary instant lottery	R. 1981 d. 11	13 N.J.R. 112(a)
17:21-11	Emergency adoption: Baseball instant lottery	R. 1981 d. 136	13 N.J.R. 312(a)
17:21-11	Readopt "Baseball" instant lottery game	R. 1981 d. 269	13 N.J.R. 529(a)
17:21-11	"Super Bingo" lottery	R. 1981 d. 286	13 N.J.R. 529(b)
17:21-11	Emergency Adoption: "Super Bingo" lottery	R. 1981 d. 171	13 N.J.R. 376(d)
17:8-3.3	Amend variable benefit account and withdrawals	R. 1980 d. 530	13 N.J.R. 47(b)
17:9-2.16	Policy provisions adoption for State Health Benefits Program	R. 1981 d. 138	13 N.J.R. 376(b)
17:9-5.8	Medicare refunds	R. 1981 d. 139	13 N.J.R. 376(c)
17:10-5.3	Judicial Retirement System	R. 1981 d. 244	13 N.J.R. 462(b)
17:16-41	Amend Cash Management Fund	R. 1980 d. 443	12 N.J.R. 679(a)
17:20-5.10	Emergency amend agent's compensation	R. 1980 d. 460	12 N.J.R. 681(a)
17:21-8.1	Emergency amend unclaimed prize money	R. 1980 d. 459	12 N.J.R. 680(b)
17:21-11	Emergency rules on 10th Anniversary instant lottery	R. 1981 d. 11	13 N.J.R. 112(a)
17:21-11	Emergency adoption: Baseball instant lottery	R. 1981 d. 136	13 N.J.R. 312(a)
17:21-11	Readopt "Baseball" instant lottery game	R. 1981 d. 269	13 N.J.R. 529(a)
17:21-11	"Super Bingo" lottery	R. 1981 d. 286	13 N.J.R. 529(b)
17:21-11	Emergency Adoption: "Super Bingo" lottery	R. 1981 d. 171	13 N.J.R. 376(d)
17:21-12.1, 13.1	Emergency amend Pick-It and Pick-4 Lotteries	R. 1980 d. 458	12 N.J.R. 680(a)
17:21-15	Emergency amend Pick-6 (Lotto) lottery	R. 1980 d. 496	12 N.J.R. 730(a)
17:21-16	Emergency rules on Jersey Jackpot Lottery	R. 1980 d. 507	13 N.J.R. 45(a)
17:26-2	Spill compensation tax and Federal Superfund	R. 1982 d. 79	14 N.J.R. 285(b)

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N.J.A.C. CITATION		DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
TREASURY-TAXATION-TITLE 18			
18:7-1.15	Investment company defined	R. 1982 d.34	14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	R. 1982 d.6	14 N.J.R. 105(d)
18:7-11.12	Emergency extension of time for filing corporate return	R. 1981 d.163	13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	R. 1982 d.6	14 N.J.R. 105(d)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	R. 1982 d.78	14 N.J.R. 278(b)
18:12-7.12	Emergency adoption: Extension of time to file homestead rebate claim	R. 1981 d.474	13 N.J.R. 948(b)
18:12-7.12	Readopted: Homestead rebate filing extension	R. 1982 d.41	14 N.J.R. 212(a)
18:12-9	Mobile homes tax moratorium (local property)	R. 1981 d.207	13 N.J.R. 462(c)
18:12A-1.12	Local property tax	R. 1981 d.478	13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	R. 1981 d.44	13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	R. 1981 d.426	13 N.J.R. 779(f)
18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	R. 1982 d.77	14 N.J.R. 285(c)
18:24-2.3	Sales and Use Tax Act	R. 1981 d.209	13 N.J.R. 465(a)
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