LAWS—NEW JERSEY
1960

New Jersey State Library

ACTS

OF THE

One Hundred and Eighty-fourth Legislature

OF THE

STATE OF NEW JERSEY

AND

Thirteenth Under the New Constitution

New Jersey State Library

1960

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

EDWARD J. PATTEN,
Secretary of State.

MEMBERS

OF THE

One Hundred and Eighty-fourth Legislature

SENATORS

Atlantic .....FRANK S. FARLEY
Bergen .....WALTER H. JONES
Burlington .....HENRY S. HAINES
Camden .....JOSEPH W. COWGILL
Cape May .....CHARLES W. SANDMAN
Cumberland .....ROBERT H. WEBER
Essex .....DONAL C. FOX
Gloucester .....THOMAS F. CONNERY, JR.
Hudson .....WILLIAM F. KELLY, JR.
Hunterdon .....WESLEY L. LANCE
Mercer .....SIDO L. RIDOLFI
Middlesex .....JOHN A. LYNCH
Monmouth .....RICHARD R. STOUT
Morris .....THOMAS J. HILLERY
Ocean .....W. STEELMAN MATHIS
Passaic .....ANTHONY J. GROSSI
Salem .....JOHN A. WADDINGTON
Somerset .....WILLIAM E. OZZARD
Sussex .....GEORGE B. HARPER, *President*
Union .....ROBERT C. CRANE
Warren .....WAYNE DUMONT, JR.

MEMBERS OF GENERAL ASSEMBLY

Atlantic	PAUL M. SALSBURG ALBERT S. SMITH
Bergen	EARL A. MARRYATT PIERCE H. DEAMER, JR. MARION WEST HIGGINS WALTER MARUT WILLIAM W. EVANS, JR. CARMINE SAVINO, JR.
Burlington	G. EDWARD KOENIG
Camden	WILLIAM F. HYLAND FRANK E. MELONI FRANCIS J. WERNER
Cape May	ANTHONY J. VOLPE
Cumberland	ROBERT J. HALPIN
Essex	LE ROY D'ALOIA ISADORE LAUFER FRANK L. BATE BEATRICE M. STILES MADALINE A. WILLIAMS PHILIP LINDEMAN C. ROBERT SARCONE WILLIAM H. EVERETT ELMER M. MATTHEWS DANIEL F. FLYNN FRANK LAMORTE HERBERT H. TATE
Gloucester	JOSEPH MINOTTY
Hudson	MAURICE V. BRADY, *Speaker* FREDERICK H. HAUSER ALAN KRAUT EDWARD G. MADDEN WILLIAM V. MUSTO JOHN J. KIJEWSKI WILLIAM MARTIN IRENE BROWN ROBERT F. SABELLO

Hunterdon .....RAYMOND E. BOWKLEY

Mercer .....CHARLES E. FARRINGTON
EDWARD SWEENEY
VINCENT R. PANARO

Middlesex .....WILLIAM KURTZ
JOSEPH C. DOREN
J. EDWARD CRABIEL

Monmouth .....ALFRED N. BEADLESTON
CLIFTON T. BARKALOW

Morris .....BENJAMIN FRANKLIN, III
JOSEPH J. MARAZITI

Ocean .....WILLIAM T. HIERING

Passaic .....SAMUEL L. BIBER
JOSEPH M. KEEGAN
BETTY McNAMARA KORDJA
ROBERT J. WEGNER

Salem .....JOHN W. DAVIS

Somerset .....RAYMOND H. BATEMAN

Sussex .....DOUGLAS RUTHERFURD

Union .....JOHN J. WILSON
JAMES M. McGOWAN
NELSON F. STAMLER
MILDRED BARRY HUGHES

Warren .....ROBERT E. FREDERICK

LAWS

ACTS

PASSED BY THE

One Hundred and Eighty-fourth Legislature

CHAPTER 1

AN ACT conferring additional powers upon hospital service corporations and medical service corporations of this State, and supplementing Title 17 of the Revised Statutes.

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

C. 17:48B-1. Additional powers.

1. Any hospital service corporation and any medical service corporation, organized pursuant to the laws of this State, in addition to other powers conferred upon it, shall be authorized and empowered to issue contracts, policies or certificates of insurance for hospital services, medical services, and related benefits, in such form, upon such conditions, of such types, and at such rates as may be necessary to comply with the requirement of any applicable statute, and rules and regulations adopted pursuant thereto, for the provision of health and accident benefits to persons by reason of employment by any government and to members of the families of such persons, as well as to enter into any contracts, agreements or arrangements and to do all other acts necessary for such compliance.

C. 17:48B-2. Rules and regulations.

2. The Commissioner of Banking and Insurance is authorized to promulgate rules and regulations, not inconsistent with this act, with respect to the keeping of records, reporting of information, segregation of accounts, entry of credits and charges, use of appropriate accounting procedures, and all

other matters connected with activities carried on pursuant to the additional powers conferred by this act.

3. This act shall take effect immediately.

Approved January 26, 1960.

ROBERT B. MEYNER,
Governor.

CHAPTER 2

AN ACT to amend and supplement "An act concerning certain municipalities in relation to the financing of improvements for municipally maintained structures, in certain cases," approved May 16, 1958 (P. L. 1958, c. 36).

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

Section amended.

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

C. 40:62-34.9. May enlarge, etc., convention hall facilities; special emergency notes.

1. The governing body of any municipality bordering upon the Atlantic ocean, maintaining a municipal convention hall, which shall provide by ordinance for the improvement of said municipal convention hall by enlarging its facilities or by renovations, or otherwise, particularly for the purpose of meeting the competition for conventions by municipalities outside of this State, may incur a principal indebtedness in an amount not to exceed $2,000,000.00 of the cost thereof in the manner provided in this act. Such indebtedness shall be authorized at a single time, and once authorized, the authority to incur thereafter a like indebtedness under this act shall be exhausted.

That part of such cost as is to be financed under this act may be financed by the issuance of negotiable notes which shall be designated "Special Emer-

gency Notes, issued pursuant to chapter 36 of the laws of 1958." Any such notes issued under this act shall not be included in calculating the debt limit of the municipality. Any such notes shall provide for repayment of the principal amount thereof in not more than 4 installments, to be not more than 1 year apart, the first such installment to be due and payable not more than 15 months after the date of issue. Each installment of principal shall be in an amount equal to 25% of the original principal sum, together with interest on the unpaid balance, but the municipality may reserve the option to prepay any part or all of a future installment. The amount required to satisfy any installment of principal and interest to fall due in any year shall be included in the current municipal budget for such year, and shall be raised by taxation in each such year.

C. 40:62-34.11. Notes a general obligation; provision for payment.

2. The Special Emergency Notes to be issued for the indebtedness of the municipality amounting to $2,000,000.00, together with all interest thereon shall be a general obligation of the municipality and the municipality shall have the power to levy ad valorem taxes upon the taxable property within the municipality for the payment of the obligation and interest thereon without limitation of rate or amount.

C. 40:62-34.12. Obtaining funds; rate of interest.

3. The $2,000,000.00 to be borrowed by the municipality in 1960 may be obtained at either private or public sale, notwithstanding any other provision of law, at a rate of interest not to exceed 6% per annum.

4. This act shall take effect immediately.

Approved February 1, 1960.

CHAPTER 3

AN ACT to amend and supplement the "Consolidated Municipal Service Act" of 1952, approved April 23, 1952 (P. L. 1952, c. 72) and repealing sections 3 and 6 thereof.

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

Section amended.

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

C. 40:48B-2. Joint operation of municipal improvements, works, etc., exception.

2. The governing bodies of any 2 or more municipalities may by substantially similar ordinances duly adopted by each of such governing bodies, within 6 calendar months after the first such ordinance is adopted, authorize the entering into of a joint contract for a period not to exceed 40 years to provide for the formation of a joint meeting for the joint operation of any public improvements, works, facilities, services or undertakings which any such municipality is empowered to operate. Such ordinance shall set forth the public improvements, works, facilities, services or undertakings which the participating municipalities desire to operate jointly, and shall provide in general terms the manner in which the public improvements, works, facilities, services or undertakings shall be jointly operated. No municipality may authorize the entering into of any such joint contract providing for the operation of any property or service defined as a "public utility" by section 48:2–13 of the Title Public Utilities of the Revised Statutes of 1937, as amended, except as may otherwise be provided by law.

Section amended.

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

C. 40:48B-4. Terms of joint contract.

4. The joint contract shall provide for the operation of the public improvements, works, facilities, services or undertakings of the joint meeting,

for the apportionment of the costs and expenses of operation required therefor among the contracting municipalities, for the addition of other municipalities as members of the joint meeting, for the terms and conditions of continued participation and discontinuance of participation in the joint meeting by the contracting municipalities, and for such other terms and conditions as may be necessary and convenient for the purposes of the joint meeting. The apportionment of costs and expenses may be based upon assessed valuations, population, and such other factor or factors, or any combination thereof, as may be provided in the joint contract. The joint contract shall be subject to approval by resolution of the governing bodies of each of the municipalities prior to its execution by such official or officials as may be authorized to execute such joint contract. The joint contract shall specify the name by which the joint meeting shall be known. The joint contract may be amended from time to time by agreement of the parties thereto, in the same manner as the original contract was authorized and approved. A copy of every ordinance, resolution, joint contract and every amendment thereto shall be forthwith filed with the Division of Local Government in the Department of the Treasury.

Section amended.

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

C. 40:48B-5. Management committees; qualifications, terms; organization; delegation of management.

5. The joint contract shall provide for the constitution and appointment of a management committee to consist of 1 member to be appointed by the governing body of each of the municipalities executing same, who shall be a resident of the appointing municipality. Such appointee may or may not be a member of the appointing governing body. Each member of the management committee shall hold office for the term of 1 year and until his successor has been appointed and qualified.

The management committee shall elect annually from among its members a chairman to preside over its meetings. The management committee may

appoint such other officers and employees, including counsel, who need not be members of the management committee or members of the governing bodies or employees or residents of the municipalities, as it may deem necessary. The employees appointed by the management committee shall hold office for such term not exceeding 4 years as may be provided by the joint contract. The management committee shall adopt rules and regulations to provide for the conduct of its meetings and the duties and powers of the chairman and such other officers and employees as may be appointed. All actions of the management committee shall be by vote of the majority of the entire membership of the committee, except for those matters for which the contract requires a greater number, and shall be binding on all municipalities who have executed the joint contract. The management committee shall exercise all of the powers of the joint meeting subject to the provisions of the joint contract.

The joint contract may provide for the delegation of the management, control or administration of any or all of the lands, public improvements, works, facilities, services or undertakings of the joint meeting to the governing body of any 1 of the several contracting municipalities, in which event such governing body shall have and exercise all of the powers and authority of the management committee with respect to such delegated functions.

Section amended.

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

C. 40:48B-7. Cost of acquiring and constructing public improvement, etc., apportioned.

7. The cost of acquiring and constructing any public improvements, works, facilities, services or undertakings, or any part thereof, as determined by the management committee, shall be apportioned among the participating municipalities as provided by the joint contract. Each municipality shall have power to raise and appropriate the funds necessary therefor in the same manner and to the same extent as such municipality would have if it were acquiring and constructing the same for itself, including the power to authorize and issue bonds or other

obligations pursuant to the local bond law. The management committee shall certify to the participating municipalities the cost of such acquisition of construction, as well as the apportioned shares thereof, within 15 days after its action thereon.

Section amended.

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

C. 40:48 B-8. Costs and expenses of operations certified to participating municipalities.

8. The management committee shall, not later than November 1 of each year, certify to the participating municipalities the total costs and expenses of operation, other than acquisition and construction costs, of the public improvements, works, facilities, services or undertakings for the ensuing year, in accordance with the terms and provisions of the joint contract, together with an apportionment of such costs and expenses of operation among the participating municipalities in accordance with the method of apportionment provided in the joint contract. It shall be the duty of each participating municipality to include its apportioned share of such costs and expenses of operation in its annual budget, and to pay over to the management committee its apportioned share as provided in the joint contract. Operations under the budget and related matters shall be subject to and in accordance with rules of the Division of Local Government. For the first year of operation under the joint contract, a participating municipality may adopt a supplemental or emergency appropriation for the purpose of paying its apportioned share of the costs and expenses of operation, if provision therefor has not been made in the annual budget.

Section amended.

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

C. 40:48B-9. Procedure for terminating joint contract.

9. The joint contract shall be terminated upon the adoption of a resolution to that effect by the governing bodies of ⅔ of the municipalities then participating. Such termination shall not be made effective earlier than the end of the fiscal year next succeeding the fiscal year in which the last of the

required number of municipalities adopts such resolution.

C. 40:48B-2.1. Joint meeting a body politic; powers and authority.

7. The joint meeting shall be a public body politic constituting a political subdivision of the State exercising public and essential governmental functions to provide for the public health and welfare. The joint meeting shall have the following powers and authority, which may be exercised by the management committee to the extent provided in the joint contract:

(a) To sue and to be sued;

(b) To acquire and hold real and personal property by deed, gift, grant, lease, purchase, condemnation or otherwise;

(c) To enter into any and all contracts or agreements and to execute any and all instruments;

(d) To do and perform any and all acts or things necessary, convenient or desirable for the purposes of the joint meeting or to carry out any powers expressly given in this act;

(e) To sell real and personal property owned by the joint meeting at public sale;

(f) To operate all lands, public improvements, works, facilities, services or undertakings for the purposes and objects of the joint meeting;

(g) To enter into a contract or contracts providing for or relating to the use of its lands, public improvements, works, facilities, services or undertakings, or any part thereof, by municipalities, who are not members of the joint meeting, and other persons, upon payment of charges therefor as fixed by the management committee;

(h) To receive such State or Federal aids or grants as may be available for the purposes of the joint meeting and to make and perform such agreements and contracts as may be necessary or convenient in connection with the application for, procurement, acceptance or disposition of such State or Federal aids or grants.

(i) To acquire, maintain, use and operate lands, public improvements, works or facilities in any municipality in the State, except where the govern-

ing body of such municipality, by resolution adopted within 30 days after receipt of written notice of intention to so acquire, maintain, use or operate, shall find that the same would adversely affect the governmental operations and functions and the exercise of the police powers of such municipality.

C. 40:48B-12. Act liberally construed.

8. This act shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every act and thing herein authorized.

C. 40:48B-13. Provisions severable.

9. If any section, subsection, clause or provision of this act shall be adjudget unconstitutional or to be ineffective, in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of this act in any 1 or more instances or under any 1 or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

C. 40:48B-1.1. Terms defined.

10. The following terms wherever used or referred to in this act shall have the following respective meanings:

(1) "Governing body" shall mean the commission, council, board or body, by whatever name it may be known, having charge of the finances of municipality.

(2) "Person" shall mean any person, association, corporation, nation, State, or any agency or subdivision thereof, or a municipality of the State.

(3) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of lands, public improvements, works, facilities, services or undertakings.

(4) "Operate" and "operation" shall mean and include acquisition, construction, maintenance,

management and administration of any lands, public improvements, works, facilities, services or undertakings.

Sections repealed.

11. Sections 3 and 6 of the act of which this act is amendatory are hereby repealed.

12. This act shall take effect immediately.

Approved February 2, 1960.

CHAPTER 4

AN ACT concerning pensions of certain employees of boards of education in school districts in first class counties in the State and supplementing chapter 5 of Title 18 of the Revised Statutes.

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

C. 18:5-79.1. May retire before termination of fund; amount of pension.

1. When a majority of the members of any pension fund established pursuant to article 16 of chapter 5 of Title 18 of the Revised Statutes vote affirmatively on a referendum held pursuant to chapter 38 of the laws of 1955, any member of such fund who was in the employ of 1 of such boards of education on March 25, 1935 and has been continuously in the employ of 1 or more of such boards of education thereafter and has heretofore established credit in such pension fund for all service rendered subsequent to such date shall have the option to retire from such fund, to be exercised prior to the date of termination of the fund pursuant to referendum held in accordance with chapter 38 of the laws of 1955 and to receive during his or her natural life by way of pension 1/60 of the average annual salary received by him or her during the last 5 years immediately preceding his or her retirement, multiplied by the number of years of creditable service. If such option is exercised,

the pension payable under this act shall be in lieu of all other rights to which the member might otherwise be entitled under said fund.

2. This act shall take effect immediately.

Approved February 2, 1960.

CHAPTER 5

AN ACT concerning crimes and prohibiting the defacing, destroying or damaging of buildings, structures or places used for religious, charitable or educational purposes or in connection with any such building, structure or place.

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

C. 2A:122-10. Defacing, etc., property a misdemeanor.

1. Any person who defaces, destroys or damages any building, structure or place used for the purpose of public worship or for other religious purpose or for any charitable or educational purpose or any building or structure or place used in connection with such a building, structure or place and any person counseling or aiding any other person to deface, destroy or damage any such building, structure or place shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved February 8, 1960.

CHAPTER 6

AN ACT to amend and supplement the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

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

C. 18:13-112.85. Investment in and acquisition of real property.

1. The Director of the Division of Investment in the Department of the Treasury, in addition to other investments authorized by law, shall have authority, subject to the approval and acceptance by the board of trustees of the Teachers' Pension and Annuity Fund, to invest in and acquire real property in the State of New Jersey on behalf of and in the name of the Teachers' Pension and Annuity Fund, and to erect buildings and structures and make other improvements thereon, and to rent, lease, sell and dispose of the same, said lands, buildings, structures and improvements to be initially rented to the State of New Jersey for its use in accordance with the provisions of this act.

C. 18:13-112.86. Limitation on investment.

2. Any investment authorized pursuant to this act shall not exceed 1% of the book value of the total investments of such fund at the time of the making of the investment.

C. 18:13-112.87. Carried as an asset of the fund.

3. Any real estate investment made pursuant to this act shall at all times during its ownership by the fund be carried as an asset of the fund.

C. 18:13-112.88. Terms of rental or lease.

4. If the property is rented or leased to the State, it shall be on terms calling for level periodic rental payments, not more than 1 year apart, in such amounts as will amortize the total actual cost of the investment, including cost of land, construction, improvement and supervision of construction, over a period of 20 years from the beginning of the term of its first rental, together with income to be derived therefrom for the benefit of the fund at the

rate of 4% per annum on the depreciated value of the asset which shall be its total actual cost to the fund less a depreciation allowance equal in amount to the aggregate sums received toward amortization of the investment. Such portion of the rentals as shall exceed the amounts received toward amortization shall be treated as investment income.

It is the purpose of this section to provide for the accounting basis upon which the real property investment shall be carried and depreciated and for the treatment, as between capital and income, of the amounts received for the use of the property by way of rental, in order to maintain the integrity and actuarial soundness of the funds established by the "Teachers' Pension and Annuity Fund-Social Security Integration Act" (P. L. 1955, c. 37).

C. 18:13-112.89. Purchase provisions during occupancy.

5. Should such real estate investment be sold to the State during its occupancy as tenant, the board of trustees of the fund shall accept, in full payment therefor, as well as for any State lands theretofore conveyed to it in connection therewith, the total actual cost thereof. In the event that any sums shall have been paid to the fund toward amortization of the investment, the aggregate amount thereof at the time of closing of title shall be credited against the purchase price.

C. 18:13-112.90. Rental or lease arrangements.

6. Any rental arrangement or lease to the State for the use of such real property shall provide that all costs and expenses for the operation, maintenance, repair and management of the real property shall be paid for by the State, as tenant, at its sole cost and expense, in addition to the level rental payments; but this shall not preclude the making of enlargements, betterments or other capital improvements on behalf of the fund as a further investment or investments, in like manner and subject to the same requirements and restrictions as are applicable to the initial investment in such real property made under this act.

C. 18:13-112.91. Trustees to execute and deliver leases, etc.

7. The board of trustees is authorized to execute and deliver to the appropriate State officers or agencies such leases, contracts or agreements,

which may include options to purchase, agreements for appropriate State officers or agencies to act as agent for the fund in connection with the purchase of land, construction of buildings or other improvements, and otherwise as may be necessary or appropriate in order to execute the purposes of this act.

C. 18:13-112.92. Transfer of land to fund.

8. In order to carry out the purposes of this act, the rental arrangement or lease referred to in section 4 of this act may include, on behalf of the State, permission to construct a building or buildings, which will constitute the real property in which the investment is made, upon lands owned by the State, and to transfer title to such lands to the said Teachers' Pension and Annuity Fund.

C. 18:13-112.93. Selection of site, and acquisition of land.

9. The Director of the Division of Purchase and Property, subject to the approval of the State House Commission, shall be responsible for the selection of a site, planning of any building to be constructed on behalf of the Teachers' Pension and Annuity Fund as an investment under this act, as well as the acquisition of lands, negotiation and approval of leases, contracts, options and other instruments and agreements, in order that the location of and plans for the building shall be coordinated with the master plan to be developed pursuant to P. L. 1959, chapter 5.

10. Section 55 of the act of which this act is amendatory is hereby amended to read as follows:

C. 18:13-112.57. Powers and privileges of a public corporation.

55. The Teachers' Pension and Annuity Fund shall for purposes of this act possess the powers and privileges of a public corporation, and any real property held by it as an investment and occupied by the State or any agency thereof shall be deemed for all purposes to be equivalent to and to have the same status as real property owned by the State.

C. 18:13-112.94. Provisions severable.

11. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be ineffective, such determination shall not affect or impair the remainder thereof, but shall be confined in its

operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said determination shall have been rendered.

12. This act shall take effect immediately.

Approved February 15, 1960.

CHAPTER 7

A SUPPLEMENT to "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1960, and regulating the disbursement thereof," approved June 15, 1959 (P. L. 1959, c. 106).

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

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

K 10. DEPARTMENT OF PUBLIC UTILITIES

Appropriation Public Utilities.

Salaries:

Other officers and employees $40,000 00

2. This act shall take effect immediately.

Approved February 16, 1960.

CHAPTER 8

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

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

Validates proceedings, elections and bonds of school district.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that no supplemental debt statement was prepared, made, sworn to or filed as required by the provisions of section 18:5–87 of the Revised Statutes; provided, however, that the consents of the State Commissioner of Education and of the local government board provided for in section 18:5–86 of the Revised Statutes shall, prior to the date of such school district meeting or election, have been endorsed upon a copy of such proposal and that supplemental debt statements, prepared as of a date not more than 30 days prior to such meeting or election, shall, prior to the issuance of such bonds, have been made, sworn to and filed in the places required by said section 18:5–87; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved February 29, 1960.

CHAPTER 9

A SUPPLEMENT to "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1960, and regulating the disbursement thereof," approved June 15, 1959 (P. L. 1959, c. 106).

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

1. The following sum is hereby appropriated out of the General Treasury in addition to those sums previously appropriated in the act to which this act is a supplement, for the purposes hereinafter specified:

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

N 72. STATE MOSQUITO CONTROL COMMISSION

Appropriation, mosquito control.

For transfer to the Agricultural Experiment Station for the cost of airplane spraying for mosquito extermination in counties bordering on the Atlantic ocean and the Delaware bay and in such other counties as the State Mosquito Control Commission may designate $20,000 00

DEPARTMENT OF EDUCATION

P 72. AGRICULTURAL EXPERIMENT STATION

Appropriation, agricultural experiment station.

Expanded research and education program in mosquito control.... $20,000 00

For construction of a laboratory for an expanded research program in mosquito control $70,000 00

2. This act shall take effect immediately.

Approved March 11, 1960.

CHAPTER 10

AN ACT to repeal "An act relating to the authorization, acquisition, financing and operation of recreational facilities by or on behalf of any county, providing for the creation and the establishment of the powers of authorities as public bodies corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof, and supplementing Title 40 of the Revised Statutes," approved February 2, 1959 (P. L. 1959, c. 1).

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

Chapter 1, P. L. 1959 repealed.

1. "An act relating to the authorization, acquisition, financing and operation of recreational facilities by or on behalf of any county, providing for the creation and the establishment of the powers of authorities as public bodies corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof, and supplementing Title 40 of the Revised Statutes," approved February 2, 1959, is repealed.

2. This act shall take effect immediately.

Approved March 21, 1960.

CHAPTER 11

AN ACT to amend an act entitled "An act to create the office of an Amusement Games Control Commissioner, defining his powers and duties, authorizing the commissioner to investigate, supervise and enforce the administration of the Amusement Games Licensing Law and to make and promulgate such rules and regulations governing such administration to enforce the same," approved June 16, 1959 (P. L. 1959 c. 108), and making an appropriation for the purposes thereof.

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

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

Section amended.

1. The office of Amusement Games Control Commissioner is hereby created. The Director of the Division of Alcoholic Beverage Control shall be the Amusement Games Control Commissioner and shall serve during the term of office of the Governor appointing him and until the director's successor is appointed and has qualified. In the event of the absence or inability of the director to act for any cause or in the event of the death of the director, 1 of the deputy directors of the Division of Alcoholic Beverage Control designated by the director shall have power to perform all of the duties of the Amusement Games Control Commissioner until a successor has been appointed and qualified. The director shall perform the duties of the Amusement Games Control Commissioner without salary therefor. All fees paid to the Amusement Games Control Commissioner pursuant to law shall be remitted by him to the State Treasurer. The office of Amusement Games Control

C. 5:8-78. Office of amusement games control, commissioner created.

Commissioner shall be allocated within and be a bureau of the Division of Alcoholic Beverage Control within the Department of Law and Public Safety.

Appropriation.

2. There is hereby appropriated to the Department of Law and Public Safety for the fiscal year 1959-60 the sum of $25,000.00 for the purpose of discharging the functions of the office of Amusement Games Control Commissioner and the payment of salaries and expenses incurred in connection therewith.

3. This act shall take effect immediately.

Approved March 21, 1960.

CHAPTER 12

AN ACT concerning motor vehicles and traffic regulation and amending section 39:3–20 of the Revised Statutes.

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

Section amended.

1. Section 39:3–20 of the Revised Statutes is amended to read as follows:

Commercial vehicles, trailers, semitrailers and tractor registration; fee; constructor registration plates; speed regulations; sections 39:3-84, 39:4-75 not repealed.

39:3–20. An applicant for registration for automobile commercial vehicles, trailers, semitrailers, and tractors shall pay to the director a fee based on the gross weight of the vehicle and load. The plates to be used for commercial motor vehicles shall display the word "commercial," and the numerals shall be prefixed by the letter "X." Trailer plates shall have the letter "T." The fee shall be paid in accordance with the following table:

When the gross weight of vehicle and load is:

1,000 pounds or less	$10 00
1,001 to 2,000 lbs.	15 00
2,001 to 3,000 lbs.	20 00

3,001 to 4,000 lbs.	25 00
4,001 to 5,000 lbs.	30 00
5,001 to 6,000 lbs.	35 00
6,001 to 8,000 lbs.	40 00
8,001 to 10,000 lbs.	50 00
10,001 to 13,000 lbs.	60 00
13,001 to 16,000 lbs.	75 00
16,001 to 19,000 lbs.	90 00
19,001 to 22,000 lbs.	110 00
22,001 to 25,000 lbs.	130 00
25,001 to 28,000 lbs.	150 00
28,001 to 32,000 lbs.	180 00
32,001 to 36,000 lbs.	210 00
36,001 to 40,000 lbs.	240 00

In addition to the registrations authorized to be issued pursuant to the provisions of this section, the director shall issue registrations for automobile commercial vehicles, trailers, semitrailers, and tractors providing for the gross weight of vehicle and load of over 40,000 pounds but not exceeding 70,000 pounds, upon application therefor and proof to the satisfaction of the director that the applicant is actually engaged in construction work or in the business of supplying material, transporting material, or using such registered vehicle for construction work. The license plate so issued shall be marked "constructor" and shall be placed upon the vehicle or vehicles registered under this section. In no event shall a vehicle or combination of vehicles, operating as a unit, registered under this section and using "constructor" registration plates exceed a maximum gross weight, inclusive of load of 70,000 pounds.

The applicant for "constructor" registration plates authorized herein shall pay therefor on each vehicle at the rate of $15.00 per thousand pounds of gross weight of vehicle and load.

Vehicles registered and using "constructor" registration plates may not be operated at a distance greater than 30 miles from the point established as a headquarters for the particular construction op-

eration and such vehicles except as hereafter provided, must comply with the speed limitations of Title 39 of the Revised Statutes. Such vehicles when carrying a gross weight of vehicle and load less than 50% of the certificate of registration shall comply with applicable speed laws and shall not move along a highway at a speed greater than 40 miles per hour. When carrying a gross weight of vehicle and load in excess of 50% of the certificate of registration, such vehicle shall comply with applicable speed laws and shall not move along a highway at a speed greater than 30 miles per hour.

It shall be unlawful for any vehicle having gross weight of load and vehicle in excess of the gross weight provided on the registration certificate to be operated on the highways of this State.

Moneys realized from the increase of the fees for registrations issued pursuant to the provisions of this act shall be paid into the State treasury and credited to the General State Fund and available for general State purposes.

This section shall not be construed to supersede or repeal the provisions of either sections 39:3–84 or 39:4–75 of this Title.

2. This act shall take effect immediately.

Approved March 30, 1960.

CHAPTER 13

AN ACT to provide reciprocity with other States in respect to moving of heavy equipment and to amend section 39:4–26 of the Revised Statutes.

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

Section amended.

1. Section 39:4–26 of the Revised Statutes is amended to read as follows:

Moving heavy machinery; fee; reciprocity, county permits.

39:4–26. A person may move along or across a public road or highway, road building machinery, vehicles, traction engines, rollers, structural units incapable of dismemberment or other apparatus or machinery of unusual size or weight, on trailers or semitrailers, after registering the trailers or semitrailers, with the Director of Motor Vehicles and paying him a registration fee of $150.00 and obtaining a permit therefor from the director for the State highways traversed by them, or from the county supervisor or supervisors of roads of the county or counties for the county roads traversed by them or from the duly authorized official or officials of the municipality or municipalities for the municipal roads traversed by them, subject to the provisions of this article, provided, however, that the provision for registration and registration fee shall not apply to such vehicles duly registered in any other State or Federal district which grants exemption under any similar statute to vehicles properly registered in New Jersey under provisions of this article, traversing the roads of said other State or Federal district.

The director, board of chosen freeholders and a municipality, may by regulation in the case of the director and by resolution in the case of the board of freeholders or municipality, adopt general rules and regulations with respect to the issuance and use of permits and may impose reasonable fees therefor provided that no permit shall be issued unless the said director, county supervisor or authorized municipal official is reasonably satisfied as to the

financial responsibility of the applicant for permit to meet any claims for damages which may arise and reasonable evidence of such financial responsibility is filed with the said director, supervisor or municipal official.

2. This act shall take effect immediately.

Approved March 30, 1960.

CHAPTER 14

AN ACT to validate the creation of certain municipal utilities authorities and certain sewerage authorities.

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

Validates the creation of certain municipal utilities and sewerage authorities.

1. The creation within the district of a county sewerage authority, of municipal utilities authorities and sewerage authorities by municipal ordinance finally adopted on or before February 8, 1960, the validity of which creation is not the subject of any timely action, suit or other proceeding pending on the effective date of this act, shall be valid and effectual in all respects, together with all proceedings had or taken by the governing bodies of the respective municipalities with respect to such creation, notwithstanding that the written consent of such county sewerage authority to such creation was not given as required by chapter 183, section 9 of the laws of 1957, with respect to municipal utilities authorities, and by chapter 138, section 4 of the laws of 1946, as amended, with respect to sewerage authorities, provided that such written consent of such county sewerage authority, which shall be subject to the rights, if any, of the holders of any bonds or other obligations of such county sewerage authority outstanding on the date of that consent, shall be given not later than 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved March 30, 1960.

CHAPTER 15

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

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

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

Section amended.

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

C. 17:34-21.1. Standard nonforfeiture law (1943); notice by insurer of election to comply with provisions.

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

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

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

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

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

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

(6) A statement of the method to be used in calculating the cash surrender value and the paid-up nonforfeiture benefit available under the policy on any policy anniversary with an explanation of the manner in which the cash surrender values and the paid-up nonforfeiture benefits are altered

by the existence of any paid-up additions credited to the policy or any indebtedness to the company on the policy.

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

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

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

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

have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period.

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

In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent level amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the inception of the insurance as the benefits under the policy.

All adjusted premiums and present values referred to in this section shall for all policies of

ordinary insurance be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table; provided, however, that any company may file with the commissioner a written notice of its election, as to any category of ordinary insurance, that such adjusted premiums and present values shall be calculated on the basis of the Commissioners 1958 Standard Ordinary Mortality Table, after a specified date before January 1, 1966, and, whether or not any election has been made, such Commissioners 1958 Standard Ordinary Mortality Table shall be the basis for such calculations as to all policies of ordinary insurance issued on or after January 1, 1966. Notwithstanding the above provisions of this paragraph, for any category of ordinary insurance such calculations for policies issued on or after July 1, 1957 may be made, at the option of the company, on the basis of the Approved Standard Ordinary Mortality Table; provided, further, that for any category of ordinary insurance issued on female risks on or after July 1, 1957, adjusted premiums and present values may be calculated, at the option of the company with the approval of the commissioner, according to an age not more than 3 years younger than the actual age of the insured. Such calculations for all policies of industrial insurance shall be made on the basis of the 1941 Standard Industrial Mortality Table. All calculations shall be made on the basis of the rate of interest, not exceeding 3½% per annum, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits. Provided, however, that in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than 130% of the rates of mortality according to such applicable table, except that when the Commissioners 1958 Standard Ordinary Mortality Table becomes applicable, as hereinbefore provided, such rates of mortality assumed may be not more than those shown in the Commis-

sioners 1958 Extended Term Insurance Table. Provided, further, that for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the commissioner.

e. Any cash surrender value and any paid-up nonforfeiture benefit, available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary. All values referred to in subsections b, c and d may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death. The net value of any paid-up additions, other than paid-up term additions, shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of subsection b, additional benefits payable (1) in the event of death or dismemberment by accident or accidental means, (2) in the event of total and permanent disability, (3) as reversionary annuity or deferred reversionary annuity benefits, (4) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this section would not apply, and (5) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits. Notwithstanding the provisions of subsection b, additional benefits providing the privilege to purchase additional insurance at some future time without furnishing evidence of insurability, and premiums therefor, may, with the consent of the commissioner, be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section,

and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.

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

g. After the effective date of this act, any company may file with the commissioner a written notice of its election to comply with the provisions of this section after a specified date before January 1, 1948. After the filing of such notice, then upon such specified date (which shall be the operative date for such company), this section shall become operative with respect to the policies thereafter issued by such company. If a company makes no such election, the operative date of this section for such company shall be January 1, 1948.

Section amended.

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

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

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

a. The minimum standard for the valuation of the reserve liabilities for all such policies and contracts shall be the commissioners reserve valuation method defined in subsection b of this section, 3½% interest, and the following tables:

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

(ii) For all industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies, the 1941 Standard Industrial Mortality Table.

(iii) For annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies, the 1937 Standard Annuity Mortality Table.

(iv) For total and permanent disability benefits in or supplementary to ordinary policies or contracts, Class (3) disability table (1926) which, for active lives, shall be combined with a mortality table permitted for calculating the reserves for life insurance policies.

(v) For accidental death benefits in or supplementary to policies, the intercompany double indemnity mortality table combined with a mortality table permitted for calculating the reserves for life insurance policies.

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

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

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

(A) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of 1 per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; provided, however, that such net level annual premium shall not exceed the net level annual premium on the 19-year premium whole life plan for insurance of the same amount at an age 1 year higher than the age at issue of such policy.

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

Reserves according to the commissioners reserve valuation method for (1) life insurance policies

providing for varying amounts of insurance or requiring the payment of varying premiums, (2) annuity and pure endowment contracts, (3) disability and accidental death benefits in all policies and contracts, and (4) all other benefits, except life insurance and endowment benefits in life insurance policies, shall be calculated by a method consistent with the principles of this subsection b.

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

d. Reserves for any category of policies, contracts or benefits as established by the commissioner may be calculated, at the option of the company, according to any standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard herein provided, but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein; provided, however, that reserves for participating life insurance policies may, with the consent of the commissioner, be calculated according to a rate of interest lower than the rate of interest used in calculating the nonforfeiture benefits in such policies, with the further proviso that if such lower rate differs from the rate used in the calculation of the nonforfeiture benefits by more than ½% the company issuing such policies shall file with the commissioner a plan providing for such equitable in-

creases, if any, in the cash surrender values and nonforfeiture benefits in such policies as the commissioner shall approve.

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

3. This act shall take effect immediately.

Approved April 7, 1960.

GEORGE B. HARPER,
President of the Senate,
Acting Governor.

CHAPTER 16

AN ACT validating certain devises and deeds.

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

Validates certain devises and deeds.

1. When any devise or deed of real estate situated in this State has heretofore been made to or in favor of any unincorporated subordinate lodge, society, association, camp, post, or other body or unit operating under a charter or other authorization from any fraternal organization, society, association or other organization, which is a corporation of this State, and said unincorporated

subordinate lodge, society, association, camp, post, or other body or unit has heretofore, by virtue of a resolution adopted or passed at a meeting thereof or of the board of trustees thereof, made and executed a deed for any such real estate so conveyed or devised to it, and the will containing such devise has been probated for 5 or more years, or the deed, if any, to such unincorporated grantee, and the deed from such unincorporated grantor have been recorded for 5 or more years in the office of the county recording officer of the county in which such real estate is situated, then said devise and deed or deeds shall be good, valid and effectual, in law and in equity, with the same force and effect as though said unincorporated subordinate lodge, society, association, camp, post, or other body or unit had been in fact incorporated when such will was probated and such deed or deeds were executed.

Act not to apply.

2. This act shall not apply to any such devise, deed or deeds the validity of which is the subject of any proceeding in any court of competent jurisdiction heretofore instituted or which may be instituted within 30 days after the effective date of this act.

3. This act shall take effect immediately.

Approved April 7, 1960.

CHAPTER 17

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

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

Validates certain proceedings, elections, bonds and obligations.

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

2. This act shall take effect immediately.

Approved April 11, 1960.

CHAPTER 18

AN ACT relating to the authorization, acquisition, financing and operation of a public market, providing for the creation and the establishment of the New Jersey Public Market Commission as a public body corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof.

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

C. 4:25-1. Short title.

1. This act shall be known and may be cited as the "New Jersey Public Market Commission Law."

C. 4:25-2. Public Policy.

2. It is hereby declared to be in the public interest and to be the policy of the State to foster and promote by all reasonable means the provision of adequate public markets for use by the public in the expeditious handling, storage and marketing of agricultural and horticultural products, meat, fish, foods, and other products and commodities in and near the metropolitan and urban centers of the State and to reduce and eliminate the shortage of such facilities which has resulted in undue losses, spoilage and waste of agricultural and horticultural products, meat, fish, foods and other products and commodities and increased costs to public consumers, and to promote the public health, welfare, betterment and convenience and reduce the impairment of any of the aforesaid resulting from lack of proper public marketing facilities which cannot be adequately obtained except by exercise of the powers of government. It is the purpose and object of this act to further and implement such policy by

(a) authorizing a State commission to acquire, construct, maintain, operate and improve a public market facility at a site selected as hereinafter provided;

(b) authorizing the making of charges for the use or the services of such facility, and providing for the establishment, collection and enforcement of such charges;

(c) creating a public commission as a body corporate and politic to have full responsibility and powers with respect to such facility and the establishment, collection, enforcement, use and disposition of such charges for the use or services of such facility;

(d) providing for the financing of such facility, for the issuance of bonds of such public commission therefor, and for the payment and security of such bonds; and

(e) granting to such public commission discretionary powers to provide for the public market facility and to obtain funds to defray the cost thereof from the users of such facility or from the Federal Government, or States, counties or municipalities or from other persons contracting for or with respect to the same.

C. 4:25-3. Terms defined.

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

(a) "Commission" means the New Jersey Public Market Commission created by this act;

(b) "Bonds" means bonds or other obligations issued pursuant to this act;

(c) "Construct" and "construction" include construction, reconstruction, replacement, extension, improvement and betterment;

(d) "Cost" means, in addition to the usual connotations thereof, the cost of acquisition or construction of all or any part of the market facility, including interest or discount on bonds, cost of issuance of bonds, architectural, engineering and inspection costs and legal expenses, cost of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the commission prior to and during such acquisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion

of said market facility or part thereof and the placing of the same in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal of or interest on bonds during or after such acquisition or construction as the commission may determine, and also reimbursements to the commission, Federal Government or any State, county, municipality or other person of any moneys theretofore expended for the purposes of the commission;

(e) "County" means any county of any class;

(f) "Facility charges" means the charges authorized by section 7 of this act;

(g) "Governing body" means, in the case of a county, the board of chosen freeholders, and, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(h) "Market facility" means all real and personal property acquired, constructed or operated by the commission at the site selected as hereinafter provided, for the purposes of the commission, including plants, storage and processing facilities, buildings, sheds, accommodations, access areas and roadways, equipment, devices, appurtenances and all other facilities, structures and projects whether on, above or under the ground, and all other real and personal property and incidental rights therein and appurtenances thereto necessary or useful and convenient for any of the aforesaid.

(i) "Municipality" means any city, borough, village, town, township, or any agency thereof other than a school district; and

(j) "Person" means any person or other entity, real or artificial, public or private, other than a State, county or a municipality.

C. 4:25-4. Commission created; members; terms; organization; powers and duties.

4. (a) There is hereby created the New Jersey Public Market Commission, a public body corporate and politic. The commission is allocated to the Department of Agriculture. The commission shall consist of 5 members known as "commissioners."

The Secretary of Agriculture and the Commissioner of Conservation and Economic Development shall be commissioners. The other 3 commissioners, hereinafter sometimes referred to as "term commissioners," shall be appointed by the Governor with the advice and consent of the Senate. The term commissioners first appointed shall be designated to serve for terms respectively expiring on April 30 of the second, fourth and sixth years next ensuing after the year in which this act takes effect. Subsequent appointments of term commissioners shall be made for terms of 6 years. Each term commissioner shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. Vacancies among the term commissioners shall be filled only for the unexpired term. Each term commissioner shall be a resident of this State, and shall have been a qualified elector of this State for at least 1 year next preceding his appointment.

Term commissioners appointed by the Governor shall be selected from a list of nominees submitted by the Board of Chosen Freeholders of the county in which the market facility is to be located. Any such list submitted by said board shall nominate 2 persons for each appointment then to be made. If the Governor declines to appoint either of the persons nominated for an appointment in any list, said board shall submit a replacement list according to the same procedure. No person shall be nominated in a replacement list if he has been nominated in the original or any preceding replacement list for the same appointment.

(b) The commission, upon the first appointment of its members and thereafter on or after May 1 in each year, shall annually elect from among the commissioners a chairman and a vice-chairman who shall hold office until May 1 next ensuing and until their respective successors shall have been elected and taken office. The commission may appoint and employ an executive director, a secretary, a treasurer and a general counsel and determine their

qualifications, terms of office, duties and compensation. The commission may appoint and employ such other agents and employees as it may require and determine their qualifications, terms of office, duties and compensation, subject to the provisions of Title 11 of the Revised Statutes.

(c) The powers of the commission shall be vested in the commissioners in office from time to time and 3 commissioners shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted at any meeting of the commission by vote of 3 of the commissioners unless in any case the by-laws of the commission shall require a larger number. Each commissioner shall be given reasonable notice in advance of any such meeting.

(d) The market facility shall be located at a site selected by the Governor upon recommendation of the Secretary of Agriculture and the Commissioner of Conservation and Economic Development. After receipt of the recommendation aforesaid the Governor shall file a declaration of his selection with the Secretary of State. The selection shall be effective upon the filing of the declaration.

The recommendation and selection shall be made upon the basis of the purposes and policy expressed in this act, and to the particular end that the site selected shall provide a location for the 1 market facility to be established by the commission such that that facility, in the judgment of the Governor, will effectively advance the public interest and policy declared in section 2 hereof.

(e) A commissioner shall not receive compensation for his services, but, upon request, he shall be reimbursed by the commission for his necessary expenses incurred in the discharge of his duties.

(f) No commissioner, officer, agent or employee of the commission shall have or acquire any interest, direct or indirect, in the market facility, or in any property included or planned to be included in the market facility or in any contract or proposed contract for materials or services to be furnished

to, or used by the commission. Neither the holding of any office or employment in the government of any county or municipality, or of the State, nor being engaged in any food business or enterprise shall be deemed a disqualifying interest.

(g) Each commissioner may be removed by the Governor for incapacity, inefficiency, neglect of duty, misconduct in office or other disqualifying cause, but only after he shall have been given a copy of the charges against him and afforded a hearing, in person or by counsel, but no sooner than 10 days after receiving a copy of such charges.

(h) The commission may be dissolved by act of the Legislature on condition that (1) either no commissioners of such commission have been appointed or the commission, by resolution, consents to such dissolution, and (2) the commission has no debts or obligations outstanding. Upon the dissolution of the commission the property of the commission shall be vested in the State.

C. 4:25-5. Purpose of the commission; acquisition of market facilities.

5. (a) The purposes of the commission shall be (1) providing a public market facility for the use of the public at the site selected as provided in this act, and (2) making such facility available to the public for the handling, storage and marketing of agricultural and horticultural products, meat, fish, foods and other products and commodities.

(b) The commission is hereby authorized, subject to the limitations of this act, to acquire in its own name but for the State, by purchase, gift, condemnation or otherwise, lease as lessee, and notwithstanding the provisions of any charter, ordinance or resolution of any political subdivision of this State to the contrary, to construct, maintain, operate and use such market facility, and such plants, storage and processing facilities, buildings, sheds, accommodations, access areas and roadways, equipment, devices, appurtenances and other facilities and structures, within and without the State, as in the judgment of the commission will provide an effective and satisfactory method for promoting the purpose of the facility.

C. 4:25-6. Commission a public body politic and corporate; powers.

6. The commission created by this act shall be a public body politic and corporate constituting a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare and shall have perpetual succession and have the following additional powers:

(a) To adopt and have a common seal and to alter the same at pleasure;

(b) To sue and be sued;

(c) In its own name to acquire, hold, use and dispose of its charges and other revenues and other moneys;

(d) In its own name but for the State, to acquire, rent, hold, use and dispose of other personal property for the purposes of the commission and to acquire by purchase, gift, condemnation or otherwise, or lease as lessee, real property and easements therein, necessary or useful and convenient for the purposes of the commission, whether subject to mortgages, deeds of trust or other liens, or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the commission;

(e) To lease as lessor the market facility or any portion of the same for any business, commercial or other use to any county, municipality, or person for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon. Any such lease may be upon condition that the lessee shall or may construct or provide any building or buildings or other facilities at such market facility or any portion thereof, including space for business, commercial or other uses, all upon such terms and conditions as may be agreed upon;

(f) To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds;

(g) To accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the commission, and to make and

perform such agreements and contracts as may be necessary or convenient in connection with the procuring, acceptance or disposition of such gifts or grants;

(h) To enter on any lands, waters or premises for the purpose of making surveys, borings, soundings and examinations for the purposes of the commission;

(i) To make, amend and enforce by-laws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of the market facility and any other of its properties;

(j) To do and perform any acts and things authorized by this act under, through or by means of its own officers, agents and employees, or by contracts with any person;

(k) To enter into any and all contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the commission or to carry out any power expressly given in this act;

(l) To engage in the sale of goods and commodities in and upon its market facility if in the opinion of the commission such sale will promote the public convenience and assist in defraying the expenses of the commission; and

(m) To engage in research, studies and experimentation and to make recommendations concerning the handling, storage and marketing of agricultural and horticultural products, meat, fish, food and other products and commodities.

C. 4:25-7. Facility charges.

7. The commission is hereby authorized to charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "facility charges") in connection with, or for the use, or services of, its market facility or any part thereof. Such facility charges may be charged to and collected from any person, county or municipality using or contracting for the use of all or any part of the market facility, and such person, county or municipality shall be liable for and shall pay such

facility charges to the commission at the time when and place where such charges are due and payable.

C. 4:25-8. Revision of facility charges.

8. The commission shall prescribe and from time to time when necessary revise a schedule of all its facility charges which schedule shall comply with the terms of any contract of the commission and the same may be so adjusted that the revenues of the commission will at all times be adequate to pay the expenses of operation and maintenance of the market facility, including reserves, insurance, improvements, replacements, and other required payments, and to pay the principal of and interest on any bonds and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract of the commission or as may be deemed necessary or desirable by the commission. A copy of such schedule of service charges in effect shall be a public record.

C. 4:25-9. County or municipality may appropriate moneys.

9. Any county or municipality shall have power, in the discretion of its governing body, to appropriate moneys for the purposes of the commission, and to loan or donate such moneys to the commission in such installments and upon such terms as may be agreed upon with the commission.

C. 4:25-10. Bonds authorized by resolution; contents.

10. For the purpose of raising funds to pay the cost of any part of its market facility or for the purpose of funding or refunding any bonds, the commission shall have power to authorize or provide for the issuance of bonds pursuant to this act, by a resolution (in this act sometimes referred to as "bond resolution") which shall:

(a) describe in brief and general terms sufficient for reasonable identification the market facility or part thereof (in this act sometimes called "project") to be constructed or acquired, or describe the bonds which are to be funded or refunded (if any);

(b) State the cost or estimated cost of the project (if any); and

(c) provide for the issuance of the bonds in accordance with section 11 of this act.

C. 4:25-11. Issuing bonds.

11. Upon adoption of a bond resolution, the commission shall have power to incur indebtedness,

borrow money and issue its bonds for the purpose of financing the project or of funding or refunding the bonds described therein. Such bonds shall be authorized by the bond resolution and may be issued in 1 or more series and shall bear such date or dates, mature at such time or times not exceeding 40 years from the date thereof, bear interest at a rate or rates within such maximum rate (not exceeding 6% per annum), be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, and be subject to such terms of redemption (with or without premium) as the bond resolution may provide. The commission may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable (a) exclusively from the income and revenues of the project financed with the proceeds of such bonds; (b) exclusively from the income and revenues of certain designated projects whether or not they are financed in whole or in part with the proceeds of such bonds; or (c) from its revenues generally. Any such bonds may be additionally secured by a pledge of any grant or contributions from the Federal Government, the State or any county or municipality, or a pledge of any income or revenues of the commission or a mortgage of any project, projects or other property of the commission. This act shall be complete authority for the issuance of bonds by the commission, and the provisions of any other law shall not apply to the issuance of such bonds.

C. 4:25-12. Sale of bonds.

12. Bonds of the commission may be sold by the commission at public or private sale at such price or prices as the commission shall determine; provided, however, that the interest cost to maturity of the money received for any issue of bonds (computed according to standard tables of bond values) shall not exceed 6% per annum.

C. 4:25-13. Filing and publishing bond resolution; contents of notice.

13. The commission shall cause a copy of any bond resolution adopted by it to be filed for public inspection in its office and in the office of the Secretary of State and shall thereupon cause to be published, at least once, in a newspaper published and circulating in the county in which there is to be located the project to be constructed or acquired from the proceeds of bonds authorized by such bond resolution, a notice stating the fact and date of such adoption and the places in that county where such bond resolution has been so filed for public inspection and also the date of the first publication of such notice and also that any action or proceeding of any kind or nature in any court questioning the validity or proper authorization of bonds provided for by the bond resolution, or the validity of any covenants, agreements or contracts provided for by the bond resolution shall be commenced within 30 days after the first publication of such notice. If any such notice shall at any time be published and if no action or proceeding questioning the validity of or proper authorization of bonds provided for by the bond resolution referred to in said notice, or the validity of any covenants, agreements or contracts provided for by said bond resolution shall be commenced or instituted within 30 days after the first publication of said notice, then all residents and taxpayers and owners of property and users of the market facility and all other persons whatsoever shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, or from pleading any defense to any action or proceedings questioning the validity or proper authorization of such bonds, or the validity of any such covenants, agreements or contracts, and the commission shall be conclusively deemed to have been properly authorized to transact business and exercise powers under this act, and said bonds, covenants, agreements and contracts shall be conclusively deemed to be valid and binding obligations in accordance with their terms and tenor.

C. 4:25-14. Bond covenants and agreements.

14. Any bond resolution of the commission providing for or authorizing the issuance of any bonds may contain provisions and the commission, in order to secure the payment of such bonds and in addition to its other powers, shall have power by provision in such bond resolution to covenant and agree with the several holders of such bonds, as to:

(a) the custody, security, use, expenditure or application of the proceeds of the bonds;

(b) the construction and completion, or replacement, of all or any part of the market facility;

(c) the use, regulation, operation, maintenance, insurance or disposition of all or any part of the market facility, or restrictions on the exercise of the powers of the commission to dispose, or to limit or regulate the use of all or any part of the market facility;

(d) payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any such bonds or obligations as to any lien or security, or the acceleration of the maturity of any such bonds or obligations;

(e) the use and disposition of any moneys of the commission, including revenues (in this act sometimes called "facility revenues") derived or to be derived from the operation of all or any part of the market facility, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

(f) pledging, setting aside, depositing or trusteeing all or any part of the facility revenues or other moneys of the commission to secure the payment of the principal of or interest on the bonds or any other obligations or the payment of expenses of operation or maintenance of the market facility, and the powers and duties of any trustee with regard thereto;

(g) the setting aside out of the facility revenues or other moneys of the commission of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(h) determination or definition of the facility revenues or of the expenses of operation and maintenance of the market facility;

(i) the rents, rates, fees, or other charges in connection with or for the use of the market facility, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of facility revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

(j) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the market facility or any obligation having or which may have a lien on any part of the facility revenues;

(k) limitations on the issuance of additional bonds or any other obligations or on the incurrence of indebtedness of the commission;

(l) limitations on the powers of the commission to construct, acquire or operate, or to consent to the construction, acquisition or operation of, any structures or properties which may compete or tend to compete with the project;

(m) vesting in a trustee or trustees such property, rights, powers and duties in trust as the commission may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to section 15 of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section 15 of this act or limiting the rights, duties and powers of such trustee;

(n) the procedure, if any, by which the terms of any covenant or contract with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds of holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

(o) any other matter of course of conduct which, by recital in the bond resolution, is declared to further secure the payment of the principal of or interest on the bonds and to be part of any covenant or contract with the holders of the bonds.

All such provisions of the bond resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the commission and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action, suit or proceeding in any court of competent jurisdiction.

C. 4:25-15. Appointment of trustees in the event of default; powers.

15. (a) If the bond resolution of the commission authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of this section, then if there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and if any such default shall continue for a period of 30 days, or if the commission shall fail or refuse to comply with any of the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any such bonds, and if such failure or refusal shall continue for a period of 30 days after written notice to the commission of its existence and nature, the holders of 25% in aggregate principal amount of the bonds of such series then outstanding by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

(b) Such trustee may and upon written request of the holders of 25% in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By any action, or other proceeding, enforce all rights of the holders of such bonds, including the right to require the commission to charge and collect facility charges adequate to carry out any contract, as to, or pledge of, facility revenues, and to require the commission to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By action, require the commission to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable, whether or not in advance of maturity, upon 30 days' prior notice in writing to the commission but, if all defaults shall be made good within not more than 30 days thereafter, if so provided in the bond resolution, shall annul such declaration and its consequences.

(c) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(d) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, shall, if allowed by the court, constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any service charges and facility revenues of the commission pledged for the payment or security of bonds of such series.

C. 4:25-16. Appointment of receiver; powers.

16. If the bond resolution of the commission authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of section 15 of this act and shall further provide in substance that any trustee appointed pursuant to said section or having the powers of such a trustee shall have the powers provided by this section, then such trustee, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled to the appointment of a receiver of the market facility and such receiver may enter upon and take possession of the market facility and, subject to any pledge or contract with the holders of such bonds, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance or reconstruction of the market facility and proceed with such acquisition, construction, operation, maintenance or reconstruction which the commission is under any obligation to do, and operate, maintain and reconstruct the market facility and fix, charge, collect, enforce and receive the facility charges and all facility revenues thereafter arising subject to any pledge thereof or contract with the holders of such bonds relating thereto and perform the public duties and carry out the contracts and obligations of the commission in the same manner as the commission itself might do and under the direction of the court.

C. 4:25-17. Not liable on bonds. State not liable; construing.

17. Neither the commissioners of the commission nor any person executing bonds issued pursuant to this act shall be liable personally on the bonds by reason of the issuance thereof. Bonds or other obligations issued pursuant to this act shall not be in any way a debt or liability of the State, and such bonds shall so state, and bonds or other obligations issued by the commission pursuant to this act shall not be in any way a debt or liability of the State or of any county or municipality and shall not create or constitute any indebtedness, liability or

obligation of the State or of any county or municipality except of a county or municipality which in accordance with this act shall have guaranteed payment of the principal of and interest on such bonds. Nothing in this act contained shall be construed to authorize the commission to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality except as in this act expressly provided.

C. 4:25-18. Bonds and obligations negotiable.

18. Any provision of any law to the contrary notwithstanding, any bond or other obligation issued pursuant to this act shall be fully negotiable within the meaning and for all purposes of the negotiable instruments law of the State, and each holder or owner of such a bond or other obligation, or of any coupon appurtenant thereto, by accepting such bond or coupon shall be conclusively deemed to have agreed that such bond, obligation or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

C. 4:25-19. Acquisition of real property; procedure.

19. The commission is hereby empowered, in its own name but for the State, to acquire by purchase, gift, grant or devise and to take for public use real property within the State which may be deemed by the commission to be necessary for its purposes, including public lands and property in which any county, municipality or political subdivision of the State, or public body or agency of such political subdivision has any right, title or interest. The commission is hereby empowered to acquire and take such real property by condemnation, in the manner provided by chapter 1 of Title 20, Eminent Domain, of the Revised Statutes (R. S. 20:1–1 et seq.) and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of the State, all of the powers of the State to acquire or take property for public use.

Upon the filing of a complaint in any action to fix the compensation to be paid for any such property, or at any time thereafter, the commission may

file with the clerk of the county in which such property is located and also with the Clerk of the Superior Court a declaration of taking, signed by the commission, declaring that possession of 1 or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the commission. The said declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of land or property to be so taken sufficient for the identification thereof to which there may or may not be attached a plan or map thereof; (2) a statement of the estate or interest in the said land or property being taken; (3) a statement of the sum of money estimated by the commission by resolution to be just compensation for the taking of the estate or interest in each tract or parcel of land or property described in said declaration; and (4) that, in compliance with the provisions of this act, the commission has established and is maintaining a trust fund as hereinafter provided.

Upon the filing of the said declaration, the commission shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration. In addition to the said deposits with the Clerk of the Superior Court the commission at all times shall maintain a fund on deposit with a bank or trust company doing business in this State in an amount at least equal to the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court. Said fund shall consist of cash or securities readily convertible into cash constituting legal investments for trust funds under the laws of this State or may consist of all or some part of the proceeds of bonds of the commission held by any trustee for the holders of such bonds and available for payment for the land or other property described in such declarations of taking.

Said fund shall be held by or on behalf of the commission to secure and may be applied to the payment of just compensation for the land or other property described in such declarations of taking. The commission shall be entitled to withdraw from said fund from time to time so much as may then be in excess of the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court.

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

The commission shall cause notice of the filing of said declaration and the making of said deposit to be served upon each party to the action to fix the compensation to be paid, who resides in this State, either personally or by leaving a copy thereof at his residence, if known, and upon each such party who resides out of the State, by mailing a copy thereof to him at his residence, if known. In the event that the residence of any such party or the name of such party is unknown, such notice shall be published at least once in a newspaper published or circulating in the county or counties in which the land is located. Such service, mailing or publica-

tion shall be made within 10 days after filing such declaration. Upon the application of any party in interest and after notice to other parties in interest, including the commission, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof be paid forthwith to the person or persons entitled thereto for or on account of the just compensation to be awarded in said action; provided, that each such person shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the said action shall be less than the amount deposited, the court, after such notice as the court prescribes and hearing, may determine his liability, if any, for the return of such difference or any part thereof and enter judgment therefor. If the amount of the award as finally determined shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the commission the difference between the amount of the deposit and the amount of the award, with interest at the rate of 6% per annum thereon from the date of making the deposit. If the amount of the award shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the commission unless the amount of the deposit or any part thereof shall have theretofore been distributed, in which event the court, on application of the commission and notice to all persons interested in the award and after affording them an opportunity to be heard, shall enter judgment in favor of the commission for such difference against the party or parties liable for the return thereof.

The commission shall not abandon any condemnation proceedings subsequent to the date upon which it has taken possession of the land or property as herein provided.

C. 4:25-20. Additional powers.

20. In addition to other powers conferred by this act or by any other law, and not in limitation thereof, the commission, in connection with con-

struction or operation of any part of its market facility, shall have power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or any other equipment and appliances (herein called "facilities" of any public utility, as defined in section 48:2–13 of the Revised Statutes, in, on, along, over or under any real property of the commission. Whenever in connection with construction or operation of any part of the market facility, the commission shall determine that it is necessary that any such facilities located in, on, along, over or under any such real property, should be relocated in such real property, or should be removed therefrom, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the commission; provided, however, that the cost and expenses of such relocation or removal, including the cost of installing such facilities in a new location, or new locations, and the cost of any lands or any rights or interest in lands, or any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights or interests in lands or any other rights of the public utility paid to the public utility in connection with the relocation or removal of such property, shall be paid by the commission and may be included in the cost of such market facility. In case of any such relocation or removal of facilities, as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such facilities in their former location.

C. 4:25-21. Empowered to build roads, streets, etc.

21. For the purpose of aiding and co-operating in the planning, undertaking, acquisition, construction or operation of any project of the commission, any county or any municipality may: (a) acquire

real property in its name for any project or for the widening of existing roads, streets, parkways, avenues or highways or for new roads, streets, parkways, avenues or highways to any such project, or partly for such purposes and partly for other county or municipal purposes, by purchase or condemnation in the manner provided by law for the acquisition of real property by such county or municipality; (b) furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake; and (c) do any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation or any such project, and cause services to be furnished to the commission of the character which such county or municipality is otherwise empowered to furnish, and to incur the entire expense thereof.

C. 4:25-22. County or municipality empowered to give, lease, etc. property to commission.

22. Any county, by resolution of its governing body, or any municipality, by ordinance of its governing body, or any other person is hereby empowered, without any referendum or public or competitive bidding to sell, lease, lend, grant or convey to the commission or to permit the commission to use, maintain or operate as part of its market facility, any real or personal property owned by it which may be necessary or useful and convenient for the purposes of the commission and accepted by the commission. Any such sale, lease, loan, grant, conveyance or permit may be made with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such county, municipality or other person and which may be agreed to by the commission in conformity with its contracts with the holders of any bonds. Subject to any such contracts with holders of bonds, the commission may enter into and perform any and all agreements with respect to property so accepted by it, including agreements for the

assumption of principal or interest or both of indebtedness of such county, municipality or other person or of any mortgage or lien existing with respect to such property or for the operation and maintenance of such property as part of the market facility.

C. 4:25-23. Financing of commission by county or municipality; subsidy.

23. Any county or any municipality shall have power from time to time, pursuant to proper resolution or ordinance of its governing body, and for such period and upon such terms, with or without consideration, as may be provided in such resolution or ordinance and accepted by the commission (a) to appropriate money for all or any part of the cost of acquisition or construction of any project of the commission and, in accordance with the limitations and any exceptions thereto and in the manner or mode of procedure prescribed by the local bond law (article 1 of chapter 1 of Title 40 of the Revised Statutes or any supplement to or revision thereof hereafter adopted), to incur indebtedness, borrow money and issue its negotiable bonds for the purpose of financing such project and appropriation, and to pay the proceeds of such bonds to the commission; (b) to covenant and agree with the commission to pay to or on the order of the commission annually or at shorter intervals as a subsidy for the promotion of its purposes not exceeding such sums of money as may be stated in such resolution or ordinance; and (c) upon authorization by it in accordance with law of the performance of any act or thing which it is empowered by law to authorize and perform and after appropriation of the moneys (if any) necessary for such performance, to covenant and agree with the commission to do and perform such act or thing and as to the time, manner and other details of its doing and performance.

C. 4:25-24. Performance of contracts, covenants or agreements; security for bonds.

24. Every person, county or municipality which shall make any contract, covenant or agreement with the commission, or a pledge to the commission pursuant to this act, is hereby authorized and directed to do and perform any and all acts or things

necessary, convenient or desirable to carry out and perform the same and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations. Any such contract, covenant, agreement or pledge and any instruments making or evidencing the same, may be pledged or assigned by the commission to secure its bonds and thereafter may not be modified except as provided by the terms of such instrument or by the terms of such pledge or assignment.

C. 4:25-25. Bond guarantee.

25. Any county or municipality may, pursuant to resolution or ordinance duly adopted by its governing body in the manner provided for adoption of a resolution or ordinance authorizing bonds of such county or municipality as provided in the aforesaid local bond law and with or without consideration and upon such terms and conditions as may be agreed to by and between any such county or municipality and the commission, unconditionally guarantee the punctual payment of the principal of and interest on any bonds of the commission issued to finance any particular market project to be constructed or acquired in such county or municipality. Any guaranty of bonds of the commission made pursuant to this section shall be evidenced by endorsement thereof on such bonds, executed in the name of the county or municipality and on its behalf by such officer thereof as may be designated in the resolution or ordinance authorizing such guaranty, and such county or municipality shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of the commission may be made, and any resolution or ordinance authorizing such guaranty may be adopted, notwithstanding any statutory or other debt limitations, including particularly any limitation or requirement under or pursuant to the said local bond law but the principal amount of bonds so guaranteed, shall, after their issuance, be included in the gross debt of such county or munici-

pality for the purpose of determining the indebtedness of such county or municipality under or pursuant to said local bond law. The principal amount of said bonds so guaranteed shall be deducted and is hereby declared to be and to constitute a deduction from such gross indebtedness under and for all the purposes of said local bond law from and after the time of issuance of said bonds and for 3 years after the completion of acquisition or construction of the said market projects to be financed from the proceeds of such bonds, and for such longer period of time as the revenues of the commission in each year are adequate to pay the expenses of operation and maintenance of such market projects and at least equal to the amount payable in such year on account of the principal and interest on said guaranteed bonds and any bonds of such county or municipality issued as provided in this act, and all other bonds, notes or other obligations of the commission then or theretofore issued and outstanding under this act and payable in such year.

C. 4:25-26. Contracts authorized.

26. The commission and any person and any county by resolution of its governing body and any municipality by ordinance of its governing body, may enter into a contract or contracts providing for or relating to the use or lease of all or any part of the market facility of the commission and the cost and expense of such use. Any such contract may provide for the payment to the commission annually or otherwise of such sum or sums of moneys for such use, computed at fixed amounts or by a formula or in any other manner, as said contract or contracts may provide, and such contracts may provide that the sum or sums so payable to the commission shall be in lieu of all or any of the facility charges which would otherwise be charged and collected by the commission with regard to use of all or any part of the market facility. Any such contract may be made with or without consideration and for a specified or an unlimited time and on any terms and conditions which may be approved and agreed to by the commission in conformity with

its contracts with the holders of any bonds, and shall be valid whether or not an appropriation with respect thereto is made by any such county or municipality prior to authorization or execution thereof. Subject to any such contracts with the holders of bonds, the commission is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract, to waive, modify, suspend or reduce the facility charges which would otherwise be charged and collected by the commission with respect to the use of such market facility, but nothing in this section or any such contract shall prevent the commission from charging and collecting, as if such contract had not been made, facility charges with regard to such use, sufficient to meet any default or deficiency in any payments agreed in such contract to be made to the commission.

C. 4:25-27. Disposal of part or parts of market facility.

27. The commission may dispose of such part or parts of the market facility as may be no longer necessary for the purposes of the commission. The provisions of this section shall be deemed to constitute a part of the contract with the holder of any bonds.

C. 4:25-28. Property tax exempt.

28. All property of the commission shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same nor shall any judgment against the commission be a charge or lien upon its property; provided, that nothing herein contained shall apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by the commission on its facility revenues or other moneys.

C. 4:25-29. Payments in lieu of taxes.

29. The commission and every municipality in which any property of the commission is located are hereby authorized and empowered to enter into agreements with respect to the payment by the commission to such municipality of annual sums of money in lieu of taxes on such property in an amount not greater than (a) the amount of taxes

last paid on such property prior to its acquisition by the commission, or (b) the amount of taxes which would be due on such property for the year in which the agreement is executed, as if it were then subject to tax and as if it were then in the same condition it was in at the time of acquisition by the commission, whichever is greater. The amount described in (b), above, shall be determined by the Director of the Division of Taxation in the Department of the Treasury. He shall make the determination upon application by the commission and the municipality. The commission is empowered to make such payments and each such municipality is empowered to accept such payments and to apply them in the manner in which taxes may be applied in such municipality.

C. 4:25-30. Bonds legal investments.

30. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to this act, and such bonds shall be authorized security for any and all public deposits.

C. 4:25-31. Property, bonds and interest exempt from assessment or tax.

31. The market facility of the commission and all other properties of the commission are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof. All bonds issued pursuant to this act are hereby declared to be issued by a political subdivision of this State and for an essential public and governmental

purpose and to be a public instrumentality and such bonds, and the interest thereon and the income therefrom, and all facility charges, funds, revenues and other moneys pledged or available to pay or secure the payment of such bonds, or interest thereon, shall at all times be exempt from taxation except for transfer inheritance and estate taxes and taxes on transfers by or in contemplation of death.

C. 4:25-32. State pledges not to impair powers and rights of commission.

32. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds issued pursuant to a bond resolution of the commission adopted pursuant to this act that the State will not limit or alter the rights hereby vested in the commission to acquire, construct, maintain, reconstruct and operate its market facility, or to fix, establish, charge and collect its facility charges and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, so as to impair in any way the rights or remedies of such holders, and will not modify in any way the exemptions from taxation provided for in this act, until the bonds, together with interest thereon, with interest on any unpaid instalments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

C. 4:25-33. Security for deposits of commission given by banks.

33. All banks, bankers, trust companies, savings banks, investment companies and other persons carrying on a banking business are hereby authorized to give to the commission a good and sufficient undertaking with such sureties as shall be approved by the commission to the effect that such bank or banking institution as hereinbefore described shall faithfully keep and pay over to the order of or upon the warrant of the commission or its authorized agent all such funds as may be deposited with it by the commission and agreed interest thereon, at such times or upon such demands as may be agreed with the commission or in lieu of such sureties, deposit with the commission or its authorized agent or any trustee therefor or for the holders of

any bonds, as collateral, such securities as the commission may approve. The deposits of the commission may be evidenced by a depository collateral agreement in such form and upon such terms and conditions as may be agreed upon by the commission and such bank or banking institution.

C. 4:25-34. Annual audit; filing.

34. The commission shall cause an annual audit of its accounts to be made, and for this purpose it shall employ a registered municipal accountant of New Jersey or a certified public accountant of New Jersey. The audit shall be completed and filed with the commission within 4 months after the close of the fiscal year of the commission and certified duplicate copies thereof shall be filed in the office of the Secretary of Agriculture and in the office of the Director of the Division of Local Government in the Department of the Treasury within 5 days after the original report is filed with the commission.

C. 4:25-35. Copies of bond resolution filed; annual budget; filing.

35. The commission shall file in the office of the Secretary of Agriculture and in the office of the Director of the Division of Local Government in the Department of the Treasury, certified copies of each bond resolution adopted by it, together with a certified summary of the dates, amounts, maturities and interest rates of all bonds to be issued pursuant thereto prior to the issuance of any such bonds. The commission shall adopt an annual budget of its operating expenditures and of its capital expenditures for and with respect to each fiscal year. Upon the adoption of each annual budget of the commission or amendment thereof, certified copies thereof shall be filed forthwith in the office of the Secretary of Agriculture and in the office of the Director of the Division of Local Government in the Department of the Treasury.

C. 4:25-36. Bans stockyard or slaughterhouse.

36. Nothing in this act shall authorize the commission to establish or maintain any building or structure as a stockyard or slaughterhouse.

C. 4:25-37. Act to be liberally construed.

37. This act shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every act and thing herein authorized, and the

commission shall not be subject to, or constitute a county or municipality or agency or component of a municipality subject to, the provisions of chapter 50 or any other provisions of Title 40 of the Revised Statutes, or be subject to regulation as to its facility charges by any officer, board, agency, commission or other office of the State.

C. 4:25-38. Provisions severable.

38. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective, it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of act in any 1 or more instances or under any 1 or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

39. This act shall take effect immediately.

Approved May 2, 1960.

CHAPTER 19

AN ACT concerning coroners in certain cases.

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

C. 40:21-24.1. Coroners, powers and duties.

1. In any county other than a county of the first class in which there is a county physician but which has no chief medical examiner, the board of chosen freeholders may, by resolution, prescribe that in all cases in which any person shall die in prison, or casualty or by suicide, or suddenly when in apparent health, or when unattended by a physician, or within 24 hours after admission to a hospital or institution, or in a suspicious or unusual manner or under any of the above circumstances in any institution located in the county and maintained, in whole or in part, at the expense of the State or county, a county physician or a coroner shall view the body and make all proper inquiries respecting the cause and manner of the death and if such view and inquiry are made by a coroner, the said coroner shall have all the powers prescribed, and shall perform all the duties imposed upon coroners, in counties having no county physician, by section 40:40–6 of the Revised Statutes and by chapter 404 of the laws of 1947 and if he shall be of the opinion that there is cause to suspect that the person whose body he has been called to view came to his death by murder or manslaughter, he may issue a precept for the summoning of a jury of inquisition and hold an inquest and make return thereof according to law without any request of the county physician.

2. This act shall take effect immediately.

Approved May 2, 1960.

CHAPTER 20

AN ACT concerning soil conservation districts and amending section 4:24–22 of the Revised Statutes.

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

1. Section 4:24–22 of the Revised Statutes is amended to read as follows: Section amended.

4:24–22. A soil conservation district organized under the provisions of this chapter shall constitute a governmental subdivision of this State, and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this chapter: District a governmental subdivision and body corporate; powers of districts and supervisors.

a. To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in co-operation with the agricultural experiment stations or any other agency of this State, as may be dealing with allied problems;

b. To conduct in co-operation with existing State agencies, projects within the district on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the owner thereof, or those who have rights or interests in such lands, in order to demonstrate methods of soil erosion control;

c. To carry out preventive and control measures within the district including but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land, on lands owned or controlled by this State or any of its agencies, with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district;

d. To co-operate, or enter into agreements with, and within the limits of appropriations duly made available to it by law, to furnish financial or other aid to, any agency, governmental or otherwise, or any owner of lands within the district, in the carrying on of erosion control and prevention operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

e. To acquire machinery and other necessary personal property, to make provision for its safekeeping and to dispose of said property when no longer needed;

f. To make available, on such terms as it shall prescribe, to landowners within the district, agricultural and engineering machinery and equipment, as will assist such landowners to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion;

g. To construct, improve, and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

h. To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specifications of engineering operations, methods of cultivation, the growing of vegetation, cropping programs,

tillage practices, and changes in use of land; and to publish such plans and information and bring them to the attention of owners of lands within the district;

i. To act as agent for the United States, or any of its agencies, or for this State or any of its agencies, in connection with any soil-conservation, erosion-control, or erosion-prevention project within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this State or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

j. To sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations, not inconsistent with this chapter, to carry into effect its purposes and powers;

k. To acquire, by gift, devise, purchase or condemnation, any real property located within the district, or any interest or estate therein, which is required for the proper exercise by the district of its powers; provided, however, that the district shall not acquire any real property, or interest or estate therein, by condemnation without first obtaining the approval of the Secretary of Agriculture and the Commissioner of Conservation and Economic Development.

l. As a condition to the extending of any benefits under this chapter, to, or the performance of work upon, any lands not owned or controlled by this State or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require landowners to enter into

and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon;

m. To borrow money for the purchase of equipment, either with or without security;

n. No provisions with respect to the acquisition, operations, or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the Legislature shall specifically so state.

2. This act shall take effect immediately.

Approved May 10, 1960.

CHAPTER 21

AN ACT to amend "An act imposing a tax on the sale, delivery, or use within the State of feeds and grains for use within the State for poultry, providing for the use of the proceeds of the tax and for the collection of the tax imposed, providing penalties for violations, creating the New Jersey Poultry Products Promotion Council, and prescribing its powers and duties, and making an appropriation," approved May 17, 1957 (P. L. 1957, c. 47), as said title was amended by chapter 96 of P. L. 1957.

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

Section amended.

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

C. 54:47A-2. Terms defined.

2. The following words and phrases, when used in this act, shall have the meanings respectively ascribed to them:

"Council" the agency created by this act.

"Department" the Department of Agriculture of the State of New Jersey.

"Distributor of poultry feed" any person who sells feed or grain for poultry consumption, or who imports feed or grain or raises grain for his own use as a grower or jointly for his own use as a grower and for use by other growers.

"Grower" any person who produces or causes to be produced poultry products in this State.

"Poultry" chickens and turkeys.

"Poultry feed" feed and grain for use and consumption by poultry.

"Poultry product" poultry eggs for table use, hatching or other purposes or poultry produced for meat, breeding or other purposes.

2. This act shall take effect July 1, 1960. Note: Act effective.

Approved May 10, 1960.

CHAPTER 22

AN ACT concerning the State Highway Department and designating a portion of Route No. 18 as a freeway and supplementing Title 27 of the Revised Statutes.

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

1. All that portion of State Highway Route No. 18, beginning at its intersection with State Highway Route U. S. 9 south of Browntown, Madison township, Middlesex county, and thence southeastwardly to the vicinity of Eatontown, Monmouth county, to the freeway created by chapter 103, laws of 1958 at State Highway Route 35, is hereby designated as a freeway as defined in chapter 83 of the laws of 1945. R. S. 27:6-1. Designated a freeway.

2. This act shall take effect immediately.

Approved May 10, 1960.

CHAPTER 23

AN ACT validating the sale of certain lands, tenements, hereditaments or real estate heretofore made under any decree, judgment or order of any court of this State, and any execution or other process heretofore issued thereon.

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

Validates sale of certain lands.

1. No sale of any lands, tenements, hereditaments or real estate heretofore made by virtue of any decree, order or judgment of any court of this State, or any execution or other process heretofore issued thereon, shall be invalidated by reason of any omission to publish notice of such sale in the number and type of newspapers then required by law; provided that notice of such sale was published 4 times, at least once a week, during 4 consecutive weeks, in 1 newspaper printed in the county where said lands, tenements, hereditaments or real estate is situate and published at the county seat of such county, the first publication being at least 21 days prior and the last publication not more than 8 days prior to the time appointed for the sale of such lands, tenements, hereditaments or real estate; and provided further that no otherwise timely action, suit or proceeding of any nature respecting the validity of such sale execution or other process shall have been instituted prior to the 31st day following the effective date of this act.

2. This act shall take effect immediately.

Approved May 10, 1960.

CHAPTER 24

AN ACT providing for reimbursement to counties for certain expenses incurred in connection with the prosecution and defense of defendants accused of committing crimes in State penal or correctional institutions.

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

C. 2A:166A-1. State to reimburse county for trial expense.

1. Any county which incurs expense in connection with the prosecution and defense of a defendant charged with commission of a capital offense while confined to a State penal or correctional institution located in the county shall be entitled to reimbursement therefor by the State in amounts not to exceed the following:

a. $500.00 for any case, whether or not the same is brought to trial, plus

b. $750.00 for each trial day, plus

c. The actual expense of printing required in connection with any appeal from the judgment of the trial court.

C. 2A:166A-2. Limitation.

2. The expenses for which a county shall be entitled to reimbursement shall be limited to fees allowed to counsel assigned by the trial court pursuant to section 2A:163–1 of the New Jersey Statutes, juror and expert witness fees, the costs of sequestering jurors and jury attendants, the cost of transcripts of court proceedings, and the costs of printing in connection with any appeal.

C. 2A:166A-3. Approval of claim.

3. Claims for reimbursement shall bear the approval of the trial judge and shall be certified to the administrative director of the courts by the assignment judge of the county for payment by the State Treasurer from funds appropriated for the administration of the courts. The administrative director of the courts shall formulate and include

in annual budget requests sums necessary to carry out the provisions of this act.

C. 2A:166A-3. Act effective.

4. This act shall take effect immediately and shall apply to expenses incurred on and after September 1, 1959.

Approved May 10, 1960.

CHAPTER 25

AN ACT concerning county district courts and amending section 2A:6–14 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:6–14 of the New Jersey Statutes is amended to read as follows:

Salaries district court judges.

2A:6–14. The annual salary of each judge of a county district court in counties of this State shall be as follows:

In counties of the first class having judges who devote their entire time to their duties and are prohibited from practicing of law, $14,000.00.

In counties of the second class having less than 500,000 and more than 325,000 inhabitants and having 5 judges, $6,000.00.

In counties of the second class having less than 325,000 inhabitants and more than 300,000 inhabitants and having 4 judges, $7,500.00.

In counties of the second class having less than 300,000 inhabitants, and more than 250,000 inhabitants and having 1 judge, $9,000.00.

In counties of the second class having less than 250,000 inhabitants and having 2 judges, $6,000.00.

In counties of the third class having less than 200,000 inhabitants and more than 150,000 inhabitants and having 1 judge, $8,000.00.

In counties of the third class having less than 150,000 inhabitants and more than 75,000 inhabitants and having 3 judges, $4,000.00.

In counties of the third class having less than 75,000 inhabitants and having 1 judge, $5,000.00.

In counties of the fourth class having less than 30,000 inhabitants and having 1 judge, $3,500.00.

In counties of the fifth class having more than 150,000 inhabitants and having 2 judges, $7,500.00.

In counties of the fifth class having less than 150,000 inhabitants and having 1 judge, $9,000.00.

All such salaries shall be payable in the same manner as other salaries payable by a county.

In each such county having more than 1 county district court judge, the judge designated as presiding judge shall receive extra compensation in addition to his salary, at the rate of $500.00 per annum for the time during which he shall act as presiding judge.

2. This act shall take effect immediately.

Approved May 10, 1960.

CHAPTER 26

AN ACT concerning the carrying of concealed weapons and amending section 2A:151–41 of the New Jersey Statutes.

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

1. Section 2A:151–41 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:151–41. Except as hereinafter provided, any person who carries in any automobile, carriage, motor cycle or other vehicle, or concealed on or about his clothes or person, or otherwise concealed in his possession: Carrying concealed weapons; penalty; license to carry pistol or revolver.

a. A pistol, revolver or other firearm without first having obtained a permit to carry the same in accordance with the provisions of this chapter; or

b. Any instrument of the kinds known as a blackjack, slung shot, billy, sandclub, sandbag, bludgeon, metal knuckles, cestus or similar leather band studded with metal for fitting on the knuckles, loose wool impregnated with metal filings, or razor blades imbedded in wood slivers, dagger, dirk, dangerous knife, stiletto, bomb or any high explosive, other than fixed ammunition—

Is guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved May 12, 1960.

CHAPTER 27

AN ACT authorizing the construction of a central office building for the Department of Labor and Industry, making appropriations of funds therefor, and supplementing chapter 5 of the laws of 1959 as amended and supplemented.

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

Building authorized.

1. A central office building for the Department of Labor and Industry in the city of Trenton is hereby authorized, and the Director of the Division of Purchase and Property is directed to proceed with the construction and all things necessary and incidental to the construction thereof.

Appropriation.

2. Pursuant to the provisions of the Employment Security Administrative Financing Act of 1954 (Public Law 567, 83rd Congress of the United States), hereinafter designated the "Reed Act," there is hereby appropriated from the money credited under the Reed Act to the account of this

State in the Unemployment Trust Fund, hereinafter designated the "Reed Act money," the sum of $4,438,888.76, for the purposes stated in section 4 hereof.

Appropriation.

3. There is hereby appropriated from the Unemployment Compensation Auxiliary Fund established under the Unemployment Compensation Law of this State (R. S. 43:21–1 et seq.), the sum of $5,561,111.24 or so much thereof as may be necessary to fulfill the purposes stated in section 4 hereof to the extent that the Reed Act money heretofore and herein appropriated is insufficient or unavailable to fulfill those purposes.

Use of funds

4. The funds herein appropriated shall be used to construct and to do all things necessary and incidental to the construction of the central office building authorized by section 1 hereof, except that Reed Act money herein appropriated shall be used only for obligations directly chargeable, or, where not so chargeable, properly allocable, to the costs of construction and of things necessary and incidental to the construction of said building, only insofar as the same are related to the provision of space in said building to meet present and anticipated future needs for the administration of the Unemployment Compensation Law of this State and the furnishing of public employment services, and except that Reed Act money herein appropriated may not be used to meet expenses incurred on or before the date of enactment of this act.

Money obligated for 2 years.

5. The Reed Act money herein appropriated shall be obligated for the purposes stated and limited in section 4 hereof within the 2-year period which begins on the date of enactment of this act.

Limitation on amount obligated.

6. The amount of Reed Act money herein appropriated which may be obligated during any fiscal year within said 2-year period shall not exceed the amount by which the aggregate of the Reed Act money credited to the account of this State during that fiscal year and the 4 preceding fiscal years exceeds the aggregate of the amounts

obligated for the payment of expenses of administration and paid out for benefits during such 5 fiscal years.

Provision for paying administrative expenses.

7. Reed Act money appropriated as provided herein for the payment of expenses of administration shall be requisitioned from time to time by the Division of Employment Security as needed for the payment of obligations incurred hereunder and upon requisition shall be deposited in the Unemployment Compensation Administration Fund from which such payments shall be made. Money so deposited shall, until expended, remain a part of the unemployment compensation fund. If such money will not be expended it shall be returned promptly to the Secretary of the Treasury of the United States for credit to this State's account in the Unemployment Trust Fund.

Records kept.

8. The Director of the Division of Purchase and Property shall cause proper records to be kept and maintained of the costs and expenses directly chargeable to employment security purposes, and to the extent that the same are not directly chargeable, to compute, by methods consistent with the requirements of applicable Federal law, the amount or share properly allocable to such purposes.

9. This act shall take effect immediately.

Approved May 16, 1960.

CHAPTER 28

AN ACT concerning unemployment compensation, supplementing chapter 21 of Title 43 and amending sections 43:21–9 and 43:21–13 of the Revised Statutes.

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

C. 43:21-7.1. The term "balance" not to include certain moneys.

1. The "balance" in the unemployment trust fund as the term is used in subparagraphs (A) and (B) of section 43:21–7 (c) (5) of the Revised Statutes shall not include moneys credited to the State's account under section 903 of the Social Security Act, as amended, during any period in which such moneys are appropriated by the State for the payment of expenses incurred in the administration of this chapter.

Section amended.

2. Section 43:21–9 of the Revised Statutes is amended to read as follows:

Unemployment compensation fund.

43:21–9. (a) Establishment and control. There is hereby established as a special fund, separate and apart from all public moneys or funds of this State, an unemployment compensation fund, which shall be administered by the division exclusively for the purpose of this chapter (R. S. 43:21–1 et seq.). This fund shall consist of (1) all contributions collected under this chapter (R. S. 43:21–1 et seq.); (2) interest earned upon any moneys in the fund; (3) any property or securities acquired through the use of moneys belonging to the fund; (4) all earnings on such property or securities; (5) all moneys credited to this State's account in the unemployment trust fund pursuant to section 903 of the Social Security Act, as amended; and (6) all moneys received for the fund from any other source. All moneys in this fund shall be mingled and undivided.

(b) Accounts and deposits. The Treasurer of the State of New Jersey shall be ex officio the treasurer and custodian of the fund and shall administer such fund in accordance with the directions of the division and shall issue his warrants upon it in accordance with such regulations as the division shall prescribe. He shall maintain within the fund 3 separate accounts: (1) a clearing account, (2) an unemployment trust fund account, and (3) a benefit account. All moneys payable to the fund, upon receipt thereof by the division, shall be forwarded to the treasurer, who shall immediately deposit them in the clearing account. Refunds payable pursuant to subsection (f) of section 43:21–14 of this Title may be paid from the clearing account upon warrants issued by the treasurer under the direction of the division. After clearance thereof, all other moneys in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the credit of the account of this State in the unemployment trust fund, established and maintained pursuant to section 904 of the Social Security Act, as amended, any provisions of law in this State relating to the deposit, administration, release or disbursement of moneys in the possession or custody of this State to the contrary notwithstanding. The benefit account shall consist of all moneys requisitioned from this State's account in the unemployment trust fund. Moneys in the clearing and benefit accounts may be deposited by the treasurer, under the direction of the division in any bank or public depository in which general funds of the State may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The treasurer shall give a separate bond conditioned upon the faithful performance of his duties as custodian of the fund in an amount fixed by the division and in a form prescribed by law or approved by the Attorney General. Premiums for said bond shall be paid from the administration fund.

(c) Withdrawals from the unemployment trust fund.

(1) Benefit payments. Moneys requisitioned from this State's account in the unemployment trust fund shall be used solely for the payment of benefits and in accordance with regulations prescribed by the division, except that money credited to this State's account pursuant to section 903 of the Social Security Act, as amended, may be used for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) as provided in paragraph (2) of this subsection. The division shall from time to time requisition from the unemployment trust fund such amounts, not exceeding the amounts standing to its account therein, as it deems necessary for the payment of benefits for a reasonable future period. Upon receipt thereof the treasurer shall deposit such moneys in the benefit account, and the payment of benefits shall be made solely from such benefit account. Expenditures of such moneys in the benefit account and refunds from the clearing account shall not be subject to any provisions of law requiring specific appropriations or other formal release by State officers of money in their custody. All warrants for the payment of benefits shall be issued by and bear only the signature of the director or his duly authorized agent for that purpose. All warrants for the payment of refunds shall be issued by the treasurer and bear the signature of the treasurer and the counter-signature of the director or his duly authorized agent for that purpose. Any balance of moneys requisitioned from the unemployment trust fund which remains unclaimed or unpaid in the benefit account after the expiration of the period for which such sums were requisitioned shall either be deducted from estimates for, and may be utilized for the payment of, benefits during succeeding periods, or, in the discretion of the division, shall be redeposited with the Secretary of the Treasury of the United States of America, to the credit of

this State's account in the unemployment trust fund, as provided in subsection (b) of this section.

(2) Administrative use. Moneys credited to the account of this State by the Secretary of the Treasury of the United States in the unemployment trust fund pursuant to section 903 of the Social Security Act, as amended, may be requisitioned and used for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the moneys are requisitioned after the enactment of an appropriation law which

(A) specifies the purposes for which such moneys are appropriated and the amounts appropriated therefor;

(B) limits the period within which such moneys may be obligated to a period ending not more than 2 years after the date of the enactment of the appropriation law; and

(C) limits the moneys which may be obligated during a 12-month period beginning on July 1 and ending on the next June 30 to a sum which does not exceed the amount by which the aggregate of the moneys credited to the account of this State pursuant to section 903 of the Social Security Act, as amended, during the same 12-month period and the 4 preceding 12-month periods, exceeds the aggregate of moneys obligated for the payment of expenses incurred for the administration of this chapter (R. S. 43:21–1 et seq.) and the moneys paid out for benefits which is charged against the moneys credited to the account of this State during such 5 12-month periods.

Moneys credited to this State's account in the unemployment trust fund under section 903 of the Social Security Act (42 U. S. C. 1103), as amended, which are obligated for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) or paid out for benefits shall be

charged against equivalent amounts which were first credited and which are not already so charged; except that no moneys obligated for the payment of expenses for the administration of this chapter (R. S. 43:21–1 et seq.) during a 12-month period specified herein may be charged against any amount credited during such a 12-month period earlier than the fourth preceding such period.

Money appropriated as provided herein for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and upon requisition shall be deposited in the Unemployment Compensation Administration Fund from which such payments shall be made. Money so deposited shall, until expended, remain a part of the unemployment compensation fund. If such money will not be expended it shall be returned promptly to the Secretary of the Treasury of the United States for credit to this State's account in the unemployment trust fund. The division shall maintain a separate record of the credits, appropriation, obligation and expenditure of the money credited to the account of this State in the unemployment trust fund pursuant to section 903 of the Social Security Act.

(d) Management of funds upon discontinuance of unemployment trust fund. The provisions of subsections (a), (b) and (c) to the extent that they relate to the unemployment trust fund shall be operative only so long as such unemployment trust fund continues to exist and so long as the Secretary of the Treasury of the United States of America continues to maintain for this State a separate book account of all funds deposited therein by this State for benefit purposes, together with this State's proportionate share of the earnings of such unemployment trust fund, from which no other State is permitted to make withdrawals. If and when such unemployment trust fund ceases to exist, or such separate book account is no longer maintained, all

moneys, properties, or securities therein, belonging to the unemployment compensation fund of this State shall be transferred to the treasurer of the unemployment compensation fund, who shall hold, invest, transfer, sell, deposit and release such moneys, properties or securities in a manner approved by the division, in accordance with the provisions of this chapter; provided, that such moneys shall be invested in the following readily marketable classes of securities: Bonds or other interest-bearing obligations of the United States of America and of the State of New Jersey; and provided, further, that such investment shall at all times be so made that all the assets of the fund shall always be readily convertible into cash when needed for the payment of benefits. The treasurer shall dispose of securities or other properties belonging to the unemployment compensation fund only under the direction of the division.

Section amended.

3. Section 43:21–13 of the Revised Statutes is amended to read as follows:

Unemployment compensation administration fund.

43:21–13. (a) Administration fund. There is hereby created in the State treasury a special fund to be known as the Unemployment Compensation Administration Fund. All moneys which are deposited or paid into this fund are hereby appropriated and made available to the Division of Employment Security of the Department of Labor and Industry of the State of New Jersey. All moneys in this fund shall be expended solely for the purpose of defraying the cost of the administration of this chapter (R. S. 43:21–1 et seq.), except that moneys requisitioned and deposited therein pursuant to paragraph 43:21–9 (c) (2) of this Title shall remain part of the unemployment compensation fund and shall be used only in accordance with said paragraph. The fund shall consist of all moneys appropriated by this State, and all moneys received from the United States of America, or any agency thereof, or from any other source (excepting moneys provided for in subsec-

tion (g) of section 43:21–14 and subsections (a), (b), (c) and (e) of section 43:21–16) for the administration of this chapter (R. S. 43:21–1 et seq.); all moneys received from the United States of America, or any agency thereof, or from any other State, or agency thereof, as compensation for services or facilities supplied thereto; all moneys received pursuant to any surety bond or insurance policy or from other sources for losses sustained by the Unemployment Compensation Administration Fund, or by reason of damage to property, equipment or supplies purchased from moneys in such fund; and all proceeds realized from the sale or disposition of any such property, equipment or supplies which may no longer be necessary for the proper administration of this chapter (R. S. 43:21–1 et seq.). All moneys in this fund received from the United States of America, or any agency thereof, under Title III of the Social Security Act (42 U. S. C. 501 et seq.), as amended or the Wagner-Peyser Act, as amended, shall be expended solely for the purposes, and in the amounts, found necessary by the Secretary of Labor of the United States for the proper and efficient administration of this chapter (R. S. 43:21–1 et seq.). All moneys in this fund shall be deposited, administered, and disbursed, in the same manner and under the same conditions and requirements provided by law for other special funds in the State treasury. Any balances in this fund shall not lapse at any time, but shall be continuously available to the Division of Employment Security of the Department of Labor and Industry of the State of New Jersey for expenditure consistent with this chapter (R. S. 43:21–1 et seq.). The State Treasurer shall give a separate and additional bond conditioned upon the faithful performance of his duties in connection with the Unemployment Compensation Administration Fund in an amount to be fixed by the Division of Employment Security of the Department of Labor and Industry of the State of New Jersey and in a form prescribed by law or approved by the

Attorney General. The premiums for such bond and the premiums for the bond given by the treasurer of the unemployment compensation fund under section 43:21–9 of this chapter (R. S. 43:21–1 et seq.) shall be paid from the moneys in the Unemployment Compensation Administration Fund.

(b) Reimbursement of fund. If any moneys in the Unemployment Compensation Administration Fund paid to this State under Title III of the Social Security Act, as amended, or the Wagner-Peyser Act, as amended, are found by the Secretary of Labor of the United States, because of any action or contingency, to have been lost or to have been expended for purposes other than, or in amounts in excess of, those found necessary by the Secretary of Labor of the United States for the proper administration of this chapter (R. S. 43:21–1 et seq.), it is the policy of this State that such moneys shall be replaced by moneys appropriated for such purpose from the general funds of this State to the Unemployment Compensation Administration Fund for expenditure as provided in subsection (a) of this section. Upon receipt of notice of such a finding by the Secretary of Labor of the United States, the Division of Employment Security of the Department of Labor and Industry of the State of New Jersey shall promptly report the amount required for such replacement to the Governor, and the Governor shall, at the earliest opportunity, submit to the Legislature a request for the appropriation of such amount.

4. This act shall take effect immediately.

Approved May 16, 1960.

CHAPTER 29

AN ACT creating an Eminent Domain Revision Commission and prescribing its powers and duties.

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

C. 1:16-1. Eminent Domain Revision Commission created.

1. There is hereby created an Eminent Domain Revision Commission which shall consist of 3 members of the Senate to be appointed by the President thereof; 3 members of the General Assembly to be appointed by the Speaker thereof, and 3 citizens of this State to be appointed by the Governor, the membership of each group of 3 members to be apportioned on the basis of 2 members to 1 member between the prevailing majority and minority political parties, all of whom shall serve without compensation but shall be entitled to receive their necessary expenses in performing their duties. Each of the members of the commission appointed from either house of the Legislature shall serve so long as he shall be a member of the Senate or of the General Assembly, as the case may be. In case of a vacancy, the same shall be filled in the same manner as the original appointment was made.

C. 1:16-2. Organization.

2. The commission shall organize as soon as may be after the appointment of its members and shall elect a chairman from among its members. The law revision and legislative services commission shall furnish a secretary for the commission who shall perform said services without additional compensation therefor.

C. 1:16-3. Advisory and consulting committee.

3. The Governor may appoint an advisory and consulting committee of such number as he may designate from among the citizens of this State, who shall act in an advisory capacity to the commission and shall be consulted by it in the performance of the duties imposed upon it by this act.

C. 1:16-4. Duties.

4. It shall be the duty of said commission to study and prepare a proposed revision or revisions of the statute governing eminent domain as set forth in R. S. 20:1–1 et seq. and other statutes relating to the taking of property for public use, for enactment by the Legislature, if it shall so determine, in such manner that conflicting and overlapping provisions shall be reconciled; vague, uncertain, confusing and redundant expressions may be clarified or excised; amendments and supplements suggested and considered by court decisions or otherwise relating to the basis of just compensation and the procedure for fixing and determining the same be devised; and that said statute shall be made as uniform as possible with respect to matters of basic policy and statutory provisions.

C. 1:16-5. Performance and supervision of work.

5. In the performance of said work the commission shall establish and maintain a working staff and said work shall be performed under the general supervision, as to form, arrangement and classification of revised material, of the law revision and legislative services commission or an officer or employee thereof designated by said commission, in order that the integrity of the general arrangement and classification adopted in the Revised Statutes may be maintained but said work in all other respects shall at all times be under the supervision and control of the commission constituted by this act.

C. 1:16-6. Assistance by other departments, etc.

6. The commission shall be entitled to accept the assistance and services of such employees of any State, county or municipal department, board, bureau, commission or agency as may be made available to it and to employ such legal, stenographic, technical and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for its said purposes.

C. 1:16-7. Commission to consult with advisory committee.

7. In the progress of said work, said commission shall from time to time consult with the members of the advisory committee hereinbefore provided for and receive and consider such recommendations as may from time to time be made by such members of said advisory committee, or by the citizens of the State.

C. 1:16-8. Report and recommendations.

8. The commission shall prepare and submit to the Legislature and to the Governor a report setting forth inter alia the text of the recommended revision in the form of a legislative bill or legislative bills, statements of the basic policy determinations involved therein and the changes in existing law which said proposed revision will accomplish, as soon as may be feasible.

9. This act shall take effect immediately.

Approved May 17, 1960.

CHAPTER 30

AN ACT to amend "An act providing for the New Jersey Tercentenary Commission to formulate and implement plans to commemorate the three hundredth anniversary of New Jersey, and making an appropriation therefor," approved June 24, 1958 (P. L. 1958, c. 78), and to amend the title thereof.

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

Title amended

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

New title.

An act providing for the New Jersey Tercentenary Commission to formulate and implement plans for the 1964 World's Fair and to commemorate the

three hundredth anniversary of New Jersey, and making an appropriation therefor.

Section amended.

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

Duty.

3. It shall be the duty of the commission to formulate and implement a 5-year program for the proper observance of the beginnings of New Jersey and its subsequent role in the lives of the people of this State and Nation. This program shall be planned for its lasting effect, for its contributions to the preservation and interpretation of New Jersey's heritage, and stimulate and co-ordinate the activities of Federal, State, municipal and private agencies and organizations. This program shall include such activities as the commission deems desirable and practicable and may include the publication of a tercentenary history of New Jersey and other materials, the arrangement of public ceremonies observing a series of anniversaries occurring between 1959 and 1964, the microfilming or duplicating of source materials located outside of New Jersey, the resumption of the publication of "New Jersey Archives," the arrangement for the rehabilitation of the State's historic sites, buildings and markers, and the establishment and maintenance of a publicity service to further the objectives of the commission.

The commission shall also co-operate with the appropriate officials and arrange for the participation by the State in the World's Fair to be held in the New York metropolitan area in 1964.

3. This act shall take effect immediately.

Approved May 18, 1960.

CHAPTER 31

AN ACT concerning corporations and amending section 14:8–10 of the Revised Statutes.

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

1. Section 14:8–10 of the Revised Statutes is amended to read as follows: Section amended.

14:8–10. No corporation shall loan money to a stockholder or officer thereof, except that a small business investment company as defined in and operating pursuant to the provisions of an act of Congress entitled "Small Business Investment Act of 1958" shall have the power to lend money to a small business concern as defined in said act, even though such small business concern is or becomes a stockholder of such small business investment company, without violating this section. If any such loan be made in violation of this section the officers who make it, or assent thereto, shall be jointly and severally liable, to the extent of such loan and interest, for all the debts of the corporation until the repayment of the sum so loaned. Loans to stockholders and officers prohibited; exception.

2. This act shall take effect immediately.

Approved May 23, 1960.

CHAPTER 32

AN ACT relating to the licensing, regulation and supervision of surplus line agents; providing for the placement of insurance with unauthorized insurers and establishing a surplus lines examining office in the Department of Banking and Insurance and providing an appropriation there-

for; and repealing section 21 of "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters 22, 32 and 36 of Title 17 of the Revised Statutes and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section 1 of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter 22 of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May 16, 1941 (P. L. 1941, c. 118)" approved April 20, 1944 (P. L. 1944, c. 175), and repealing sections 2, 3, 4, 5, 6 and 7 of "An act to amend and supplement 'An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters 22, 32 and 36 of Title 17 of the Revised Statutes, and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section 1 of "An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter 22 of Title 17, and amending section 17:33–1 of the Revised Statutes" approved May 16, 1941 (P. L. 1941, c. 118)' approved April 20, 1944 (P. L. 1944, c. 175) and to repeal section 17:36–1 of the Revised Statutes" approved October 28, 1948 (P. L. 1948, c. 462).

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

C. 17:22-6.68. Section repealed.

1. Section 21 of "An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supple-

menting chapters 22, 32 and 36 of Title 17 of the Revised Statutes and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section 1 of 'An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter 22 of Title 17, and amending section 17:33–1 of the Revised Statutes,' approved May 16, 1941 (P. L. 1941, c. 118)'' approved April 20, 1944 (P. L. 1944, c. 175) is repealed.

C. 17:22-6.69. Sections repealed.

2. Sections 2, 3, 4, 5, 6 and 7 of ''An act to amend and supplement 'An act relating to the licensing, regulation and supervision of insurance agents, insurance brokers and insurance solicitors, supplementing chapters 22, 32 and 36 of Title 17 of the Revised Statutes, and repealing sections 17:22–1, 17:22–2, 17:22–3, 17:22–4, 17:22–5, 17:23–3, 17:32–6 and 17:32–11 of the Revised Statutes and section 1 of ''An act concerning the licensing of agents for insurance companies in certain cases, supplementing chapter 22 of Title 17, and amending section 17:33–1 of the Revised Statutes'' approved May 16, 1941 (P. L. 1941, c. 118)' approved April 20, 1944 (P. L. 1944, c. 175) and to repeal section 17:36–1 of the Revised Statutes'' approved October 28, 1948 (P. L. 1948, c. 462) are repealed.

C. 17:22-6.37. Representing or aiding unauthorized insurer prohibited.

3. No person shall in this State directly or indirectly act as agent for, or otherwise represent or aid on behalf of another, any insurer not then authorized to transact such insurance in this State, in the solicitation, negotiation, procurement or effectuation of insurance or annuity contracts, or renewals thereof, or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or fixing of rates, or investigation or adjustment of claims or losses, or collection or forwarding of premiums, or in any other manner represent or assist such an insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this State. Except that, the holder of an insurance

broker's license shall have authority on behalf of a prospective assured to negotiate and deal with a surplus lines agent to effect any such transaction, collect the insurance premium therefor from the assured, and receive from the said surplus lines agent a share of any commission or brokerage fee earned by the said surplus lines agent in connection therewith.

This section does not apply to:

(a) Matters authorized to be done by the commissioner under the unauthorized insurers process law, (N. J. S. A. 17:51–1 et seq.);

(b) Surplus lines insurance when written pursuant to the surplus lines law;

(c) Transactions as to which a certificate of authority is not required of an insurer under the insurance laws of the State of New Jersey;

(d) Reinsurance effectuated in accordance with the laws of New Jersey.

(e) Railroad or aviation risks engaged in interstate or international commerce and wet marine risks engaged in international commerce.

No insurance contract entered into in violation of this section shall be deemed to have been rendered invalid thereby.

C. 17:22-6.38. Penalty for representing unauthorized insurer.

4. Any person who in this State represents or aids an unauthorized insurer in violation of section 3 of this act, shall upon conviction thereof be guilty of a misdemeanor.

In addition to the penalty provided for herein such violator shall be liable, personally, jointly and severally with any other person or persons liable therefor, for payment of taxes payable on account of such insurance as if such insurance were independently procured.

C. 17:22-6.39. Suits by unauthorized insurer prohibited.

5. No unauthorized insurer shall institute, file, or maintain, or cause to be instituted, filed, or maintained, any suit, action or proceeding in this State to enforce any right, claim or demand arising out of any insurance transaction in this State, except with respect to the following:

(1) Investigation, settlement, or litigation of claims under its policies lawfully written in this State, or liquidation of assets and liabilities of the insurer (other than collection of new premiums), all as resulting from its former authorized operations in this State;

(2) Transactions involving a policy, subsequent to issuance thereof, covering only subjects of insurance not resident, located or expressly to be performed in this State at time of issuance, and lawfully solicited, written, or delivered outside this State;

(3) Transactions pursuant to surplus lines coverages lawfully written under subtitle 3 of this Title;

(4) Reinsurance effectuated in accordance with the laws of New Jersey;

(5) The continuation and servicing of life insurance or disability insurance policies or annuity contracts remaining in force as to residents of this State where the insurer has withdrawn from the State and is not transacting new insurance therein.

C. 17:22-6.40. The surplus lines law.

6. Sections 6 through 31 of this act constitute and may be referred to as "the surplus lines law." This act does not apply to life insurance and annuity contracts nor to insurance coverages which are independently procured as provided in section 30 of this act.

C. 17:22-6.41. Terms defined.

7. As used in this surplus lines law:

(a) "Surplus lines agent" means an individual licensed as provided in this chapter to handle the placement of insurance coverages on behalf of unauthorized insurers.

(b) "Surplus lines insurer" means an unauthorized insurer in which an insurance coverage is placed or may be placed under this surplus lines law.

(c) To "export" means to place in an unauthorized insurer under this surplus lines law, insurance covering a subject of insurance resident, located, or to be performed in New Jersey.

(d) "Commissioner" means the Commissioner of Banking and Insurance of the State of New Jersey.

C. 17:22-6.42. Conditions for procuring surplus lines from unauthorized insurers.

8. If certain insurance coverages of subjects resident, located, or to be performed in this State cannot be procured from authorized insurers, such coverages, hereinafter designated "surplus lines", may be procured from unauthorized insurers, subject to the following conditions:

(a) The insurance must be eligible for export under section 9 of this act;

(b) The insurer must be an eligible surplus lines insurer under section 11 of this act;

(c) The insurance must be so placed through a licensed New Jersey surplus lines agent whose office and records are maintained in New Jersey; and

(d) Other applicable provisions of this surplus lines law must be complied with.

C. 17:22-6.43. Conditions for insurance coverage to be eligible for export.

9. No insurance coverage shall be eligible for export unless it meets all of the following conditions:

(a) The full amount of insurance required must not be procurable, after a diligent effort has been made to do so, from among the insurers authorized to transact that kind and class of insurance in this State, and the amount of insurance exported shall be only the excess over the amount and kind so procurable from authorized insurers.

(b) The premium rate at which the coverage is exported shall not be lower than the lowest rate which has been filed by or on behalf of any authorized insurer.

(c) The policy or contract form under which the insurance is exported shall not provide coverage different from similar contracts on file and in actual current use in this State by the majority of authorized insurers actually writing similar coverages on similar risks; except, that a coverage may be exported under a unique form of policy designed for use with respect to a particular subject of insurance if a copy of such form is filed with the com-

missioner by the surplus lines agent desiring to use the same. Said form shall be deemed approved by the commissioner unless within 10 days after receipt of same the commissioner shall make a finding that the use of such form is not reasonably necessary for the principal purposes of the coverage or that its use would be contrary to the purposes of this surplus lines law.

Except, that the commissioner shall by rules and regulations declare eligible for export generally and notwithstanding the provisions of subsections (a), (b) and (c) above, any class or classes of insurance coverage or risk for which he finds, after a hearing, which he shall hold annually or more often, of which notice thereof was given to each insurer authorized to transact such class or classes in this State, that there is no reasonable or adequate market among authorized insurers. Any such rules and regulations shall continue in effect during the existence of the conditions upon which predicated, but subject to earlier termination by the commissioner. The commissioner shall notify all surplus lines agents of such termination.

C. 17:22-6.44. Admitted insurer may write insurance coverage eligible for export.

10. An admitted insurer may write any insurance coverage declared eligible for export by the commissioner under section 9 of this act through any surplus lines agent without regard to rate filings which may otherwise be applicable to such admitted insurers provided that the business is written in compliance with all other applicable provisions of this act.

C. 17:22-6.45. Condition to become eligible insurer.

11. No surplus lines agent shall place any coverage with any unauthorized insurer which is not then an eligible surplus lines insurer as provided for under this section. No unauthorized insurer shall be or become an eligible surplus lines insurer unless made eligible by the commissioner in accordance with the following conditions:

(a) Eligibility of the insurer must be requested in writing by a licensed surplus lines agent;

(b) The insurer must be currently an authorized insurer in the State or country of its domicile as

New Jersey State Library

to the kind or kinds of insurance proposed to be so placed, and must have been such an insurer for not less than 1 full year preceding; or must be the subsidiary of an already eligible surplus lines insurer that has been so eligible for a period of not less than 1 full year preceding;

(c) Before granting eligibility the requesting surplus lines agent or the insurer shall furnish the commissioner with duly authenticated copies of its current annual financial statement, 1 in the language and monetary values of the country of the insurer, and the other in the English language and with all monetary values therein expressed in United States dollars, at the current exchange rate shown in the statement, and with such additional information relative to the insurer as the commissioner may require;

(d) The insurer must have surplus as to policyholders of not less than the amount required under this Title for a like admitted insurer, and, if an alien insurer, must also have and maintain in the United States a trust fund established under terms reasonably adequate for the protection of all its policyholders in the United States in the amount of not less than $400,000.00, or deposit with the commissioner a trust fund in the amount of not less than $50,000.00 solely for the protection of policyholders of this State. In lieu of the above a group of individual insurers must have and maintain such a trust fund regulated under the same conditions of not less than $50,000,000.00. To the extent of such minimum amounts, any such trust funds shall consist of public obligations of the United States, or of any State, county, or municipality thereof, or other investments of the same general character and quality as are eligible investments for like funds of like domestic insurers under R. S. 17:24–1 et seq. The commissioner may, upon a showing that the volume of business being transacted by the insurer does not require surplus as to policyholders in the above amounts, relax such minimum requirements.

(e) The condition or methods of operation of the insurer must not be such as would render its operation hazardous to the public or its policyholders in this State.

(f) The insurer must be of good reputation as to the providing of service to its policyholders and the payment of losses and claims;

(g) No insured shall be eligible the management of which is found by the commissioner to be incompetent or untrustworthy, or so lacking in insurance company managerial experience as to make the proposed operation hazardous to the insurance-buying public; or which the commissioner has good reason to believe is affiliated directly or indirectly through ownership, control, reinsurance transactions or other insurance or business relations, with any person or persons whose business operations are or have been detrimental to policyholders, stockholders, investors, creditors or to the public.

(h) No insurer shall be eligible the voting control or ownership of which is held in whole or substantial part by any government or governmental agency, or which is operated for or by any such government or agency. Membership in a mutual insurer, or subscribership in a reciprocal insurer, or ownership of stock of an insurer by the alien property custodian or similar official of the United States, or supervision of an insurer by public insurance supervisory authority shall not be deemed to be an ownership, control, or operation of the insurer for the purposes of this subsection.

The commissioner shall from time to time publish a list of all currently eligible surplus lines insurers, and shall mail a copy thereof to each licensed surplus lines agent at his office last of record with the commissioner.

This section shall not be deemed to cast upon the commissioner any duty or responsibility to determine the actual financial condition or claims practices of any unauthorized insurer; and the status of eligibility, if granted by the commissioner, shall indicate only that the insurer appears to be sound

financially and to have satisfactory claims practices, and that the commissioner has no credible evidence to the contrary.

Where it appears that any particular insurance risk which is eligible for export, but insurance coverage thereon, in whole or in part is not procurable from the eligible surplus lines insurers then the surplus lines agent may file a supplemental affidavit stating such facts and advising the insurance commissioner that such part of the risk as shall be unprocurable, as aforesaid, is being placed with named unauthorized insurers, in the amounts and percentages set forth in the affidavit. Such named unauthorized insurer shall, however, before accepting any risk in this State, deposit with the commissioner, United States government bonds of the market value of $20,000.00 which shall be held by said commissioner for the benefit of New Jersey policyholders only and the surplus lines agent shall procure from such unauthorized insurer and file with the insurance commissioner a certified copy of its current annual statement of financial condition. If such deposit is made and the statement reveals, including both capital and surplus, net assets of at least $500,000.00 consisting of at least $300,000.00 liquid assets, then the surplus lines agent may proceed to consummate the contract of insurance. Whenever any insurance risk or any part thereof, is placed with an unauthorized insurer, as provided herein, the policy, binder or cover note shall bear conspicuously on its face in boldface type the following notation: "All or part of the insurers participating in this risk have not been admitted to transact business in the State of New Jersey, nor have they been approved as a surplus lines insurer by the insurance commissioner of this State. The placing of such insurance by a duly licensed surplus lines agent in this State, shall not be construed as approval of such insurer by the insurance commissioner of the State of New Jersey." All other provisions of this Title shall apply to such place-

ment the same as if such risks were placed with an eligible surplus lines insurer.

C. 17:22-6.46. Withdrawal of eligibility.

12. If at any time the commissioner has reason to believe that any unauthorized insurer then on the list of eligible surplus lines insurers is insolvent, or in unsound financial condition, or that it is no longer eligible under the conditions therefore provided in section 11 of this act, he shall withdraw the eligibility of the insurer to insure surplus lines risks in this State.

If the commissioner finds, after a hearing thereon of which notice was given to all licensed surplus lines agents, that an insurer currently eligible as a surplus lines insurer has willfully violated the laws of New Jersey, or does not make reasonably prompt payment of just losses and claims in this State, he may withdraw the eligibility of the insurer to insure surplus lines risks in this State.

The commissioner shall promptly mail notice of all such withdrawals of eligibility to each surplus lines agent at his address last of record with the commissioner.

C. 17:22-6.47. Information to be filed by surplus lines agent.

13. Within 21 days after the effectuation of any surplus lines insurance the surplus lines agents shall file with the commissioner:

(a) A copy of the binder, cover note, certificate, policy or other confirmation of insurance showing the identity and location of the subject of the proposed insurance; name and address of the proposed insured; name of proposed insurer or insurers; perils to be covered; form or type of policy or contract under which to be insured; any special or additional coverages or conditions; amount of premium or rate, and such other pertinent information as the commissioner may reasonably require; and

(b) The affidavits of the broker and the surplus lines agent, on forms as prescribed and furnished by the commissioner, as to efforts made to place the coverage with authorized insurers and the results thereof, except that no such affidavit shall be

required for those coverages, risks or classes of insurance declared eligible for export by the commissioner pursuant to section 9 of this act.

C. 17:22-6.48. Establishes surplus lines examining office.

14. The commissioner shall establish and maintain an office and such facilities as may reasonably be necessary to carry out the purposes of this act. This office shall be known as "The Surplus Lines Examining Office."

In the operation of the examining office, the commissioner may employ or obtain necessary personnel and office furniture, fixtures and facilities, and/or may make joint use of personnel, furniture, fixtures and facilities otherwise employed or used in his office.

C. 17:22-6.49. Appropriation.

15. There is hereby appropriated to the Department of Banking and Insurance for the fiscal year 1959-60 the sum of $35,000.00 for the purpose of discharging the functions of the Surplus Lines Examining Office and the payment of salaries and expenses incurred in connection therewith.

C. 17:22-6.50. Certificate or policy evidencing coverage.

16. Upon placing a surplus line coverage, the surplus lines agent shall promptly issue and deliver to the insured evidence of the insurance consisting either of the policy as issued by the insurer or, if such policy is not then available, a certificate, cover note, or other confirmation of insurance. Such document shall be executed or countersigned by the surplus lines agent and shall show the description and location of the subject of the insurance, coverage, conditions and term of the insurance, the premium and rate charged and taxes collected from the insured, and the name and address of the insured and insurer. If the direct risk is assumed by more than 1 insurer, the document shall state the name and address and proportion of the entire direct risk assumed by each insurer.

No surplus lines agent shall issue any such document, or purport to insure or represent that insurance will be or has been granted by any unauthorized insurer unless he has written authority

from the insurer for the insurance, or has received information from the insurer in the regular course of business that such insurance has been granted, or an insurance policy providing the insurance actually has been issued by the insurer and delivered to the insured.

If after the issuance and delivery of any such document there is any change as to the identity of the insurers, or the proportion of the direct risk assumed by the insurer as stated in the original certificate, cover note or confirmation, or in any other material respect as to the insurance coverage evidenced by such a document, the surplus lines agent shall promptly issue and deliver to the insured a substitute certificate, cover note or confirmation, or endorsement for the original of such document, accurately showing the current status of the coverage and the insurers responsible thereunder. No such change shall result in a coverage or insurance contract which would be in violation of this surplus lines law if originally issued on such basis.

If a policy issued by the insurer is not available upon placement of the insurance and the surplus lines agent has issued and delivered a certificate, cover note or confirmation, as hereinabove provided, the surplus lines agent shall as soon as reasonably possible, and in no event later than 60 days after placement of such insurance, procure from the insurer its policy evidencing the insurance and deliver the policy to the insured in replacement of the certificate, cover note, or confirmation theretofore issued.

Any surplus lines agent who issues a false certificate, cover note, or confirmation of insurance, or false endorsement therefor, or who fails to notify the insured promptly of any material change with respect to such insurance and deliver as soon as reasonably possible to the insured a substitute certificate, cover note or confirmation, or endorsement as provided in paragraph 3 shall be guilty of a misdemeanor.

C. 17:22-6.51. Copy of policy filed, not a public record.

17. Immediately upon issuing a surplus lines policy, the surplus lines agent shall file with the commissioner an exact copy of the policy so issued. The surplus lines agent shall likewise promptly file with the commissioner an exact copy of any substitute certificate, cover note, or other confirmation of insurance, and of every endorsement of an original policy, certificate, cover note, or other confirmation of insurance, delivered to an insured, together with such surplus lines agent's memorandum informing the commissioner as to the substance of any change represented by such substitute certificate, cover note, or other confirmation, or of any such endorsement, as compared with the coverage as originally placed or issued. Filings other than affidavits made in accordance with this section and section 13 of this act shall not be open to public inspection.

C. 17:22-6.52. Endorsement on policy; contents.

18. Each surplus lines agent through whom a surplus lines coverage is procured shall write or print on the outside of the policy and on any certificate, cover note, or other confirmation of the insurance his name, address and license number, the name of the New Jersey broker through whom the business originated, and the name, address and code designation, if any, of the foreign or alien broker through whom the coverage was placed. Where such coverage is placed with an eligible surplus lines insurer there shall be stamped or written upon the first page of the policy or the certificate, cover note or confirmation of insurance, the words: "THIS INSURANCE IS ISSUED PURSUANT TO THE NEW JERSEY SURPLUS LINES LAW."

C. 17:22-6.53. Contracts valid.

19. Insurance contracts procured as "surplus lines" coverages from unauthorized insurers in accordance with this law shall be fully valid and enforceable as to all parties.

C. 17:22-6.54. Unauthorized insurer liable.

20. If the unauthorized insurer has assumed the risk as to a surplus lines coverage placed under this surplus lines law, and if the premium therefor has been received by the surplus lines agent who

placed such insurance, then in all questions thereafter arising under the coverage as between the insurer and the insured the insurer shall be deemed to have received the premium due to it for such coverage; and the insurer shall be liable to the insured as to losses covered by such insurance, and for unearned premiums which may become payable to the insured upon cancellation of such insurance, whether or not in fact the surplus lines agent is indebted to the insurer with respect to such insurance or for any other cause.

Each unauthorized insurer assuming a surplus lines risk under this surplus lines law shall be deemed thereby to have subjected itself to the terms of this section.

C. 17:22-6.55. License for surplus lines agent; examination; certificates of eligibility expiration; fees.

21. Any resident New Jersey licensed insurance broker who is determined by the commissioner to have had sufficient experience in the insurance business to be competent for the purpose, may be licensed as a surplus lines agent, upon taking and successfully passing a written examination as to surplus lines, as given by the commissioner. Any New Jersey copartnership or corporation licensed as an insurance broker may become licensed as a surplus lines agent provided all members of the copartnership or all the officers of the corporation, as the case may be, who are actively engaged in the surplus lines business of the copartnership or corporation possess the requisite experience and successfully pass the written examination above set forth. The commissioner shall issue a certificate of eligibility to all such members and officers possessing the requisite experience and successfully passing the written examination.

The examination requirements set forth in paragraph 1 of this section shall not be required in the case of an individual, copartnership or corporation holding a New Jersey surplus lines broker's license on the effective date of this act.

Initial and renewal applications for the said licenses and certificates shall be made to the com-

missioner on forms as designated and furnished by him.

Such licenses and certificates shall expire at midnight on the October 31 next following date of issuance, and shall be renewable upon written request therefor filed with the commissioner and accompanied by payment of the license fee, prior to expiration.

The following fees shall be paid in advance:

(a) Surplus lines agent's annual license fee	$100 00
(b) Annual certificate of eligibility	10 00
(c) Examination fee	10 00

All applicants and licensees must file and maintain the bond required under section 22 of this act.

C. 17:22-6.56. Bond filed; amount.

22. Prior to issuance of license, the applicant shall file with the commissioner, and thereafter for as long as any such license remains in effect he shall keep in force and unimpaired, a bond in favor of the commissioner or his successors in office in the penal sum of not less than $10,000.00, aggregate liability, with authorized corporate surety or sureties approved by the commissioner; the bond for a corporation licensed as a surplus lines broker shall be $20,000.00. The commissioner may, in his discretion, require a bond in larger amount commensurate with the volume of surplus lines business transacted or to be transacted by a particular surplus lines agent. The bond shall be conditioned that the surplus lines agent will comply with all the requirements of subtitle 3 of Title 17 of the Revised Statutes.

C. 17:22-6.57. Records kept by surplus lines agent; examination.

23. Each surplus lines agent shall keep in his office in this State a full and true record of each surplus lines contract procured by him, including a copy of the daily report, if any, and showing such of the following items as may be applicable:

(a) Amount of the insurance and perils insured against;

(b) Brief general description of property insured and where located;

(c) Gross premium charged;
(d) Return premium paid, if any;
(e) Rate of premium charged upon the several items of property;
(f) Effective date of the contract, and the terms thereof;
(g) Name and post-office address of the insured;
(h) Name and home office address of the insurer;
(i) Amount collected from the insured; and
(j) Other information as may be required by the commissioner.

The record shall at all times be open to examination by the commissioner without notice, and shall be so kept available and open to the commissioner for 3 years next following expiration or cancellation of the contract.

C. 17:22-6.58. Quarterly report; contents.

24. Each surplus lines agent shall on or before the end of the month next following each calendar quarter file with the commissioner a verified report in duplicate of all surplus lines insurance transacted by him during such calendar quarter.

The report shall be on forms as prescribed and furnished by the commissioner and shall show:
(a) Gross amount of each kind of insurance transacted;
(b) Aggregate gross premiums charged;
(c) Aggregate of returned premiums and taxes paid to insureds;
(d) Aggregate of net premiums; and
(e) Additional information as required by the commissioner.

C. 17:22-6.59. Premium receipts tax; rate; paid quarterly; allocation of tax; application of act.

25. The premiums charged for surplus lines coverages are subject to a premium receipts tax of 3% of all gross premiums less any return premiums charged for such insurance. The surplus lines agent shall collect from the insured the amount of the tax at the time of the delivery of the cover note, certificate of insurance, policy or other initial confirmation of insurance, in addition to the full amount of the gross premium charged by the insurer for the insurance; provided, however, that

the tax on any unearned portion of the premium shall be returned to the policyholder by the surplus lines agent. The surplus lines agent is prohibited from absorbing such tax, or, as an inducement for insurance or for any other reason, rebating all or any part of such tax or of his commission.

The surplus lines agent shall forward to the commissioner together with his quarterly report a check in the amount of the premium receipts tax due for that period made out to "the State of New Jersey," except that where the policies cover fire insurance on property in any municipality or portion of a township, or fire district in this State, which now has or may hereafter have, a duly incorporated firemen's relief association, the premium receipts tax covering such insurance shall be paid to the treasurer of the association.

The check covering taxes paid under the provisions of this act shall be forwarded by the commissioner to the Director of the Division of Taxation and that portion of the premiums representing fire insurance shall be distributed by him in the amount now or hereafter provided by law as to taxes collected by him from fire insurance companies of other States and foreign countries. The commissioner shall ascertain and report to the Director of the Division of Taxation all facts necessary to enable the director to ascertain, fix and collect the amount of the tax to be paid by each licensee subject thereto under this act.

If a surplus lines policy covers risks or exposures only partially in this State, the tax payable shall be computed on the portion of the premium which is properly allocable to the risks or exposures located in this State.

This section does not apply as to insurance of or with respect to insurance of risks of the State Government or its agencies, or of any county or municipality or of any agency thereof.

C. 17:22-6.60. Recovery of tax upon non-payment by agent.

26. If the tax payable by a surplus lines agent under this surplus lines law is not so paid within the time prescribed, the same shall be recoverable in a suit brought by the commissioner against the surplus lines agent and the surety or sureties on the bond filed by the surplus lines agent in accordance with the requirements of this act.

C. 17:22-6.61. Grounds for suspension, revocation or refusal to renew license.

27. The commissioner may suspend, revoke, or refuse to renew the license of a surplus lines agent and all other licenses and permits held by the licensee under this Title, upon any 1 or more of the following grounds:

(a) Removal of the licensee's office from the State;

(b) Removal of the accounts and records of his surplus lines business from this State during the period when such accounts and records are required to be maintained under section 23 of this act;

(c) Closure of the licensee's office for a period of more than 30 consecutive days, unless granted permission by the commissioner upon showing circumstances warranting such closure for a longer period;

(d) Failure to make and file his quarterly reports when due as required by section 24 of this act;

(e) Failure to pay the tax on surplus lines premiums, as provided for in this surplus lines law;

(f) Failure to maintain the bond as required by section 22 of this act;

(g) Suspension, revocation or refusal to renew any other license issued by the commissioner;

(h) Lack of qualifications as for an original surplus lines agent's license;

(i) Violation of any provision of this surplus lines law;

(j) For any other cause for which a license could be denied, revoked, suspended or renewal refused under R. S. 17:22–6.6, 17:22–6.16 or 17:22–6.24.

In addition to the foregoing penalties set forth in paragraph 1 of this section, any person, persons or corporation violating any of the provisions of this act shall be liable to a penalty not exceeding $1,000.00 for the first offense and not exceeding $2,000.00 for each succeeding offense to be recovered in a summary proceeding as provided in section 17:33–2 of the Revised Statutes.

C. 17:22-6.62. Penalty for failure to file quarterly report or pay taxes; procedure; review by superior court.

28. If any licensed surplus lines agent fails to file the quarterly report required or pay the taxes as required of him under this surplus lines law, the commissioner shall issue an order directed to the licensee requiring the licensee to file such report and pay such tax or to show cause by a day certain to be named therein why the commissioner should not revoke his license. The notice shall provide a return day not sooner than 30 days subsequent to its issuance and shall be served upon the licensee by registered mail at his business post-office address.

The licensee may, not less than 10 days prior to such return day, file his response in writing with the commissioner showing cause why he has not paid such tax, but the only defenses available to the licensee with respect thereto shall be that the commissioner is requiring the payment of a tax greater than that due from the licensee, and such defense will be available only if the licensee shall have filed return purporting to show the tax payable by the licensee, and shall have tendered the amount of tax computed by the licensee to be due.

If on the return day the licensee has not filed such return and paid the tax and has not filed any such defense and made such tender, the commissioner shall revoke the licenses of the licensee.

If the licensee files such defense to the order and makes such tender within the time required, on the return day the commissioner shall hold a hearing with respect to such matters and if the commissioner determines after such hearing that the licensee has failed to pay the tax required, and the licensee does not within 5 days thereafter pay such

tax, the commissioner shall enter his order revoking the licenses of such licensee.

The revocation of a license by the commissioner under this section shall be subject to review in the Superior Court by a proceeding in lieu of prerogative writ.

C. 17:22-6.63. Unauthorized insurer may be sued; procedure.

29. An unauthorized insurer may be sued upon any cause of action arising in this State under any surplus lines insurance contract issued by it or certificate, cover note or other confirmation of such insurance issued by the surplus lines agent, pursuant to the same procedure as is provided in The Unauthorized Insurers' Process Act, sections 17:51–1 to 17:51–5 of the Revised Statutes.

Any such policy issued by the insurer, or any certificate of insurance issued by the surplus lines agent, shall contain a provision stating the substance of this section and designating the person to whom the commissioner shall mail process.

This section shall be cumulative to any other methods which may be provided by law for service of process upon the insurer.

C. 17:22-6.64. Resident insured's report when using unauthorized foreign or alien insurers; contents; tax; effect of section.

30. Every insured who in this State procures or causes to be procured or continues or renews insurance with an unauthorized foreign or alien insurer, or any insured or self-insurer who so procures or continues excess loss, catastrophe or other insurance, upon a subject of insurance resident, located or to be performed within this State, other than insurance procured through a surplus lines agent pursuant to the surplus lines law of this State or exempted from tax under section 25 of this act, shall within 30 days after the date such insurance was so procured, continued, or renewed, file a report of the same with the commissioner in writing and upon forms designated by the commissioner and furnished to such an insured upon request. The report shall show the name and address of the insured or insureds, name and address of the insurer, the subject of the insurance, a general description of the coverage, the amount of premium currently charged therefor, and such additional

pertinent information as is reasonably requested by the commissioner.

Any insurance in an unauthorized insurer procured through negotiations or an application, in whole or in part occurring or made within or from within this State, or for which premiums in whole or in part are remitted directly or indirectly from within this State, shall be deemed to be insurance procured, or continued or renewed in this State within the intent of paragraph 1 above.

There is hereby levied upon the obligation, chose in action, or right represented by the premium charged for such insurance, a tax at the rate of 3% of the gross amount of such premium less any return premiums charged for such insurance. Within 30 days after the insurance was so procured, continued or renewed, and coincidentally with the filing with the commissioner of the report provided for in paragraph 1 above, the insured shall pay the amount of the tax to the commissioner, who, after reviewing the above report, shall turn over the amount of the tax to the Director of the Division of Taxation along with a summary of the facts necessary to enable the director to ascertain and fix the proper amount of the tax.

If the insured fails to withhold from the premium the amount of tax herein levied, the insured shall be liable for the amount thereof and shall pay the same to the commissioner within the time stated in paragraph 2 above.

The tax imposed hereunder if delinquent shall bear interest at the rate of 6% per annum, compounded annually.

The tax shall be collectible from the insured by civil action brought by the commissioner.

The amount of taxes paid to the Director of the Division of Taxation under the provisions of this section on premiums for fire insurance shall be distributed by him in the manner now or hereafter provided by law as to taxes collected by him from fire insurance companies of other States and foreign countries.

This section does not abrogate or modify, and shall not be construed or deemed to abrogate or modify, any provision of section 3 representing or aiding unauthorized insurer prohibited; section 4, penalty for representing unauthorized insurer; or section 5, suits by unauthorized insurers prohibited; or any other provision of this Title.

This section does not apply as to life or disability insurances.

C. 17:22-6.65. Policies produced for examination; order of court to comply; application of section.

31. Every person by or as to whom insurance is procured or placed in an unauthorized insurer, upon the commissioner's order shall produce for his examination all policies and other documents evidencing the insurance, and shall disclose to the commissioner the amount of gross premiums paid or agreed to be paid for the insurance. In case of a failure of any person to comply with the commissioner's order, the Superior Court, on application of the commissioner, may issue an order requiring the production of the records and information sought by the commissioner. Any person failing to obey the court's order may be punished by the court as for a contempt.

This section does not apply to life insurance or disability insurance.

C. 17:22-6.66. Provisions severable.

32. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

C. 17:22-6.67. Act effective.

33. This action shall take effect immediately except that sections 1 and 2 shall not take effect until November 1, 1960.

Approved May 23, 1960.

CHAPTER 33

AN ACT to amend "An act to provide for the incorporation and regulation of limited dividend housing corporations," approved May 21, 1949 (P. L. 1949, c. 184) and amending chapter 69 of the laws of 1950, supplementary thereto.

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

Section amended.

1. Section 3 of chapter 184 of the laws of 1949 is amended to read as follows:

C. 55:16-3. Terms defined.

3. The following terms wherever used or referred to in this act shall have the following respective meanings, unless a different meaning clearly appears from the context:

(1) The term "authority" means the public housing and development authority in the Department of Conservation and Economic Development.

(2) The term "administrator" means the Commissioner of Conservation and Economic Development, who is and shall be the administrator of the public housing and development authority.

(3) The term "council" means the State Housing Council in the Department of Conservation and Economic Development.

(4) The term "municipality" shall mean any city of any class, any town, township, village, borough, or any municipal subdivision of the State.

(5) The term "governing body" shall mean, in the case of a municipality, the common council, or the board of commissioners, or the body managing its affairs, except that, in the case of cities of the second class, having a population of not less than 133,000 nor more than 200,000 inhabitants, the board of finance of such a city shall be the "governing body" for the purpose of this act.

(6) The term "housing project" or "project" shall mean any work or undertaking to provide

decent, safe, and sanitary dwellings for families in need of housing; such undertaking may include any buildings, land (including demolition, clearance or removal of buildings from land), equipment, facilities, or other real or personal properties or interests therein which are necessary, convenient or desirable appurtenances of said undertaking, such as, but not limited to, streets, sewers, water, utilities, parks; site preparations; landscaping, and administrative, community, health, recreational, educational, welfare, commercial, or other facilities, or to provide any part or combination of the foregoing. The term "housing project" or "project" shall be deemed to include veteran housing projects constructed under the authority of an act entitled "An act providing for housing for veterans of World War II and other people of the State and declaring an emergency in respect thereto" (P. L. 1946, c. 323).

(7) The term "housing corporation" means any private, limited-dividend housing corporation organized in accordance with the provisions of this act.

(8) The term "bonds" shall mean any bonds, notes, interim certificates, debentures, or obligations issued pursuant to the provisions of this act.

(9) The term "Federal Government," means the United States of America or any department, administration, authority, instrumentality, agency, agent or officer thereof, or any corporation created thereby.

(10) The term "State" means the State of New Jersey or any department, authority, agency or officer thereof.

(11) The term "gross shelter rent" shall mean the gross rent or carrying charge less the cost of utilities furnished by the project. These utilities shall include gas and electricity if supplied by the project; cost of heating fuel; cost of water supplied and sewage charges, if any.

2. Section 5 of chapter 184 of the laws of 1949 is amended to read as follows: Section amended.

C. 55:16-5. Limit on dividends; disposition of surplus on dissolution.

5. Every stockholder of a housing corporation shall be deemed, by the subscription to or the receipt of stock therein, to have agreed that he shall at no time receive from the corporation in repayment of his investment any sums in excess of the face value of the investment plus cumulative dividends at a rate not to exceed 8% per annum. Upon the dissolution of such corporation any surplus in excess of such amounts shall be paid to the State of New Jersey; provided, however, that the authority may enter into agreements with any municipality where tax exemption is provided pursuant to section 18 of this act with respect to any project or projects of such housing corporation for the distribution to and apportionment of said surplus between the State and the municipality.

Section amended.

3. Section 8 of chapter 184 of the laws of 1949 is amended to read as follows:

C. 55:16-8. Rights, powers and privileges.

8. Every housing corporation organized under this act, subject to the conditions and restrictions herein, and the regulations of the authority approved by the council, shall have the following rights, powers and privileges:

(1) To have succession by its corporate name for the period limited in its certificate of incorporation or any amendment thereto.

(2) To sue and be sued in its corporate name.

(3) To have and use a common seal and to alter same at pleasure.

(4) To have a capital stock of such an amount and number of shares as may be provided in the certificate of incorporation or any amendment thereto and to increase or decrease its capital stock.

(5) To acquire, own, use, convey, sell, contract, encumber, lease, and otherwise dispose of and deal in real or personal property or any interest therein.

(6) to borrow money at such rate of interest, not to exceed 6% per annum, to mortgage or pledge its property, both real and personal, and to secure the payment of its obligations.

(7) To pay dividends on its capital stock at a rate not to exceed 8% per annum and to pay or to provide for the payment of its debts and other obligations.

(8) To elect officers, appoint agents, engage employees, define their duties and fix their compensation.

(9) To enter into contracts for the purchase, acquisition, construction, reconstruction, maintenance, operation and management of housing projects and for the purchase of equipment, materials and supplies necessary or incidental to these purposes.

(10) To lease, sell or exchange all of its corporate assets with the consent of ⅔ of all the outstanding capital stock of the corporation at any annual meeting or at any special meeting called for that purpose.

(11) To accept loans or grants from the Federal Government, the State or any municipal subdivision thereof in aid of housing projects owned or to be acquired or constructed by the corporation.

(12) To make by-laws not inconsistent with the laws of the State for the administration of the business and interests of such corporation and to amend the same.

(13) To cease doing business in this State and to surrender its charter.

(14) To obtain, or aid in obtaining, from the Federal Government any insurance or guarantee or commitment therefor, as to, or for the payment or repayment of interest or principal, or both, or any part thereof, of any loan or other extension of credit, or any instrument evidencing or securing the same, obtained or to be obtained or entered into by it; and to enter into any agreement, contract or any other instrument whatsoever with respect to any such insurance or guarantee.

(15) To have and exercise all the powers necessary and convenient to carry into effect the purpose for which the corporation is formed.

The authority may make the exercise of any of the rights, powers and privileges of housing corporations set forth in this section, subject to its prior approval.

Section amended.

4. Section 18 of chapter 184, of the laws of 1949 is amended to read as follows:

C. 55:16-18. Tax exempt; payment in lieu of taxes.

18. When the governing body of any municipality in which a project of a housing corporation is or will be located, by resolution finds that the project is or will be an improvement made for the purposes of the clearance, replanning, development, or redevelopment of any blighted area (as defined in any law of this State) within such municipality, or for any of such purposes, then such project and improvement shall be exempt from all property taxation; provided, that in lieu of taxes the housing corporation owning said project shall make to the municipality payment of an annual service charge for municipal services supplied to said project, in such amount, not exceeding the tax on the property on which the project is located for the year in which the undertaking of said project is commenced or 15% of the annual gross shelter rents obtained from the project, whichever is the greater, as may be agreed to by the municipality and the housing corporation and approved by the authority. Any exemption from taxation made pursuant to the provisions of this section shall not extend for a period of more than 50 years and shall only be effective during the period of usefulness of the project as determined by the authority and shall continue in force only while the project is owned by a housing corporation formed under this act and regulated by the authority or owned or operated by the authority.

Section amended.

5. Section 1 of chapter 69, of the laws of 1950 is amended to read as follows:

C. 55:16-22. Release from restrictions and limitations.

1. Notwithstanding any provision of the act to which this act is a supplement to the contrary. Any limited-dividend housing corporation organized in accordance with the provisions of said act may, at

any time after the expiration of 15 years from the date of first tenant occupancy of any duly approved housing project of such corporation, apply to the authority for permission to be released from the restrictions and limitations imposed upon it under said act. The authority may approve the application provided it is consented to, by resolution, by the governing body of each municipality in which tax exemption has been granted to any housing project of such corporation, after a finding, by resolution of such governing body, that there no longer exists any housing shortage in the municipality by reason of which the project was originally approved. A duly certified copy of each of such resolutions shall be submitted to the authority. Upon the approval of such application by the authority any tax exemption granted to such housing corporation or any project and improvement thereof shall terminate, and such corporation and the projects thereof shall not thereafter be subject to the restrictions and limitations imposed thereon by the act to which this act is a supplement. In such event any surplus of such corporation then remaining, in excess of the amount required for the repayment of the face amount of investments of stockholders in the capital stock of such corporation plus any cumulative dividends at a rate not to exceed 8% per annum, shall be paid to the State of New Jersey; provided, however, that the authority may enter into agreements with any municipality where tax exemption has been provided pursuant to section 18 of the act to which this act is a supplement with respect to any project or projects of such housing corporation for the distribution to and apportionment of said surplus between the State and the municipality.

6. This act shall take effect immediately.

Approved May 31, 1960.

CHAPTER 34

AN ACT authorizing the leasing of certain real estate by counties to associations for the education and treatment of cerebral palsy patients, and supplementing chapter 60, of Title 40 of the Revised Statutes.

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

C. 40:32-13.3. Authorizes lease of county real estate.

1. The board of chosen freeholders of any county may lease, at a nominal rental, any real estate owned or controlled by it, when and to the extent that it is not required for county purposes, to any association of the county organized for the education and treatment of cerebral palsy patients in the county, including the education and treatment of indigent county patients, upon a nonprofit or charitable basis, for the erection and maintenance of a treatment center and office building for such term as said board shall determine, but so long only as said lands and buildings are used for said purposes and for no commercial, business, trade or manufacturing purposes.

2. This act shall take effect immediately.

Approved June 6, 1960.

CHAPTER 35

AN ACT concerning foreign insurance companies and amending section 17:32–3 of the Revised Statutes.

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

1. Section 17:32–3 of the Revised Statutes is amended to read as follows: Section amended.

17:32–3. If the company is organized under the laws of a foreign country it shall not be admitted until, in addition to complying with the foregoing conditions, it has made a deposit or deposits with the insurance commissioner or other officer of a State or States of the United States, designated by the laws of such State or States to hold the same, of a total amount not less than $200,000.00, nor less than the capital required of a stock company of this State transacting the same kinds of business. The deposit or deposits must be in exclusive trust for the benefit and security of all the policyholders of the company in the United States, and shall be deemed for all purposes of this subtitle the capital of the company making it. Deposit or deposits by foreign company.

2. This act shall take effect immediately.

Approved June 8, 1960.

CHAPTER 36

AN ACT authorizing the making of voluntary contributions of money to any duly incorporated first-aid and emergency or volunteer ambulance or rescue squad association by counties and municipalities, and amending section 40:5–2 of the Revised Statutes.

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

Section amended.

1. Section 40:5–2 of the Revised Statutes is amended to read as follows:

Money contributions authorized.

40:5–2. Any county or municipality may make a voluntary contribution of not more than $5,000.00 annually to any duly incorporated first-aid and emergency or volunteer ambulance or rescue squad association of the county, or of any municipality therein, rendering service generally throughout the county, or any of the municipalities thereof.

2. This act shall take effect immediately.

Approved June 8, 1960.

CHAPTER 37

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

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

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

24. A prisoner, whose parole has been revoked because of a violation of a condition of parole or commission of an offense which subsequently results in conviction of a crime committed while on parole, even though such conviction be subsequent to the date of revocation of parole, shall be required, unless said revocation is rescinded, or unless sooner reparoled by the board, to serve the balance of time due on his sentence to be computed from the date of his original release on parole. If parole is revoked for reasons other than subsequent conviction for crime while on parole then the parolee, unless said revocation is rescinded, or unless sooner reparoled by the board, shall be required to serve the balance of time due on his sentence to be computed as of the date that he was declared delinquent on parole. C. 30:4-123.24. To serve balance of time after revocation.

2. This act shall take effect immediately.

Approved June 8, 1960.

CHAPTER 38

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

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

Section amended.

1. Section 22 of the act of which this act is amendatory is amended to read as follows:

C. 30:4-123.22. Delinquent parolee; retaking and detention; warrant; form of warrant time in custody credited.

22. If the parole officer having charge of a paroled prisoner shall have reasonable cause to believe that a parolee has resumed, or is about to resume, criminal conduct or associations, or has violated the conditions of his parole in any important respect, and the situation is one of immediate emergency that cannot await the next regular or special meeting of the board, then such parole officer shall notify the parole division which may, if the facts warrant, treat the parolee as delinquent on parole. By his own warrant the parole officer may apprehend any such delinquent parolee and cause his return to the institution from which released or cause his immediate confinement in an appropriate county or municipal jail, penitentiary or lockup. Such retaking and detention shall continue under authority of the parole officer's warrant for a period of 30 days and until the next regular or special meeting of the board thereafter, at which time the board shall consider his case and render its decision as to the revocation of his parole or his return to the community on his original parole. Such warrant shall be in the form to be prescribed by the parole division and, when signed by

the parole officer in charge of the case, shall be sufficient warrant and authority to all peace officers to assist in the apprehension of the prisoner and shall be also sufficient authority for the detention of the prisoner in the institution from which released or in a municipal or county jail, penitentiary or lockup. In such case, credit shall be given the prisoner on his sentence for time spent in such custody while awaiting the decision of the board as to revocation of his parole.

2. This act shall take effect immediately.

Approved June 8, 1960.

CHAPTER 39

AN ACT concerning consumer fraud, its prevention, and providing penalties therefor.

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

C. 56:8-1. Terms defined.

1. (a) The term "advertisement" shall include the attempt by publication, dissemination, solicitation or circulation to induce directly or indirectly any person to enter into any obligation or acquire any title or interest in any merchandise;

(b) The term "Attorney General" shall mean the Attorney General of the State of New Jersey or any person acting on his behalf;

(c) The term "merchandise" shall include any objects, wares, goods, commodities or services;

(d) The term "person" as used in this act shall include any natural person or his legal representative, partnership, corporation, company, trust, business entity or association, and any agent, employee, salesman, partner, officer, director, member, stockholder, associate, trustee or cestuis que trustent thereof;

(e) The term "sale" shall include any sale, offer for sale, or attempt to sell.

C. 56:8-2. Unlawful practice; application of act.

2. The act, use or employment by any person of any deception, fraud, false pretense, false promise, misrepresentation, or the knowing, concealment, suppression, or omission of any material fact with intent that others rely upon such concealment, suppression or omission, in connection with the sale or advertisement of any merchandise, whether or not any person has in fact been misled, deceived or damaged thereby, is declared to be an unlawful practice; provided, however, that nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein such advertisement appears, or to the owner or operator of a radio or television station which disseminates such advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser; and provided, further, that nothing herein contained shall apply to any advertisement which is subject to and complies with the rules and regulations of, and the statutes administered by the Federal Trade Commission.

C. 56:8-3. Investigation by attorney general; procedure.

3. When it shall appear to the Attorney General that a person has engaged in, is engaging in, or is about to engage in any practice declared to be unlawful by this act, or when he believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in, is engaging in or is about to engage in, any such practice, he may:

(a) Require such person to file on such forms as are prescribed a statement or report in writing under oath or otherwise, as to all the facts and circumstances concerning the sale or advertisement of merchandise by such person, and such other data and information as he may deem necessary;

(b) Examine under oath any person in connection with the sale or advertisement of any merchandise;

(c) Examine any merchandise or sample thereof, record, book, document, account or paper as he may deem necessary; and

(d) Pursuant to an order of the Superior Court impound any record, book, document, account, paper, or sample of merchandise that is produced in accordance with this act, and retain the same in his possession until the completion of all proceedings in connection with which the same are produced.

C. 56:8-4. Additional powers.

4. To accomplish the objectives and to carry out the duties prescribed by this act, the Attorney General, in addition to other powers conferred upon him by this act, may issue subpœnas to any person, administer an oath or affirmation to any person, conduct hearings in aid of any investigation or inquiry, promulgate such rules and regulations, and prescribe such forms as may be necessary, which shall have the force of law.

C. 56:8-5. Service of process.

5. Service by the Attorney General of any notice requiring a person to file a statement or report, or of a subpœna upon any person, shall be made personally within this State, but if such cannot be obtained, substituted service therefor may be made in the following manner:

(a) Personal service thereof without this State; or

(b) The mailing thereof by registered mail to the last known place of business, residence or abode, within or without this State of such person for whom the same is intended; or

(c) As to any person other than a natural person, in accordance with the Rules Governing the Courts of the State of New Jersey pertaining to service of process, provided, however, that service shall be made by the Attorney General; or

(d) Such service as the Superior Court may direct in lieu of personal service within this State.

C. 56:8-6. Enforcement by court order.

6. If any person shall fail or refuse to file any statement or report, or obey any subpœna issued by the Attorney General, the Attorney General

may apply to the Superior Court and obtain an order:

(a) Adjudging such person in contempt of court;

(b) Granting injunctive relief without notice restraining the sale or advertisement of any merchandise by such persons;

(c) Vacating, annulling, or suspending the corporate charter of a corporation created by or under the laws of this State or revoking or suspending the certificate of authority to do business in this State of a foreign corporation or revoking or suspending any other licenses, permits or certificates issued pursuant to law to such person which are used to further the allegedly unlawful practice; and

(d) Granting such other relief as may be required; until the person files the statement or report, or obeys the subpœna.

C. 56:8-7. Person required to testify; immunity from prosecution.

7. If any person shall refuse to testify or produce any book, paper or other document in any proceeding under this act for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him, convict him of a crime, or subject him to a penalty or forfeiture, and shall, notwithstanding, be directed to testify or to produce such book, paper or document, he shall comply with such direction.

A person who is entitled by law to, and does assert such privilege, and who complies with such direction shall not thereafter be prosecuted or subjected to any penalty or forfeiture in any criminal proceeding which arises out of and relates to the subject matter of the proceeding. No person so testifying shall be exempt from prosecution or punishment for perjury or false swearing committed by him in giving such testimony.

C. 56:8-8. Injunction; court may annul corporate charter or licenses.

8. Whenever it shall appear to the Attorney General that a person has engaged in, is engaging in or is about to engage in any practice declared to be unlawful by this act he may seek and obtain in an action in the Superior Court an injunction prohibiting such person from continuing such practices or engaging therein or doing any acts in

furtherance thereof or an order appointing a receiver, or both after appropriate notice to such person. Such notice shall state generally the relief sought and be served in accordance with section 5 of this act at least 3 days prior to the institution of such action. In addition, the court may vacate or annul the charter of a corporation created by or under the laws of this State, revoke the certificate of authority to do business in this State of a foreign corporation, and revoke any other licenses, permits or certificates issued pursuant to law to such person which have been or may be used to further such unlawful practice. The court may make such orders or judgments as may be necessary to prevent the use or employment by a person of any prohibited practices, or which may be necessary to restore to any person in interest any moneys or property, real or personal which may have been acquired by means of any practice herein declared to be unlawful.

C. 56:8-9. Powers of receiver.

9. When a receiver is appointed by the court pursuant to this act, he shall have the power to sue for, collect, receive and take into his possession all the goods and chattels, rights and credits, moneys and effects, lands and tenements, books, records, documents, papers, choses in action, bills, notes and property of every description, derived by means of any practice declared to be illegal and prohibited by this act, including property with which such property has been mingled, if it cannot be identified in kind because of such commingling, and to sell, convey, and assign the same and hold and dispose of the proceeds thereof under the direction of the court. Any person who has suffered damages as a result of the use or employment of any unlawful practices and submits proof to the satisfaction of the court that he has in fact been damaged, may participate with general creditors in the distribution of the assets to the extent he has sustained out-of-pocket losses. In the case of a corporation, partnership or business entity the receiver shall settle the estate and distribute the

assets under the direction of the court, and he shall have all the powers and duties conferred upon receivers by the provisions of Title 14, Corporations, General, so far as the provisions thereof are applicable. The court shall have jurisdiction of all questions arising in such proceedings and may make such orders and judgments therein as may be required.

C. 56:8-10. Provisions not to bar claim.

10. Subject to an order of the court terminating the business affairs of any person after receivership proceedings held pursuant to this act, the provisions of this act shall not bar any claim against any person who has acquired any moneys or property, real or personal, by means of any practice herein declared to be unlawful.

C. 56:8-11. Recovery of costs.

11. In any action or proceeding brought under the provisions of this act, the Attorney General shall be entitled to recover costs for the use of this State.

C. 56:8-12. Provisions severable.

12. If any provision of this law or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the law which can be given effect without the invalid provision or application, and to this end the provisions of this law are severable.

13. This act shall take effect immediately.

Approved June 9, 1960.

CHAPTER 40

AN ACT to define and regulate certain retail installment sales and to license and regulate motor vehicle installment sellers and sales finance companies and to repeal "An act to define and regulate retail installment sales in the amount of or of the value of $3,000.00 or less and to license and regulate sales finance companies," approved September 29, 1948 (P. L. 1948, c. 419).

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

C. 17:16C-1. Terms defined.

1. In this act, unless the context otherwise requires, the following words and terms shall have the following meanings:

(a) "Goods" means all chattels personal having a cash price of $7,500.00 or less, but not including money or choses in action or goods sold for commercial or business use.

(b) "Retail installment contract" means any contract entered into in this State between a retail seller and a retail buyer evidencing an agreement to pay the retail purchase price of goods, or any part thereof, in 2 or more installments over a period of time, and pursuant to which title to or a lien upon the goods is retained or taken by the retail seller for the payment of the retail buyer's obligation. This term includes a chattel mortgage, conditional sales contract, or other similar instrument and any contract for the bailment or leasing of goods by which the bailee or lessee agrees to pay as compensation a sum substantially equivalent to or in excess of the value of the goods, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of such goods upon full compliance with the terms of such retail installment contract.

(c) "Retail seller" means a person who sells or agrees to sell goods under a retail installment contract to a retail buyer, and shall include a motor vehicle installment seller.

(d) "Retail buyer" means a person who buys or agrees to buy goods from a retail seller not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(e) "Person" means an individual, partnership, firm, corporation, banking institution, association or any other group of individuals however organized.

(f) "Sales finance company" means and includes any person engaging in this State in the business of acquiring or arranging for the acquisition of retail installment contracts by purchase, discount, pledge or otherwise, and any person engaging, directly or indirectly, in the business of soliciting the purchase of retail installment contracts, or in the business of aiding the retail seller in selling, assigning or arranging for the sale or assignment of retail installment contracts.

(g) "Motor vehicle" includes all vehicles used for transportation upon a highway propelled otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

(h) "Motor vehicle installment seller" means a dealer in motor vehicles, who is required to be licensed under chapter 10 of Title 39 of the Revised Statutes and who sells or offers to sell a motor vehicle to a retail buyer under a retail installment contract.

(i) "Cash price" means the minimum price for which the goods subject to the retail installment contract or other goods of like kind and quality may be purchased for cash from the seller by the buyer, as stated in the retail installment contract.

(j) "Down payment" means all payments made in cash or in goods or partly in cash and partly in goods, received by the retail seller prior to or substantially contemporaneous with either the execution of the retail installment contract or the

delivery of the goods, whichever occurs later.

(k) "Official fees" means the filing or other fees required by law to be paid to a public officer to perfect the interest or lien, on the goods, retained or taken by a retail seller under a retail installment contract.

(l) "Time price differential" means that part of the time sales price as determined under section 27(i) by which the time sales price exceeds the aggregate of the cash price and the amount included in a retail installment contract, if a separate charge is made therefor, for insurance and other benefits and official fees.

(m) "Holder" means any person, including a retail seller, who is entitled to the rights of a retail seller under a retail installment contract.

(n) "Banking institution" means any bank or national banking association authorized to do business in this State.

(o) "Commissioner" means the Commissioner of Banking and Insurance of New Jersey and includes his deputies or any salaried employee of the Department of Banking and Insurance named or appointed by the said commissioner to perform any function in the administration or enforcement of this act.

C. 17:16C-2. License required; exception.

2. No person shall hereafter engage in or continue to engage in the business of a sales finance company or in the business of a motor vehicle installment seller in this State without first obtaining a license from the commissioner as provided for in this act; provided, however, that no sales finance company shall be required to obtain a license to engage in the business of a motor vehicle installment seller for the purpose of disposing of any goods to which it has obtained title as a result of legal or contract right under any retail installment contract; and provided, further, that any banking institution authorized to do business in this State shall be authorized to transact business as a sales finance company, subject to all of the provisions of this act, except that it shall not be required to

obtain a license or pay a license fee hereunder.

C. 17:16C-3. Application for license; form and content.

3. (a) Application for a license under this act shall be in writing, under oath, and shall be in the form prescribed by the commissioner.

(b) The application shall state the name and residence and business addresses of the applicant, and if the applicant is a copartnership or association, of every member thereof, and if a corporation, of each officer and director thereof. It shall also state the address where the business is to be conducted and any other information the commissioner may require.

C. 17:16C-4. Application acted on within 60 days.

4. Within 60 days after the filing of the application and the payment of the fees hereinafter set forth the commissioner shall either:

(a) Issue and deliver to the applicant a license to engage in the business of a sales finance company or a motor vehicle installment seller in accordance with the provisions of this act at the location specified in the said application; or

(b) Refuse to issue the license for any reason for which he may suspend, revoke or refuse to renew any license under section 10 of this act.

C. 17:16C-5. Procedure upon refusal to grant license.

5. If the commissioner refuses to issue a license he shall:

(a) Notify the applicant of the denial and of his right to request a hearing within 10 days.

(b) If the applicant does not request a hearing, return the sum paid as a license fee.

(c) If the applicant requests such a hearing, give notice of the grounds for refusal and hold a hearing thereon. Within 30 days thereafter the commissioner shall file a written decision containing his findings and conclusions and serve a copy thereof upon the applicant.

C. 17:16C-6. License to specify location of office; not transferable or assignable. Name and office to remain the same.

6. (a) Each license shall specify the location of the office or branch and must be conspicuously displayed therein. In case such location be changed, the commissioner shall endorse the change of location on the license without charge.

(b) Such license shall not be transferable or assignable.

(c) No licensee shall transact the business provided for by this act under any other name or maintain an office at any other location than that designated in the license.

C. 17:16C-7. Fees to be paid by finance company.

7. Every sales finance company shall pay to the commissioner at the time of making the application and annually thereafter upon renewal a license fee of $100.00 for its principal place of business and $25.00 for each additional place of business conducted in this State.

C. 17:16C-8. Fees to be paid by motor vehicle installment seller.

8. Every motor vehicle installment seller shall pay to the commissioner at the time of making the application and annually thereafter upon renewal a license fee of $10.00 for its principal office and $10.00 for each additional place of business conducted in this State.

C. 17:16C-9. No abatement in license fee; expiration.

9. No abatement in the amount of the said license fee shall be made if the license is issued for less than 1 year, nor if the license is surrendered, canceled or revoked prior to the expiration of the period for which such license was issued. Every license shall expire on December 31 of each year.

C. 17:16C-10. Grounds for suspension, revocation or refusal to renew license.

10. The commissioner may suspend, revoke or refuse to renew any license issued hereunder, upon 10 days' notice in writing, forwarded by registered or certified mail to the principal place of business of such licensee, stating the contemplated action and in general the grounds therefor, and after reasonable opportunity to be heard, if he shall find that the licensee or any owner, director, officer, member, partner, employee or agent of such licensee has:

(a) Made any material misstatement in the application;

(b) Knowingly or without the exercise of due care failed to comply with or violated any provisions of this or any other act relating to retail installment contracts;

(c) Defrauded any retail buyer or willfully failed to perform any written agreement with any retail buyer;

(d) Willfully misrepresented or failed to disclose any of the material particulars or the nature

thereof required to be stated or furnished to the retail buyer under this act or any other laws of this State relating to retail installment contracts;

(e) Knowingly taken any instrument evidencing a retail installment contract which was signed in blank; or

(f) Otherwise demonstrated unworthiness, bad faith or dishonesty.

No license issued under this act to a motor vehicle installment seller shall be valid unless such seller is the holder of a valid and subsisting license issued pursuant to chapter 10 of Title 39 of the Revised Statutes.

C. 17:16C-11. Revocation, refusal, etc. of license may be specific or general.

11. The commissioner may suspend, revoke or refuse to renew the particular license with respect to which grounds for revocation, suspension or refusal to renew may occur or exist, or, if he finds that such grounds for suspension or revocation are of general application to all offices, or more than 1 office, operated by the licensee, he may revoke, suspend or refuse to renew all of the licenses issued to the licensee or such number of licenses as such grounds apply to, as the case may be.

C. 17:16C-12. Surrender of license not to affect civil or criminal liability.

12. Any licensee may surrender his license by delivering the license to the commissioner with written notice that he thereby surrenders the license, but such surrender shall not affect the licensee's civil or criminal liability for acts committed prior to the surrender.

C. 17:16C-13. Suspension, etc., not to affect obligation of contract.

13. No suspension, revocation or refusal to renew any license shall impair or affect the obligation of any lawful retail installment contract acquired previously thereto by the licensee.

C. 17:16C-14. License to remain in force and effect; reinstatement.

14. Every license issued hereunder shall remain in force and effect until the same shall have expired or been surrendered, revoked or suspended in accordance with the provisions of this act, but the commissioner may reinstate suspended licenses or issue new licenses to a licensee whose license or licenses have been revoked, if the conditions under which such licenses were revoked have been corrected and the commissioner is satisfied as the

result of an investigation that such conditions are not likely to reoccur.

C. 17:16C-15. Examination of records when violation is suspected.

15. The commissioner, if he has reasonable cause to believe that any licensee, or any other person, has violated any of the provisions of this act or of any other law relating to retail installment sales or contracts, shall have the power to make such investigations as he shall deem necessary, and may examine the books, accounts, records and files of such licensee or any other such person believed to have violated this act or any other law relating to retail installment sales or contracts.

C. 17:16C-16. Power of subpœna; administer oaths.

16. The commissioner shall have power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before him in any matter over which he has jurisdiction, control or supervision pertaining to this act. The commissioner shall have the power to administer oaths and affirmations to any person whose testimony is required.

C. 17:16C-17. Court order requiring attendance.

17. In case of a failure of any person to comply with any subpœna issued by the commissioner or to testify with respect to any matter concerning which he may be lawfully interrogated, the Superior Court, on application of the commissioner, may issue an order requiring the attendance of such person and the giving of testimony or production of evidence. Any person failing to obey the court's order may be punished by the court as for contempt.

C. 17:16C-18. Records kept.

18. Every retail seller, sales finance company and holder shall maintain at its place or places of business in this State such books, accounts and records relating to all transactions within this act as will enable the commissioner to enforce full compliance with the provisions of this act.

C. 17:16C-19. Retention of records.

19. All books, accounts and records of the licensee shall be preserved and kept available as provided herein for such period of time as the commissioner may by regulation require.

C. 17:16C-20. Minimum information to be kept.

20. The commissioner is hereby authorized to prescribe the minimum information to be shown in

such books, accounts and records of the licensee so that such records will enable the commissioner to determine compliance with the provisions of this act.

C. 17:16C-21. Contract in writing and to contain all agreements.

21. Every retail installment contract shall be in writing and shall contain all of the agreements between the retail buyer and retail seller relating to the installment sale of the goods purchased and shall be signed both by the retail buyer and the retail seller.

C. 17:16C-22. Contents of contract.

22. Every retail installment contract shall state the names and addresses of all parties thereto, the date when signed by the retail buyer, and shall contain a description of the goods sold which shall be sufficient for identification. No retail installment contract shall be signed by any party thereto when such contract contains blank spaces to be filled in after such contract has been signed; however, this provision shall not apply to serial numbers or other identifying marks which are not available for the description of the goods at the time of the execution of the contract.

C. 17:16C-23. Buyer to be furnished copy of contract.

23. A copy of the retail installment contract shall be furnished by the retail seller to the retail buyer at the time the retail buyer signs the contract except that such copy need not contain the signature of the retail seller. Such copy shall be furnished the retail buyer without charge.

C. 17:16C-24. Notice to buyer contained in contract; specifications.

24. Every retail installment contract shall contain the following notice printed prominently, in the form herein indicated, in 10-point bold type or larger, directly above the notice required by section 25:

"NOTICE TO RETAIL BUYER

Do not sign this contract in blank.
You are entitled to a copy of the contract at the time you sign.
Keep it to protect your legal rights."

C. 17:16C-25. Acknowledgment of receiving contract; specifications.

25. Any acknowledgment by the retail buyer of receipt of a copy of the contract shall be printed or written in a size equal to at least 10-point bold

type and, if contained in the contract, shall appear directly above the space provided in the contract form for the signature of the retail buyer.

C. 17:16C-26. Provisions for payment of time balances.

26. Every retail installment contract shall provide for the payment of the time balance as determined in section 27(h) in substantially equal periods of time and in substantially equal amounts; provided that the retail seller may defer the initial installment for a period of 60 days; and provided, further, that when appropriate for the purpose of facilitating payment, in accordance with a retail buyer's intermittent income, a contract may provide for payment on a schedule which reduces or omits payments over a period or periods not in excess of 93 days in any 12-month period. When a retail installment contract provides for unequal or irregular installments, the time price differential shall not exceed the effective rate provided in section 41, having due regard for the schedule of installments. When in any retail installment contract the purchase of goods is combined with the purchase of food, the time balance on which is stated as 1 amount, that part of the time balance on the sale of goods shall be subject to the provisions of this section, but that part of the time balance on the purchase of food may be payable in a shorter time and added to the equal payment installment on the goods.

C. 17:16C-27. Items to be set forth separately in contract.

27. Every retail installment contract shall set forth the following separate items:

(a) The cash price of the goods which are the subject matter of the retail installment contract;

(b) The down payment made by the retail buyer, indicating whether made in cash or in goods or partly in cash and partly in goods. The amount of the payment in cash and in goods shall be shown separately. A description of the goods, if any, sufficient for identification, shall be shown;

(c) The unpaid cash balance which shall be the difference between the cash price (subsection (a)) and the down payment (subsection (b));

(d) The amount, if any, if a separate charge is made therefor, included for insurance and other benefits, specifying the coverages and benefits;

(e) The amount of official fees;

(f) The principal balance, which is the sum of subsections (c), (d) and (e);

(g) The amount of the time price differential;

(h) The time balance, which is the sum of subsections (f) and (g), owed by the retail buyer to the retail seller, the number of installments required, the amount of each installment expressed in dollars and the due date or period thereof;

(i) The time sales price, which is the sum of subsections (b) and (h).

C. 17:16C-28. Additional purchases after original agreement.

28. Whenever a retail installment contract by its terms permits the inclusion of additional goods purchased after the original agreement, and such goods are so purchased and the amount due on the new purchase is combined with an unpaid balance on any prior purchase so as to permit the retail seller to retain title to or reserve a lien upon all goods under the combined agreement, the retail seller shall, at the time of the additional purchase, deliver to the retail buyer and attach to the original agreement:

(a) A statement containing all the information with respect to the additional purchase required to be included in a retail installment contract; and

(b) A statement showing the amount due on the agreement immediately previous to the new purchase, the amount due after the new purchase, the payments agreed to be made thereafter, and the number of additional months required to complete the payments.

C. 17:16C-29. Allocation of payment on additional purchases.

29. Whenever a payment is made on such a continuing agreement after additional purchases have been added, the payment shall be considered as allocated among each of the separate purchases included, in the same proportions which the original cash price of each bears to the total cash price of all goods to which the retail seller has retained title, and the retail seller before repossessing or

attempting to repossess any goods under any such agreement shall actually allocate in such manner all such payments made to him by the retail buyer. When the amount owing on any separate purchase has been fully paid, the goods so paid for shall become the absolute property of the retail buyer and shall not be subject to repossession for any subsequent default on the agreement. The retail buyer under any such agreement may at any time prepay the amount due on any of the separate purchases and in case of repossession may redeem any of such separate purchases by payment of the amount due on such purchase alone.

C. 17:16C-30. Insurance may be required.

30. The retail buyer may be required to insure the goods at the retail buyer's expense for the protection of the retail seller or subsequent holder which insurance may be purchased by the holder. Such insurance shall be written for the dual protection of the retail buyer and the retail seller or subsequent holder to the extent of his interest in the goods and shall be limited to insurance against substantial risk of damage, destruction, or theft of such goods and shall be upon terms and conditions, which are reasonable and appropriate, considering the type and conditions of such goods. When the retail buyer fails or is unable to acquire insurance or the retail seller or subsequent holder is unable to purchase insurance covering the dual protection of the retail buyer and retail seller or subsequent holder, the retail seller or holder may purchase a single interest insurance policy on the goods and may collect the premium therefor from the retail buyer.

C. 17:16C-31. Buyer may supply insurance; premium included in contract; policy furnished; cancellation; returned premiums credited to unpaid balance.

31. The retail buyer shall have the privilege of supplying insurance on the goods through an agent or broker of his own selection and selecting an insurance company acceptable to the retail seller; provided, however, the inclusion of the premium for such insurance in the retail installment contract, when the retail buyer selects the company, agent or broker, shall be optional with the retail seller. The amount, if any, included for such insur-

ance shall not exceed the premiums chargeable in accordance with the applicable rates filed with the commissioner for such insurance. The retail seller or holder, if the premium for dual insurance on the goods is included in a retail installment contract, shall within 25 days after the execution of the retail installment contract send or cause to be sent to the retail buyer a policy or policies or certificate of insurance, written by an insurance company authorized to do business in this State, clearly setting forth the amount of the premium, the kind or kinds of insurance and the scope of the coverage and all the terms, exceptions, limitations, restrictions and conditions of the contract or contracts of insurance. The holder of a retail installment contract shall, if the goods described therein have been repossessed and sold, cancel any insurance on the goods and any other insurance or other benefits then in force and shall credit the amount of the return premium thereon to the unpaid balance outstanding on the retail installment contract.

C. 17:16C-32. Notice to retail buyer of motor vehicle as to liability and bodily injury insurance; specifications.

32. Whenever, in the sale of a motor vehicle, the retail buyer is required, under the provisions of this act, to provide a policy of insurance and such policy of insurance does not contain the liability insurance provisions of sections 3, 24, 25 or 26 of the Motor Vehicle Security Responsibility Law (P. L. 1952, c. 173), the retail installment contract shall contain, immediately following the statement therein concerning insurance, the following notice printed prominently, in the form herein indicated or in such other form as may be approved by the commissioner, in 10-point type or larger:

"THIS DOES NOT INCLUDE INSURANCE ON YOUR LIABILITY FOR BODILY INJURY OR PROPERTY DAMAGE. WITHOUT SUCH INSURANCE, YOUR LICENSE AND REGISTRATION MAY BE REVOKED IF YOU HAVE AN ACCIDENT."

C. 17:16C-33. Other insurance.

33. In addition to insurance on the goods, by agreement with the retail buyer, the retail seller may purchase such other insurance and other benefits as the retail buyer shall contract for; provided, however, that the retail buyer may cancel such additional insurance and other benefits, other than credit life and credit accident and health insurance, at any time prior to the expiration of such insurance contracts or benefits.

C. 17:16C-34. Premium refund credited to next installment.

34. If any policy or policies or certificates of insurance or other benefits are canceled, or the premiums thereon adjusted, the unearned insurance premium refund or refund on other benefits received by the retail seller or subsequent holder of the retail installment contract shall be credited to the next maturing installments of the retail installment contract, except to the extent applied toward payment for similar insurance protecting the interest of the buyer and the retail seller or holder of the contract or any of them; provided that in the case of credit life or credit accident and health insurance, the refund to the buyer shall be made in accordance with chapter 169 of the laws of 1958, and provided further that if the amount of such refund is less than the minimum prescribed by the commissioner, no refund need be made.

C. 17:16C-35. Acceleration clause in contract barred.

35. No retail installment contract shall contain any acceleration clause under which any part or all of the time balance, not yet matured, may be declared immediately due and payable because the retail seller or holder deems himself to be insecure.

C. 17:16C-36. Provisions for buyer's waiver of rights barred.

36. No retail installment contract shall contain any provisions whereby the retail buyer waives any right of action against the retail seller, holder or other person acting on his or her behalf for any illegal act committed in the collection of the payments under the contract or in the repossession of the goods, the subject of the retail installment contract.

C. 17:16C-37. Powers of attorney barred.

37. No retail installment contract or separate instruments executed in connection therewith shall contain any power of attorney to confess judgment or any other power of attorney.

C. 17:16C-38. Bars relieving seller of liability.

38. No retail installment contract shall contain any provision relieving the retail seller from liability for any legal remedies which the retail buyer may have against the retail seller under the contract.

C. 17:16C-39. Assignment of salary, etc. barred.

39. No retail seller shall at any time take either in a retail installment contract or in a separate instrument, any assignment of or order for the payment of any salary, wages, commissions, or other compensation for services, or any part thereof, earned or to be earned.

C. 17:16C-40. Limitation on interest charges.

40. No retail seller, sales finance company or holder shall make any loan of money or advance of credit to a retail buyer on or in connection with any retail installment contract and charge, contract for or receive thereon a greater rate of interest than he would otherwise be permitted by law to charge except in accordance with the provisions of this act; provided, however, that nothing contained in this section shall prohibit a banking institution from making any loan which it otherwise is permitted by law to make.

C. 17:16C-41. Price differentials charges authorized; limitation on rates.

41. A retail seller and a motor vehicle installment seller, under the provisions of this act, shall have authority to charge, contract for, receive or collect a time price differential as defined in this act, on any retail installment contract evidencing the sale of goods which shall not exceed the rates for the respective classification as follows:

Class I. New motor vehicles, an amount not to exceed $7.00 per $100.00 per year;

Class II. Used motor vehicles of a model designated by the manufacturer by a year not more than 2 years prior to the year in which the sale is made, an amount not to exceed $10.00 per $100.00 per year;

Class III. Older used motor vehicles of a model designated by the manufacturer by a year more than 2 years prior to the year in which the sale is made, an amount not to exceed $13.00 per $100.00 per year;

Class IV. On all other goods, an amount not to exceed $10.00 per $100.00 per year.

The time price differential shall be computed on the amount of the principal balance as determined in section 27 (f), from the date of the contract to the due date of the final installment, notwithstanding the fact that the contract is to be repaid in installments.

If the time price differential so computed is less than $12.00, and if the due date of the last installment of the contract is more than 8 months after the date of the contract, a charge of not more than $12.00 may be made in lieu of the time price differential. If the time price differential so computed is less than $10.00, and if the due date of the last installment of the contract is 8 months or less after the date of the contract, a charge of not more than $10.00 may be made in lieu of the time price differential.

C. 17:16C-42. Delinquency charges; attorney's fees; limitations.

42. (a) The holder of any retail installment contract may collect a delinquency or collection charge for default in the payment of any such contract or any installment thereof, if provided for in the contract where such default shall have continued for a period of 10 days, such charge not to exceed 5% of each installment in default or the sum of $5.00, whichever is the lesser. Such delinquency may be collected by the holder of the retail sales contract or charged to the retail buyer's account. If charged to the retail buyer's account, such charge shall be made within 35 days from the date of such default and then a written notification that such charge has been made shall be mailed to the retail buyer within 5 days from the date when such charge was made.

(b) In addition to such delinquency and collection charge, the retail installment contract may also provide for the payment of attorney's fees not exceeding 20% on the first $500.00 and 10% on any excess of the amount due and payable under such contract when referred to an attorney, not a salaried employee of the holder of the contract, for collection.

C. 17:16C-43. Prepayment of contract; refund; computing.

43. Any retail buyer may satisfy in full at any time before maturity the amount of any balance to become due on any retail installment contract, and in so satisfying any such debt shall receive a refund credit thereon for such anticipation of payments. The amount of such refund shall represent at least as great a proportion of the time price differential, less an acquisition cost of $15.00, as the sum of the periodical time balances scheduled by the contract to follow the installment date after the date of prepayment bears to the sum of all the periodical time balances under the schedule of payments in the original contract. Where the amount of the credit for anticipation of payments is less than $1.00, no refund need be made.

C. 17:16C-44. Extending due date of contract or installment payment; options.

44. The holder of a retail installment contract may extend the scheduled due date of any retail installment contract and defer the scheduled due date of any or all installment payments, or reduce the amount of any or all installments and may, as a consideration therefor, make a total additional charge not to exceed the amount ascertained under either of the following methods of computation at the respective rates indicated by the following options:

Option 1. The additional charge shall be computed on the amount of the scheduled installment or installments extended, deferred or reduced for the period or periods for which each installment or part thereof is extended, deferred or reduced at the following rates on contracts originally in the respective classifications set forth in section 41 of this act:

Class I. 1% per month;

Class II. 1½% per month;

Class III. 2% per month;

Class IV. 2% per month.

Option 2. The holder of a retail installment contract by written agreement may renew the entire unpaid balance on any retail installment contract and may make a charge therefor at the rates charged in the original contract from the date of

renewal to the maturity of the final installment. The amount of the balance to be renewed shall be obtained by adding to the existing unpaid balance on the original contract, the cost of any insurance or other benefits for the period of the extension and any accrued default charges and refunding the unearned portion of the time price differential charged according to the formula provided in section 43 of this act; provided, however, that in computing the unearned time price differential charge no allowance shall be taken for the amount of the acquisition cost permitted therein.

C. 17:16C-45. Sale, transfer or assignment of contract; conditions.

45. No retail seller under a retail installment contract, executed in this State, shall sell, transfer or assign the obligation represented by such contract or any evidence of indebtedness thereunder to any person who is not authorized as a sales finance company pursuant to the provisions of this act, except that such obligation or evidence of indebtedness may be sold, transferred or assigned to a State or national bank outside of this State if the retail installment contract is retained by the retail seller or sales finance company and collection of payments thereon is made to the retail seller or sales finance company.

C. 17:16C-46. Failure to notify retail buyer on sale, etc. of contract; payment binding on subsequent holder.

46. If a retail installment contract is lawfully sold, transferred or assigned, pursuant to the provisions of this act, and a written notice of such sale, transfer or assignment setting forth the name and address of the new holder and of the person authorized to receive future payments on such contract is not given to the retail buyer, any payment or tender of payment made to and any service of notice on the last known holder by the retail buyer shall be binding upon any subsequent holder.

C. 17:16C-47. Provisions of section 45 not to apply; proviso.

47. The provisions of section 45 shall not apply to any assignment of an aggregation of retail installment contracts, which is executed by a retail seller or sales finance company as collateral security only for a bona fide commercial loan, and under which, in the absence of default or other bona fide breach of the contract, ownership of the assigned

retail installment contracts remains vested in the retail seller or sales finance company, and collection of payments on such assigned contracts is made by the retail seller or sales finance company; and provided such assignment of contracts is not made for the purpose of evading or circumventing the provisions of this act.

C. 17:16C-48. Status of buyer account furnished; limits number.

48. Upon written request from the retail buyer, the retail seller or holder of the retail installment contract shall give or forward to the retail buyer within 10 days from receipt of the written request a written statement of the retail buyer's account, showing the dates and amounts of all payments made or credited to the account and the total amount, if any, unpaid under such contract. No more than 2 such statements shall be required from a holder in any 12-month period.

C. 17:16C-49. Receipt for cash payment; contents.

49. Whenever payment is made on account of any retail installment contract in cash, the person receiving such payment shall, at the time of receiving such payment, furnish to the retail buyer, or the person making such payment on behalf of the retail buyer, a complete written receipt therefor, showing the date, identification of the account and the amount paid.

C. 17:16C-50. May collect permitted charges only.

50. No retail seller, and no sales finance company, shall charge, contract for, collect or receive from any retail buyer, directly or indirectly, any further or other amount for costs, charges, insurance premiums, examination, appraisal service, brokerage, commission, expense, interest, discount, fees, fines, penalties or other things of value in connection with retail installment contracts other than the charges permitted by this act, except court costs, attorney fees and the expenses of retaking and storing repossessed goods which are authorized by law.

C. 17:16C-51. Advanced amounts not retained on contemplated sales; deposit status not affected.

51. No retail seller shall collect or retain any amount whatsoever in connection with the contemplated sale of goods under a retail installment sales contract, if such sale is not made; provided, however, that nothing contained herein shall affect the

legal status of a deposit paid by a prospective retail buyer to a retail seller as a binder on the contemplated purchase of goods.

C. 17:16C-52. Payment in full of contract; action by holder of contract under classes I, II, III and IV, section 41.

52. With respect to Class I, Class II, and Class III goods as defined in section 41, upon payment in full by the retail buyer of the time balance and other amounts lawfully due under a retail installment contract, the holder shall:

(a) Return to the retail buyer the original instruments evidencing indebtedness or constituting security under a retail installment contract, which were signed by the retail buyer or his sureties or guarantors in conjunction with such contract, excepting such instruments as are filed or recorded with a public official and retained in the files of such official;

(b) Release all security interest in the goods or in any collateral security to the obligation of the retail buyer under such contract;

(c) Deliver to the retail buyer such good and sufficient assignments and certificates of title as may be necessary to vest the retail buyer with complete evidence of title.

With respect to Class IV goods as defined in section 41, the holder, upon payment in full by the retail buyer of the time balance and other amounts lawfully due under a retail installment contract, shall furnish the retail buyer with such instrument as the commissioner may by regulation provide.

C. 17:16C-53. Certificate of ownership delivered to retail buyer upon final payment.

53. When the final payment on a retail installment contract is made in cash by the retail buyer, or his authorized representative, at the designated licensed office of the holder, the certificate of ownership and other evidence of lien, showing satisfaction of the encumbrance, unless otherwise provided by rule or regulation of the commissioner, shall be delivered at the time of such payment if demanded by the retail buyer, otherwise delivery may be made at a later date in person or by mail as may be arranged between retail buyer and holder; all other instruments shall be delivered or mailed to the retail buyer within 35 days from the date of final payment.

C. 17:16C-54. Unauthorized costs and charges void and unenforceable.

54. Whenever, in any retail installment contract under this act, the retail seller or any subsequent holder has knowingly charged, contracted for or received from the retail buyer any costs or charges not authorized by this act, all costs and charges in connection with such contract, other than for insurance and other benefits, shall be void and unenforceable, and any such costs or charges other than for insurance and other benefits shall be applied to the unpaid balance or, if the account has been fully paid, remitted to the retail buyer, and the retail buyer shall be entitled to recover all such costs or charges.

C. 17:16C-55. Penalty for operating without a license.

55. Any person, and any director, officer, employee, agent, or representative thereof, who or which shall engage in this State in the business of a sales finance company or motor vehicle installment seller without having first obtained a license, as required by this act, shall be liable to a penalty of not more than $1,000.00 for each offense.

C. 17:16C-56. Penalty for violation; recovery of penalty.

56. (a) Any person conducting business under this act and any director, officer, partner, member, employee, agent, or representative thereof who shall knowingly violate any provision of this act or shall directly or indirectly counsel, aid or abet such violation shall be liable to a penalty of not more than $500.00 for each offense.

(b) The penalties provided for by this act shall be sued for and recovered by and in the name of the commissioner and shall be collected and enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

C. 17:16C-57. Provisions severable.

57. If any provision of this act or the application thereof to any person or circumstance is held unconstitutional, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

C. 17:16C-58. Repealer.

58. Chapter 419, P. L. 1948, entitled, "An act to define and regulate retail installment sales in the amount of or of the value of $3,000.00 or less and to license and regulate sales finance companies,"

approved September 29, 1948, is hereby repealed, and all laws and parts of laws which are inconsistent with or repugnant to the provisions of this act are hereby superseded; provided, however, that nothing herein contained shall be construed to impair or affect any rights, obligations, liabilities or criminal, civil or administrative proceedings arising under the aforesaid act.

C. 17:16C-59. License continued; renewal license under this act.

59. Any sales finance company holding a license under the provisions of chapter 419, P. L. 1948, approved September 29, 1948, and doing business on the date this act takes effect, shall be considered to have been licensed under and subject to the provisions of this act for the period ending December 31, 1960, at which time it must obtain a license under the provisions of this act.

C. 17:16C-60. Short title.

60. This act shall be known and may be cited as the "Retail Installment Sales Act of 1960."

C. 17:16C-61. Act effective.

61. This act shall take effect 90 days from the date of its approval.

Approved June 9, 1960.

CHAPTER 41

AN ACT to define and regulate installment sales of goods and services used or furnished in the modernization, rehabilitation, repair, alteration or improvement of real property, and to provide for licensing of home improvement contractors and home financing agencies and providing penalties for violations.

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

1. Unless the context otherwise indicates,

C. 17:16C-62. Terms defined.

(a) "Goods" means all chattels personal which are furnished or used in the modernization, reha-

bilitation, repair, alteration or improvement of real property except those furnished or used for a commercial or business purpose or for resale, and except stoves, freezers, refrigerators, air conditioners other than those connected with a central heating system, hot water heaters and other appliances furnished for use in a home and designed to be removable therefrom without material injury to the structure, and except chattels personal under a contract in which the cash price is $300.00 or less and which is subject to the Retail Installment Sales Act of 1960.

(b) "Services" means labor, equipment and facilities furnished or used in connection with the installation or application of goods in the modernization, rehabilitation, repair, alteration or improvement of real property;

(c) "Home repair contract" means an agreement, whether contained in 1 or more documents, between a home repair contractor and an owner to pay the time sales price of goods and related services in installments over a period of time greater than 3 months;

(d) "Home repair contractor" means any person engaged in the business of selling goods and related services pursuant to a home repair contract;

(e) "Commissioner" means the Commissioner of Banking and Insurance of New Jersey and includes any deputies or employees of the department designated by him to administer and enforce this act;

(f) "Official fees" means the fees to be paid to a public officer for obtaining any permit or filing any lien or mortgage taken or reserved as security pursuant to a home repair contract;

(g) "Cash price" means the cash sales price for which the home repair contractor would sell the goods and services which are the subject matter of a home repair contract if the sale were a sale for cash rather than an installment sale;

(h) "Down payment" means all payments made in cash to the home repair contractor and all allow-

ances given by the home repair contractor to the owner prior to or substantially contemporaneous with the execution of the home repair contract;

(i) "Credit service charge" means that amount by which the time sales price exceeds the aggregate of the cash price and the amounts specifically included for official fees;

(j) "Time sales price" means the total amount to be paid pursuant to the contract excluding default charges authorized under this act;

(k) "Owner" means a person who buys goods or services pursuant to a home repair contract;

(l) "Home financing agency" means and includes any person, other than a home repair contractor, engaged, directly or indirectly, in the business of purchasing, acquiring, soliciting or arranging for the acquisition of home repair contracts or any obligation in connection therewith by purchase, discount, pledge or otherwise; and

(m) "Holder" means any person who is entitled to the rights of a home repair contractor under a home repair contract.

C. 17:16C-63. Home repair contracts; contents.

2. Every home repair contract:

(a) shall be in writing and contain the entire agreement between the owner and the home repair contractor;

(b) shall state the names and addresses of all parties, the dates when executed by the parties and contain a description of the goods and services;

(c) shall be completed in full without any blank spaces to be filled in after the contract is signed by the owner, except for serial numbers or identifying marks which are not available for the description of the goods at that time;

(d) shall contain the following notice in 10-point bold type or larger, directly above the space provided for the signature of the owner:

"NOTICE TO OWNER

Do not sign this contract in blank.

You are entitled to a copy of the contract at the time you sign.

Keep it to protect your legal rights.''; and

(e) shall state if workmen's compensation and public liability insurance are carried by the home repair contractor and applicable to the work to be performed under the contract and if the home repair contractor is qualified as a self-insurer pursuant to Title 34.

C. 17:16C-64. Home repair contract not to contain certain provisions, etc.

3. No home repair contract shall contain:

(a) any acceleration clause under which any part or all of the time balance not yet matured may be declared due and payable because the holder deems himself to be insecure;

(b) any agreement to pay any amount other than the time sales price of the goods and services furnished under the contract, provided that a retail installment contract under the Retail Installment Sales Act of 1960 may be included in a home repair contract;

(c) any power of attorney to confess judgment or any other power of attorney;

(d) any provision relieving the home repair contractor from liability upon any claim which the owner may have under the contract;

(e) any provisions whereby the owner waives any right of action against the home repair contractor or holder or other person acting in his or their behalf for any act committed in the collection of the payments under the contract or in the repossession of the goods, the subject matter of the home repair contract;

(f) any assignment of or order for the payment of any salary, wages, commissions or other compensation for services, or any part thereof, earned or to be earned;

(g) any provision for a payment or credit to any owner for the privilege of placing any sign on the premises where the work is being done or for recommending to the home repair contractor the names of any person or persons, who might be interested in making an installment home repair contract unless such provision has been approved by the commissioner.

C. 17:16C-65. Owner to receive a completely executed copy of contract

4. Every home repair contractor shall furnish without charge a completely executed copy of the home repair contract to the owner immediately after the owner signs such contract and any acknowledgment of receipt thereof by the owner shall be in 10-point bold type or larger.

C. 17:16C-66. Certificate of completion not requested or accepted.

5. No home repair contractor shall request or accept a certificate of completion signed by the owner prior to the actual completion of the work to be performed under the home repair contract.

C. 17:16C-67. Items to be set forth separately in contract.

6. Every home repair contract shall state separately:

(a) the cash price of the goods and services to be furnished;

(b) the down payment;

(c) the unpaid cash balance which is the difference between subsections (a) and (b);

(d) the official fees;

(e) the principal balance, which is the sum of subsections (c) and (d);

(f) the credit service charge;

(g) the time balance, which is the sum of subsections (e) and (f), the number of installments required, the amount of each installment and the due dates thereof.

C. 17:16C-68. Time balance paid in equal installments; reduce or omit payments.

7. Every home repair contract shall provide for the payment of the time balance at substantially equal intervals of time and in substantially equal amounts. When appropriate for the purpose of facilitating payment, the contract may provide for payments on a schedule which reduces or omits payments over a period or periods not in excess of 93 days in any 12-month period.

C. 17:16C-69. Credit service charge authorized; limitation.

8. A home repair contractor may impose and receive a credit service charge not more than the following:

(a) in any case in which the due date of the last installment of the contract is more than 8 months after the date of the contract, $7.00 per $100.00 per year computed on the principal balance, or $12.00, whichever is greater;

(b) in any case in which the due date of the last installment of the contract is 8 months or less after

the date of the contract, $7.00 per $100.00 per year computed on the principal balance, or $10.00, whichever is greater.

C. 17:16C-70. May collect permitted costs, charges, etc. only.

9. No home repair contractor or any other person shall charge, collect or receive from any owner, directly or indirectly, any further or other amount for costs, charges, insurance premiums, examination, appraisal service, brokerage, commission, interest, discount, expense, fee, fine, penalty or other thing of value in connection with a home repair contract, other than the charges permitted by this act and chapter 169 of the laws of 1958, except court costs, attorney's fees and the expenses of retaking and storing repossessed goods which are authorized by law.

C. 17:16C-71. Delinquency or collection charges; limitation; attorney's fees.

10. (a) A home repair contract may provide for a delinquency or collection charge for default in the payment of any such contract or any installment thereof, if such default continues for a period of 10 days. Such charge shall not exceed 5% of the amount of the installment in default or $5.00 whichever is the lesser and may be collected in cash or charged to the owner's account. If charged to the owner's account such charge shall be levied within 35 days from the date of such default and written notification that such charge has been made shall be mailed to the owner within 5 days from the date when such charge was made.

(b) The home repair contract may also provide for the payment of reasonable attorney's fees when a payment in default for a period of 10 days is referred to an attorney, not a salaried employee of the holder of the contract, for collection.

C. 17:16C-72. Receipt for cash payment; contents.

11. Whenever payment is made in cash on account of any home repair contract, the person receiving such payment shall, at the time of receiving such payment, furnish to the person making such payment a written receipt therefor showing the date, identification of the account and the amount paid. Unless notice has been given to the owner of an assignment of a home repair contract, payment thereunder or tender thereof by the owner to

the last known holder of such contract shall be binding upon any holder or assignee thereof.

C. 17:16C-73. Payment in advance; refund credit; determining amount of refund.

12. Any owner may satisfy in full at any time before maturity the amount of any balance to become due on any home repair contract and in so satisfying such debt shall receive a refund credit thereon for such anticipation of payments. The amount of such refund shall represent at least as great a proportion of the credit service charge, less an acquisition cost of $15.00, as the sum of the periodical time balances scheduled by the contract to follow the installment date after the date of prepayment bears to the sum of all the periodical time balances under the scheduled payments in the original contract. Where the amount of the credit for anticipation of payments is less than $1.00, no refund need be made.

C. 17:16C-74. Status of owner's account furnished; limits number.

13. Upon written request from the owner, the holder of the home repair contract shall deliver to the owner within 10 days from receipt of the written request a statement of the owner's account showing the date and amount of all payments made or credited to the account and the total amount, if any, unpaid under the contract. Not more than 2 such statements shall be required in any 12-month period.

C. 17:16C-75. Payment in full of time sales price when goods or real property is mortgaged, etc.

14. With respect to contracts pursuant to which there is a lien, mortgage or encumbrance upon the goods or real property, upon payment in full by the owner of the time sales price and other amounts lawfully due under a home repair contract, the holder shall:

(a) return to the owner the original instruments evidencing indebtedness under a home repair contract which were signed by the owner or his sureties or guarantors in connection with such contract, excepting such instruments as are filed with a public official and retained in the files of such official;

(b) release all security interest in the goods and real property affected by the home repair contract; and

(c) deliver to the owner such good and sufficient assignments, releases of liens and mortgages on

personal and real property and such other instruments of title as may be necessary to vest the owner with complete evidence of title.

With respect to all other contracts, the holder, upon payment in full by the retail buyer of the time sales price and other amounts lawfully due under a home repair contract, shall furnish the owner with such instruments as the commissioner may by regulation provide.

C. 17:16C-76. Unauthorized costs and charges unenforceable.

15. All costs and charges in connection with such contract which are not authorized by this act shall be unenforceable. Any payment of such costs or charges shall be applied to the next maturing installment or, if the contract has been fully paid, remitted to the owner and the owner shall be entitled to recover all such costs or charges.

C. 17:16C-77. License required; exceptions.

16. No person shall engage in the business of a home financing agency or a home repair contractor in this State without first obtaining a license from the commissioner as provided for in this act. Any bank, trust company or national bank or any State or Federally chartered savings and loan association or credit union authorized to do business in this State and any licensed sales finance company shall be authorized to transact business as a home financing agency, subject to all of the provisions of this act, except that it shall not be required to obtain a license or pay a license fee hereunder. No license issued under this act shall be transferable or assignable.

C. 17:16C-78. Application in writing and under oath; form and content.

17. (a) Application for a license under this act shall be in writing, under oath, and shall be in the form prescribed by the commissioner.

(b) The application shall state the name and residence and business addresses of the applicant, and if the applicant is a copartnership or association, of every member thereof, and if a corporation, of each officer and director thereof. It shall also state the address where the business is to be conducted, demonstrate the financial responsibility of the applicant and set forth any other information the commissioner may require.

C. 17:16C-79. Action by commissioner within 60 days.

18. Within 60 days after the filing of the application and the payment of the fees herein set forth the commissioner shall:

(a) issue and deliver to the applicant a license to engage in the business of a home financing agency or a home repair contractor in accordance with the provisions of this act; or

(b) refuse to issue the license for any reason for which he may suspend, revoke or refuse to renew any license under this act.

C. 17:16C-80. Action by commissioner upon refusal to grant license.

19. If the commissioner refuses to issue a license he shall:

(a) Notify the applicant of the denial and of his right to request a hearing within 10 days;

(b) If the applicant does not request a hearing, return the sum paid as a license fee;

(c) If the applicant requests such a hearing, give notice of the grounds for refusal and hold a hearing thereon, and within 30 days after such hearing the commissioner shall file a written decision containing his findings and conclusions and serve a copy thereof upon the applicant.

C. 17:16C-81. Business conducted at licensed location; endorsement on change of location.

20. No licensee shall transact any business subject to this act under any other name or maintain an office at any other location than that designated in the license. In case such location be changed, the commissioner shall endorse the change of location on the license without charge.

C. 17:16C-82. Annual license fee.

21. Every home financing agency and every home repair contractor shall pay to the commissioner at the time of making the application and annually thereafter upon renewal a license fee of $25.00.

C. 17:16C-83. No abatement in amount of license fee.

22. No abatement in the amount of the said license fee shall be made if the license is issued for less than 1 year, nor if the license is surrendered, canceled or revoked prior to the expiration of the period for which such license was issued. Every license shall expire on December 31 of each year.

C. 17:16C-84. Suspend, revoke or refuse to renew license; notice; hearing.

23. The commissioner may suspend, revoke or refuse to renew any license issued hereunder, upon 10 days' notice in writing, forwarded by registered or certified mail to the principal place of business

or residence of such licensee, stating the contemplated action and in general the grounds therefor, after reasonable opportunity to be heard, if he shall find that the licensee or any owner, director, officer, member, partner, employee or agent of such licensee has:

(a) Made any material misstatement in the application;

(b) Knowingly or without the exercise of due care failed to comply with or violated any provisions of this act;

(c) Defrauded any retail buyer or willfully failed to perform any written agreement with any owner;

(d) Willfully misrepresented or failed to disclose any of the material particulars or the nature thereof required to be stated or furnished to the owner under this act;

(e) Knowingly taken any instrument evidencing a home repair contract which was signed in blank; or

(f) Otherwise demonstrated lack of financial responsibility, unworthiness, bad faith or dishonesty.

C. 17:16C-85. Investigations and examination of records; administer oaths.

24. The commissioner shall have power to make such investigations as he shall deem necessary, and may examine the books, accounts, records and files of any person who is a party to or holder of a home repair contract. The commissioner shall have power to administer oaths and affirmations to any person whose testimony is required.

C. 17:16C-86. Power of subpœna; court order to compel attendance.

25. The commissioner shall have the power to issue subpœnas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before him in any matter pertaining to this act.

In case of a failure of any person to comply with any subpœna issued by the commissioner or to testify to any matter concerning which he may be lawfully interrogated, the Superior Court, on application of the commissioner, may issue an order requiring the attendance of such person and the giving of testimony or production of evidence. Any

person failing to obey the court's order may be punished as for contempt.

C. 17:16C-87. Records kept.

26. Every home repair contractor, home financing agency and holder of a home repair contract shall maintain at its place or places of business such books, accounts and records relating to all transactions under this act as will enable the commissioner to enforce full compliance with the provisions hereof. All such books, accounts and records shall be preserved and kept available for such period of time as the commissioner may by regulation require. The commissioner may prescribe the minimum information to be shown in such books, accounts and records of the licensee so that such records will enable the commissioner to determine compliance with the provisions of this act.

C. 17:16C-88. Sale, transfer, etc. of home repair contract; exception.

27. No holder shall sell, transfer or assign any obligation in connection with a home repair contract or any evidence of indebtedness thereunder to any person who is not authorized as a home financing agency, except that such obligation or evidence of indebtedness may be sold, transferred or assigned to a State or national bank outside of this State if the contract is retained by the holder and collection of payments thereon is made to the holder.

C. 17:16C-89. Violation; penalty; recovery of penalty.

28. (a) Any home repair contractor, home financing agency or holder of a home repair contract and any officer, partner, member, employee, agent or representative of either who shall knowingly violate any provision of this act or shall directly or indirectly counsel, aid or abet such violation shall be liable to a penalty of not more than $2,500.00 for each offense. Such penalties shall be enforced by summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

(b) Any person failing to comply with or violating section 16 of this act shall be guilty of a misdemeanor.

C. 17:16C-90. Provisions severable.

29. If any provision of this act or the application thereof to any person or circumstances is held

unconstitutional, the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

C. 17:16C-91. Home improvement advisory board; members; qualifications; terms.

30. There is hereby established a home improvement advisory board in the Department of Banking and Insurance. The board shall consist of the commissioner, who shall be chairman of the board, and 8 other members appointed by the Governor with the advice and consent of the Senate. Of the 8 appointed members, 4 shall each have had practical experience as home improvement contractors or as home improvement material suppliers; 2 thereof shall have had experience in financing home building or improvement loans; and 2 shall be public members. Each appointed member shall serve for a term of 4 years and until his successor is appointed and qualified. Of the first members appointed 2 shall be appointed for 1 year, 2 for 2 years and 2 for 3 years.

The members of the board shall serve without compensation but shall be reimbursed for their actual and necessary expenses in attending meetings of the board.

C. 17:16C-92. Duties of advisory board.

31. The board shall:

(a) advise and consult with the commissioner concerning practices in the home improvement industry, the administration of this act, and the rules and regulations adopted to implement this act;

(b) make recommendations to the Governor and to the Legislature concerning the administration and operation of this act and any amendments thereto which it might deem necessary or advisable;

(c) advise and inform the public concerning any practices in connection with home improvements which the board may consider contrary to the public interest; and

(d) hear and make recommendations to the commissioner in any application, revocation or suspension proceeding in which the commissioner may request the board to conduct such hearing.

C. 17:16C-93. Short title.

32. This act shall be known and may be cited as the "Home Repair Financing Act."

C. 17:16C-94. Act effective.

33. This act shall take effect 90 days from the date of its approval and apply to contracts executed after the effective date of this act.

Approved June 9, 1960.

CHAPTER 42

AN ACT to declare certain housing authorities bodies corporate and politic and to declare valid and legal the creation, establishment and organization of such housing authorities, and to declare valid and legal proceedings, acts and things undertaken or done by or with reference to such housing authorities.

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

Validates acts of municipality regarding local housing authorities.

1. All proceedings, acts and things undertaken, performed or done prior to March 15, 1960 by any municipality of the State with reference to the creation and establishment of a housing authority under the provisions of the Local Housing Authorities Law (chapter 19 of the laws of 1938, as amended and supplemented) and authorized by the ordinance of such municipality finally adopted on or before March 15, 1960 providing for its creation or any amendment thereof adopted on or before March 15, 1960, to adopt, initiate and carry out redevelopment projects, and all proceedings, acts and things undertaken, performed or done prior to March 15, 1960 by any such housing authority or by any such municipality with reference to the adoption, initiation or carrying out of any housing or redevelopment project by such housing authority are hereby ratified, validated and confirmed and declared legal in all respects, and such housing

authority is hereby determined and declared to be a body corporate and politic and to constitute an agency and instrumentality of such municipality, provided, however that prior to the passage of any such ordinance, such municipality shall have theretofore adopted an ordinance purporting to abolish any housing authority of such municipality theretofore created or established and not authorized to adopt, initiate and carry out redevelopment projects, and provided further that no bonds of such housing authority have heretofore been issued; and provided further that this act shall not apply to any event, transaction, document or other thing with respect to which a timely action, suit or other proceeding shall have been instituted prior to May 15, 1960.

2. This act shall take effect immediately.

Approved June 9, 1960.

CHAPTER 43

AN ACT concerning the qualifications of members of county boards of election and amending section 19:6–17 of the Revised Statutes.

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

Section amended.

1. Section 19:6–17 of the Revised Statutes is amended to read as follows:

Memberships; political affiliations; eligibility; vacancies; Clerk; other employees; civil service.

19:6–17. The county board shall consist of 4 persons, who shall be legal voters of the counties for which they are respectively appointed. Two members of such county board shall be members of the political party which at the last preceding general election, held for the election of all of the members of the General Assembly, cast the largest number of votes in this State for members of the General

Assembly, and the remaining 2 members of such board shall be members of the political party which at such election cast the next largest number of votes in the State for members of the General Assembly. No person who holds elective public office shall be eligible to serve as a member of the county board during the term of such elective office. The office of member of the county board shall be deemed vacant upon such member becoming a candidate for an office to be voted upon at any primary, general election or special election, except for nomination for or election to membership in any county committee or State committee or for nomination for or election as a delegate at large or alternate delegate at large, or district delegate or alternate district delegate to any national political convention, such candidacy to be determined by the filing of a petition of nomination duly accepted by such member in the manner provided by law.

In all counties of the first class the county board shall appoint some suitable person clerk of such board, and may also appoint not more than 4 additional office employees, all of whom shall be appointed from the competitive class of civil service. The compensation of the clerk of the county board of elections in counties of the first class shall be not less than $3,500.00 per annum, nor more than $7,500.00 per annum; provided, that any increase between the said minimum and maximum shall be effective only upon recommendation of the county board of elections and the approval of the board of chosen freeholders of the county affected. The compensation of such office employees shall be recommended by the county board and approved by the board of chosen freeholders. All persons now employed by the board in the competitive class of civil service shall continue to hold such employment in the competitive class of civil service.

2. This act shall be effective immediately, and shall be retroactive to January 1, 1960.

NOTE: Act retroactive.

Approved June 13, 1960.

CHAPTER 44

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

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

C. 43:15A-33.1. Investment in and acquisition of real property.

1. The Director of the Division of Investment in the Department of the Treasury, in addition to other investments authorized by law, shall have authority, subject to the approval and acceptance by the board of trustees of the Public Employees' Retirement System, to invest in and acquire real property in the State of New Jersey on behalf of and in the name of the Public Employees' Retirement System, and to erect buildings and structures and make other improvements thereon, and to rent, lease, sell and dispose of the same, said lands, buildings, structures and improvements to be initially rented to the State of New Jersey for its use in accordance with the provisions of this act.

C. 43:15A-33.2. Limitation on investment.

2. The total investment authorized pursuant to this act shall not exceed 3% of the book value of the total investments of such fund at the time of the making of the investment.

C. 43:15A-33.3. Carried as an asset of fund.

3. Any real estate investment made pursuant to this act shall at all times during its ownership by the fund be carried as an asset of the fund.

C. 43:15A-33.4. Terms of rental or lease.

4. If the property is rented or leased to the State, it shall be on terms calling for level periodic rental payments, not more than 1 year apart, in such amounts as will amortize the total actual cost of the investment, including cost of land, construction, improvement and supervision of construction, over a period of 20 years from the beginning of the term of its first rental, together with income to be derived therefrom for the benefit of the fund at the rate of 4% per annum on the depreciated value of the asset which shall be its total actual cost to the fund less a depreciation allowance equal in amount

to the aggregate sums received toward amortization of the investment. Such portion of the rentals as shall exceed the amounts received toward amortization shall be treated as investment income.

It is the purpose of this section to provide for the accounting basis upon which the real property investment shall be carried and depreciated and for the treatment, as between capital and income, of the amounts received for the use of the property by way of rental, in order to maintain the integrity and actuarial soundness of the funds established by the "Public Employees' Retirement-Social Security Integration Act" (P. L. 1954, c. 84).

C. 43:15A-33.5. Purchase provisions during occupancy.

5. Should such real estate investment be sold to the State during its occupancy as tenant, the board of trustees of the fund shall accept, in full payment therefor, as well as for any State lands theretofore conveyed to it in connection therewith, the total actual cost thereof. In the event that any sums shall have been paid to the fund toward amortization of the investment, the aggregate amount thereof at the time of closing of title shall be credited against the purchase price.

C. 43:15A-33.6. Rental or lease arrangements.

6. Any rental arrangement or lease to the State for the use of such real property shall provide that all costs and expenses for the operation, maintenance, repair and management of the real property shall be paid for by the State, as tenant, at its sole cost and expense, in addition to the level rental payments; but this shall not preclude the making of enlargements, betterments or other capital improvements on behalf of the fund as a further investment or investments, in like manner and subject to the same requirements and restrictions as are applicable to the initial investment in such real property made under this act.

C. 43:15A-33.7. Trustees to execute and deliver leases.

7. The board of trustees is authorized to execute and deliver to the appropriate State officers or agencies such leases, contracts or agreements, which may include options to purchase, agreements for appropriate State officers or agencies to act as agent for the fund in connection with the purchase of land, construction of buildings or other improve-

ments, and otherwise as may be necessary or appropriate in order to execute the purposes of this act.

C. 43:15A-33.8. Permission to build on State lands; lands transferred.

8. In order to carry out the purposes of this act, the rental arrangement or lease referred to in section 4 of this act may include, on behalf of the State, permission to construct a building or buildings, which will constitute the real property in which the investment is made, upon lands owned by the State, and to transfer title to such lands to the said Public Employees' Retirement System.

C. 43:15A-33.9. Responsibility for effecting purposes of act.

9. The Director of the Division of Purchase and Property, subject to the approval of the State House Commission, shall be responsible for the selection of a site, planning of any building to be constructed on behalf of the Public Employees' Retirement System as an investment under this act, as well as the acquisition of lands, negotiation and approval of leases, contracts, options and other instruments and agreements, in order that the location of and plans for the building shall be coordinated with the master plan to be developed pursuant to P. L. 1959, chapter 5.

Section amended.

10. Section 20 of the act of which this act is amendatory is hereby amended to read as follows:

C. 43:15A-20. Retirement system a public corporation.

20. The retirement system shall, for the purposes of this act, possess the powers and privileges of a public corporation, and any real property held by it as an investment and occupied by the State or any agency thereof shall be deemed for all purposes to be equivalent to and to have the same status as real property owned by the State.

C. 43:15A-33.10. Provisions severable.

11. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be ineffective, such determination shall not affect or impair the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which said determination shall have been rendered.

12. This act shall take effect immediately.

Approved June 13, 1960.

CHAPTER 45

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1960 and regulating the disbursement thereof," approved June 15, 1959 (P. L. 1959, c. 106).

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

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

GENERAL STATE OPERATIONS

Legislative

A 20. *Commission on Interstate Co-operation*

Interstate Co-operation.

Supplemental requirement for fiscal year 1958-59 and 1959-60	$1,800 00

EXECUTIVE

Department of Education Education.

P 50-P 55. *State Colleges*

Regular tuition fees at all State colleges, in excess of those anticipated, are hereby appropriated for additional academic employees required as the result of increased enrollment, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

STATE AID

Department of Institutions and Agencies

County mental hospitals.

S 70. *County Mental Hospitals*

Supplemental requirement for fiscal year 1958-59 ..... $441,804 00

General assistance.

S 74. *General Assistance*

Supplemental requirement for fiscal year 1958-59 ..... $1,685,000 00
Supplemental requirement for fiscal year 1959-60 ..... 1,000,000 00

$2,685,000 00

S 77. *Assistance for Dependent Children*

Supplemental requirement for fiscal year 1958-59 ..... $78,782 00
Supplemental requirement for fiscal year 1959-60 ..... 587,600 00

$666,382 00

CAPITAL CONSTRUCTION

Department of Education

College construction.

P 94. *State College Construction*

Glassboro State College—Rewiring Administration Building $100,000 00

State Highway Department

Highway department.

R 12. *Construction of State Highway System*

There are appropriated such sums as may be authorized or allocated by

the Federal Government, the New Jersey Turnpike Authority, the New Jersey Highway Authority, the Delaware River Joint Toll Bridge Commission, the Delaware River Authority, and the Port of New York Authority, for construction purposes.

CLAIMS

Department of Law and Public Safety

D 40. *Division of Motor Vehicles* Motor vehicles.

George Weiss, 16 Park Avenue, North Haledon, New Jersey, for all losses sustained as the result of suspension from position of Motor Vehicle Inspector $500 00

Margaret Mullay, 64 Coles Avenue, Hackensack, New Jersey, for damages sustained while her motor vehicle was being tested at the Hackensack Inspection Station, to be paid from funds presently appropriated to the department, $419.05.

Department of Defense

J 11. *National Guard and/or State Guard* Defense department.

Mr. and Mrs. Eugene Gandrey, R. D. No. 2, Newton, New Jersey,

for personal injuries and damages resulting when claimants' vehicle was struck by a vehicle operated by a member of the National Guard	2,500 00

Employment security.

Department of Labor and Industry

1 M 30. *Division of Employment Security*

Helen Doherty, 672 Rutherford Avenue, Trenton, New Jersey, for loss of workmen's compensation benefits as the result of a settlement for less than that to which she may have been reasonably entitled, to be paid from funds presently appropriated to this division, $662.86.	

Department of Conservation and Economic Development

Conservation and Economic Development.

N 20. *Division of Planning and Development*

Nesto Construction Company, 100 Riverside Avenue, Newark 4, New Jersey, for additional costs in connection with a contract on a joint project of the State and the city of Perth Amboy at the City's Municipal Park	3,000 00

1 N 51. *Division of Fish and Game—Public Shooting and Fishing Grounds*

Downe Township, Dividing Creek, New Jersey, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, $460.95.

Sandyston Township, Layton, New Jersey, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, $1,500.00.

Department of Institutions and Agencies

S 44. *New Jersey State Prison*

State prison.

Edward Gilliam, c/o New Jersey State Prison, Trenton, New Jersey, for injuries to right hand while on work detail in the prison's warehouse, $250.00 payable out of appropriations made to this department, at the rate of $10.00 per week commencing with date of parole.

Prison farm.

S 45. *State Prison Farm, Rahway*

Robert Connor, c/o State Prison Farm, Rahway, New Jersey, for injuries to right eye while on work detail, $1,000.00, payable out of appropriations made to this department, at the rate of $20.00 per week commencing with date of parole, and to this department, such sums as may be necessary, out of appropriations made thereto, to furnish necessary and reasonable medical services toward the improvement of the physical damage sustained by said Robert Connor.

Palisades Interstate Park.

U 11. *Palisades Interstate Park Commission*

For loss of tax revenue for local purposes from lands owned by Palisades Interstate Park Commission:

Borough of Alpine	$9,000 00
Borough of Englewood Cliffs .	14,660 00
Borough of Fort Lee ..	12,340 00

Total, Palisades Interstate Park Commission ...	36,000 00	
Total Claims		$42,000 00
Grand Total, Supplemental Appropriations		$3,936,986 00

The appropriations hereinabove made for claims are in full settlement of all claims of every character, and the acceptance of said sums shall constitute a full and complete release and acquittance to the State of New Jersey, its agencies, instrumentalities and employees.

2. This act shall take effect immediately.
Approved June 14, 1960.

CHAPTER 46, P. L. 1960

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1961, and regulating the disbursement thereof.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR 1960-61

Surplus

Estimated balance, July 1, 1960 ...	$3,989,409 00	Anticipated revenues 1960-61.

Major Taxes and Fee Revenues

Transfer inheritance taxes	$20,000,000 00
Main stem and franchise-excise taxes	3,000,000 00

Miscellaneous corporation taxes, domestic and foreign	68,000,000 00
Domestic life insurance corporation taxes	600,000 00
Foreign insurance corporation taxes	16,400,000 00
Beverage taxes	22,500,000 00
Taxes on cigarettes	44,500,000 00
Revenue from pari-mutuel racing	25,000,000 00
Tax on motor fuels	105,000,000 00
Motor vehicle fees, fines, et cetera	74,000,000 00
Motor vehicle fees—(Administering Security-Responsibility Law)	659,039 00

Other Taxes, Licenses, Fees and Departmental Revenue

Department of Law and Public Safety:	
Special investigation refunds	25,000 00
Beverage licenses	875,000 00
Amusement Games Control Fees	150,000 00
Professional Examining Boards Fees	501,078 00
Beauty Culture Control Licenses	175,000 00
Tenement House Supervision	40,000 00
Hotel Fire Safety Inspection Fees	30,000 00
Division of Weights and Measures	47,000 00
Bus Excise taxes	100,000 00
Department of the Treasury:	
Investment earnings	1,200,000 00
Interest on deposits	175,000 00
Escheats	320,000 00
Outdoor advertising permits	135,000 00
Dividends	18,870 00
Division of Local Government	100,000 00
Public Utility Tax (Administration)	39,919 00
State cafeterias receipts	138,888 00
Receipts for pension and Social Security Administration	660,000 00

Pension contributions from special funds	950,000 00
Social Security contributions from special funds	300,000 00
Federal Aid: Unemployment Benefits Section — Treasury Department	67,899 00
Department of State:	
General revenue, fees	800,000 00
Commissions	85,000 00
Athletic commissioner	35,000 00
Department of Banking and Insurance:	
Examining and other fees	2,100,000 00
Real Estate Commission	425,000 00
Department of Agriculture:	
General fees	90,000 00
Milk control licenses and fees	200,000 00
Department of Defense:	
Armory rentals	90,000 00
Federal Aid	166,610 00
Department of Public Utilities:	
Fees	200,000 00
Department of Health:	
General fees	90,000 00
Rabies control licenses	89,929 00
Board of Barber Examiners, licenses and fees	90,000 00
Department of Labor and Industry:	
Permits, fees and other revenue	250,000 00
1% workmen's compensation insurance tax	378,902 00
1% workmen's compensation administration fund	50,000 00
Federal Aid, Vocational Rehabilitation	1,055,885 00

Department of Conservation and Economic Development:	
Hunters' and anglers' licenses ..	1,471,433 00
Federal Aid, Public Hunting and Fishing Grounds	120,000 00
Division of Planning and Development, general revenue, licenses, fees, et cetera	450,000 00
Receipts, Commissioners of Pilotage	16,080 00
Excess water diversion fees	175,000 00
Well drillers' licenses and permits	18,000 00
Delaware and Raritan canal rentals and sales	215,000 00
Division of Shell Fisheries, licenses and fees	110,000 00
Receipts, Morris canal fund	49,393 00
Emergency housing rentals	20,000 00
Sales—Emergency housing units	2,000,000 00
Department of Education:	
Academic certificate fees	43,000 00
State Board of Examiners, fees..	47,000 00
State Museum, service charges..	7,800 00
Federal Aid, Smith-Hughes, George-Barden Funds	103,600 00
State Colleges—	
Glassboro:	
Tuition—Regular	151,000 00
Demonstration school	75,000 00
Miscellaneous	7,000 00
Cafeteria and boarding halls fees	300,000 00
Summer, extension, field, graduate fees	83,000 00
Jersey City:	
Tuition—Regular	150,045 00
Miscellaneous	5,000 00
Cafeteria and boarding halls fees	44,000 00

Summer, extension, field, graduate fees	25,460 00
Newark:	
Tuition—Regular	155,000 00
Miscellaneous	7,500 00
Cafeteria and boarding halls fees	45,000 00
Summer, extension, field, graduate fees	125,000 00
Paterson:	
Tuition—Regular	190,000 00
Miscellaneous	5,000 00
Cafeteria and boarding halls fees	61,500 00
Summer, extension, field, graduate fees	78,500 00
Montclair:	
Tuition—Regular	225,000 00
Miscellaneous	12,000 00
Cafeteria and boarding halls fees	180,500 00
Summer, extension, field, graduate fees	75,500 00
Trenton:	
Tuition—Regular	170,000 00
Miscellaneous	3,000 00
Cafeteria and boarding halls fees	522,650 00
Summer, extension, field, graduate fees	66,460 00
School for the Deaf, board and fees	14,000 00
School of Conservation, tuition and fees	89,187 00
Agricultural Experiment Station, fees	80,000 00
Fertilizer inspection fees, Agricultural Experiment Station	125,000 00

State Highway Department:	
Miscellaneous receipts	80,000 00
Department of Institutions and Agencies:	
Board of patients and other income	19,471,000 00
Adoption law fees	60,000 00
Federal aid, soldiers' homes	130,000 00
Federal aid, administration of bureau of assistance and central office	262,000 00
Federal aid, administration of blind	191,000 00
Delaware River Joint Toll Bridge Commission:	
Pennsylvania share	141,761 00
Rentals and miscellaneous income	1,351 00
Judiciary:	
Court fees	1,400,000 00
Unclassified:	
Miscellaneous revenues	200,000 00
Total Revenues	$421,758,739 00

Interfund Transfers

School Fund Income	$640,000 00
Veterans' Guaranteed Loan Fund..	2,000,000 00
1837 Surplus Revenue Fund Income	20,000 00
State Higher Education Fund	2,000,000 00
Unsatisfied Claim and Judgment Fund	110,000 00
State Water Development Fund ...	600,000 00
State Disability Benefits Fund	1,506,909 00
Total Interfund Transfers ..	$6,876,909 00
Total Resources Available for Appropriations	$432,625,057 00

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

1. The appropriations herein made or so much thereof as may be necessary are hereby appropriated for the respective public officers and for the several purposes herein specified for the fiscal year ending on June 30, 1961. The appropriations herein made shall be available for expenditure during said fiscal year and for a period of 2 months thereafter to pay obligations incurred during said fiscal year. At the expiration of said 2 months' period all unexpended balances except those specifically held by contracts on file with the Director, Division of Budget and Accounting shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any appropriation bill of the previous year or years.

GENERAL STATE PURPOSES

Legislature.

A 9. and A 10. LEGISLATURE

Senate.

A 9. SENATE

Salaries:		
Senators (21)	$106,667 00	
Secretaries—Members	10,500 00	
Other officers and employees	78,875 00	
Special services	7,070 00	
		$203,112 00
Materials and Supplies:		
Office	$12,900 00	
Legislative printing ..	94,000 00	
Library supplies and Legislative Manuals	1,620 00	
		108,520 00
Services Other Than Personal:		
Travel	$600 00	
Telephone	4,200 00	
Household	100 00	
Subscriptions to Legislative News, Record and Index	21,400 00	
Postage	3,200 00	
Incidental expenses ..	7,200 00	
		36,700 00
Current Repairs and Maintenance:		
Office equipment		175 00

Extraordinary:

To establish a legislative contingent fund to be expended by the committees of the Senate and the joint legislative commissions established and to be established, for the payment of compensation

for professional services and other expenses incurred in connection with special research, study or survey projects, not otherwise provided for by appropriation, to the extent of $50,000.00 when the amount of the expenditures to be made by each such committee on each project is authorized to be made by resolution of the Senate and when the amount of the expenditures to be made by each such joint legislative commission on each project is authorized to be made by concurrent resolution and each expenditure to be approved by the chairman of the committee or joint legislative commission and audited by the Legislative Budget and Finance Director		50,000 00
Additions and Improvements:		
Office equipment		500 00
Sub-total, Senate		$399,007 00

A 10. GENERAL ASSEMBLY

General Assembly.

Salaries:		
Assemblymen (60) ...	$301,667 00	
Secretaries—Members	22,600 00	
Other officers and employees	48,200 00	
Special services	31,400 00	
		$403,867 00
Materials and Supplies:		
Office	$8,500 00	
Legislative printing ..	125,000 00	
Library supplies and Legislative Manuals	5,400 00	
		138,900 00

Services Other Than Personal:		
Travel	$700 00	
Telephone	10,900 00	
Household	100 00	
Subscriptions to Legislative News, Record and Index	81,700 00	
Postage	9,200 00	
Incidental expenses	9,000 00	
		111,600 00
Current Repairs and Maintenance:		
Office equipment		3,000 00
Extraordinary:		
To establish a legislative contingent fund to be expended by the committees of the General Assembly and the joint legislative commissions established and to be established, for the payment of compensation for professional services and other expenses incurred in connection with special research, study or survey projects, not otherwise provided for by appropriation, to the extent of $50,000.00 when the amount of the expenditures to be made by each such committee on each project is authorized to be made by resolution of the General Assembly and when the amount of the expenditures to be made by each such joint legislative commission on each project is authorized to be made by concurrent resolution and each expenditure to be approved by the chairman of the committee or joint legislative commission and audited by the Legislative Budget and Finance Director		50,000 00

Additions and Improvements:		
Office equipment		600 00
Sub-total, General Assembly		$707,967 00
Grand Total, Legislature ..		$1,106,974 00

A 11. LAW REVISION AND LEGISLATIVE SERVICES COMMISSION

Law Revision and Legislative Services.

Salaries:		
Executive director and chief counsel	$17,500 00	
Other officers and employees	105,053 00	
Special services	6,500 00	
		$129,053 00
Materials and Supplies:		
Office	$2,400 00	
Printing	325 00	
Educational and vocational	1,200 00	
Replacement: Office equipment	200 00	
		4,125 00
Services Other Than Personal:		
Travel	$5,800 00	
Telephone	2,000 00	
Rent: Office equipment	1,320 00	
Household	75 00	
Postage	350 00	
Miscellaneous	200 00	
		9,745 00
Current Repairs and Maintenance:		
Office equipment		200 00

Additions and Improvements:		
Office equipment		500 00
		$143,623 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Legislative Budget and Finance Director.

A 13. Legislative Budget and Finance Director

Salaries:		
Director	$15,000 00	
Other officers and employees	44,017 00	
New position	8,124 00	
		$67,141 00
Materials and Supplies:		
Vehicle transportation	$350 00	
Office	500 00	
		850 00
Services Other Than Personal:		
Travel	$500 00	
Telephone	1,075 00	
Rent: Office equipment	25 00	
Insurance: Other than fire	37 00	
Household	25 00	
Postage	125 00	
Miscellaneous	600 00	
		2,387 00
Current Repairs and Maintenance:		
Office equipment	$50 00	
Automotive equipment	100 00	
		150 00

Additions and Improvements:		
Office equipment		250 00
		$70,778 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

A 15. State Auditor's Department

State Auditor.

Salaries:		
State Auditor	$12,000 00	
Other officers and employees	364,420 00	
		$376,420 00
Materials and Supplies:		
Vehicle transportation	$300 00	
Office	1,200 00	
Printing	100 00	
		1,600 00
Services Other Than Personal:		
Travel	$22,000 00	
Telephone	750 00	
Insurance: Other than fire	30 00	
Household	25 00	
Subscriptions and memberships	120 00	
Postage	275 00	
Miscellaneous	25 00	
		23,225 00
Current Repairs and Maintenance:		
Office equipment		850 00
		$402,095 00

Interstate Co-operation.

A 20. COMMISSION ON INTERSTATE CO-OPERATION

Salaries:		
Special services		$600 00
Materials and Supplies:		
Office	$40 00	
Printing	200 00	
		240 00
Services Other Than Personal:		
Travel — Commission members	$2,400 00	
Travel — Members of Interstate Agencies	1,500 00	
Telephone	50 00	
Postage	50 00	
Expenses of conferences	150 00	
		4,150 00
Extraordinary:		
Commitments to Interstate Agencies:		
Interstate Commission on Delaware River Basin	$14,400 00	
The Council of State Governments	19,250 00	
Atlantic States Marine Fisheries Commission	2,500 00	
National Conference of Commissioners on Uniform State Laws	1,000 00	
		37,150 00
		$42,140 00

A 21. COMMISSION ON STATE TAX POLICY

State Tax Policy.

Extraordinary:	
For expenses of the Commission ...	$15,000 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

A 23. COMMISSION ON NARCOTIC CONTROL

Narcotic Control.

Salaries:	
Special services	$2,300 00
Services Other Than Personal:	
Miscellaneous	1,200 00
	$3,500 00

A 27. YOUTH STUDY COMMISSION

Youth Study.

Salaries:	
Special services	$15,000 00
Services Other Than Personal:	
Miscellaneous	5,000 00
	$20,000 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Statute Revision.

A 33. LEGISLATIVE COMMISSION ON STATUTE REVISION

There is hereby reappropriated the sum of $1,000.00 out of the balances remaining in this account as of June 30, 1960.

County and Municipal Law Revision.

A 46. COUNTY AND MUNICIPAL LAW REVISION COMMISSION

Extraordinary:
For expenses of the commission ... $21,000 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Water Research and Development.

A 50. NEW JERSEY WATER RESEARCH AND DEVELOPMENT COMMISSION

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Emergency Civil Government.

A 52. COMMISSION ON EMERGENCY CIVIL GOVERNMENT

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Uniform Commercial Code Study Commission.

A 54. UNIFORM COMMERCIAL CODE STUDY COMMISSION

Extraordinary:
For expenses of the commission ... $5,000 00

C 10. CHIEF EXECUTIVE'S OFFICE Governor.

Salaries:		
Governor	$30,000 00	
Secretary to the Governor	15,000 00	
Other officers and employees	107,571 00	
		$152,571 00
Materials and Supplies:		
Vehicle transportation	$3,500 00	
Office	3,500 00	
Printing	1,500 00	
Replacement: Office equipment	500 00	
		9,000 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	11,500 00	
Subscriptions and memberships	1,200 00	
Postage	2,400 00	
Miscellaneous	500 00	
		16,600 00
Current Repairs and Maintenance:		
Office equipment		750 00
Extraordinary:		
For expenditure by the Governor of funds not otherwise appropriated, including entertainment on behalf of the State, incidental expenses, operation of an official residence, and expenses of commissioners appointed by the Governor under statute		20,000 00
		$198,921 00

The balances remaining in this account as of June 30, 1960 are hereby reappropriated.

Law and Public Safety.

DEPARTMENT OF LAW AND PUBLIC SAFETY

D 00. *Office of the Attorney General*

Salaries:		
Attorney General	$22,000 00	
Other officers and employees	67,778 00	
		$89,778 00
Materials and Supplies:		
Vehicle transportation	$240 00	
Office	850 00	
Printing	200 00	
		1,290 00
Services Other Than Personal:		
Travel	$600 00	
Telephone	3,500 00	
Insurance: Other than fire	66 00	
Subscriptions and memberships	200 00	
Postage	300 00	
Miscellaneous	60 00	
		4,726 00
Current Repairs and Maintenance:		
Office equipment	$125 00	
Automotive equipment	75 00	
		200 00
		$95,994 00

There are hereby appropriated out of the Veterans' Guaranteed Loan Fund such sums as may be necessary to pay for the administration thereof.

D 10. *Division of Law*

Salaries:		
Officers and employees	$655,758 00	
Special services	6,000 00	
		$661,758 00
Materials and Supplies:		
Vehicle transportation	$4,200 00	
Office	5,000 00	
Printing	10,000 00	
Educational and vocational	3,200 00	
Replacement: Motor vehicles	3,160 00	
		25,560 00
Services Other Than Personal:		
Travel	$12,000 00	
Telephone	11,000 00	
Insurance: Other than fire	417 00	
Household	150 00	
Advertising	400 00	
Subscriptions and memberships	1,800 00	
Investigative and legal expenses	1,800 00	
Postage	3,000 00	
Miscellaneous	250 00	
		30,817 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Automotive equipment	800 00	
		1,400 00

Expenditures for the cost of securing evidence of violations under Title 19 and assisting in the prosecution of such violations shall be paid from the appropriation hereinabove set forth, provided that such expenditures shall be subject to the approval of the Governor.

The balance as at June 30, 1960, in the revolving fund established to provide for expenses in operating chapter 357, P. L. 1951, together with all receipts is hereby appropriated for use during 1960-61; provided, however, that any sums in excess of $50,000.00 as at the close of the fiscal year shall lapse into the general treasury.

$719,535 00

D 20. *Division of State Police (General)*

Salaries:		
Colonel and superintendent	$16,000 00	
Deputy superintendent	11,480 00	
Other officers and employees	4,727,831 00	
New positions	61,560 00	
Executive officer	11,480 00	
Cash in lieu of maintenance	738,889 00	
Special services	33,000 00	
		$5,600,240 00
Materials and Supplies:		
Food	$11,000 00	
Clothing	95,000 00	

Fuel and utilities	65,000 00	
Household	32,000 00	
Drugs and medical ..	8,000 00	
Scientific, laboratory and chemical	3,000 00	
Vehicle transportation	235,000 00	
Office	35,000 00	
Printing	7,000 00	
Photographic laboratory	6,500 00	
Educational and vocational	1,000 00	
Other materials and supplies	5,000 00	
Replacement: Motor vehicles	250,000 00	
Replacement: Office equipment	9,000 00	
Replacement: Grounds equipment	500 00	
Replacement: Household equipment ...	5,000 00	
Replacement: Photographic equipment..	1,500 00	
Replacement: Maintenance equipment ..	4,000 00	
		773,500 00

Services Other Than Personal:

Travel	$6,000 00	
Rent: Garage	60 00	
Rent: Office equipment	12,060 00	
Rent: Communications system	350,000 00	
Insurance: Fire	4,773 00	
Insurance: Other than fire	15,206 00	
Household	2,500 00	
Subscriptions and memberships	1,000 00	

Investigative and legal expenses	15,000 00	
Postage	7,500 00	
Special training expenses	3,000 00	
Miscellaneous	2,200 00	
		419,299 00
Current Repairs and Maintenance:		
Office equipment	$2,000 00	
Buildings and grounds	27,500 00	
Automotive equipment	75,000 00	
Household equipment	1,000 00	
Recreational equipment	250 00	
Other equipment	750 00	
Police equipment	2,500 00	
		109,000 00
Extraordinary:		
Compensation awards		7,832 00
Additions and Improvements:		
Educational and recreational equipment	$700 00	
Farm and grounds ..	1,000 00	
Furniture and furnishings	2,000 00	
Office equipment	13,000 00	
Photographic equipment	1,500 00	
Household equipment	1,000 00	
Plant equipment	1,000 00	
Police equipment	5,000 00	
Scientific equipment..	7,000 00	
		32,200 00
Sub-total, State Police (General)		$6,942,071 00

In addition to the amounts hereinabove specifically appropriated to the Division of State Police there are appropriated such sums as may be received from the New Jersey Highway Authority and the New Jersey Turnpike Authority, for the cost of training State Policemen and for the cost of State Police services furnished to such authorities; provided, however, that sums received from the aforementioned authorities covering the cost of pensions to be paid State Policemen, shall be paid into the State Police Retirement and Benevolent Fund.

There are hereby appropriated from the State Police Retirement and Benevolent Fund, such sums as may be necessary to administer the fund pursuant to the provisions of R. S. 53:5.

D 21. *Bureau of Tenement House Supervision*

Salaries:		
Officers and employees		$157,642 00
Materials and Supplies:		
Vehicle transportation	$1,275 00	
Office	750 00	
Printing	1,350 00	
		3,375 00
Services Other Than Personal:		
Travel	$8,400 00	
Telephone	1,200 00	
Rent: Garage	576 00	
Insurance: Other than fire	94 00	

Household	150 00	
Subscriptions and memberships	150 00	
Postage	900 00	
		11,470 00
Current Repairs and Maintenance:		
Office equipment	$150 00	
Automotive equipment	250 00	
		400 00
Additions and Improvements:		
Office equipment		100 00
Subtotal, Bureau of Tenement House Supervision		$172,987 00
Total Appropriation, Division of State Police		$7,115,058 00

D 30. *Division of Alcoholic Beverage Control*

Salaries:		
Director	$18,000 00	
Other officers and employees	854,501 00	
Court reporting services	4,000 00	
		$876,501 00
Materials and Supplies:		
Food	$675 00	
Fuel and utilities	80 00	
Household	400 00	
Drugs and medical ..	400 00	
Vehicle transportation	400 00	
Office	6,000 00	
Printing	7,500 00	
Other materials and supplies	400 00	
Microfilming	400 00	
		16,255 00

Services Other Than Personal:		
Travel	$73,000 00	
Telephone	6,500 00	
Rent: Office equipment	240 00	
Insurance: Other than fire	166 00	
Trucking and wrecking	2,000 00	
Advertising	1,500 00	
Subscriptions and memberships	2,600 00	
Investigative and legal expenses	1,200 00	
Postage	8,500 00	
Miscellaneous	750 00	
		96,456 00
Current Repairs and Maintenance:		
Office equipment	$3,000 00	
Automotive equipment	100 00	
		3,100 00
Extraordinary:		
Compensation awards	$1,176 00	
For the purpose of discharging the functions of the office of Amusement Games Control Commissioner	20,000 00	
		21,176 00
		$1,013,488 00

The unexpended balance as of June 30, 1960, in the appropriation made pursuant to chapter 11, laws of 1960, are hereby reappropriated for the same purpose.

D 40. *Division of Motor Vehicles*

Salaries:		
Director	$16,000 00	
Deputy Director	14,000 00	
Other officers and employees	6,391,318 00	
New positions	118,859 00	
		$6,540,177 00
Materials and Supplies:		
Inspectors' and examiners' uniforms	$60,000 00	
Fuel and utilities	51,000 00	
Household	8,000 00	
Vehicle transportation	60,000 00	
Office	130,000 00	
Printing	170,000 00	
Replacement: Motor vehicles	55,000 00	
Replacement: Office equipment	18,000 00	
Metal and material for license plates	215,871 00	
		767,871 00
Services Other Than Personal:		
Travel	$9,000 00	
Telephone	64,730 00	
Rent: Garage	3,500 00	
Rent: Office equipment	175,426 00	
Rent: Communications equipment	13,700 00	
Rent: Accident prevention clinic equipment	52,500 00	
Insurance: Fire	6,637 00	
Insurance: Other than fire	8,240 00	
Household	1,700 00	

Subscriptions and memberships	3,000 00	
Investigative and legal expenses	1,000 00	
Postage	400,000 00	
Agency expense	7,000 00	
Safety education program	40,000 00	
Miscellaneous	4,000 00	
		790,433 00
Current Repairs and Maintenance:		
Office equipment	$11,000 00	
Buildings and grounds	30,000 00	
Automotive equipment	22,000 00	
Equipment (testing stations)	11,000 00	
		74,000 00
Extraordinary:		
Moving expenses		25,000 00
Additions and Improvements:		
General plant equipment	$7,252 00	
Office equipment	31,480 00	
		38,732 00
		$8,236,213 00

The unexpended balance as of June 30, 1960 in the account "For the General Issuance of New License Plates" is hereby reappropriated for the same purpose.

In addition to the amounts hereinabove specifically set forth, there are appropriated such sums as may be necessary to defray the cost of registering motor vehicles and licensing drivers pursuant to the provisions of R. S. 39:3–3 and 39:10–25.

D 41. *Security Responsibility Bureau*

Salaries:		
Officers and employees	$522,096 00	
New positions	27,564 00	
		$549,660 00
Materials and Supplies:		
Office	$5,000 00	
Printing	18,000 00	
Replacement: Office equipment	1,700 00	
		24,700 00
Services Other Than Personal:		
Travel	$150 00	
Telephone	5,500 00	
Rent: Office	60,528 00	
Postage	16,500 00	
Miscellaneous	100 00	
		82,778 00
Current Repairs and Maintenance:		
Office equipment		1,000 00
Additions and Improvements:		
Office equipment		901 00
		$659,039 00

D 42. *Unsatisfied Claim and Judgment Fund Bureau*

(Payable Out of Unsatisfied Claim and Judgment Fund)

Salaries:		
Officers and employees	$80,481 00	
Special services	700 00	
		$81,181 00

Materials and Supplies:		
Office	$500 00	
Printing	4,500 00	
		5,000 00
Services Other Than Personal:		
Travel	$400 00	
Telephone	750 00	
Rent: Office	8,412 00	
Rent: Office equipment	720 00	
Postage	1,000 00	
Miscellaneous	1,300 00	
		12,582 00
Current Repairs and Maintenance:		
Office equipment		200 00
Additions and Improvements:		
Office equipment		1,456 00
		$100,419 00

The amounts hereinabove appropriated to the Unsatisfied Claim and Judgment Fund Bureau shall be payable out of the Unsatisfied Claim and Judgment Fund. Revenues in excess of the appropriations hereinabove specifically set forth are hereby appropriated for the payment of claims; provided, however, that such excess revenues may be allotted for expenditure, subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

D 50. *Division of Weights and Measures*

Salaries:		
State superintendent .	$10,000 00	
Other officers and employees	220,440 00	
New position	4,104 00	
		$234,544 00
Materials and Supplies:		
Fuel and utilities	$2.800 00	
Household	500 00	
Vehicle transportation	4,000 00	
Office	1,000 00	
Printing	1,500 00	
Other materials and supplies	200 00	
Seals and license plates	2,700 00	
		12,700 00
Services Other Than Personal:		
Travel	$13,500 00	
Telephone	2,800 00	
Rent: Garage	650 00	
Insurance: Other than fire	1,043 00	
Subscriptions and memberships	210 00	
Investigative and legal expenses	750 00	
Postage	1,100 00	
Miscellaneous	250 00	
		20,303 00
Current Repairs and Maintenance:		
Office equipment	$100 00	
Buildings and grounds	3,000 00	
Automotive equipment	2,000 00	
Scientific and laboratory equipment	2,300 00	
		7,400 00

Additions and Improvements:		
Motor vehicles	$2,250 00	
Scientific equipment..	1,875 00	
		4,125 00
		$279,072 00

Division of Professional Boards

D 60. *Administrative Bureau*

Salaries:		
Officers and employees	$119,854 00	
New position	3,377 00	
		$123,231 00
Materials and Supplies:		
Vehicle transportation	$4,675 00	
Office	300 00	
Printing	290 00	
		5,265 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	750 00	
Rent: Office	781 00	
Household	50 00	
Investigative and legal expenses	500 00	
Postage	250 00	
		4,831 00
Current Repairs and Maintenance:		
Office equipment	$250 00	
Automotive equipment	1,000 00	
		1,250 00
		$134,577 00

The unexpended balance of the sum of $89,843.00 which is included hereinabove for inspectional services by the Bureau of Inspectors of the Division of Professional Boards is subject to be reappropriated to the accounts of the several professional boards in accordance with the formula by which said sum was charged to the revenue of each professional board and which is on file with the Secretary of the Appropriations Committee, in the event that a court determines that the establishment of the Bureau of Inspectors, Division of Professional Boards, is a violation of chapter 439, laws of 1948.

1 D 60. *State Board of Public Accountants*

Salaries:		
Officers and employees	$11,348 00	
Special services	9,000 00	
		$20,348 00
Materials and Supplies:		
Office	$70 00	
Printing	250 00	
		320 00
Services Other Than Personal:		
Telephone	$250 00	
Rent: Office	1,200 00	
Rent: Examination rooms	1,000 00	
Insurance: Other than fire	215 00	
Advertising	60 00	
Subscriptions and memberships	345 00	
Postage	350 00	
Filing fees	450 00	
		3,870 00

Current Repairs and Maintenance:		
Office equipment		68 00
		$24,606 00

2 D 60. *State Board of Architects*

Salaries:		
Officers and employees	$19,109 00	
New position	2,961 00	
		$22,070 00
Materials and Supplies:		
Office	$450 00	
Printing	1,000 00	
Seal presses	1,000 00	
		2,450 00
Services Other Than Personal:		
Travel	$1,300 00	
Telephone	600 00	
Rent: Office	5,446 00	
Insurance: Other than fire	60 00	
Household	100 00	
Subscriptions and memberships	300 00	
Postage	800 00	
Examination expense.	1,200 00	
Filing fees	70 00	
		9,876 00
Current Repairs and Maintenance:		
Office equipment		100 00
		$34,496 00

3 D 60. *State Board of Dentistry*

Salaries:		
Officers and employees	$19,252 00	
Special services	50 00	
		$19,302 00
Materials and Supplies:		
Office	$500 00	
Printing	750 00	
Educational and vocational	50 00	
Replacement: Office equipment	400 00	
		1,700 00
Services Other Than Personal:		
Travel	$6,200 00	
Telephone	350 00	
Rent: Office	1,989 00	
Insurance: Fire	165 00	
Insurance: Other than fire	110 00	
Advertising	75 00	
Subscriptions and memberships	250 00	
Postage	750 00	
Examination expense	2,000 00	
Miscellaneous	200 00	
		12,089 00
Current Repairs and Maintenance:		
Office equipment		150 00
		$33,241 00

4 D 60. *State Board of Mortuary Science*

Salaries:		
Officers and employees	$20,644 00	
Special services	400 00	
		$21,044 00
Materials and Supplies:		
Office	$225 00	
Printing	700 00	
Educational and vocational	25 00	
		950 00
Services Other Than Personal:		
Travel	$775 00	
Telephone	1,000 00	
Rent: Office	4,260 00	
Insurance: Other than fire	129 00	
Household	200 00	
Subscriptions and memberships	250 00	
Postage	500 00	
Examination expense	225 00	
		7,339 00
Current Repairs and Maintenance:		
Office equipment		200 00
		$29,533 00

5 D 60. *State Board of Professional Engineers and Land Surveyors*

Salaries:		
Officers and employees.....		$22,945 00
Materials and Supplies:		
Office	$600 00	
Printing	3,000 00	

Replacement: Office equipment	150 00	
Engrossing certificates	500 00	
		4,250 00
Services Other Than Personal:		
Travel	$1,200 00	
Telephone	800 00	
Rent: Office	6,395 00	
Insurance: Other than fire	85 00	
Household	50 00	
Subscriptions and memberships	650 00	
Postage	1,500 00	
Examination expense	7,000 00	
Filing and notary fees	400 00	
Automation services .	1,000 00	
		19,080 00
Current Repairs and Maintenance:		
Office equipment		100 00
		$46,375 00

6 D 60. *State Board of Medical Examiners*

Salaries:		
Officers and employees		$39,198 00
Materials and Supplies:		
Office	$1,000 00	
Printing	1,200 00	
Replacement: Office equipment	300 00	
		2,500 00
Services Other Than Personal:		
Travel	$6,000 00	
Telephone	1,500 00	
Rent: Office	5,070 00	

Rent: Examination rooms	400 00	
Insurance: Other than fire	213 00	
Household	75 00	
Subscriptions and memberships	600 00	
Investigative and legal expenses	250 00	
Postage	2,000 00	
Examination expense	500 00	
Miscellaneous	85 00	
		16,693 00
Current Repairs and Maintenance:		
Office equipment		100 00
		$58,491 00

7 D 60. *State Board of Nursing*

Salaries:		
Officers and employees	$71,172 00	
New positions	7,571 00	
		$78,743 00
Materials and Supplies:		
Office	$3,000 00	
Printing	1,500 00	
Educational and vocational	50 00	
Microfilming	200 00	
		4,750 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	1,400 00	
Rent: Office	10,581 00	
Rent: Office equipment	5,244 00	

Rent: Examination rooms	1,000 00	
Insurance: Other than fire	490 00	
Subscriptions and memberships	150 00	
Postage	4,500 00	
Examination expense	6,000 00	
		30,865 00
Current Repairs and Maintenance:		
Office equipment		300 00
		$114,658 00

8 D 60. *State Board of Optometrists*

Salaries:		
Officers and employees		$10,820 00
Materials and Supplies:		
Office	$150 00	
Printing	150 00	
		300 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	300 00	
Rent: Office	900 00	
Rent: Examination rooms	300 00	
Insurance: Other than fire	85 00	
Subscriptions and memberships	300 00	
Postage	300 00	
		2,885 00
Current Repairs and Maintenance:		
Office equipment		75 00
		$14,080 00

9 D 60. *State Board of Pharmacy*

Salaries:		
Officers and employees.....		$31,970 00
Materials and Supplies:		
Drugs and medical ...	$500 00	
Office	800 00	
Printing	1,100 00	
Educational and vocational	100 00	
		2,500 00
Services Other Than Personal:		
Travel	$2,400 00	
Telephone	625 00	
Rent: Office	3,782 00	
Rent: Examination rooms	300 00	
Insurance: Other than fire	226 00	
Household	50 00	
Subscriptions and memberships	180 00	
Postage	1,500 00	
		9,063 00
Current Repairs and Maintenance:		
Office equipment		100 00
		$43,633 00

10 D 60. *State Board of Veterinary Medical Examiners*

Salaries:		
Officers and employees.....		$2,317 00
Materials and Supplies:		
Office	$30 00	
Printing	120 00	
		150 00

Services Other Than Personal:		
Travel	$1,000 00	
Telephone	75 00	
Insurance: Other than fire	12 00	
Subscriptions and memberships	75 00	
Postage	100 00	
Miscellaneous	100 00	
		1,362 00
		$3,829 00

11 D 60. *State Board of Shorthand Reporting*

Salaries:		
Officers and employees		$250 00
Services Other Than Personal:		
Insurance: Other than fire	$17 00	
Miscellaneous	100 00	
		117 00
		$367 00

12 D 60. *State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians*

Salaries:		
Officers and employees		$5,531 00
Materials and Supplies:		
Office	$50 00	
Printing	40 00	
		90 00

Services Other Than Personal:		
Travel	$400 00	
Telephone	175 00	
Rent: Office	480 00	
Insurance: Other than fire	35 00	
Subscriptions and memberships	25 00	
Postage	175 00	
Examination expense	80 00	
		1,370 00
		$6,991 00

13 D 60. *State Board of Beauty Culture Control*

Salaries:		
Chairman	$3,500 00	
Board members (5)	12,500 00	
Other officers and employees	33,639 00	
		$49,639 00
Materials and Supplies:		
Office	$700 00	
Printing	2,000 00	
Educational and vocational	200 00	
Replacement: Office equipment	400 00	
		3,300 00
Services Other Than Personal:		
Travel	$2,100 00	
Telephone	1,100 00	
Insurance: Other than fire	177 00	
Subscriptions and memberships	25 00	
Postage	2,000 00	
Miscellaneous	30 00	
		5,432 00

Current Repairs and Maintenance:		
Office equipment	75	00
Additions and Improvements:		
Office equipment	943	00
	$59,389	00
Total Appropriation, Division of Professional Boards	$604,266	00

The amounts hereinabove appropriated to each of the several professional boards, shall be payable out of the receipts of such boards, and any receipts in excess of the amounts appropriated for each of said boards are hereby appropriated, the allotment of which shall be subject to the approval of the Director, Division of Budget and Accounting and the Legislative Budget and Finance Director; provided, however, that the appropriation of excess receipts shall not apply to the Board of Beauty Culture Control.

Grand Total, Department of Law and Public Safety	$18,823,084	00

DEPARTMENT OF THE TREASURY Treasury.

E 10. *Administrative Division*

Salaries:		
State Treasurer	$20,000 00	
Other officers and employees	107,095 00	
		$127,095 00
Materials and Supplies:		
Vehicle transportation	$300 00	
Office	1,100 00	
Printing	100 00	
Other materials and supplies	600 00	
Replacement: Office equipment	260 00	
		2,360 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	2,500 00	
Insurance: Other than fire	3,340 00	
Household	150 00	
Subscriptions and memberships	350 00	
Postage	400 00	
		7,740 00
Current Repairs and Maintenance:		
Office equipment	$1,000 00	
Automotive equipment	100 00	
		1,100 00
		$138,295 00

E 20. *Division of Budget and Accounting*

Salaries:		
Director	$18,000 00	
Other officers and employees	783,536 00	
		$801,536 00
Materials and Supplies:		
Vehicle transportation	$275 00	
Office	23,125 00	
Printing	21,650 00	
Replacement: Office equipment	1,486 00	
Microfilming	1,000 00	
		47,536 00
Services Other Than Personal:		
Travel	$8,102 00	
Telephone	8,550 00	
Rent: Office equipment	157,254 00	
Insurance: Other than fire	415 00	
Household	425 00	
Subscriptions and memberships	400 00	
Postage	15,130 00	
Miscellaneous	200 00	
		190,476 00
Current Repairs and Maintenance:		
Office equipment	$5,050 00	
Automotive equipment	50 00	
		5,100 00
Additions and Improvements:		
Office equipment		5,000 00
		$1,049,648 00

There is hereby appropriated out of revenues derived from escheated property under the various escheat acts, such sums as may be necessary to administer such acts and such sums as may be required for refunds.

E 30. *Division of Purchase and Property*

Salaries:		
Director	$16,000 00	
Other officers and employees	1,410,112 00	
Special services	1,000 00	
		$1,427,112 00
Materials and Supplies:		
Fuel and utilities	$135,200 00	
Fuel and utilities—War Memorial Building	4,000 00	
Household	20,800 00	
Vehicle transportation	3,850 00	
Office	9,400 00	
Printing	4,200 00	
Engineering	75 00	
Replacement: Office equipment	1,850 00	
Inspectors' supplies	500 00	
		179,875 00
Services Other Than Personal:		
Travel	$3,175 00	
Telephone	17,650 00	
Insurance: Fire	14,940 00	
Insurance: Other than fire	1,409 00	
Household	5,365 00	
Advertising	7,500 00	

Subscriptions and memberships	1,600 00	
Postage	8,050 00	
Miscellaneous	700 00	
		60,389 00
Current Repairs and Maintenance:		
Office equipment	$1,050 00	
Buildings and grounds	66,000 00	
Fire alarm	20,103 00	
Automotive equipment	1,750 00	
		88,903 00
Additions and Improvements:		
Fire escapes—State Office and Child Welfare Buildings	$10,000 00	
Refurnish washrooms	2,000 00	
Renovate 219 West State Street	10,000 00	
Restoration State House paintings ...	1,500 00	
Roof repairs—Trenton area buildings..	15,000 00	
		38,500 00
		$1,794,779 00

State Purchase Fund:

The unexpended balance in the State purchase fund as at June 30, 1960, together with the reimbursements made to said fund during 1960-61, are hereby appropriated so that a "purchase revolving fund" not exceeding $550,000.00 will be maintained for the purpose of making payments for purchases pursuant to the purchase act (chapter 25 of Title 52 of the Revised Statutes), and

for the expenses of handling, storing and transporting purchases so made; provided, the allotment of funds for such expenses shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director. Any sum as at June 30, 1961, in excess of $550,000.00 appropriated herein, shall be transferred by the State Treasurer to the General State Fund.

2 E 30. *Bureau of Construction*

Salaries:		
Officers and employees	$254,021 00	
Position transferred from Purchase Bureau	5,774 00	
		$259,795 00
Materials and Supplies:		
Vehicle transportation	$1,350 00	
Office	2,500 00	
Printing	5,500 00	
Engineering	1,200 00	
Replacement: Motor vehicles	2,200 00	
		12,750 00
Services Other Than Personal:		
Travel	$3,250 00	
Telephone	5,000 00	
Insurance: Other than fire	177 00	
Household	125 00	
Advertising	10,000 00	
Subscriptions and memberships	200 00	
Postage	2,350 00	
		21,102 00

Current Repairs and Maintenance:		
Office equipment	$275 00	
Automotive equipment	300 00	
		575 00
Additions and Improvements:		
Office equipment		300 00
		$294,522 00

The earnings from investments and interest on deposits heretofore and hereafter received in the State Institution Construction Fund, as provided under section 12 of chapter 3, of the laws of 1949, and the State 1952 Institution Construction Fund as provided under section 12 of chapter 3 of the laws of 1952, or so much thereof as may be necessary, are hereby appropriated in connection with the State Institutional Construction Program, such funds to be allotted by the Director of the Division of Budget and Accounting and approved by the Governor.

3 E 30. *Agricultural Commodity Distribution*

Salaries:		
Officers and employees		$48,737 00
Materials and Supplies:		
Fuel and utilities	$1,000 00	
Household	150 00	
Vehicle transportation	750 00	
Office	300 00	
Printing	500 00	
Replacement: Office equipment	202 00	
		2,902 00

Services Other Than Personal:		
Travel	$2,100 00	
Telephone	1,070 00	
Insurance: Other than fire	63 00	
Household	200 00	
Postage	520 00	
Refrigeration	5,000 00	
		8,953 00
Current Repairs and Maintenance:		
Office equipment	$55 00	
Buildings and grounds	1,000 00	
Automotive equipment	250 00	
		1,305 00
		$61,897 00

4 E 30. *Cafeteria at State House*

(Payable out of Cafeteria Receipts)

Salaries:		
Officers and employees		$39,465 00
Materials and Supplies:		
Food	$45,000 00	
Household	2,400 00	
		47,400 00
Services Other Than Personal:		
Household		2.350 00
Current Repairs and Maintenance:		
Household equipment		500 00
		$89,715 00

5 E. *Cafeteria—State Highway Department at Fernwood*

(Payable out of Cafeteria Receipts)

Salaries:		
Officers and employees		$25,743 00
Materials and Supplies:		
Food	$21,000 00	
Household	850 00	
		21,850 00
Services Other Than Personal:		
Travel	$80 00	
Household	1,200 00	
		1,280 00
Current Repairs and Maintenance:		
Household equipment		300 00
		$49,173 00

Unexpended balances in the accounts of the cafeterias on June 30, 1960, together with receipts in excess of those anticipated, are hereby appropriated.

E 40. *Division of Taxation*

Salaries:		
Director	$16,000 00	
Other officers and employees	3,385,873 00	
Special services	27,300 00	
		$3,429,173 00

Materials and Supplies:		
Vehicle transportation	$31,250 00	
Office	26,521 00	
Printing	35,350 00	
Educational	600 00	
Engineering	550 00	
Replacement: Motor vehicles	22,890 00	
Replacement: Office equipment	1,295 00	
License plates	1,800 00	
Vending machines licenses	2,000 00	
		122,256 00
Services Other Than Personal:		
Travel	$31,250 00	
Telephone	29,000 00	
Rent: Garage	3,294 00	
Rent: Office equipment	26,912 00	
Rent: Wharfage	540 00	
Insurance: Other than fire	4,575 00	
Household	600 00	
Advertising	100 00	
Subscriptions and memberships	8,363 00	
Investigative and legal expenses	5,000 00	
Postage	37,060 00	
Maintenance patrol boat	2,300 00	
Patrol boat crew expenses	1,400 00	
Tax assessing training program	700 00	
Miscellaneous	200 00	
Automation services	14,500 00	
		165,794 00

Current Repairs and Maintenance:		
Office equipment	$4,386 00	
Automotive equipment	6,700 00	
		11,086 00
Extraordinary:		
Compensation award		1,560 00
Additions and Improvements:		
Office equipment		1,098 00
		$3,730,967 00

General Tax Refunds:

Upon certification of the Director of the Division of Taxation, the State Treasurer shall pay, upon warrants of the Director of the Division of Budget and Accounting, such claims for refund as may be necessary under the provisions of Title 54 of the Revised Statutes as amended or supplemented.

There are hereby appropriated such sums as may be required to carry out the provisions of R. S. 54:17–4.

There are hereby appropriated, such sums as may be required under the provisions of R. S. 54:29A–24, to pay over to the local taxing districts, the tax receipts derived from the assessment of Class II Railroad Property.

There are hereby appropriated, such sums as may be required under the provisions of R. S. 54:10B–24, to pay over to the various taxing districts and counties, the tax receipts derived from the imposition of the Financial Business Tax.

E 50. *Division of Local Government*

Salaries:		
Director	$16,000 00	
Board members	12,000 00	
Other officers and employees	202,095 00	
		$230,095 00
Materials and Supplies:		
Vehicle transportation	$1,250 00	
Office	3,600 00	
Printing	9,500 00	
Replacement: Motor vehicles	3,450 00	
Replacement: Office equipment	832 00	
		18,632 00
Services Other Than Personal:		
Travel	$23,000 00	
Telephone	2,700 00	
Rent: Garage	108 00	
Insurance: Other than fire	232 00	
Household	75 00	
Subscriptions and memberships	380 00	
Postage	16,000 00	
		42,495 00
Current Repairs and Maintenance:		
Office equipment	$1,000 00	
Automotive equipment	300 00	
		1,300 00
		$292,522 00

E 60. *Division of Tax Appeals*

Salaries:		
President	$11,500 00	
Board members	63,000 00	
Other officers and employees	68,453 00	
Special services	20,000 00	
		$162,953 00
Materials and Supplies:		
Vehicle transportation	$400 00	
Office	1,500 00	
Printing	300 00	
Replacement: Motor vehicles	2,070 00	
		4,270 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,100 00	
Insurance: Other than fire	34 00	
Household	50 00	
Subscriptions and memberships	300 00	
Postage	800 00	
		4,784 00
Current Repairs and Maintenance:		
Office equipment	$125 00	
Automotive equipment	75 00	
		200 00
		$172,207 00

E 70. *Division of the New Jersey Racing Commission*

Salaries:		
Officers and employees	$145,773 00	
Special services	51,120 00	
		$196,893 00
Materials and Supplies:		
Veterinarian supplies	$1,350 00	
Vehicle transportation	600 00	
Office	2,200 00	
Printing	200 00	
		4,350 00
Services Other Than Personal:		
Travel	$16,000 00	
Telephone	3,100 00	
Rent: Garage	240 00	
Rent: Office equipment	300 00	
Insurance: Other than fire	816 00	
Subscriptions and memberships	1,000 00	
Investigative and legal expenses	3,000 00	
Postage	600 00	
		25,056 00
Current Repairs and Maintenance:		
Office equipment	$100 00	
Automotive equipment	200 00	
		300 00
		$226,599 00

E 90. *Division of Investments*

Salaries:		
Director	$17,000 00	
Other officers and employees	96,491 00	
Special services	10,000 00	
		$123,491 00
Materials and Supplies:		
Office	$1,200 00	
Printing	500 00	
Replacement: Office equipment	1,060 00	
Microfilming	200 00	
		2,960 00
Services Other Than Personal:		
Travel	$350 00	
Telephone	2,100 00	
Rent: Office equipment	100 00	
Insurance: Other than fire	250 00	
Household	60 00	
Advertising	500 00	
Subscriptions and memberships	2,800 00	
Postage	500 00	
		6,660 00
Current Repairs and Maintenance:		
Office equipment		200 00
		$133,311 00

There is hereby appropriated, out of receipts derived from the investment of State funds, such sums as may be necessary for custodial costs and for advertising bank balances as required by chapter 174, laws of 1956; provided, the allotment of such sums shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

E 95. *Division of Pensions*

Salaries:		
Director	$14,000 00	
Other officers and employees	868,080 00	
Special services	74,450 00	
		$956,530 00
Materials and Supplies:		
Vehicle transportation	$1,100 00	
Office	28,000 00	
Printing	2,500 00	
Replacement: Office equipment	2,325 00	
Microfilming	2,500 00	
		36,425 00
Services Other Than Personal:		
Travel	$12,000 00	
Telephone	20,000 00	
Rent: Office equipment	85,500 00	
Insurance: Other than fire	2,320 00	
Advertising	995 00	
Subscriptions and memberships	675 00	
Postage	26,600 00	
Miscellaneous	200 00	
		148,290 00

Current Repairs and Maintenance:		
Office equipment	$3,000 00	
Automotive equipment	300 00	
		3,300 00
Additions and Improvements:		
Office equipment		2,004 00
		$1,146,549 00
Grand Total, Department of the Treasury		$9,180,184 00

State Department.

Department of State

F 10. *Office of Secretary*

Salaries:		
Secretary of State ..	$17,000 00	
Other officers and employees	133,391 00	
New position	2,400 00	
		$152,791 00
Materials and Supplies:		
Office	$2,000 00	
Printing	11,000 00	
Replacement: Office equipment	212 00	
Microfilming	2,500 00	
		15,712 00
Services Other Than Personal:		
Travel	$300 00	
Telephone	2,400 00	
Insurance: Other than fire	15 00	
Subscriptions and memberships	500 00	

Postage	6,000 00	
Election expense	22,000 00	
Miscellaneous	100 00	
		31,315 00
Current Repairs and Maintenance:		
Office equipment		400 00
Additions and Improvements:		
Office equipment	$886 00	
Renovating vault ...	500 00	
		1,386 00
		$201,604 00

F 20. *Office of the Athletic Commissioner*

Salaries:		
Commissioner	$6,000 00	
Other officers and employees	24.749 00	
Special services	3,000 00	
		$33,749 00
Materials and Supplies:		
Office	$100 00	
Printing	150 00	
		250 00
Services Other Than Personal:		
Travel	$1,400 00	
Telephone	1,200 00	
Insurance: Other than fire	63 00	
Household	25 00	
Subscriptions and memberships	200 00	
Postage	225 00	
		3,113 00

Current Repairs and Maintenance:		
Office equipment		50 00
		$37,162 00

F 30. *Legalized Games of Chance Control Commission*

Salaries:		
Officers and employees	$110,998 00	
Special services	2,000 00	
		$112,998 00
Materials and Supplies:		
Vehicle transportation	$3,000 00	
Office	3,500 00	
Printing	2,500 00	
Educational and vocational	50 00	
Replacement: Motor vehicles	2,960 00	
		12,010 00
Services Other Than Personal:		
Travel	$8,000 00	
Telephone	2,000 00	
Rent: Office equipment	5,940 00	
Rent: Miscellaneous .	400 00	
Insurance: Other than fire	182 00	
Household	200 00	
Postage	2,700 00	
		19,422 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Automotive equipment	600 00	
		1,100 00
Additions and Improvements:		
Office equipment		400 00
		$145,930 00

F 40. *Division of Aging*

Salaries:		
Director	$13,000 00	
Other officers and employees	47,561 00	
New position	2,520 00	
Special services	1,000 00	
		$64,081 00
Materials and Supplies:		
Vehicle transportation	$600 00	
Office	1,000 00	
Printing	10,000 00	
Educational and vocational	500 00	
		12,100 00
Services Other Than Personal:		
Travel	$4,000 00	
Telephone	1,200 00	
Insurance: Other than fire	105 00	
Subscriptions and memberships	200 00	
Postage	4,175 00	
		9,680 00
Current Repairs and Maintenance:		
Office equipment	$50 00	
Automotive equipment	150 00	
		200 00
Extraordinary:		
Development of research on aging	$40,000 00	
Conference on aging.	1,600 00	
		41,600 00

Additions and Improvements:		
Office equipment		342 00
		$128,003 00
Grand Total, Department of State		$512,699 00

Civil Service.

G 10. Department of Civil Service

Salaries:		
President	$20,000 00	
Commissioners	32,000 00	
Chief examiner and secretary	16,500 00	
Other officers and employees	967,858 00	
New positions	7,424 00	
Special services	45,000 00	
Suggestion award program	1,000 00	
		$1,089,782 00
Materials and Supplies:		
Vehicle transportation	$2,100 00	
Office	20,000 00	
Printing	7,500 00	
Replacement: Motor vehicles	3,850 00	
Replacement: Office equipment	3,844 00	
Recruitment exhibits and special examination materials	500 00	
		37,794 00
Services Other Than Personal:		
Travel	$9,500 00	
Telephone	12,000 00	

Rent: Garage	1,080 00	
Rent: Office equipment	18,885 00	
Rent: Examination rooms	4,500 00	
Insurance: Other than fire	1,248 00	
Household	300 00	
Advertising	22,000 00	
Subscriptions and memberships	1,250 00	
Postage	12,000 00	
Test construction service	7,000 00	
Miscellaneous	25 00	
		89,788 00
Current Repairs and Maintenance:		
Office equipment	$2,000 00	
Automotive equipment	400 00	
		2,400 00
Additions and Improvements:		
Office equipment		7,459 00
		$1,227,223 00

DEPARTMENT OF BANKING AND INSURANCE

Banking and Insurance.

H 10. *General*

Salaries:		
Commissioner	$20,000 00	
Other officers and employees	1,472,397 00	
New positions	38,698 00	
Chief actuary	17,200 00	
Court reporting services	1,000 00	
		$1,549,295 00

Materials and Supplies:		
Vehicle transportation	$250 00	
Office	8,200 00	
Printing	18,500 00	
Replacement: Office equipment	4,316 00	
		31,266 00
Services Other Than Personal:		
Travel	$160,000 00	
Telephone	9,500 00	
Rent: Office equipment	21,570 00	
Insurance: Other than fire	177 00	
Household	150 00	
Advertising	100 00	
Subscriptions and memberships	3,000 00	
Postage	12,200 00	
Automation services	3,112 00	
		209,809 00
Current Repairs and Maintenance:		
Office equipment	$2,000 00	
Automotive equipment	50 00	
		2,050 00
Additions and Improvements:		
Office equipment		1,005 00
		$1,793,425 00

There are hereby appropriated the trust funds of the National Association of Insurance Commissioners.

H 20. *Division of New Jersey Real Estate Commission*

Salaries:		
Commissioners	$20,000 00	
Other officers and employees	113,393 00	
Special services	1,000 00	
		$134,393 00
Materials and Supplies:		
Vehicle transportation	$1,600 00	
Office	1,500 00	
Printing	9,500 00	
		12,600 00
Services Other Than Personal:		
Travel	$3,600 00	
Telephone	2,400 00	
Rent: Garage	454 00	
Rent: Examination rooms	1,500 00	
Insurance: Other than fire	153 00	
Household	200 00	
Subscriptions and memberships	452 00	
Investigative and legal expenses	1,500 00	
Postage	5,700 00	
License preparation and mailing service	3,000 00	
Miscellaneous	225 00	
		19,184 00
Current Repairs and Maintenance:		
Office equipment	$200 00	
Automotive equipment	250 00	
		450 00

Additions and Improvements:		
Office equipment		148 00
		$166,775 00
Grand Total, Department of Banking and Insurance ...		$1,960,200 00

Agriculture.

DEPARTMENT OF AGRICULTURE

I 10. *General*

Salaries:		
Secretary	$20,000 00	
Other officers and employees	795,024 00	
Special services	100,000 00	
		$915,024 00
Materials and Supplies:		
Fuel and utilities	$1,500 00	
Drugs and medical ...	12,000 00	
Vehicle transportation	20,000 00	
Office	9,000 00	
Printing	11,000 00	
Educational and vocational	500 00	
Other materials and supplies	350 00	
Replacement: Motor vehicles	23,000 00	
Replacement: Office equipment	3,750 00	
Field supplies and exhibits	2,500 00	
		83,600 00
Services Other Than Personal:		
Travel	$28,000 00	
Telephone	10,500 00	

Rent: Garage	1,800 00	
Rent: Office equipment	7,500 00	
Rent: Miscellaneous ..	350 00	
Insurance: Other than fire	3,818 00	
Household	1,000 00	
Subscriptions and memberships	1,000 00	
Postage	10,000 00	
Maintenance of fairs and exhibits	50,000 00	
Maintenance and awards, livestock shows	3,000 00	
Miscellaneous	500 00	
		117,468 00
Current Repairs and Maintenance:		
Office equipment	$750 00	
Buildings and grounds	500 00	
Automotive equipment	5,000 00	
Other equipment	425 00	
		6,675 00
Extraordinary:		
Indemnities—Pursuant to R. S. 4:5	$80.000 00	
Rural advisory council	35,000 00	
New Jersey farm show	10,000 00	
Soil Conservation Committee	23,150 00	
		148,150 00
Additions and Improvements:		
Office equipment	$1,200 00	
Motor vehicles	3,900 00	
		5,100 00
		$1,276,017 00

The unexpended balance on June 30, 1960, in the account "Indemnities—Condemned Cattle" is hereby reappropriated for indemnities pursuant to R. S. 4:5.

The unexpended balance as of June 30, 1960 of the appropriation made pursuant to section 17 of chapter 18, P. L. 1959 is hereby reappropriated for the purposes thereof.

The unexpended balances as of June 30, 1960 of receipts derived pursuant to the provisions of chapter 47, P. L. 1957 (Poultry Products Promotion Tax Account), chapter 169, P. L. 1957 (Seed Potato Tax Account), chapter 18, P. L. 1959 (Asparagus Tax Account) and chapter 80, P. L. 1959 (Apple Tax Account), together with such receipts during the fiscal year 1960-61, are hereby appropriated; provided, however, that all receipts derived pursuant to the provisions of chapter 47, P. L. 1957 during the fiscal year 1960-61 in excess of $100,000.00 shall be reimbursed to the General State Fund on account of the appropriation made pursuant to section 17 of said act, to the extent that reimbursement has not been made heretofore.

I 20. *Office of Milk Industry*

Salaries:		
Director	$12,000 00	
Other officers and employees	173,978 00	
Special services	2,000 00	
		$187,978 00
Materials and Supplies:		
Drugs and chemicals.	$250 00	
Vehicle transportation	3,750 00	
Office	2,500 00	
Printing	2,000 00	
		8,500 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	2,850 00	
Rent: Garage	1,200 00	
Rent: Miscellaneous	500 00	
Insurance: Other than fire	374 00	
Household	100 00	
Advertising	250 00	
Subscriptions and memberships	150 00	
Postage	4,500 00	
Miscellaneous	200 00	
		12,624 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Automotive equipment	1,000 00	
		1,600 00
		$210,702 00
Grand Total, Department of Agriculture		$1,486,719 00

New Jersey State Library

Defense Department.

Department of Defense

J 10. *Administration Division*

Salaries:		
Chief of staff	$18,000 00	
Other officers and employees	319,437 00	
		$337,437 00
Materials and Supplies:		
Office	$7,250 00	
Printing	3,000 00	
Engineering	350 00	
Replacement: Office equipment	1,981 00	
		12,581 00
Services Other Than Personal:		
Telephone	$15,500 00	
Household	275 00	
Subscriptions and memberships	600 00	
Postage	1,300 00	
		17,675 00
Current Repairs and Maintenance:		
Office equipment		600 00
Additions and Improvements:		
Office equipment		2,067 00
		$370,360 00

J 11. *National Guard and/or State Guard*

Salaries:		
Officers and employees	$707,623 00	
Permanent duty military personnel	106,020 00	
Special services	5,000 00	
		$818,643 00
Materials and Supplies:		
Fuel and utilities	$314,000 00	
Household	23,000 00	
Vehicle transportation	7,800 00	
Replacement: Motor vehicles	11,160 00	
Replacement: Office equipment	2,001 00	
Replacement: Household equipment	2,259 00	
Special departmental supplies	2,400 00	
		362,620 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	50,000 00	
Insurance: Fire	65,330 00	
Insurance: Other than fire	15,000 00	
Household	10,000 00	
Advertising	1,500 00	
Subscriptions and memberships	1,600 00	
Postage	300 00	
Field training expenses	1,500 00	
Equipping and maintaining the National Guard	8,000 00	
Small arms matches	2,500 00	
Officer candidate school program	8,000 00	

National Guard publicity	2,000 00	
Miscellaneous	300 00	
		171,030 00
Current Repairs and Maintenance:		
Office equipment	$1,000 00	
Buildings and grounds	160,000 00	
Electrical repairs—Trenton Infantry Armory	25,000 00	
Farm machinery	1,000 00	
Automotive equipment	2,500 00	
Household equipment.	1,000 00	
Other equipment	2,000 00	
		192,500 00
Extraordinary:		
Compensation awards		7,000 00
Additions and Improvements:		
Furniture and furnishings	$12,000 00	
Grounds	5,350 00	
Household equipment.	12,000 00	
		29,350 00
		$1,581,143 00

The unexpended balance as of June 30, 1960 in the account for Replacement: Heating system—Newark Cavalry is hereby reappropriated for the same purpose or for other repair or replacement projects, subject to allotment by the Director of the Division of Budget and Accounting and approval of the Legislative Budget and Finance Director.

J 12. *Naval Militia Reserve*

Salaries:		
Officers and employees		$8,994 00
Services Other Than Personal:		
Equipping and maintaining naval militia		1,000 00
		$9,994 00

J 13. *Division of Civil Defense*

Salaries:		
Officers and employees	$73,390 00	
Indirect personal services	11,829 00	
		$85,219 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	5,000 00	
Insurance: Fire	410 00	
Insurance: Other than fire	510 00	
Postage	3,500 00	
		14,420 00
Current Repairs and Maintenance:		
Office equipment		250 00
		$99,889 00

In addition to the amounts hereinabove specifically appropriated, there are reappropriated the unexpended balances as of June 30, 1960 of all amounts appropriated for Civil Defense.

There are hereby appropriated such sums as may be necessary to carry out the provisions of chapter 12, laws of 1952, from the Special Fund for Civil Defense Volunteers.

There are also appropriated any receipts derived from charges heretofore made or to be made to local government jurisdictions for the handling of Federal surplus property distributed to such jurisdictions.

The Governor is hereby empowered to direct the State Treasurer to transfer from any State department to the Division of Civil Defense such sums as may be necessary for the cost of any emergency occasioned by aggression, sabotage or disaster.

Grand Total, Department of Defense	$2,061,386 00

Public Utilities.

K 10. Department of Public Utilities

Salaries:		
President	$20,000 00	
Commissioners	34,000 00	
Other officers and employees	567,440 00	
New positions	64,374 00	
Court reporting services	17,500 00	
		$703,314 00

Materials and Supplies:		
Vehicle transportation	$1,100 00	
Office	4,000 00	
Printing	4,000 00	
		9,100 00
Services Other Than Personal:		
Travel	$8,000 00	
Telephone	12,000 00	
Rent: Garage	1,000 00	
Insurance: Other than fire	121 00	
Household	750 00	
Subscriptions and memberships	3,400 00	
Postage	3,700 00	
		28,971 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Automotive equipment	650 00	
		1,250 00
		$742,635 00

DEPARTMENT OF HEALTH Health.

L 10. *General*

Salaries:		
Commissioner	$20,000 00	
Other officers and employees	1,965,262 00	
New positions	31,438 00	
Special services	24,870 00	
		$2,041,570 00
Materials and Supplies:		
Fuel and utilities	$3,050 00	
Household	565 00	

Drugs and medical ...	130,000 00	
Vehicle transportation	16,045 00	
Office	12,100 00	
Printing	26,460 00	
Educational and vocational	6,790 00	
Engineering	425 00	
Replacement: Motor vehicles	31,915 00	
Replacement: Office equipment	6,430 00	
Replacement: Laboratory equipment	9,516 00	
Eastern equine encephalomyelitis	1,800 00	
State employees' health services	6,500 00	
		251,596 00

Services Other Than Personal:		
Travel	$47,700 00	
Telephone	37,000 00	
Rent: Garage	2,880 00	
Rent: Office equipment	25,230 00	
Rent: Miscellaneous..	680 00	
Insurance: Other than fire	3,325 00	
Household	2,265 00	
Advertising	1,450 00	
Subscriptions and memberships	1,529 00	
Postage	39,100 00	
Maintenance of laboratories and boats ...	6,450 00	
Examination services	800 00	
Laboratory material disposal	1,000 00	
Miscellaneous	80 00	
		169,489 00

Current Repairs and Maintenance:		
Office equipment	$2,120 00	
Automotive equipment	3,380 00	
Scientific equipment .	1,925 00	
		7,425 00
Extraordinary:		
Purchase of Public Health Facilities		260,000 00
Additions and Improvements:		
Laboratory equipment	$11,802 00	
Office equipment	739 00	
		12,541 00
		$2,742,621 00

1 L 10. *Rabies Control Program*

(Payable Out of Rabies Control Trust Fund)

Salaries:		
Officers and employees	$55,332 00	
Special services	200 00	
		$55,532 00
Materials and Supplies:		
Drugs and medical ...	$1,138 00	
Specific vaccine — Canine	24,000 00	
Vehicle transportation	1,600 00	
Office	250 00	
Printing	2,000 00	
Educational and vocational	25 00	
Replacement: Office equipment	79 00	
		29,092 00

Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,000 00	
Rent: Office	650 00	
Rent: Garage	72 00	
Insurance: Other than fire	182 00	
Household	50 00	
Subscriptions and memberships	31 00	
Postage	500 00	
		4,985 00
Current Repairs and Maintenance:		
Office equipment	$70 00	
Automotive equipment	250 00	
		320 00
		$89,929 00

Funds in excess of the amounts hereinabove indicated, but limited to the amount of the receipts in the Rabies Control Trust Fund for the fiscal year, are hereby appropriated; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

L 21. *Board of Barber Examiners*

Salaries:		
Secretary-Treasurer	$6,500 00	
Board members	18,000 00	
Other officers and employees	34,243 00	
		$58,743 00

Materials and Supplies:		
Vehicle transportation	$1,100 00	
Office	450 00	
Printing	1,225 00	
Replacement: Office equipment	202 00	
		2,977 00
Services Other Than Personal:		
Travel	$4,500 00	
Telephone	500 00	
Insurance: Other than fire	140 00	
Subscriptions and memberships	25 00	
Postage	850 00	
Miscellaneous	60 00	
		6,075 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Automotive equipment	200 00	
		275 00
Additions and Improvements:		
Office equipment		156 00
		$68,226 00

L 30. *Crippled Children's Commission*

Salaries:		
Officers and employees	$19,423 00	
Nursing service fees	9,000 00	
		$28,423 00
Materials and Supplies:		
Drugs and medical	$250 00	
Vehicle transportation	450 00	
Office	450 00	
		1,150 00

Services Other Than Personal:		
Travel	$200 00	
Telephone	900 00	
Rent: Garage	240 00	
Insurance: Other than fire	58 00	
Postage	350 00	
		1,748 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Automotive equipment	50 00	
		125 00
		$31,446 00
Grand Total, Department of Health		$2,932,222 00

Labor and Industry.

Department of Labor and Industry

M 10. *Division of Labor*

Salaries:		
Commissioner	$20,000 00	
Director	14,000 00	
Other officers and employees	1,089,760 00	
New positions	36,582 00	
Special services—(Migrant Labor Schools)	10,000 00	
Other special services	3,460 00	
Court reporting services	2,500 00	
		$1,176,302 00
Materials and Supplies:		
Food	$1,350 00	
Fuel and utilities	155 00	
Household	170 00	
Drugs and medical	650 00	

Vehicle transportation	6,870 00	
Office	13,850 00	
Printing	12,000 00	
Educational and vocational	675 00	
Engineering	100 00	
Replacement: Motor vehicles	1,875 00	
Replacement: Office equipment	5,079 00	
Replacement: Other equipment	1,000 00	
Industrial safety compaign and printing	560 00	
		44,334 00
Services Other Than Personal:		
Travel	$37,100 00	
Telephone	15,500 00	
Rent: School buildings	1,500 00	
Rent: Garage	632 00	
Rent: Office equipment	2,520 00	
Rent: Bus	2,500 00	
Insurance: Fire	2,280 00	
Insurance: Other than fire	574 00	
Household	50 00	
Subscriptions and memberships	1,160 00	
Postage	27,200 00	
Governor's Industrial Safety Conference	500 00	
Minimum wage survey	2,000 00	
Miscellaneous	225 00	
Microfilming	2,500 00	
Automation services	12,000 00	
		108,241 00
Current Repairs and Maintenance:		
Office equipment	$1,425 00	
Buildings and grounds	200 00	
Automotive equipment	1,150 00	
Scientific equipment	100 00	
		2,875 00

Additions and Improvements:		
Office equipment		1,805 00
		$1,333,557 00

There are hereby appropriated such sums as may be necessary for payments out of the Wage and Hour Trust Fund.

M 20. *Division of Workmen's Compensation*

Salaries:		
Director	$16,000 00	
Deputy directors	224,648 00	
Other officers and employees	497,412 00	
New positions	12,606 00	
Special services	25,000 00	
		$775,666 00
Materials and Supplies:		
Drugs and medical ...	$200 00	
Vehicle transportation	300 00	
Office	6,000 00	
Printing	3,000 00	
Educational and vocational	750 00	
Replacement: Office equipment	5,106 00	
		15,356 00
Services Other Than Personal:		
Travel	$13,500 00	
Telephone	13,000 00	
Household	500 00	
Subscriptions and memberships	2,298 00	
Postage	2,800 00	
Miscellaneous	150 00	
Microfilming	5,000 00	
Automation services .	8,000 00	
		45,248 00

Current Repairs and Maintenance:		
Office equipment	$1,000 00	
Buildings and grounds	2,500 00	
Automotive equipment	50 00	
Scientific equipment ..	50 00	
		3,600 00
Additions and Improvements:		
Medical and surgical equipment	$634 00	
Office equipment	3,000 00	
		3,634 00
		$843,504 00

1 M 20. *Division of Workmen's Compensation*

(Payable Out of the 1% Compensation Tax Fund)

Salaries:		
Officers and employees	$14,267 00	
Special services	2,500 00	
		$16,767 00
Materials and Supplies:		
Office		100 00
Services Other Than Personal:		
Travel	$750 00	
Telephone	215 00	
Rent: Office	720 00	
Postage	300 00	
Miscellaneous	50 00	
		2,035 00
Extraordinary:		
Beneficiary payments		360,000 00

There are hereby appropriated out of the 1% Compensation Tax Fund,

such additional sums as may be necessary to provide beneficiary payments in excess of the amount specifically set forth above.

The State Treasurer is hereby empowered and directed to transfer to the General State Fund, the sum of $50,000.00 from the excess in the fund accumulated as of June 30, 1960, pursuant to section 34:15–94 of the Revised Statutes, over the sum of $1,250,000.00.

$378,902 00

DIVISION OF EMPLOYMENT SECURITY

1 M 31. *Disability Insurance Service*

(Payable out of Temporary Disability Benefits Administration Fund)

Salaries:		
Officers and employees	$694,247 00	
New position	16,000 00	
Indirect personal services	400,000 00	
Special services	8,000 00	
		$1,118,247 00
Materials and Supplies:		
Vehicle transportation	$1,400 00	
Office	13,000 00	
Printing	3,000 00	
Educational and vocational	100 00	
Replacement: Office equipment	2,519 00	
		20,019 00

Services Other Than Personal:		
Travel	$9,000 00	
Telephone	8,000 00	
Rent: Office	137,967 00	
Rent: Office equipment	6,885 00	
Insurance: Other than fire	20 00	
Subscriptions and memberships	850 00	
Postage	27,000 00	
Miscellaneous	300 00	
		190,022 00
Current Repairs and Maintenance:		
Office equipment	$1,200 00	
Automotive equipment	150 00	
		1,350 00
Additions and Improvements:		
Motor vehicles		5,265 00
		$1,334,903 00

There are hereby appropriated such sums as may be necessary to pay Unemployment Compensation and Temporary Disability Benefits.

M 40. *State Board of Mediation*

Salaries:		
Board members	$8,000 00	
Other officers and employees	77,245 00	
Special services	650 00	
Court reporting services	650 00	
		$86,545 00

Materials and Supplies:		
Office	$500 00	
Educational and vocational	50 00	
Replacement: Office equipment	2,090 00	
		2,640 00
Services Other Than Personal:		
Travel	$3,500 00	
Telephone	3,000 00	
Household	30 00	
Subscriptions and memberships	1,070 00	
Postage	150 00	
Miscellaneous	25 00	
		7,775 00
Current Repairs and Maintenance:		
Office equipment		100 00
		$97,060 00

M 50. *Rehabilitation Commission*

Salaries:		
Officers and employees	$421,035 00	
New positions	28,500 00	
Special services	11,000 00	
		$460,535 00
Materials and Supplies:		
Fuel and utilities	$600 00	
Household	200 00	
Vehicle transportation	200 00	
Office	5,500 00	
Printing	5,000 00	
Replacement: Office equipment	1,000 00	
		12,500 00

Services Other Than Personal:		
Travel	$17,000 00	
Telephone	16,500 00	
Rent: Garage	1,500 00	
Rent: Miscellaneous	200 00	
Insurance: Other than fire	31 00	
Household	700 00	
Advertising	200 00	
Subscriptions and memberships	250 00	
Postage	6,600 00	
Specific departmental expense	400 00	
		43,381 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Buildings and grounds	1,000 00	
Automotive equipment	100 00	
		1,700 00
Additions and Improvements:		
Office equipment		3,896 00
Clients' Services and Direct Aid:		
Services to clients	$1,293,482 00	
Extension and improvement projects	51,408 00	
Expansion rehabilitation services	7,333 00	
		1,352,223 00
		$1,874,235 00

In addition to the appropriation hereinabove made, recoveries of the State's share of expenditures made in the year ending June 30, 1961, together with those made in prior fiscal years, are hereby appropriated.

Grand Total, Department of Labor and Industry $5,862,161 00

Conservation and Economic Development.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

N 10. *Office of the Commissioner*

Salaries:		
Commissioner	$20,000 00	
Other officers and employees	201,610 00	
		$221,610 00
Materials and Supplies:		
Fuel and utilities	$100 00	
Drugs and medical ...	75 00	
Vehicle transportation	1,150 00	
Office	700 00	
Printing	4,000 00	
Educational and vocational	350 00	
Replacement: Motor vehicles	3,825 00	
Replacement: Office equipment	950 00	
		11,150 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	8,700 00	
Rent: Miscellaneous..	100 00	
Insurance: Fire	51 00	
Insurance: Other than fire	90 00	
Household	500 00	
Subscriptions and memberships	1,450 00	
Postage	2,000 00	
Miscellaneous	100 00	
N. J. Review program	1,000 00	
		16,491 00

Current Repairs and Maintenance:		
Office equipment	$2,000 00	
Automotive equipment	400 00	
		2,400 00
Additions and Improvements:		
Office equipment		102 00
		$251,753 00

N 20. *Division of Planning and Development*

Salaries:		
Director	$14,000 00	
Other officers and employees	2,044,382 00	
New positions	18,430 00	
Special services	15,500 00	
		$2,092,312 00
Materials and Supplies:		
Food	$3,000 00	
Clothing	2,500 00	
Fuel and utilities	48,550 00	
Farm and grounds ...	7,700 00	
Household	4,650 00	
Drugs and medical ...	800 00	
Vehicle transportation	22,975 00	
Office	6,650 00	
Printing	19,000 00	
Educational and vocational	660 00	
Engineering	2,515 00	
Other materials and supplies	1,500 00	
Exhibit materials	700 00	
Forestry hose	7,000 00	
Harbormaster flags ..	800 00	
License plates and cards	4,000 00	

Motor boat transportation	2,300 00	
Replacement: Motor vehicles	47,865 00	
Replacement: Office equipment	3,141 00	
Replacement: Boats and equipment	16,000 00	
Replacement: Other equipment	44,295 00	
		246,601 00

Services Other Than Personal:		
Travel	$13,850 00	
Telephone	34,725 00	
Rent: Garage	3,012 00	
Rent: Miscellaneous	1,896 00	
Rent: Boats	4,000 00	
Insurance: Fire	19,620 00	
Insurance: Other than fire	8,654 00	
Household	1,960 00	
Advertising	600 00	
Subscriptions and memberships	2,716 00	
Collection of license fees	4,500 00	
Postage	17,500 00	
Tax lieu	17,310 00	
Tax lieu—High Point Park	1,065 00	
Miscellaneous	472 00	
Aerial photography	6,000 00	
		137,880 00

Current Repairs and Maintenance:		
Office equipment	$1,450 00	
Buildings and grounds	78,400 00	
Extraordinary repairs to camp at Lake Wapalanne	7,500 00	

Buildings, grounds and utilities of the Chief Executive's official residence ...	10,000 00	
Farm machinery	350 00	
Automotive equipment	9,150 00	
Household equipment	500 00	
Lights and buoys	5,000 00	
Maintenance of air markers	200 00	
Motor boats	3,750 00	
Other equipment	2,100 00	
Recreational equipment	550 00	
Scientific and laboratory equipment	500 00	
		119,450 00
Extraordinary:		
Fire fighting costs ...	$50,000 00	
State's share of maintenance of Old Barracks at Trenton ..	8,500 00	
Expanded State and regional planning ..	75,000 00	
Compensation awards	4,680 00	
State promotion and advertising expenses	200,000 00	
		338,180 00
Additions and Improvements:		
Furniture and furnishings	$600 00	
Motor vehicles	12,875 00	
Navigation buoys	4,000 00	
Office equipment	3,495 00	
Other equipment	20,780 00	
		41,750 00
		$2,976,173 00

There is hereby appropriated the unexpended balance of the Revolving Fund created pursuant to chapter 113, P. L. 1957, for the purpose of defraying the cost of appraisal fees and advertising incidental to the sale or disposal of Veterans' Emergency Housing and, in addition thereto, all reimbursements received on account thereof, in a total sum not exceeding $20,000.00.

There are hereby reappropriated the unexpended receipts as of June 30, 1960 from the operation of the Wharton Tract.

There are hereby appropriated revenues in excess of those anticipated from "General Revenue, Licenses, Fees, etc." for additional operation and maintenance costs of the Division of Planning and Development, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

There is hereby appropriated the unexpended balance of the Revolving Fund created pursuant to chapter 106, P. L. 1959 for the purpose of printing and reprinting of literature and maps for sale and, in addition thereto, receipts derived from such sale.

In addition to the amounts hereinabove specifically appropriated, there are reappropriated the unexpended balances as of June 30, 1960 in the accounts for Fire Fighting Costs and Expanded State and Regional Planning for the same purposes.

2 N 20. *Morris Canal and Banking Company*

(Payable from Morris Canal Fund)

Salaries:		
Officers and employees		$43,773 00
Materials and Supplies:		
Clothing	$400 00	
Fuel and utilities	755 00	
Farm and grounds ..	200 00	
Household	135 00	
Drugs and medical ...	70 00	
Vehicle transportation	200 00	
Office	50 00	
Printing	50 00	
Engineering	25 00	
Other materials and supplies	200 00	
Replacement: Other equipment	1,020 00	
		3,105 00
Services Other Than Personal:		
Travel	$50 00	
Telephone	185 00	
Household	30 00	
		265 00
Current Repairs and Maintenance:		
Office equipment	$30 00	
Buildings and grounds	2,000 00	
Automotive equipment	120 00	
General plant equipment	100 00	
		2,250 00
		$49,393 00

There shall be refunded to the General State Fund such amounts as have heretofore been advanced from said fund to the Morris Canal Fund whenever and to the extent that the canal funds exceed the liabilities of said fund as of June 30, 1961.

9 N 20. *New Jersey Pilot Commissioners*

Salaries:		
Board members		$15,720 00
Materials and Supplies:		
Office	$60 00	
Printing	90 00	
		150 00
Services Other Than Personal:		
Travel		210 00
		$16,080 00

The amounts hereinabove appropriated to the New Jersey Pilot Commissioners shall be payable out of the receipts of said board, and any receipts in excess of the amounts specifically set forth above are hereby appropriated, the allotment of which shall be subject to the approval of the Director, Division of Budget and Accounting, and the Legislative Budget and Finance Director.

N 30. *Division of Water Policy and Supply*

Salaries:		
Director and chief engineer	$14,000 00	
Other officers and employees	255,227 00	
New position	3,612 00	
Special services	10,270 00	
		$283,109 00
Materials and Supplies:		
Fuel and utilities	$1,900 00	
Household	75 00	
Vehicle transportation	2,500 00	
Office	900 00	
Printing	1,800 00	
Engineering	500 00	
Replacement: Motor vehicles	7,535 00	
		15,210 00
Services Other Than Personal:		
Travel	$5,500 00	
Telephone	2,200 00	
Insurance: Fire	1,443 00	
Insurance: Other than fire	414 00	
Household	20 00	
Advertising	100 00	
Subscriptions and memberships	175 00	
Postage	850 00	
Miscellaneous	50 00	
		10,752 00
Current Repairs and Maintenance:		
Office equipment	$150 00	
Buildings and grounds	7,500 00	
Automotive equipment	1,000 00	
Other equipment	1,500 00	
		10,150 00

Extraordinary:		
Share of operating costs — Office of River Master	$11,825 00	
Ground water investigation regular program	27,992 00	
Stream gaging stations	37,859 00	
Flood plain zoning	6,000 00	
Flood warning service	1,000 00	
		84,676 00
Additions and Improvements:		
Office equipment	$417 00	
Telemark recorder	1,200 00	
		1,617 00
		$405,514 00

The unexpended balance in the Round Valley Demolition Account as of June 30, 1960, together with the net receipts from the Round Valley property after demolition costs, is hereby transferred to the State Water Development Fund for allotment as specified by section 15, chapter 35, P. L. 1958.

N 40. *Division of Shell Fisheries*

Salaries:		
Director	$9,000 00	
Other officers and employees	170,742 00	
		$179,742 00
Materials and Supplies:		
Clothing	$1,000 00	
Fuel and utilities	760 00	
Household	200 00	

Drugs and medical ...	50 00	
Vehicle transportation	1,600 00	
Office	150 00	
Printing	1,000 00	
Engineering	200 00	
Replacement: Office equipment	190 00	
Replacement: Boats and motors	1,350 00	
Motor boat transportation supplies	5,500 00	
License buttons	1,000 00	
		13,000 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,150 00	
Rent: Miscellaneous ..	209 00	
Insurance: Fire	101 00	
Insurance: Other than fire	3,349 00	
Advertising	25 00	
Subscriptions and memberships	50 00	
Postage	200 00	
Surveying and mapping	500 00	
Miscellaneous	50 00	
		8,134 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Buildings and grounds	200 00	
Automotive equipment	250 00	
Motor boats and equipment	10,000 00	
		10,525 00
Extraordinary:		
Oyster research		19,000 00

Additions and Improvements:		
Shelling and planting oyster beds	$3,000 00	
Shelling beds, seeds, drills — Maurice river	12,000 00	
Staking State's natural oyster beds ...	500 00	
		15,500 00
		$245,901 00

1 N 50. *Division of Fish and Game*

(Payable out of Hunters' and Anglers' License Fund)

Salaries:		
Director	$14,000 00	
Other officers and employees	741,084 00	
Special services	7,000 00	
		$762,084 00
Materials and Supplies:		
Clothing	$7,000 00	
Fuel and utilities	19,000 00	
Farm and grounds ...	21,000 00	
Vehicle transportation	44,000 00	
Office	4,000 00	
Printing	30,000 00	
Educational and vocational	3,500 00	
Food for fish and game	155,500 00	
Motor boat transportation	8,000 00	
Live fish and game ...	49,500 00	
Other materials and supplies	6,000 00	
Replacement: Motor vehicles	40,000 00	

Replacement: Office equipment	500 00	
Replacement: Boats and motors	4,000 00	
Replacement: Plant equipment	2,050 00	
		394,050 00
Services Other Than Personal:		
Travel	$19,000 00	
Telephone	11,250 00	
Rent: Office	11,740 00	
Rent: Miscellaneous	500 00	
Insurance: Fire	1,909 00	
Insurance: Other than fire	14,967 00	
Subscriptions and memberships	155 00	
Court costs	100 00	
Postage	10,000 00	
Miscellaneous	800 00	
		70,421 00
Current Repairs and Maintenance:		
Office equipment	$300 00	
Buildings and grounds	8,700 00	
Automotive equipment	11,000 00	
Plant equipment	4,000 00	
Motor boats	5,000 00	
Radio-telephone equipment	6,000 00	
		35,000 00
Extraordinary:		
Compensation awards	$5,725 00	
Publication of magazine	25,000 00	
Deer management	29,600 00	
		60,325 00

Additions and Improvements:		
Construction—Pequest Hatchery	$3,000 00	
Holding pens	6,000 00	
Office equipment	600 00	
Purchase of ponds	2,900 00	
		12,500 00
		$1,334,380 00

There are hereby appropriated the funds for the Hunters' and Anglers' License Fund in excess of the amounts hereinabove specifically set forth, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Division of Fish and Game

1 N 51. *Public Shooting and Fishing Grounds*

(Payable Out of Public Shooting and Fishing Grounds Fund)

Salaries:		
Officers and employees		$134,144 00
Materials and Supplies:		
Fuel and utilities	$3,500 00	
Household	250 00	
Vehicle transportation	13,000 00	
Office	150 00	
Printing	1,000 00	
Replacement: Motor vehicles	6,480 00	
Operating materials and supplies	24,000 00	
		48,380 00

Services Other Than Personal:		
Travel	$1,600 00	
Telephone	2,000 00	
Rent: Miscellaneous	1,000 00	
Insurance: Fire	412 00	
Insurance: Other than fire	1,391 00	
Miscellaneous	200 00	
		6,603 00
Current Repairs and Maintenance:		
Buildings and grounds	$3,500 00	
Automotive equipment	3,500 00	
Other equipment	3,000 00	
		10,000 00
		$199,127 00

There are hereby appropriated the funds in the Public Shooting and Fishing Grounds Fund in excess of the amounts hereinabove specifically set forth, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

N 60. *Division of Veterans' Services*

Salaries:		
Director	$10,000 00	
Other officers and employees	197,842 00	
		$207,842 00
Materials and Supplies:		
Fuel and utilities	$60 00	
Vehicle transportation	500 00	
Office	1,200 00	
Printing	650 00	
Educational and vocational	100 00	
		2,510 00

Services Other Than Personal:		
Travel	$3,000 00	
Telephone	8,500 00	
Rent: Garage	240 00	
Insurance: Fire	175 00	
Insurance: Other than fire	208 00	
Household	450 00	
Subscriptions and memberships	160 00	
Postage	2,700 00	
Miscellaneous	100 00	
		15,533 00
Current Repairs and Maintenance:		
Office equipment	$150 00	
Automotive equipment	100 00	
		250 00
		$226,135 00

N 110. *Debt Service*

Interest requirement on Emergency Housing Bonds—Chapter 324, P. L. 1946	$47,625 00	
Principal requirement on Emergency Housing Bonds—Chapter 324, P. L. 1946	1,850,000 00	
Interest requirement on Water Development Bonds—Chapter 35, P. L. 1958	822,500 00	
		$2,720,125 00
Grand Total, Department of Conservation and Economic Development		$8,424,581 00

DEPARTMENT OF EDUCATION Education.

P 10. *Commissioner's Office*

Salaries:		
Commissioner	$22,000 00	
Assistant commissioners	93,258 00	
Other officers and employees	656,043 00	
New positions	63,148 00	
Special services	16,000 00	
		$850,449 00
Materials and Supplies:		
Vehicle transportation	$3,750 00	
Office	10,000 00	
Printing	3,000 00	
Printing special bulletins	12,500 00	
Educational and vocational	400 00	
Other materials and supplies	500 00	
Replacement: Motor vehicles	1,725 00	
		31,875 00
Services Other Than Personal:		
Travel	$25,000 00	
Travel — Advisory committee	1,000 00	
Telephone	15,000 00	
Insurance: Fire	68 00	
Insurance: Other than fire	524 00	
Subscriptions and memberships	2,500 00	
Investigative and legal expenses	2,000 00	

Postage	15.500 00	
Miscellaneous	500 00	
		62,092 00
Current Repairs and Maintenance:		
Office equipment	$1,500 00	
Automotive equipment	850 00	
		2,350 00
Additions and Improvements:		
Office equipment		1,500 00
		$948,266 00

There are hereby appropriated the receipts derived from the High School Equivalency Testing Program as a continuing revolving fund.

P 15. *Administration of Industrial Education, Manual Training and Vocational Schools*

Smith-Hughes Program

Salaries:		
Officers and employees	$69,101 00	
New position	7,369 00	
Special services	3,000 00	
		$79,470 00
Services Other Than Personal:		
Travel		4,000 00
		$83,470 00

P 16. *Administration of Industrial Education, Manual Training and Vocational Schools*

George-Barden Program

Salaries:		
Officers and employees	$90,533 00	
New position	2,778 00	
Special services	5,500 00	
		$98,811 00
Materials and Supplies:		
Office	$4,500 00	
Printing	2,000 00	
Educational and vocational	300 00	
Other materials and supplies	100 00	
Replacement: Office equipment	500 00	
		7,400 00
Services Other Than Personal:		
Travel	$11,000 00	
Telephone	2,400 00	
Subscriptions and memberships	150 00	
Postage	1,400 00	
Miscellaneous	250 00	
		15,200 00
Current Repairs and Maintenance:		
Office equipment		700 00
Extraordinary:		
Home economics teacher training	$32,000 00	
Practical nurse training	5,000 00	
		37,000 00

Additions and Improvements:		
Office equipment		4,233 00
		$163,344 00

P 20. *Division of the State Library, Archives and History*

Salaries:		
Officers and employees	$271,465 00	
New position	2,917 00	
		$274,382 00
Materials and Supplies:		
Vehicle transportation	$1,100 00	
Office	5,500 00	
Printing	7,500 00	
Educational and vocational	55,000 00	
Replacement: Office equipment	167 00	
		69,267 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	2,900 00	
Rent: Garage	372 00	
Insurance: Other than fire	294 00	
Subscriptions and memberships	6,500 00	
Postage	4,000 00	
Miscellaneous	100 00	
		16,666 00
Current Repairs and Maintenance:		
Office equipment	$250 00	
Automotive equipment	300 00	
		550 00
		$360,865 00

The balances in the microfilming account as of June 30, 1960 are hereby reappropriated.

P 30. *Division of State Museum*

Salaries:		
Officers and employees	$89,794 00	
Special services	2,500 00	
		$92,294 00
Materials and Supplies:		
Clothing	$250 00	
Office	1,300 00	
Printing	2,500 00	
Educational and vocational	1,300 00	
Other materials and supplies	700 00	
Replacement: Office equipment	1,040 00	
Replacement: Other equipment	350 00	
		7,440 00
Services Other Than Personal:		
Travel	$800 00	
Telephone	1,600 00	
Rent: Office equipment	145 00	
Insurance: Fire	3 00	
Insurance: Other than fire	3,761 00	
Subscriptions and memberships	225 00	
Postage	3,700 00	
		10,234 00
Current Repairs and Maintenance:		
Office equipment	$150 00	
Repairs to exhibits ...	2,000 00	
		2,150 00
Additions and Improvements:		
Archeological research	$2,000 00	
Educational, scientific and recreational ...	1,500 00	

New Jersey collections	2,000 00	
Office equipment	270 00	
Other equipment	225 00	
Remodeling and modernizing	1,000 00	
		6,995 00
		$119,113 00

P 40. *Division Against Discrimination*

Salaries:		
Officers and employees		$110,694 00
Materials and Supplies:		
Vehicle transportation	$3,000 00	
Office	1,000 00	
Printing	3,500 00	
Educational and vocational	500 00	
Replacement: Motor vehicles	4,190 00	
Replacement: Office equipment	339 00	
		12,529 00
Services Other Than Personal:		
Travel	$3,500 00	
Telephone	2,140 00	
Rent: Garage	480 00	
Rent: Miscellaneous .	100 00	
Insurance: Fire	11 00	
Insurance: Other than fire	310 00	
Subscriptions and memberships	100 00	
Investigative and legal expenses	1,500 00	
Postage	900 00	
Miscellaneous	100 00	
		9,141 00

Current Repairs and Maintenance:		
Office equipment	$100 00	
Automotive equipment	400 00	
		500 00
Additions and Improvements:		
Educational, scientific and recreational ..	$700 00	
Office equipment	383 00	
		1,083 00
		$133,947 00

P 50. *State College, Glassboro*

Salaries:		
Officers and employees	$305,905 00	
New positions	24,602 00	
Academic officers and employees	715,272 00	
New positions	110,412 00	
Food maintenance in lieu of cash	4,640 00	
		$1,160,831 00
Materials and Supplies:		
Food	$112,000 00	
Fuel and utilities	50,000 00	
Farm and grounds ...	1,500 00	
Household	8,500 00	
Drugs and medical ...	500 00	
Vehicle transportation	400 00	
Office	2,000 00	
Printing	3,200 00	
Educational and vocational	12,300 00	
Library	18,000 00	
Replacement: Motor vehicles	1,700 00	
Replacement: Other equipment	2,700 00	
		212,800 00

Services Other Than Personal:		
Travel	$3,500 00	
Telephone	8,000 00	
Insurance: Fire	3,193 00	
Insurance: Other than fire	733 00	
Household	8,500 00	
Subscriptions and memberships	750 00	
Postage	1,750 00	
Miscellaneous	100 00	
Commencement and entertainment	500 00	
Automation services	2,400 00	
		29,426 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Buildings and grounds	17,500 00	
Farm machinery	300 00	
Automotive equipment	300 00	
Household equipment	1,000 00	
Recreational equipment	200 00	
Scientific and laboratory equipment	200 00	
		20,000 00
Additions and Improvements:		
Educational, recreational and scientific equipment	$4,105 00	
Household equipment	2,000 00	
Motor vehicle	1,000 00	
Office equipment	4,125 00	
Other equipment	1,000 00	
		12,230 00
		$1,435,287 00

P 51. *State College, Jersey City*

Salaries:		
Officers and employees	$143,318 00	
New positions	10,131 00	
Academic officers and employees	656,260 00	
New positions	88,920 00	
Food maintenance in lieu of cash	540 00	
		$899,169 00
Materials and Supplies:		
Food	$27,500 00	
Fuel and utilities	19,000 00	
Farm and grounds ...	400 00	
Household	3,500 00	
Drugs and medical ...	250 00	
Vehicle transportation	300 00	
Office	1,750 00	
Printing	3,500 00	
Educational and vocational	8,000 00	
Library	22,000 00	
Replacement: Office equipment	1,250 00	
Replacement: Educational equipment ..	5,020 00	
Replacement: Institutional equipment ...	2,850 00	
		95,320 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	3,500 00	
Insurance: Fire	1,975 00	
Insurance: Other than fire	201 00	
Household	1,200 00	
Subscriptions and memberships	500 00	

Postage	1,700 00	
Commencement and entertainment	750 00	
		11,826 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Buildings and grounds	9,000 00	
Farm machinery	150 00	
Automotive equipment	100 00	
Household equipment.	500 00	
Scientific and laboratory equipment	450 00	
		10,700 00
Additions and Improvements:		
Educational, scientific and recreational equipment	$5,725 00	
General plant equipment	2,260 00	
Household equipment.	500 00	
Office equipment	8,975 00	
		17,460 00
		$1,034,475 00

P 52. *State College, Newark*

Salaries:		
Officers and employees	$239,056 00	
New positions	20,384 00	
Academic officers and employees	725,628 00	
New positions	80,330 00	
Food maintenance in lieu of cash	940 00	
		$1,066,338 00

Materials and Supplies:		
Food	$17,500 00	
Fuel and utilities	42,000 00	
Farm and grounds	1,700 00	
Household	4,800 00	
Drugs and medical	200 00	
Vehicle transportation	600 00	
Office	2,300 00	
Printing	4,600 00	
Educational and vocational	24,000 00	
Library	26,000 00	
		123,700 00
Services Other Than Personal:		
Travel	$3,300 00	
Telephone	8,000 00	
Insurance: Fire	3,780 00	
Insurance: Other than fire	566 00	
Household	1,800 00	
Subscriptions and memberships	600 00	
Postage	2,800 00	
Automation services	3,500 00	
Commencement and entertainment	1,000 00	
		25,346 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Buildings and grounds	12,000 00	
Farm machinery	200 00	
Automotive equipment	200 00	
Household equipment.	250 00	
Recreational equipment	100 00	
Scientific and laboratory equipment	300 00	
Other equipment	50 00	
		13,600 00

Additions and Improvements:		
Educational, scientific and recreational equipment	$19,270 00	
Farm and grounds ..	640 00	
Household equipment.	350 00	
Office equipment	1,200 00	
		21,460 00
		$1,250,444 00

P 53. *State College, Paterson*

Salaries:		
Officers and employees	$230,233 00	
New positions	38,920 00	
Academic officers and employees	755,795 00	
New positions	112,812 00	
Food maintenance in lieu of cash	1,122 00	
		$1,138,882 00
Materials and Supplies:		
Food	$35,000 00	
Fuel and utilities	46,695 00	
Farm and grounds ..	1,500 00	
Household	7,500 00	
Drugs and medical ..	300 00	
Vehicle transportation	650 00	
Office	2,250 00	
Printing	3,750 00	
Educational and vocational	14,000 00	
Library	26,000 00	
Replacement: Office equipment	1,350 00	
Replacement: Educational equipment ..	1,232 00	
		140,227 00

Services Other Than Personal:		
Travel	$3,400 00	
Telephone	8,600 00	
Insurance: Fire	8,763 00	
Insurance: Other than fire	467 00	
Household	750 00	
Subscriptions and memberships	650 00	
Postage	2,750 00	
Commencement and entertainment	750 00	
		26,130 00
Current Repairs and Maintenance:		
Office equipment	$250 00	
Buildings and grounds	17,500 00	
Farm machinery	500 00	
Automotive equipment	300 00	
Household equipment	300 00	
Scientific and laboratory equipment	500 00	
		19,350 00
Additions and Improvements:		
Educational, scientific and recreational equipment	$9,198 00	
Institutional equipment	950 00	
Motor vehicles	4,200 00	
Office equipment	5,368 00	
		19,716 00
		$1,344,305 00

P 54. *State College, Montclair*

Salaries:		
Officers and employees	$408,171 00	
New positions	29,014 00	
Academic officers and employees	1,166,088 00	
New positions	34,416 00	
Food maintenance in lieu of cash	4,860 00	
		$1,642,549 00
Materials and Supplies:		
Food	$98,000 00	
Fuel and utilities	72,000 00	
Farm and grounds	4,500 00	
Household	10,000 00	
Drugs and medical	500 00	
Vehicle transportation	750 00	
Office	3,000 00	
Printing	4,750 00	
Educational and vocational	12,000 00	
Library	28,000 00	
Other materials and supplies	500 00	
Replacement: Motor vehicles	4,400 00	
Replacement: Office equipment	6,860 00	
Replacement: Copper gutters, Russ Chapin, College High School	5,000 00	
Replacement: Educational equipment	11,075 00	
Replacement: Institutional equipment	5,420 00	
Replacement: Window sills, women's dormitories	3,000 00	
		269,755 00

Services Other Than Personal:		
Travel	$6,000 00	
Telephone	12,000 00	
Insurance: Fire	6.876 00	
Insurance: Other than fire	840 00	
Household	11,000 00	
Subscriptions and memberships	650 00	
Postage	5,000 00	
Commencement and entertainment	500 00	
Automation services	4,000 00	
		46,866 00
Current Repairs and Maintenance:		
Office equipment	$850 00	
Buildings and grounds	50,000 00	
Automotive equipment	750 00	
Household equipment	1,000 00	
Recreational equipment	150 00	
Scientific and laboratory equipment	500 00	
Other equipment	300 00	
		53,550 00
Additions and Improvements:		
Buildings and land	$25,000 00	
Educational equipment	23,789 00	
Engineering, scientific and technical equipment	3,550 00	
Office equipment	3,920 00	
		56,259 00
		$2,068,979 00

P 55. *State College, Trenton*

Salaries:		
Officers and employees	$419,809 00	
New positions	22,185 00	
Academic officers and employees	919.600 00	
New positions	43,120 00	
Food maintenance in lieu of cash	8,748 00	
		$1,413,462 00
Materials and Supplies:		
Food	$270,000 00	
Fuel and utilities	74,000 00	
Farm and grounds ..	800 00	
Household	11,500 00	
Drugs and medical ..	450 00	
Vehicle transportation	700 00	
Office	2,250 00	
Printing	3,200 00	
Educational and vocational	15,000 00	
Library	18,000 00	
Replacement: Office equipment	406 00	
Replacement: Educational equipment ..	3,777 00	
Replacement: Institutional equipment ..	1,000 00	
		401,083 00
Services Other Than Personal:		
Travel	$4,000 00	
Telephone	13,000 00	
Rent: Sewer facilities	10,000 00	
Insurance: Fire	6,373 00	
Insurance: Other than fire	516 00	
Household	15,000 00	

Subscriptions and memberships	700 00	
Postage	2,800 00	
Commencement and entertainment	300 00	
Automation services..	3,480 00	
		56,169 00
Current Repairs and Maintenance:		
Office equipment	$200 00	
Buildings and grounds	27,500 00	
Exterior painting	5,000 00	
Slag roof repairs	2,000 00	
Farm machinery	350 00	
Automotive equipment	600 00	
Household equipment.	2,000 00	
Scientific and laboratory equipment	1,500 00	
		39,150 00
Extraordinary:		
Demonstration school services		130,000 00
Additions and Improvements:		
Educational and recreational equipment .	$8,630 00	
Equipment — General shop	4,656 00	
Office equipment	1,508 00	
		14,794 00
		$2,054,658 00
Total, State Colleges		$9,188,148 00

Receipts at all State colleges from fees for student service charges, supervision of student teaching, clinical service charges, School of Conservation charges, entrance application

charges and registration fees, together with the balances of such funds as of June 30, 1960, are hereby appropriated.

Receipts at all State colleges in excess of those anticipated from the operation of part-time, summer, field extension and graduate courses, together with the balances in the field extension accounts as of June 30, 1960, are hereby appropriated.

Receipts at all State colleges in excess of those anticipated from the operation of cafeterias and boarding halls are hereby appropriated.

Regular tuition fees at all State colleges, in excess of those anticipated, are hereby appropriated for additional Academic employees required as the result of increased enrollment, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

P 60. *New Jersey School for the Deaf*

Salaries:		
Officers and employees	$426,876 00	
New positions	9,109 00	
Academic officers and employees	456,677 00	
Food maintenance in lieu of cash	12,435 00	
Special services	1,500 00	
		$906,597 00

Materials and Supplies:		
Food	$50,228 00	
Clothing	1,500 00	
Fuel and utilities	40,000 00	
Farm and grounds	1,600 00	
Household	11,500 00	
Drugs and medical	1,600 00	
Vehicle transportation	1,100 00	
Office	500 00	
Educational and vocational	14,000 00	
Other materials and supplies	350 00	
Replacement: Office equipment	500 00	
Replacement: Classroom equipment	1,800 00	
Replacement: Earphones and equipment	9,000 00	
Replacement: Furnishings—Staff bedrooms	3,000 00	
Replacement: Kitchen equipment	800 00	
		137,478 00
Services Other Than Personal:		
Travel	$750 00	
Telephone	3,600 00	
Rent: Buses and equipment	2,270 00	
Insurance: Fire	6,839 00	
Insurance: Other than fire	680 00	
Postage	700 00	
Entertainment	750 00	
		15,589 00
Current Repairs and Maintenance:		
Buildings and grounds	$13,000 00	
Flooring: Boys' dormitory	900 00	

Painting	6,000 00	
Renovation, shower rooms	10,000 00	
Automotive equipment	650 00	
Repairs and renovations — Incinerator	1,600 00	
		32,150 00
Additions and Improvements:		
Fire and safety	$2,500 00	
Testing equipment ...	2,500 00	
		5,000 00
		$1,096,814 00

P 62. *New Jersey School of Conservation— Lake Wapalanne*

Salaries:		
Officers and employees		$44,783 00
Materials and Supplies:		
Food	$27,000 00	
Fuel and utilities	3,500 00	
Farm and grounds ...	200 00	
Household	2,000 00	
Drugs and medical ..	200 00	
Vehicle transportation	1,000 00	
Office	275 00	
Printing	250 00	
Educational and vocational	750 00	
Other materials and supplies	100 00	
Replacement: Office equipment	424 00	
		35,699 00

Services Other Than Personal:		
Travel	$500 00	
Telephone	800 00	
Insurance: Other than fire	30 00	
Household	325 00	
Subscriptions and memberships	150 00	
Postage	450 00	
Miscellaneous	200 00	
		2,455 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Buildings and grounds	200 00	
Automotive equipment	375 00	
Household equipment	100 00	
		750 00
Additions and Improvements:		
Educational, scientific and recreational equipment	$500 00	
Household equipment	950 00	
Motor vehicle	4,050 00	
		5,500 00
		$89,187 00

The amounts hereinabove appropriated shall be payable out of receipts derived from the operation of this school. There are hereby appropriated receipts in excess of the amounts hereinabove specifically set forth, together with the balance of such receipts as of June 30, 1960, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

P 70. *Rutgers University, The State University of New Jersey*

General University

Salaries:		
Officers and employees	$11,173,009 00	
New positions	510,000 00	
		$11,683,009 00
Materials and Supplies:		
Food	$3,400 00	
Farm supplies	2,000 00	
Fuel and utilities	405,000 00	
Office	225,000 00	
Educational, recreational and library	400,000 00	
Supplies	235,000 00	
Equipment	225,000 00	
Equipment, College of Pharmacy	25,000 00	
Equipment, College of Engineering	60,000 00	
		1,580,400 00
Services Other Than Personal:		
Travel	$160,000 00	
Telephone	117,000 00	
Rent: Buildings	85,000 00	
Rent: Office equipment	34,000 00	
Insurance (including group insurance)	105,000 00	
Freight, express and cartage	32,000 00	
Household (laundry)	15,500 00	
Subscriptions and memberships	9,000 00	
Postage	70,000 00	
Sundry expenses	15,000 00	
Commencement and entertainment	15,000 00	

Investment custodian expenses	8,500 00	
Auditing and legal services	25,000 00	
Taxes and municipal services	180,000 00	
Outside services	40,550 00	
		911,550 00
Current Repairs and Maintenance:		
Buildings and grounds	$640,000 00	
Equipment	80,000 00	
		720,000 00
Extraordinary:		
Research grants	$100,000 00	
Retirement allowances	234,286 00	
Expenses paid from dedicated endowment and special funds (including investment income added to principal)	501,700 00	
Contingent fund	50,000 00	
Interest	186,000 00	
Amortization of capital debt	235,000 00	
		1,306,986 00
		$16,201,945 00
Less Income:		
General University income deductions (including scholarships)		6,686,174 00
Net amount State University appropriations to be used as follows:		
Administration and instruction (exclusive of scholarships)		$9,509,971 00
Land grant interest		5,800 00
Sub-total, State Appropriations, General University		$9,515,771 00

Of the amount set forth above, not less than $160,000.00 shall be used for the Institute of Labor Management.

Of the amount set forth above, not less than $68,500.00 shall be used to operate the South Jersey College of Law at Camden as a 3-year Law School.

P 71. *Douglass College*

Salaries:		
Officers and employees		$1,612,334 00
Materials and Supplies:		
Food	$2,800 00	
Fuel and utilities	47,500 00	
Office	25,000 00	
Educational, recreational and library	22,000 00	
Supplies	33,000 00	
Equipment	50,000 00	
		180,300 00
Services Other Than Personal:		
Travel	$6,000 00	
Telephone	13,000 00	
Insurance: Fire	19,000 00	
Freight, express and cartage	1,500 00	
Household	1,000 00	
Sundry expenses	2,500 00	
Auditing and legal expenses	1,700 00	
Commencement and entertainment	1,000 00	
Taxes and municipal services	19,000 00	
Investment custodian expenses	4,000 00	
Outside services	3,800 00	
Postage	6,000 00	
		78,500 00

Current Repairs and Maintenance:		
Plant repairs	$260,000 00	
Equipment repairs ...	11,000 00	
		271,000 00
Extraordinary:		
Retirement allowances	$95,368 00	
Expenses paid from special funds	180,000 00	
Contingent	10,000 00	
Interest	15,000 00	
Debt service	39,000 00	
Intra-University services	58,042 00	
		397,410 00
		$2,539,544 00
Less income deductions (including scholarships)		933,970 00
Sub-total, State Appropriations, Douglass College ...		$1,605,574 00

P 72. *Agricultural Experiment Station*

Salaries:		
Director	$7,200 00	
Other officers and employees	2,295,285 00	
		$2,302,485 00
Materials and Supplies:		
Fuel and utilities	$70,000 00	
Farm and grounds ...	85,000 00	
Household	150 00	
Drugs and medical ..	38,000 00	
Vehicle transportation	12,500 00	
Office	7,500 00	
Printing	16,500 00	
Replacement: Motor vehicles	10,000 00	
		239,650 00

Services Other Than Personal:		
Travel	$15,000 00	
Telephone	23,740 00	
Rent: Miscellaneous	10,000 00	
Insurance	7,500 00	
Freight, express and cartage	700 00	
Household	500 00	
Subscriptions and memberships	1,600 00	
Postage	6,000 00	
Development and operation of mosquito traps	500 00	
Registration of animals	430 00	
Veterinary and medical treatment	1,000 00	
		66,970 00
Current Repairs and Maintenance:		
Buildings and grounds	$55,000 00	
Automotive equipment	7,000 00	
Scientific equipment	8,000 00	
		70,000 00
Extraordinary:		
Poultry disease research	$10,000 00	
Research with horses	25,000 00	
Research in fruit fly control	10,000 00	
Research in domestic pest control	15,000 00	
Expanded research and educational program in mosquito control	40,000 00	
		100,000 00

Additions and Improvements:		
Farm equipment	$7,000 00	
Laboratory equipment for agricultural microbiology department	1,000 00	
Laboratory equipment for animal husbandry department	1,000 00	
Laboratory equipment for dairy science department	1,000 00	
Laboratory equipment for entomology department	4,500 00	
Laboratory equipment for food science department	500 00	
Laboratory equipment for horticulture department	1,000 00	
Laboratory equipment for plant physiology department	1,500 00	
Laboratory equipment for poultry science department	2,000 00	
Laboratory equipment for seed department	1,500 00	
Laboratory equipment for soils department	1,500 00	
Laboratory equipment for State chemist ..	7,500 00	
Office equipment	2,000 00	
Reconstruction and major repairs to Beemerville property	8,000 00	
		40,000 00
Sub-total Agricultural Experiment Station		$2,819,105 00

The unexpended balances in the accounts of the Agricultural Experiment Station, as of June 30, 1960, are hereby reappropriated for agricultural research.

P 73. *Scholarships*

Scholarships at Rutgers University and Douglass College:		
General University (includes South Jersey)	$195,000 00	
Douglass College	105,000 00	
Sub-total, Scholarships		$300,000 00
Grand Total, State University		$14,240,450 00

P 74. *Newark College of Engineering and Newark Technical School*

Grants and Subsidies—	
For the purchase of higher education at the Newark College of Engineering and Newark Technical School, by contract, pursuant to chapter 51, P. L. 1945	$1,301,957 00

P 75. *State Competitive Scholarships*

Salaries:	
New positions	$42,684 00

Materials and Supplies:		
Office	$3,000 00	
Printing	4,000 00	
Educational and vocational	25,000 00	
Other materials and supplies	200 00	
		32,200 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	2,000 00	
Advertising	500 00	
Subscriptions and memberships	100 00	
Postage	3,500 00	
Miscellaneous	500 00	
		7,600 00
Current Repairs and Maintenance:		
Office equipment		100 00
Extraordinary:		
Scholarship awards For student loans, pursuant to chapter 121, P. L. 1959.		1,200,000 00
Additions and Improvements:		
Office equipment		1,400 00
		$1,283,984 00

There are hereby reappropriated the unexpended balances as of June 30, 1960 in the account for State Competitive Scholarships for the same purpose.

P 110. *Debt Service*

Interest requirement on State College Construction Bonds—Act of 1951	$142,438 00	
Principal requirement on State College Construction Bonds—Act of 1951	1,075,000 00	
Interest requirement on State Higher Education Bonds—Chapters 10 and 42, P. L. 1959	2,314,250 00	
		$3,531,688 00
Total Department of Education		$32,541,233 00

State Highway.

R 10. STATE HIGHWAY DEPARTMENT

R 10. *General*

Salaries:		
Commissioner	$22,000 00	
State Highway Engineer	18,000 00	
Other officers and employees	6,253,669 00	
New positions	214,233 00	
Wages of labor	6,124,108 00	
Special services	25,000 00	
		$12,657,010 00
Materials and Supplies:		
Clothing	$1,300 00	
Fuel and utilities	165,000 00	
Power for highway lighting	680,000 00	

Drugs and medical ...	1,500 00	
Vehicle transportation	1,500 00	
Tires and tubes	60,000 00	
Gasoline, oil and grease	285,000 00	
Office	30,000 00	
Printing	25,000 00	
Replacement: Motor vehicles and road building equipment.	500,000 00	
Replacement: Office equipment	10,000 00	
Replacement: Other equipment	14,820 00	
Parts	155,000 00	
Supplies and materials, road construction and maintenance	2,650,000 00	
Tools	40,000 00	
Laboratory supplies..	10,000 00	
		4,629,120 00

Services Other Than Personal:		
Travel	$60,000 00	
Telephone	53,000 00	
Rent: Road construction equipment	240,000 00	
Insurance: fire	16,762 00	
Insurance: Other than fire	68,100 00	
Advertising	4,000 00	
Subscriptions and memberships	4,500 00	
Postage	23,000 00	
Miscellaneous	500 00	
		469,862 00

Current Repairs and Maintenance:		
Office equipment	$3,500 00	
Buildings and grounds	30,000 00	
Other equipment	15,000 00	
		48,500 00

Extraordinary:		
Maintenance by agreement and contract..	$1,800,000 00	
Compensation awards	55,000 00	
		1,855,000 00
Additions and Improvements:		
Furniture, furnishings and fixtures	$5,000 00	
Medical and laboratory equipment	3,500 00	
Motor vehicles and road building equipment	350,000 00	
Office equipment	5,000 00	
		363,500 00
		$20,022,992 00

In addition to the amounts hereinabove set forth, there are reappropriated the unexpended balances in this account as at June 30, 1960 for operation and maintenance during 1960-61.

R 30. *Division of Railroad Transportation*

Salaries:		
Officers and employees	$21,046 00	
Special services	50,000 00	
		$71,046 00
Materials and Supplies:		
Office	$1,000 00	
Printing	5,000 00	
		6,000 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	600 00	
Subscriptions and memberships	700 00	
Postage	477 00	
		2,777 00

Current Repairs and Maintenance:		
Office equipment		100 00
Extraordinary:		
Contingent reserve		120,077 00
		$200,000 00

The unexpended balances in these accounts as at June 30, 1960 are hereby reappropriated.

R 110. *Debt Service*

Interest requirement on Highway Improvement Bonds—Act of 1930 ..	$790,933 00	
Principal requirement on Highway Improvement Bonds—Act of 1930 ..	2,095,000 00	
		$2,885,933 00
Total, State Highway Department		$23,108,925 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Institutions and Agencies.

S 10-01. *Administration, General*

Salaries:		
Commissioner	$20,000 00	
Other officers and employees	663,563 00	
New positions	3,032 00	
		$686,595 00

Materials and Supplies:		
Vehicle transportation	$5,800 00	
Office	5,500 00	
Printing	4,200 00	
Engineering	250 00	
Replacement: Motor vehicles	12,965 00	
Replacement: Office equipment	1,932 00	
		30,647 00
Services Other Than Personal:		
Travel	$3,000 00	
Telephone	13,800 00	
Rent: Garage	2,350 00	
Rent: Office equipment	33,912 00	
Insurance: Other than fire	7,393 00	
Advertising	1,200 00	
Subscriptions and memberships	1,120 00	
Postage	5,230 00	
Miscellaneous	3,000 00	
		71,005 00
Current Repairs and Maintenance:		
Office equipment	$1,300 00	
Automotive equipment	2,000 00	
		3,300 00
Additions and Improvements:		
Office equipment		822 00
		$792,369 00

S 10-02. *Division of Mental Health*

Salaries:		
Officers and employees	$126,870 00	
Positions transferred from an institution .	88,942 00	
Special services	1,500 00	
		$217,312 00
Materials and Supplies:		
Vehicle transportation	$291 00	
Office	1,500 00	
Printing	400 00	
Educational and vocational	500 00	
		2,691 00
Services Other Than Personal:		
Travel	$2,300 00	
Telephone	2,650 00	
Insurance: Other than fire	30 00	
Subscriptions and memberships	400 00	
Postage	1,300 00	
Miscellaneous	30 00	
Interstate transfer of patients	2,000 00	
		8,710 00
Current Repairs and Maintenance:		
Office equipment	$216 00	
Automotive equipment	50 00	
		266 00
Extraordinary:		
Mental health program, research ..		200,000 00
Additions and Improvements:		
Office equipment		500 00
		$429,479 00

S 10-03. *Division of Mental Retardation*

Salaries:		
Officers and employees	$167,259 00	
Positions transferred from other divisions	18,532 00	
Special services	400 00	
		$186,191 00
Materials and Supplies:		
Vehicle transportation	$2,700 00	
Office	3,500 00	
Printing	920 00	
Educational and vocational	150 00	
Replacement: Motor vehicles	10,400 00	
		17,670 00
Services Other Than Personal:		
Travel	$2,200 00	
Telephone	4,600 00	
Rent: Garage	1,300 00	
Insurance: Other than fire	287 00	
Subscriptions and memberships	187 00	
Postage	1,600 00	
Miscellaneous	600 00	
		10,774 00
Current Repairs and Maintenance:		
Office equipment	$300 00	
Automotive equipment	600 00	
		900 00
Additions and Improvements:		
Office equipment		350 00
		$215,885 00

S 11. *Division of Correction and Parole*

Salaries:		
Officers and employees	$739,146 00	
New positions	20,127 00	
		$759,273 00
Materials and Supplies:		
Vehicle transportation	$8,636 00	
Office	4,600 00	
Educational and vocational	600 00	
Replacement: Motor vehicles	12,965 00	
Replacement: Office equipment	2,575 00	
		29,376 00
Services Other Than Personal:		
Travel	$14,000 00	
Telephone	11,560 00	
Rent: Garage	3,000 00	
Insurance: Other than fire	1,296 00	
Miscellaneous	700 00	
		30,556 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Automotive equipment	2,300 00	
		2,900 00
Additions and Improvements:		
Motor vehicles	$7,815 00	
Office equipment	879 00	
		8,694 00
		$830,799 00

S 12. *Division of Welfare—Bureau of Assistance*

Salaries:		
Officers and employees	$417,469 00	
Positions transferred from another Bureau	60,097 00	
Special services	37,000 00	
		$514,566 00
Materials and Supplies:		
Vehicle transportation	$2,400 00	
Office	8,500 00	
Printing	1,200 00	
Educational and vocational	100 00	
Replacement: Motor vehicles	1,575 00	
Replacement: Office equipment	2,540 00	
		16,315 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	10,000 00	
Rent: Garage	1,440 00	
Rent: Office equipment	9,216 00	
Insurance: Other than fire	378 00	
Subscriptions and memberships	375 00	
Postage	7,000 00	
Miscellaneous	100 00	
		33,509 00
Current Repairs and Maintenance:		
Office equipment	$550 00	
Automotive equipment	650 00	
		1,200 00
Extraordinary:		
Training grants		5,000 00

Additions and Improvements:		
Office equipment		1,147 00
		$571,737 00

S 14. *New Jersey State Parole Board*

Salaries:		
Chairman	$14,000 00	
Officers and employees	41,984 00	
		$55,984 00
Materials and Supplies:		
Office		275 00
Services Other Than Personal:		
Travel	$550 00	
Telephone	1,800 00	
Insurance: Other than fire	6 00	
Miscellaneous	75 00	
		2,431 00
Current Repairs and Maintenance:		
Office equipment		75 00
Additions and Improvements:		
Office equipment		45 00
		$58,810 00

1 S 15. *Division of State Use*

There is hereby appropriated to the State Use Division the unexpended balance as of June 30, 1960 of the fund known as the "State Use Working Capital Fund" and, in addition thereto, all receipts derived from sales, pursuant to the provisions of R. S. 30:4–100; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and the Legislative Budget and Finance Director.		
Total, Department of Institutions and Agencies, Central Office Administration		$2,899,079 00

S 20. *Residential Group Center, Highfields*

For operation and maintenance on the basis of 20 inmates.		
Salaries:		
Officers and employees	$29,687 00	
Food maintenance in lieu of cash	396 00	
Special services	780 00	
		$30,863 00
Materials and Supplies:		
Food—Cash	$6,570 00	
Clothing	300 00	
Fuel and utilities	3,400 00	
Grounds	100 00	
Household	700 00	

Vehicle transportation	550 00	
Office	200 00	
Replacement: Dietary equipment	400 00	
		12,220 00
Services Other Than Personal:		
Travel	$250 00	
Telephone	450 00	
Insurance: Fire	470 00	
Insurance: Other than fire	149 00	
Postage	130 00	
		1,449 00
Current Repairs and Maintenance:		
Office equipment	$30 00	
Buildings and grounds	900 00	
Automotive equipment	150 00	
Household equipment.	200 00	
		1,280 00
Additions and Improvements:		
Household equipment		125 00
		$45,937 00

S 21. *Residential Group Center, Warren*

For operation and maintenance on the basis of 20 inmates.

Salaries:		
Officers and employees	$8,473 00	
New positions	14,874 00	
Special services	780 00	
		$24,127 00

Materials and Supplies:		
Food—Cash	$6,570 00	
Clothing	300 00	
Fuel and utilities	4,000 00	
Grounds	100 00	
Household	700 00	
Vehicle transportation	700 00	
Office	200 00	
		12,570 00
Services Other Than Personal:		
Travel	$300 00	
Telephone	500 00	
Insurance: Other than fire	137 00	
Postage	130 00	
		1,067 00
Current Repairs and Maintenance:		
Office equipment	$25 00	
Buildings and grounds	900 00	
Automotive equipment	100 00	
		1,025 00
Additions and Improvements:		
Furniture and furnishings	$1,000 00	
Grounds equipment ..	400 00	
Household equipment	1,000 00	
Office equipment	350 00	
		2,750 00
		$41,539 00

S 22. *Residential Group Center—Turrell*

For operation and maintenance on the basis of 18 inmates.

Salaries:		
New positions		$20,394 00
Materials and Supplies:		
Food—Cash	$5,913 00	
Clothing	300 00	
Fuel and utilities	4,000 00	
Grounds	100 00	
Household	625 00	
Vehicle transportation	175 00	
Office	200 00	
		11,313 00
Services Other Than Personal:		
Travel	$250 00	
Telephone	500 00	
Insurance: Other than fire	92 00	
Postage	120 00	
		962 00
Current Repairs and Maintenance:		
Buildings and grounds	$500 00	
Automotive equipment	50 00	
		550 00
Additions and Improvements:		
Dietary equipment	$1,000 00	
Furniture and furnishings	1,000 00	
Household equipment	1,000 00	
Office equipment	350 00	
		3,350 00
		$36,569 00

S 30. *State Colony, New Lisbon*

For operation and maintenance on the basis of 1,225 patients.

Salaries:		
Officers and employees	$1,117,109 00	
New positions	36,886 00	
Food maintenance in lieu of cash	18,576 00	
Patients' wages	2,500 00	
Special services	10,000 00	
		$1,185,071 00
Materials and Supplies:		
Food—Cash	$199,741 00	
Clothing	31,850 00	
Fuel and utilities	68,000 00	
Farm and grounds	20,000 00	
Household	25,725 00	
Drugs and medical	15,000 00	
Vehicle transportation	3,300 00	
Office	1,250 00	
Educational and vocational	5,000 00	
Tobacco and candy	4,000 00	
Replacement: Medical equipment	1,710 00	
Replacement: Fire protection equipment	500 00	
Replacement: Mattresses	2,618 00	
Replacement: Furniture—Patients	4,800 00	
Replacement: Motor vehicles	5,660 00	
Replacement: Office equipment	3,447 00	
Replacement: Water valves and mains	10,000 00	
		402,601 00

Services Other Than Personal:		
Travel	$750 00	
Telephone	4,200 00	
Rent: Other	90 00	
Insurance: Fire	6,038 00	
Insurance: Other than fire	1,386 00	
Advertising	50 00	
Household	1,200 00	
Subscriptions and memberships	100 00	
Funeral expense	1,500 00	
Postage	950 00	
Entertainment	1,200 00	
		17,464 00
Current Repairs and Maintenance:		
Office equipment	$300 00	
Buildings and grounds	20,000 00	
Automotive equipment	1,170 00	
Household equipment	3,000 00	
Water tank repairs	5,500 00	
Farm equipment	750 00	
		30,720 00
Extraordinary:		
Family care		5,000 00
Additions and Improvements:		
Dietary equipment	$350 00	
Educational and recreational equipment	2,900 00	
Fencing	2,000 00	
Grounds equipment	1,850 00	
Medical equipment	727 00	
Office equipment	2,608 00	
		10,435 00
		$1,651,291 00

S 31. *State Colony, Woodbine*

For operation and maintenance on the basis of 1,260 patients.

Salaries:		
Officers and employees	$1,282,526 00	
New positions	8,791 00	
Food maintenance in lieu of cash	20,388 00	
Patients' wages	6,100 00	
Special services	6,500 00	
		$1,324,305 00
Materials and Supplies:		
Food—Cash	$229,950 00	
Clothing	32,760 00	
Fuel and utilities	82,000 00	
Grounds	1,000 00	
Household	26,460 00	
Drugs and medical	25,000 00	
Vehicle transportation	1,800 00	
Office	1,000 00	
Educational and vocational	3,000 00	
Tobacco and candy	600 00	
Replacement: Office equipment	212 00	
Replacement: Floor covering	6,000 00	
Replacement: Furniture	5,000 00	
Replacement: Hot water generator	3,956 00	
Replacement: Laundry equipment	29,297 00	
Replacement: Water lines	2,500 00	
		450,535 00

Services Other Than Personal:		
Travel	$650 00	
Telephone	4,700 00	
Rent: Other	66 00	
Insurance: Fire	4,344 00	
Insurance: Other than fire	874 00	
Household	1,662 00	
Subscriptions and memberships	100 00	
Funeral expense	250 00	
Postage	950 00	
Miscellaneous	50 00	
Entertainment	400 00	
		14,046 00
Current Repairs and Maintenance:		
Office equipment	$250 00	
Buildings and grounds	18,000 00	
Automotive equipment	650 00	
Household equipment.	2,000 00	
		20,900 00
Extraordinary:		
Family care		2,500 00
Additions and Improvements:		
Maintenance equipment	$2,954 00	
Motor vehicles	5,550 00	
		8,504 00
		$1,820,790 00

S 32. *New Jersey Home for Disabled Soldiers, Menlo Park*

For operation and maintenance on the basis of 80 members.

Salaries:		
Officers and employees	$131,473 00	
Food maintenance in lieu of cash	4,284 00	
Special services	1,000 00	
		$136,757 09
Materials and Supplies:		
Food—Cash	$22,484 00	
Clothing	400 00	
Fuel and utilities	9,100 00	
Grounds	400 00	
Household	2,000 00	
Drugs and medical	2,500 00	
Vehicle transportation	400 00	
Office	300 00	
Other materials and supplies	100 00	
Replacement: Office equipment	859 00	
Replacement: Dietary equipment	1,310 00	
Replacement: Furniture and furnishings	1,920 00	
Replacement: Grounds equipment	1,285 00	
		43,058 00
Services Other Than Personal:		
Travel	$350 00	
Telephone	700 00	
Insurance: Other than fire	341 00	
Household	1,334 00	
Advertising	75 00	

Subscriptions and memberships	50 00	
Postage	150 00	
Entertainment	150 00	
		3,150 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Buildings and grounds	1,700 00	
Automotive equipment	150 00	
Household equipment.	400 00	
Grounds equipment ..	150 00	
		2,475 00
		$185,440 00

S 33. *New Jersey Home for Disabled Soldiers, Vineland*

For operation and maintenance on the basis of 170 members.

Salaries:		
Officers and employees	$216,830 00	
Food maintenance in lieu of cash	2,592 00	
Special services	1,450 00	
Resident wages	2,000 00	
		$222,872 00
Materials and Supplies:		
Food—Cash	$43,435 00	
Clothing	612 00	
Fuel and utilities	19,500 00	
Grounds	600 00	
Household	5,100 00	
Drugs and medical ..	4,000 00	
Vehicle transportation	250 00	
Office	550 00	

Other materials and supplies	100 00	
Replacement: Office equipment	290 00	
Replacement: Dietary equipment	1,945 00	
Replacement: Floor covering	4,200 00	
Replacement: Maintenance equipment ...	325 00	
Replacement: Mattresses	1,600 00	
Replacement: Screens	2,300 00	
		84,807 00
Services Other Than Personal:		
Travel	$500 00	
Telephone	1,200 00	
Insurance: Fire	1,605 00	
Insurance: Other than fire	205 00	
Household	1,400 00	
Subscriptions and memberships	50 00	
Postage	300 00	
Entertainment	500 00	
		5,760 00
Current Repairs and Maintenance:		
Office equipment	$75 00	
Buildings and grounds	5,500 00	
Household equipment.	500 00	
Grounds equipment ..	150 00	
Automotive equipment	175 00	
		6,400 00
		$319,839 00

S 34. *North Jersey Training School, Totowa*

For operation and maintenance on the basis of 1,000 patients.

Salaries:		
Officers and employees	$1,246,948 00	
New positions	18,648 00	
Food maintenance in lieu of cash	11,354 00	
Special services	6,500 00	
Patients' wages	4,350 00	
		$1,287,800 00
Materials and Supplies:		
Food—Cash	$186,150 00	
Clothing	27,000 00	
Fuel and utilities	90,000 00	
Grounds	1,800 00	
Household	31,000 00	
Drugs and medical	23,900 00	
Vehicle transportation	3,000 00	
Office	2,300 00	
Educational and vocational	3,300 00	
Tobacco and candy	1,000 00	
Replacement: Motor vehicles	1,700 00	
Replacement: Office equipment	3,173 00	
Replacement: Fire protection equipment	425 00	
Replacement: Floor covering	3,450 00	
Replacement: Furniture and furnishings	6,850 00	
Replacement: Household equipment	1,650 00	
Replacement: Laundry equipment	5,800 00	

Replacement: Plumbing items	2,500 00	
Replacement: Screens	2,800 00	
		397,798 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	9,500 00	
Rent: Other	78 00	
Insurance: Fire	4,981 00	
Insurance: Other than fire	1,122 00	
Advertising	200 00	
Household	1,830 00	
Subscriptions and memberships	200 00	
Postage	1,100 00	
Entertainment	500 00	
		21,511 00
Current Repairs and Maintenance:		
Office equipment	$600 00	
Buildings and grounds	20,000 00	
Automotive equipment	1,100 00	
Household equipment.	3,000 00	
		24,700 00
Extraordinary:		
Compensation award..	$2,080 00	
Family care	5,000 00	
		7,080 00
Additions and Improvements:		
Cottage conversion ..	$2,536 00	
Fire protection equipment	900 00	
Floor covering	3,000 00	
Household equipment	1,645 00	
Kitchen range hood..	15,100 00	
Office equipment	276 00	
Medical equipment ...	1,625 00	
		25,082 00
		$1,763,971 00

S 35. *New Jersey Reformatory, Annandale*

For operation and maintenance on the basis of 600 inmates.

Salaries:		
Officers and employees	$846,722 00	
New positions	20,519 00	
Food maintenance in lieu of cash	20,814 00	
Special services	2,100 00	
Inmates' wages	17.000 00	
		$907,155 00
Materials and Supplies:		
Food—Cash	$70,830 00	
Clothing	27,300 00	
Clothing—Parolees	4,500 00	
Fuel and utilities	62,000 00	
Farm and grounds	25,000 00	
Household	12,600 00	
Drugs and medical	5,000 00	
Vehicle transportation	3,600 00	
Office	1,750 00	
Printing	150 00	
Educational and vocational	2,575 00	
Tobacco and candy	400 00	
Replacement: Motor vehicles	6,375 00	
Replacement: Office equipment	815 00	
Replacement: Beds—Inmates	2,000 00	
Replacement: Electrical equipment	3,700 00	
Replacement: Dietary equipment	700 00	
Replacement: Fire protection equipment	700 00	
Replacement: Mattresses	4,000 00	
Replacement: Medical equipment	620 00	

Replacement: Plumbing items	9,200 00	
Replacement: Protective equipment	300 00	
Replacement: Window frames	2,000 00	
		246,115 00
Services Other Than Personal:		
Travel	$800 00	
Telephone	2,140 00	
Rent: Other	66 00	
Insurance: Fire	7,780 00	
Insurance: Other than fire	1,183 00	
Household	3,080 00	
Subscriptions and memberships	100 00	
Payments to discharged inmates	7,500 00	
Postage	800 00	
Entertainment	600 00	
		24,049 00
Current Repairs and Maintenance:		
Office equipment	$550 00	
Buildings and grounds	12,500 00	
Automotive equipment	700 00	
Household equipment	500 00	
Farm equipment	1,000 00	
		15,250 00
Additions and Improvements:		
Dietary equipment	$1,700 00	
Fire protection equipment	500 00	
Furnishings and equipment—High Point.	1,250 00	
Office equipment	342 00	
Refuse disposal equipment	11,000 00	
		14,792 00
		$1,207,361 00

S 36. *New Jersey Reformatory, Bordentown*

For operation and maintenance on the basis of 700 inmates.

Salaries:		
Officers and employees	$986,192 00	
New positions	10,023 00	
Food maintenance in lieu of cash	18,792 00	
Special services	6,200 00	
Inmates' wages	23,500 00	
		$1,044,707 00
Materials and Supplies:		
Food—Cash	$55,635 00	
Clothing	31,500 00	
Clothing—Parolees	5,000 00	
Fuel and utilities	60,000 00	
Farm and grounds	45,000 00	
Household	14,700 00	
Drugs and medical	7,000 00	
Vehicle transportation	2,000 00	
Office	2,300 00	
Printing	250 00	
Educational and vocational	3,600 00	
Laundry service supplies	10,000 00	
Replacement: Dietary equipment	3,615 00	
Replacement: Household equipment	5,450 00	
Replacement: Mattresses	2,800 00	
Replacement: Power house equipment	8,000 00	
Replacement: Protective equipment	500 00	
		257,350 00

Services Other Than Personal:		
Travel	$1,200 00	
Telephone	2,400 00	
Rent: Other	66 00	
Insurance: Fire	4,829 00	
Insurance: Other than fire	1,060 00	
Household	930 00	
Advertising	200 00	
Subscriptions and memberships	100 00	
Payments to discharged inmates	5,000 00	
Postage	800 00	
Miscellaneous	125 00	
		16,710 00
Current Repairs and Maintenance:		
Office equipment	$850 00	
Buildings and grounds	16,000 00	
Automotive equipment	900 00	
Household equipment	3,000 00	
Farm equipment	1,900 00	
Repairs to residence	5,000 00	
		27,650 00
Additions and Improvements:		
Office equipment		1,900 00
		$1,348,317 00

S 37. *New Jersey Reformatory for Women, Clinton*

For operation and maintenance on the basis of 325 inmates.

Salaries:		
Officers and employees	$662,476 00	
Food maintenance in lieu of cash	20,928 00	
Special services	15,000 00	
Inmates' wages	9,000 00	
		$707,404 00
Materials and Supplies:		
Food—Cash	$46,685 00	
Clothing	14,625 00	
Clothing—Parolees	3,000 00	
Fuel and utilities	45,000 00	
Farm and grounds	9,900 00	
Household	11,050 00	
Drugs and medical	10,075 00	
Vehicle transportation	2,000 00	
Office	1,300 00	
Educational and vocational	2,250 00	
Tobacco and candy	500 00	
Replacement: Motor vehicles	4,150 00	
Replacement: Office equipment	298 00	
Replacement: Dietary equipment	2,400 00	
Replacement: Furniture and furnishings	1,414 00	
Replacement: Household equipment	350 00	
		154,997 00

Services Other Than Personal:		
Travel	$1,650 00	
Telephone	3,400 00	
Rent: Other	75 00	
Insurance: Fire	3,218 00	
Insurance: Other than fire	995 00	
Household	1,060 00	
Subscriptions and memberships	150 00	
Payments to discharged inmates	4,500 00	
Postage	1,200 00	
Entertainment	1,100 00	
		17,348 00
Current Repairs and Maintenance:		
Office equipment	$670 00	
Buildings and grounds	12,000 00	
Automotive equipment	750 00	
Household equipment	1,500 00	
Farm equipment	200 00	
		15,120 00
Additions and Improvements:		
Household equipment	$330 00	
Office equipment	360 00	
		690 00
		$895,559 00

S 38. *New Jersey Sanatorium for Chest Diseases, Glen Gardner*

For operation and maintenance on the basis of 220 patients.

Salaries:		
Officers and employees	$981,628 00	
Food maintenance in lieu of cash	38,184 00	
Special services	7,000 00	
Patients' wages	1,000 00	
		$1,027,812 00
Materials and Supplies:		
Food—Cash	$66,884 00	
Clothing	1,320 00	
Fuel and utilities	62,000 00	
Farm and grounds	3,400 00	
Household	12,000 00	
Drugs and medical	24,000 00	
Vehicle transportation	1,400 00	
Office	1,500 00	
Educational and vocational	500 00	
Replacement: Office equipment	330 00	
Replacement: Dietary equipment	4,125 00	
Replacement: Electric lines	5,852 00	
Replacement: Fire protection equipment	500 00	
Replacement: Household equipment	3,868 00	
Replacement: Mattresses	1,250 00	
Replacement: Medical equipment	281 00	

Replacement: Plumbing	16,060 00	
Replacement: Roofs and gutters	2,875 00	
		208,145 00
Services Other Than Personal:		
Travel	$550 00	
Telephone	4,200 00	
Rent: Other	66 00	
Insurance: Fire	5,727 00	
Insurance: Other than fire	775 00	
Household	1,400 00	
Advertising	50 00	
Subscriptions and memberships	350 00	
Postage	1,000 00	
Miscellaneous	50 00	
Entertainment	1,200 00	
		15,368 00
Current Repairs and Maintenance:		
Office equipment	$800 00	
Buildings and grounds	11,400 00	
Automotive equipment	500 00	
Household equipment.	1,500 00	
Medical equipment	300 00	
Repair and repaint chimney	977 00	
Repair and repaint water tower	4,025 00	
		19,502 00
Additions and Improvements:		
Medical equipment	$1,150 00	
Powerhouse improvements	2,530 00	
		3,680 00
		$1,274,507 00

S 39. *State Home for Boys, Jamesburg*

For operation and maintenance on the basis of 550 inmates.

Salaries:		
Officers and employees	$1,014,195 00	
Food maintenance in lieu of cash	12,096 00	
Special services	7,700 00	
		$1,033,991 00
Materials and Supplies:		
Food—Cash	$53,428 00	
Clothing	23,100 00	
Clothing—Parolees	4,800 00	
Fuel and utilities	68,000 00	
Farm and grounds	29,000 00	
Household	16,500 00	
Drugs and medical	6,350 00	
Vehicle transportation	3,000 00	
Office	1,600 00	
Educational and vocational	8,100 00	
Tobacco and candy	1,000 00	
Replacement: Office equipment	1,067 00	
Replacement: Dietary equipment	715 00	
Replacement: Fire protection equipment	1,000 00	
Replacement: Furniture and furnishings	4,000 00	
Replacement: Heating system	1,200 00	
Replacement: Maintenance equipment	3,500 00	
Replacement: Mattresses	3,000 00	
		229,360 00

Services Other Than Personal:		
Travel	$1,200 00	
Telephone	5,250 00	
Rent: Other	66 00	
Insurance: Fire	9,267 00	
Insurance: Other than fire	1,241 00	
Subscriptions and memberships	450 00	
Payments to discharged inmates	1,000 00	
Postage	1,034 00	
Miscellaneous	100 00	
Entertainment	750 00	
		20,358 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Buildings and grounds	17,000 00	
Automotive equipment	1,500 00	
Household equipment	1,500 00	
Farm equipment	1,000 00	
		21,500 00
Additions and Improvements:		
Household equipment.	$685 00	
Laundry alterations..	4,000 00	
Office equipment	491 00	
		5,176 00
		$1,310,385 00

S 40. *State Home for Girls*

For operation and maintenance on the basis of 225 inmates.

Salaries:		
Officers and employees	$605,437 00	
Food maintenance in lieu of cash	8,784 00	
Special services	5,000 00	
		$619,221 00
Materials and Supplies:		
Food—Cash	$43,116 00	
Clothing	9,000 00	
Clothing—Parolees	3,375 00	
Fuel and utilities	6,500 00	
Grounds	1,400 00	
Household	7,875 00	
Drugs and medical	3,375 00	
Vehicle transportation	500 00	
Office	800 00	
Educational and vocational	2,500 00	
Replacement: Office equipment	708 00	
Replacement: Furniture—Inmates	3,600 00	
Replacement: Household equipment	1,000 00	
Replacement: Laundry equipment	1,800 00	
Replacement: Lighting	1,000 00	
		86,549 00
Services Other Than Personal:		
Travel	$400 00	
Telephone	5,200 00	
Rent: Other	66 00	
Insurance: Fire	3,286 00	

Insurance: Other than fire	293 00	
Advertising	25 00	
Household	275 00	
Subscriptions and memberships	150 00	
Payments to discharged inmates	350 00	
Postage	1,150 00	
Fire alarm and time services	225 00	
Entertainment	500 00	
		11,920 00
Current Repairs and Maintenance:		
Office equipment	$200 00	
Building and grounds	5,000 00	
Automotive equipment	350 00	
Painting—Stokes cottage	1,800 00	
Household equipment.	1,000 00	
		8,350 00
Extraordinary:		
Compensation awards		2,028 00
Additions and Improvements:		
Floor covering	$4,000 00	
Household equipment.	400 00	
Office equipment	325 00	
Plumbing item	1,000 00	
		5,725 00
		$733,793 00

S 41. *New Jersey State Hospital, Greystone Park*

For operation and maintenance on the basis of 4,950 patients.

Salaries:		
Officers and employees	$6,861,854 00	
Food maintenance in lieu of cash	252,370 00	
Special services	14,000 00	
Patients' wages	8,000 00	
		$7,136,224 00
Materials and Supplies:		
Food—Cash	$799,780 00	
Clothing	138,600 00	
Fuel and utilities	370,000 00	
Farm and grounds	110,000 00	
Household	138,600 00	
Drugs and medical	200,000 00	
Vehicle transportation	10,000 00	
Office	7,000 00	
Printing	700 00	
Educational and vocational	15,000 00	
Tobacco and candy	10,000 00	
Replacement: Motor vehicles	1,475 00	
Replacement: Office equipment	3,349 00	
Replacement: Dietary equipment	5,102 00	
Replacement: Fire protection equipment	2,000 00	
Replacement: Floor covering	6,000 00	
Replacement: Furniture—Patients	12,600 00	
Replacement: Generator items	11,000 00	

Replacement: Household equipment	5,200 00	
Replacement: Laundry equipment	18,000 00	
Replacement: Medical equipment	3,011 00	
Replacement: Repointing masonry	20,000 00	
Replacement: Roofs and gutters	12,000 00	
Replacement: Ventilation	3,500 00	
		1,902,917 00
Services Other Than Personal:		
Travel	$4,500 00	
Telephone	24,700 00	
Rent: Other	144 00	
Insurance: Fire	17,824 00	
Insurance: Other than fire	6,553 00	
Household	5,000 00	
Advertising	3,000 00	
Subscriptions and memberships	2,000 00	
Funeral expense	3,500 00	
Postage	5,000 00	
Miscellaneous	750 00	
Entertainment	1,200 00	
		74,171 00
Current Repairs and Maintenance:		
Office equipment	$3,400 00	
Buildings and grounds	98,000 00	
Farm equipment	2,000 00	
Automotive equipment	2,750 00	
Medical equipment ..	1,500 00	
Household equipment	18,000 00	
Paint main building ..	6,000 00	
		131,650 00
Extraordinary:		
Compensation awards	$15,000 00	
Family care	75,000 00	
		90,000 00

Additions and Improvements:		
Dining area improvements	$10,000 00	
Dining Hall conversion	29,500 00	
Drinking fountains	1,500 00	
Medical equipment	5,500 00	
Refuse disposal equipment	5,508 00	
Sewage plant completion	23,000 00	
		75,008 00
		$9,409,970 00

S 42. *New Jersey State Hospital, Marlboro*

For operation and maintenance on the basis of 2,900 patients.

Salaries:		
Officers and employees	$4,221,852 00	
Food maintenance in lieu of cash	102,908 00	
Patients' wages	5,000 00	
Special services	23,000 00	
		$4,352,760 00
Materials and Supplies:		
Food—Cash	$365,712 00	
Clothing	81,200 00	
Fuel and utilities	180,000 00	
Farm and grounds	58,000 00	
Household	81,200 00	
Drugs and medical	87,000 00	
Vehicle transportation	5,600 00	
Office	5,000 00	
Educational and vocational	7,000 00	
Tobacco and candy	4,500 00	
Replacement: Motor vehicles	5,975 00	

Replacement: Office equipment	2,283 00	
Replacement: Maintenance equipment ...	4,675 00	
Replacement: Farm equipment	2,500 00	
Replacement: Fire protection equipment	1,200 00	
Replacement: Dining room furniture	8,200 00	
Replacement: Furniture—Patients	10,000 00	
Replacement: Dietary equipment	4,400 00	
Replacement: Mattresses	3,150 00	
Replacement: Medical equipment	8,480 00	
		926,075 00

Services Other Than Personal:		
Travel	$2,000 00	
Telephone	11,000 00	
Rent: Other	396 00	
Insurance: Fire	27,719 00	
Insurance: Other than fire	2,873 00	
Household	2,000 00	
Advertising	500 00	
Subscriptions and memberships	800 00	
Funeral expense	2,000 00	
Postage	2,800 00	
Miscellaneous	100 00	
Entertainment	1,000 00	
		53,188 00

Current Repairs and Maintenance:		
Office equipment	$1,800 00	
Buildings and grounds	43,000 00	
Farm equipment	2,000 00	
Automotive equipment	1,800 00	

Medical equipment ...	1,000 00	
Household equipment.	13,000 00	
		62,600 00
Extraordinary:		
Mental health program — Education and training	$5,000 00	
Family care	100,800 00	
Compensation award .	1,440 00	
		107,240 00
Additions and Improvements:		
Farm improvements..	$7,500 00	
Office equipment	1,140 00	
		8,640 00
		$5,510,503 00

S 43. *New Jersey State Hospital, Trenton*

For operation and maintenance on the basis of 3.175 patients.

Salaries:		
Officers and employees	$5,674,505 00	
Food maintenance in lieu of cash	99,036 00	
Special services	14,000 00	
Patients' wages	13,400 00	
		$5,800,941 00
Materials and Supplies:		
Food—Cash	$435,792 00	
Clothing	88,900 00	
Fuel and utilities	285,000 00	
Farm and grounds ..	82,500 00	
Household	88,900 00	
Drugs and medical ..	110,000 00	

Vehicle transportation	4,550 00	
Office	5,300 00	
Educational and vocational	8,000 00	
Tobacco and candy	4,500 00	
Replacement: Motor vehicles	3,100 00	
Replacement: Office equipment	3,257 00	
Replacement: Dietary equipment	8,800 00	
Replacement: Farm equipment	5,744 00	
Replacement: Fire protection equipment	1,600 00	
Replacement: Furniture and furnishings—patients	10,000 00	
Replacement: Household equipment	600 00	
Replacement: Medical equipment	11,777 00	
Replacement: Repoint masonry	10,000 00	
Replacement: Shower-room facilities	4,600 00	
		1,172,920 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	17,500 00	
Rent: Other	138 00	
Insurance: Fire	17,648 00	
Insurance: Other than fire	2,578 00	
Household	500 00	
Advertising	200 00	
Subscriptions and memberships	750 00	
Funeral expenses	3,375 00	
Postage	2,300 00	
Miscellaneous	100 00	
Entertainment	1,000 00	
		48,589 00

Current Repairs and Maintenance:		
Office equipment	$1,200 00	
Buildings and grounds	50,000 00	
Farm equipment	1,000 00	
Automotive equipment	1,750 00	
Household equipment	9,000 00	
Medical equipment ..	500 00	
		63,450 00
Extraordinary:		
Mental health program, education and training	$2,000 00	
Compensation awards	4,809 00	
Family care	156,000 00	
		162,809 00
Additions and Improvements:		
Bedside cabinets and lockers	$5,000 00	
Dietary equipment ..	2,000 00	
Household equipment	13,600 00	
Office equipment	1,828 00	
		22,428 00
		$7.271,137 00

S 44. *New Jersey State Prison, Trenton*

For operation and maintenance on the basis of 1,280 inmates.

Salaries:		
Principal keeper	$12,519 00	
Other officers and employees	1,408,338 00	
New positions	7,125 00	
Food maintenance in lieu of cash	26,244 00	
Special services	14,650 00	
Inmates' wages	22,490 00	
		$1,491,366 00

Materials and Supplies:		
Food—Cash	$280,320 00	
Clothing	51,200 00	
Clothing—Parolees	22,000 00	
Fuel and utilities	80,000 00	
Grounds	250 00	
Household	25,600 00	
Drugs and medical	27,800 00	
Laundry service supplies	4,500 00	
Vehicle transportation	1,900 00	
Office	3,050 00	
Printing	850 00	
Educational and vocational	4,800 00	
Tobacco	1,000 00	
Replacement: Motor vehicles	1,575 00	
Replacement: Office equipment	2,825 00	
Replacement: Dietary equipment	4,400 00	
Replacement: Educational equipment	1,000 00	
Replacement: Fire protection equipment	750 00	
Replacement: Mattresses	4,500 00	
Replacement: Medical equipment	1,930 00	
Replacement: Protective equipment	1,500 00	
Replacement: X-ray equipment	14,000 00	
		535,750 00
Services Other Than Personal:		
Travel	$2,300 00	
Telephone	5,600 00	
Rent: Other	66 00	
Insurance: Fire	6,037 00	

Insurance: Other than fire	730 00	
Household	1,930 00	
Subscriptions and memberships	100 00	
Payments to discharged inmates	3,200 00	
Funeral expense	450 00	
Postage	1,000 00	
Miscellaneous	250 00	
		21,663 00
Current Repairs and Maintenance:		
Household equipment	$1,500 00	
Office equipment	1,000 00	
Buildings and grounds	20,000 00	
Automotive equipment	500 00	
		23,000 00
Extraordinary:		
Compensation awards		1,820 00
Additions and Improvements:		
Communication system	$1,500 00	
Dietary equipment	1,800 00	
Education equipment	1,330 00	
Office equipment	400 00	
		5,030 00
		$2,078,629 00

S 45. *State Prison Farm, Rahway*

For operation and maintenance on the basis of 1,100 inmates.

Salaries:		
Officers and employees	$888,212 00	
New position	4,104 00	
Food maintenance in lieu of cash	20,016 00	
Special services	3,800 00	
Inmates' wages	24,000 00	
		$940,132 00
Materials and Supplies:		
Food—Cash	$162,855 00	
Clothing	44,000 00	
Clothing—Parolees	4,500 00	
Fuel and utilities	88,000 00	
Farm and grounds	33,000 00	
Household	16,400 00	
Drugs and medical	16,500 00	
Laundry service supplies	5,400 00	
Vehicle transportation	1,250 00	
Office	1,200 00	
Educational and vocational	3,000 00	
Tobacco	700 00	
Replacement: Dietary equipment	2,050 00	
Replacement: Farm equipment	2,000 00	
Replacement: Fire protection equipment	1,850 00	
Replacement: Lighting fixtures	1,500 00	
Replacement: Locks and hardware	3,000 00	
Replacement: Medical equipment	1,150 00	

Replacement: Mattresses	3,000 00	
Replacement: Protective equipment	1,000 00	
Replacement: Roof—Piggery	5,000 00	
Replacement: Window sash	9,000 00	
		406,355 00
Services Other Than Personal:		
Travel	$450 00	
Telephone	7,200 00	
Rent: Other	66 00	
Insurance: Fire	6,515 00	
Insurance: Other than fire	712 00	
Household	400 00	
Advertising	150 00	
Subscriptions and memberships	50 00	
Payments to discharged inmates	1,500 00	
Postage	250 00	
		17,293 00
Current Repairs and Maintenance:		
Office equipment	$300 00	
Buildings and grounds	23,000 00	
Farm equipment	1,300 00	
Automotive equipment	600 00	
Household equipment.	1,000 00	
		26,200 00
Additions and Improvements:		
Educational equipment	$800 00	
Household equipment.	800 00	
Office equipment	136 00	
		1,736 00
		$1,391,716 00

S 46. *State Prison Farm, Leesburg*

For operation and maintenance on the basis of 300 inmates.

Salaries:		
Officers and employees	$253,748 00	
Food maintenance in lieu of cash	5,256 00	
Special services	3,500 00	
Inmates' wages	3,300 00	
		$265,804 00
Materials and Supplies:		
Food—Cash	$37,510 00	
Clothing	12,000 00	
Fuel and utilities	31,000 00	
Farm	17,000 00	
Household	5,400 00	
Drugs and medical	2,700 00	
Vehicle transportation	600 00	
Office	400 00	
Educational and vocational	1,000 00	
Replacement: Office equipment	434 00	
Replacement: Dietary equipment	1,200 00	
Replacement: Educational equipment	400 00	
Replacement: Fire protection equipment	300 00	
Replacement: Household equipment	900 00	
Replacement: Lighting	500 00	
Replacement: Mattresses	2,850 00	
Replacement: Plumbing	1,000 00	
		115,194 00

Services Other Than Personal:		
Travel	$175 00	
Telephone	2,763 00	
Insurance: Fire	4,413 00	
Insurance: Other than fire	1,133 00	
Household	600 00	
Postage	150 00	
Entertainment	100 00	
		9,334 00
Current Repairs and Maintenance:		
Office equipment	$100 00	
Buildings and grounds	6,500 00	
Automotive equipment	300 00	
Household equipment.	400 00	
Farm equipment	100 00	
		7,400 00
Extraordinary:		
Compensation award		139 00
Additions and Improvements:		
Bedside cabinets	$3,000 00	
Household equipment.	300 00	
Screens—Powerhouse	1,350 00	
Shower stalls renovation	1,000 00	
		5,650 00
		$403,521 00

S 47. *New Jersey Neuropsychiatric Institute*

For operation and maintenance on the basis of 875 patients.

Salaries:		
Officers and employees	$2,823,954 00	
Food maintenance in lieu of cash	58,122 00	
Special services	8,740 00	
Patients' wages	6,626 00	
		$2,897,442 00
Materials and Supplies:		
Food—Cash	$105,462 00	
Clothing	26,250 00	
Fuel and utilities	140,000 00	
Farm and grounds	42,000 00	
Household	24,500 00	
Drugs and medical	39,375 00	
Vehicle transportation	7,000 00	
Office	4,000 00	
Printing	2,000 00	
Educational and vocational	5,200 00	
Tobacco and candy	3,000 00	
Other materials and supplies	300 00	
Replacement: Motor vehicles	10,370 00	
Replacement: Office equipment	1,136 00	
Replacement: Educational and recreational equipment	3,095 00	
Replacement: Fire protection equipment	1,000 00	
Replacement: Furniture—Employees	1,900 00	
Replacement: Furniture—Patients	2,000 00	

Replacement: Maintenance equipment ..	1,075 00	
		419,663 00
Services Other Than Personal:		
Travel	$6,000 00	
Telephone	21,000 00	
Rent: Garage	180 00	
Rent: Other	168 00	
Insurance: Fire	13,096 00	
Insurance: Other than fire	2,691 00	
Advertising	450 00	
Subscriptions and memberships	1,000 00	
Funeral expense	1,000 00	
Postage	1,600 00	
Miscellaneous	100 00	
Entertainment	2,000 00	
		49,285 00
Current Repairs and Maintenance:		
Office equipment	$2,000 00	
Buildings and grounds	33,500 00	
Automotive equipment	2,600 00	
Household equipment	3,000 00	
Grounds equipment ..	300 00	
Medical equipment ..	500 00	
		41,900 00
Extraordinary:		
Compensation award.	$5,764 00	
Family care	57,960 00	
Mental health conference	4,000 00	
		67,724 00
Additions and Improvements:		
Dietary equipment ..	$900 00	
Educational and recreational equipment	1,285 00	
Heating system	2,200 00	

Household equipment	752 00	
Lighting	4,000 00	
Office equipment	806 00	
		9,943 00
		$3,485,957 00

S 48. *Vineland State School*

For operation and maintenance on the basis of 2,050 patients.

Salaries:		
Officers and employees	$2,062,903 00	
New positions	36,828 00	
Food maintenance in lieu of cash	28,776 00	
Special services	9,000 00	
Patients' wages	7,100 00	
		$2,144,607 00
Materials and Supplies:		
Food—Cash	$354,608 00	
Clothing	55,350 00	
Fuel and utilities	125,000 00	
Farm and grounds ...	10,000 00	
Household	45,100 00	
Drugs and medical ...	45,100 00	
Vehicle transportation	3,200 00	
Office	2,250 00	
Educational and vocational	7,000 00	
Replacement: Motor vehicles	1,835 00	
Replacement: Office equipment	568 00	
Replacement: Dietary equipment	5,750 00	
Replacement: Furniture and furnishings	9,500 00	
Replacement: Household equipment	3,700 00	

Replacement: Mattresses	5,000 00	
Replacement: Medical equipment	1,500 00	
Replacement: Roof	2,000 00	
		677,461 00
Services Other Than Personal:		
Travel	$1,200 00	
Telephone	13,800 00	
Rent: Other	90 00	
Insurance: Fire	11,390 00	
Insurance: Other than fire	1,892 00	
Household	1,600 00	
Advertising	200 00	
Subscriptions and memberships	350 00	
Funeral expense	1,000 00	
Postage	1,300 00	
Entertainment	1,200 00	
		34,022 00
Current Repairs and Maintenance:		
Office equipment	$400 00	
Buildings and grounds	28,500 00	
Farm equipment	500 00	
Automotive equipment	1,800 00	
Household equipment	4,000 00	
Medical equipment	200 00	
		35,400 00
Extraordinary:		
Family care		22,680 00
Additions and Improvements:		
Cemetery	$3,500 00	
Medical equipment	13,820 00	
Ventilating	7,300 00	
		24,620 00
		$2,938,790 00

S 49. *Arthur Brisbane Child Treatment Center*

For operation and maintenance on the basis of 90 patients.

Salaries:		
Officers and employees	$282,038 00	
New positions	8,088 00	
Food maintenance in lieu of cash	5,580 00	
Special services	1,350 00	
		$297,056 00
Materials and Supplies:		
Food—Cash	$26,937 00	
Clothing	5,400 00	
Fuel and utilities	12,000 00	
Grounds	200 00	
Household	3,150 00	
Drugs and medical	1,500 00	
Vehicle transportation	850 00	
Office	350 00	
Educational and vocational	1,200 00	
Replacement: Furniture and furnishings	836 00	
		52,423 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	1,500 00	
Insurance: Fire	1,377 00	
Insurance: Other than fire	430 00	
Household	1,750 00	
Subscriptions and memberships	100 00	
Postage	200 00	
Miscellaneous	50 00	
Entertainment	350 00	
		6,457 00

Current Repairs and Maintenance:		
Office equipment	$175 00	
Buildings and grounds	1,800 00	
Automotive equipment	250 00	
Household equipment	1,000 00	
		3,225 00
Additions and Improvements:		
Fire protection equipment	$650 00	
Household equipment	800 00	
Motor vehicles	1,755 00	
Office equipment	904 00	
		4,109 00
		$363,270 00

S 50. *Diagnostic Center*

For operation and maintenance on the basis of 86 patients.

Salaries:		
Officers and employees	$568,313 00	
New positions	7,818 00	
Food maintenance in lieu of cash	6,732 00	
Special services	6,300 00	
Patients' wages	725 00	
		$589,888 00
Materials and Supplies:		
Food—Cash	$25,112 00	
Clothing	2,580 00	
Fuel and utilities	16,500 00	
Grounds	250 00	
Household	4,472 00	
Drugs and medical ...	3,500 00	
Vehicle transportation	650 00	
Office	2,600 00	

Educational and vocational	1,200 00	
Replacement: Office equipment	2,983 00	
Replacement: Furniture and furnishings	4,828 00	
Replacement: Locks and doors	1,500 00	
		66,175 00
Services Other Than Personal:		
Travel	$3,500 00	
Telephone	5,200 00	
Rent: Other	66 00	
Insurance: Fire	859 00	
Insurance: Other than fire	378 00	
Household	2,500 00	
Advertising	100 00	
Subscriptions and memberships	200 00	
Postage	700 00	
Entertainment	750 00	
		14,253 00
Current Repairs and Maintenance:		
Office equipment	$1.000 00	
Buildings and grounds	5,500 00	
Automotive equipment	125 00	
Household equipment.	500 00	
		7,125 00
Additions and Improvements:		
Office equipment		886 00
		$678,327 00

S 51. *New Jersey State Hospital, Ancora*

For operation and maintenance on the basis of 2,150 patients.

Salaries:		
Officers and employees	$3,357,094 00	
New positions	58,314 00	
Positions transferred from another institution	92,373 00	
Food maintenance in lieu of cash	94,494 00	
Special services	15,000 00	
Patients' wages	14,453 00	
		$3,631,728 00
Materials and Supplies:		
Food—Cash	$423,765 00	
Clothing	60,200 00	
Fuel and utilities	210,000 00	
Grounds	9,900 00	
Household	52,675 00	
Laundry service supplies	12,500 00	
Drugs and medical	110,000 00	
Vehicle transportation	7,400 00	
Office	5,700 00	
Printing	1,000 00	
Educational and vocational	8,000 00	
Tobacco and candy	5,000 00	
Other materials and supplies	800 00	
Replacement: Motor vehicles	10,325 00	
Replacement: Office equipment	2,800 00	
Replacement: Dietary equipment	1,000 00	

Replacement: Furniture and furnishings	3,000 00	
Replacement: Grounds equipment	1,203 00	
		925,268 00

Services Other Than Personal:		
Travel	$3,000 00	
Telephone	18,750 00	
Rent: Other	150 00	
Insurance: Fire	16,424 00	
Insurance: Other than fire	2,635 00	
Household	500 00	
Advertising	300 00	
Subscriptions and memberships	700 00	
Funeral expense	1,800 00	
Postage	2,800 00	
Miscellaneous	250 00	
Entertainment	1,500 00	
		48,809 00

Current Repairs and Maintenance:		
Office equipment	$3,000 00	
Buildings and grounds	32,500 00	
Automotive equipment	2,050 00	
Household equipment.	8,000 00	
Grounds equipment ..	2,000 00	
Medical equipment ...	1,000 00	
Painting—Residences	2,500 00	
		51,050 00

Extraordinary:	
Family care	132,000 00

Additions and Improvements:		
Dietary equipment ..	$600 00	
Educational and recreational equipment .	1,715 00	
Fire protection equipment	1,045 00	

Grading and developing grounds	3,000 00	
Household equipment.	2,775 00	
Maintenance equipment	1,200 00	
Office equipment	2,073 00	
		12,408 00
		$4,801,263 00

S 52. *Edward R. Johnstone Training and Research Center*

For operation and maintenance on the basis of 250 patients.

Salaries:		
Officers and employees	$732,251 00	
Food maintenance in lieu of cash	8,839 00	
Special services	3,160 00	
		$744,250 00
Materials and Supplies:		
Food—Cash	$54,750 00	
Clothing	12,500 00	
Fuel and utilities	38,000 00	
Grounds	2,000 00	
Household	7,500 00	
Drugs and medical ...	3,780 00	
Vehicle transportation	1,400 00	
Office	1,675 00	
Printing	700 00	
Educational and vocational	6,000 00	
Tobacco and candy ..	1,800 00	
		130,105 00

Services Other Than Personal:		
Travel	$2,000 00	
Telephone	8,000 00	
Rent: Other	66 00	
Insurance: Fire	7,284 00	
Insurance: Other than fire	613 00	
Household	1,575 00	
Advertising	100 00	
Subscriptions and memberships	330 00	
Postage	800 00	
Entertainment	1,800 00	
		22,568 00
Current Repairs and Maintenance:		
Office equipment	$700 00	
Buildings and grounds	10,000 00	
Automotive equipment	300 00	
Household equipment	1,000 00	
		12,000 00
Extraordinary:		
Family care		12,600 00
Additions and Improvements:		
Educational, recreational and scientific equipment	$4,184 00	
Fire protection equipment	600 00	
Household equipment	760 00	
Lightning rods	1,000 00	
		6,544 00
		$928,067 00
Total, State Institutions		$51,896,448 00

S 61. *Commission for the Blind*

Salaries:		
Officers and employees	$515,738 00	
New positions	16,983 00	
Special services	22,000 00	
		$554,721 00
Materials and Supplies:		
Fuel and utilities	$2,225 00	
Vehicle transportation	2,725 00	
Office	3,250 00	
Educational and vocational	15,000 00	
Training center	6,500 00	
Mobile eye clinic	300 00	
Home teaching and training	4,000 00	
Replacement: Motor vehicles	1,600 00	
Replacement: Office equipment	1,431 00	
Replacement: Vocational equipment	2,650 00	
		39,681 00
Services Other Than Personal:		
Travel	$28,500 00	
Telephone	9,800 00	
Rent: Office equipment	160 00	
Rent: Garage	1,000 00	
Insurance: Fire	1,029 00	
Insurance: Other than fire	509 00	
Household	235 00	
Subscriptions and memberships	550 00	
Funeral expense	3,000 00	
Postage	4,500 00	
Miscellaneous	200 00	
Entertainment	200 00	

Higher education	45,000 00	
Prevention of blindness	25,000 00	
State relief	250 00	
Mobile Eye Clinic	3,000 00	
Rehabilitation case services	145,000 00	
Other educational services	142,000 00	
		409,933 00
Current Repairs and Maintenance:		
Office equipment	$500 00	
Automotive equipment	800 00	
Other equipment	200 00	
		1,500 00
Extraordinary:		
Maintenance of summer camp	$9,000 00	
Payments to counties	8,500 00	
		17,500 00
Additions and Improvements:		
Mobile Eye Clinic equipment	$300 00	
Office equipment	926 00	
		1,226 00
		$1,024,561 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on June 30, 1960, is hereby reappropriated, said sum not to exceed $8,500.00.

The balance to the credit of the Revolving Industrial Fund on June 30, 1960 is hereby reappropriated as a Revolving Industrial Fund in the sum of $2,000.00.

S 62. *State Board of Child Welfare*

Salaries:		
Officers and employees	$1,208,200 00	
New positions	215,832 00	
		$1,424,032 00
Materials and Supplies:		
Vehicle transportation	$16,000 00	
Office	12,000 00	
Educational and vocational	300 00	
Replacement: Motor vehicles	8,125 00	
		36,425 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	35,000 00	
Rent: Office equipment	2,500 00	
Rent: Garage	12,000 00	
Insurance: Fire	8,269 00	
Insurance: Other than fire	3,413 00	
Subscriptions and memberships	400 00	
Postage	12,000 00	
Social service exchanges	1,000 00	
Miscellaneous	250 00	
District office expenses	1,500 00	
		81,332 00
Current Repairs and Maintenance:		
Office equipment	$5,600 00	
Automotive equipment	4,500 00	
		10,100 00
		$1,551,889 00

Revolving Fund:

For the State Board of Child Welfare to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto, the balance in the Revolving Fund, known as the State Board of Child Welfare Revolving Fund, together with all receipts, is hereby reappropriated.

S 110. *Debt Service*

Interest requirement on Institutional Construction Bonds—Act of 1930	$129,900 00	
Principal requirement on Institutional Construction Bonds—Act of 1930	390,000 00	
Interest requirement on Institutional Construction Bonds—Act of 1949	117,930 00	
Principal requirement on Institutional Construction Bonds—Act of 1949	1,785,000 00	
Interest requirement on Institutional Construction Bonds—Act of 1952	271,510 00	
Principal requirement on Institutional Construction Bonds—Act of 1952	1,785,000 00	
		$4,479,340 00
Total, Noninstitutional Items		$7,055,790 00
Grand Total, Department of Institutions and Agencies		$61,851,317 00

The balances on hand as of June 30, 1960, of funds held for the benefit of patients and inmates in the several institutions, together with such funds as may be received, are hereby appropriated for the use of such patients and inmates.

Funds received from the sale of articles made in occupational therapy departments of the several institutions are hereby appropriated for the purchase of additional material and other expenses incident to such sale or manufacture.

Unexpended balances as of June 30, 1960, of funds received by the several institutions representing rental of garages, together with such funds as may be received, are hereby appropriated for the repair and maintenance of existing garages and for the construction of additional garages by such institutions.

There are hereby appropriated to the various institutions, all funds derived from the sale of farm products to any State agency or political subdivision of the State.

There are hereby reappropriated the unexpended balances in the accounts of the various institutions and agencies previously appropriated or established for replacements and additions and improvements, for special repair projects, but excluding office equipment and motor vehicles.

Inter and Non-Departmental Items.

INTER- AND NON-DEPARTMENTAL ITEMS

T 11. *Rents*

Services Other Than Personal:
Rents: Office and building $2,397,503 00

Notwithstanding any other provision of law, no lease for the rent of any office or building shall be executed, which has an expiration date subsequent to June 30, 1961, without the prior approval of the State Treasurer, the Director of the Division of Budget and Accounting, the Legislative Budget and Finance Director, the President of the Senate and the Speaker of the General Assembly.

T 20. *Pensions, Contributions to State Pension Funds and Social Security Taxes*

Extraordinary:		
Heath Act Pensions ..	$105,000 00	
Veterans' Act Pensions	285,000 00	
Miscellaneous Special Pension Acts	10,000 00	
Annuity for Widows of Governors	5,000 00	
Judicial Pensions	315,000 00	
Prison Officers' Pension Fund	140,000 00	
Public Employees' Retirement System ..	7,054,267 00	
Social Security Taxes	3,200,000 00	
For increases in retirement allowances paid by the State for certain pensioners..	1,000,000 00	
		$12,114,267 00

In addition to the amount hereinabove specifically appropriated to the Public Employees' Retirement System, there is hereby appropriated to the Contingent Reserve Fund the sum of $1,000,000.00 out of the Reserve for Adverse Experience established by the Board of Trustees of the Public Employees' Retirement System.

The sum appropriated for Social Security Taxes shall be available for the payment of such taxes applicable to the prior fiscal year.

T 30. *State Emergency Fund*

Extraordinary:

For allotment to the various departments or agencies, to meet any condition of emergency until legislation appropriate therefor shall be enacted; provided, however, that a sum not in excess of $5,000.00 shall be available for the expense of entertaining dignitaries and incidental expenses including lunches for nonsalaried board members and others whose entertainment shall be beneficial to the State. Allotments from this ap-

propriation shall be made only upon authorization of the Governor	$100,000 00	
For allotment to the various departments or agencies to pay compensation awards allowed State employees, upon approval of the Director of the Division of Budget and Accounting	100,000 00	
		$200,000 00

T 40. *Salary Increments and Adjustments*

To the Director of the Division of Budget and Accounting for transfer, as required, to the State Board of Education, the various State colleges, Rutgers, The State University, and the Newark College of Engineering for the cost of:	
(a) Salary adjustments due to salary range revision of State employees holding certain academic or academic equivalent titles, after payment on July 1st or September 1st of the normal merit salary increment applicable to salary ranges in effect on June 30, 1960 for such titles, to those employees normally entitled to such increment on the respective salary anniversary dates during the fiscal year ending June 30, 1961	$297,000 00

(b) Promoting or recruiting academic personnel as Distinguished Professors and (c) Extraordinary salary adjustments within established ranges to outstanding academic personnel, at		
Rutgers, The State University	$60,000 00	
State Colleges.	30,000 00	
Newark College of Engineering	10,000 00	
		100,000 00
		$397,000 00

Provided, however, that the aforesaid salary adjustments shall require the prior approval of the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting.

In addition hereto, the sums appropriated elsewhere in this act to the several departments for salaries may be made available for salary adjustments therein arising from various exigencies of the State service and for normal merit salary increments as the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting shall determine.

The sums appropriated in this act to the several departments for salaries

shall be made available for any person holding office, position or employment in the State whose compensation is paid directly or indirectly, in whole or in part from State funds, including any person holding office, position or employment in any educational institution for which appropriations are made to the State Board of Education or to the State University or in any educational institution conducted under contract with the State Board of Education, or holding office, position or employment under the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission and the Interstate Sanitation Commission.

Each person holding State office, position or employment who receives no compensation from State funds other than that derived from Federal sources shall be entitled to the same normal merit salary increments or salary adjustments provided hereinabove which he would receive if his compensation were paid wholly from State funds; provided that the Federal Government consents thereto and the costs are paid from Federal sources.

Should any State officer for whom a salary is specifically appropriated be replaced in office during the fiscal year ending June 30, 1961, the salary to be paid the successor of such officer may be such lesser sum as the appointing authority shall determine.

T 41. *Other Employee Benefits*

For the purchase of group major medical expense insurance benefits for State employees, effective January 1, 1961, subject to the passage of Senate No. 209 or similar legislation	$210,000 00

U 10. South Jersey Port Commission

South Jersey Port.

Salaries:		
Secretary and executive officer	$7,900 00	
Other officers and employees	26,781 00	
		$34,681 00
Materials and Supplies:		
Vehicle transportation	$250 00	
Office	200 00	
Printing	500 00	
Educational and vocational	125 00	
Engineering	50 00	
		1,125 00
Services Other Than Personal:		
Travel	$800 00	
Telephone	188 00	
Rent: Miscellaneous .	10 00	
Insurance: Other than fire	2,432 00	
Household	30 00	
Advertising	150 00	
Subscriptions and memberships	450 00	
Postage	100 00	

Traffic and stream surveys	50 00	
Miscellaneous	100 00	
		4,310 00
Current Repairs and Maintenance:		
Office equipment	$65 00	
Automotive equipment	100 00	
		165 00
		$40,281 00

Palisades Interstate Park.

U 11. PALISADES INTERSTATE PARK COMMISSION

Salaries:		
Officers and employees		$407,619 00
Materials and Supplies:		
Clothing	$2,650 00	
Fuel and utilities	12,000 00	
Farm and grounds	8,000 00	
Household	850 00	
Drugs and medical	60 00	
Vehicle transportation	6,500 00	
Office	500 00	
Printing	150 00	
Engineering	100 00	
Replacement: Motor vehicles	10,075 00	
Replacement: Office equipment	332 00	
Replacement: Other equipment	14,240 00	
		55,457 00
Services Other Than Personal:		
Travel	$50 00	
Telephone	1,400 00	
Insurance: Fire	7,355 00	

Insurance: Other than fire	11,171 00	
Postage	350 00	
		20,326 00
Current Repairs and Maintenance:		
Buildings and grounds	$18,000 00	
Automotive equipment	4,350 00	
Other equipment	2,500 00	
		24,850 00
Extraordinary:		
Parkway signs—replacement		1,000 00
Additions and Improvements:		
Increase picnic facilities	$2,000 00	
Motor vehicles	4,000 00	
		6,000 00
		$515,252 00

The net share of revenues derived from the operation of gasoline stations on the New Jersey Section of the Palisades Interstate Parkway is hereby appropriated for capital projects, subject to allotment by the Director of the Division of Budget and Accounting and approval by the Legislative Budget and Finance Director.

The unexpended balances as of June 30, 1960 from stands, concessions and self-sustaining activities operated or supervised by this commission, together with receipts of such activities, are hereby appropriated.

Delaware River Joint Toll Bridge Commission.

U 12. DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Salaries:		
Officers and employees		$223,209 00
Materials and Supplies:		
Clothing	$1,000 00	
Fuel and utilities	13,000 00	
Grounds supplies	200 00	
Household	250 00	
Drugs and medical	25 00	
Vehicle transportation	1,250 00	
Office	200 00	
Printing	275 00	
Engineering	100 00	
Replacement: Traffic equipment	300 00	
		16,600 00
Services Other Than Personal:		
Telephone	$1,900 00	
Insurance: Fire	150 00	
Insurance: Other than fire	2,550 00	
Postage	300 00	
		4,900 00
Current Repairs and Maintenance:		
Office equipment	$50 00	
Buildings and grounds	4,500 00	
Automotive equipment	350 00	
Rip rap, Lumberville Bridge, Piers No. 1 and No. 2	9,000 00	
Painting bridges	25,240 00	
		39,140 00
Additions and Improvements:		
Other equipment		1,025 00
		$284,874 00

U 13. NEW JERSEY TERCENTENARY COMMISSION Tercentenary.

Extraordinary:
For expenses of the commission ... $60,000 00

The balance remaining in this account as of June 30, 1960 is hereby reappropriated.

U 14. INTERSTATE SANITATION COMMISSION Interstate Sanitation.

Extraordinary:
New Jersey's share of administrative costs of the Interstate Sanitation Commission (45%) $46,500 00

U 15. CIVIL WAR CENTENNIAL COMMISSION Civil War Centennial.

Extraordinary:
For expenses of the Commission (J. R. 11, P. L. 1959) $20,000 00

V 10. THE JUDICIARY Judiciary.

Salaries:		
Chief Justice	$27,000 00	
Associate Justices ...	156,000 00	
Judges	831,000 00	
New positions	99,000 00	
Other officers and employees	997,427 00	
New positions	20,011 00	
Special services	1,440 00	
		$2,131,878 00

Materials and Supplies:		
Office	$19,000 00	
Printing	29,000 00	
Educational and vocational	29,000 00	
Replacement: Office equipment	2,275 00	
Microfilming	20,000 00	
		99,275 00
Services Other Than Personal:		
Travel	$20,000 00	
Telephone	29,000 00	
Rent: Office equipment	640 00	
Rent: Miscellaneous	250 00	
Insurance: Other than fire	850 00	
Household	300 00	
Postage	24,000 00	
Admission and discipline of attorneys	6,000 00	
Judicial conferences and special meetings	6,000 00	
Miscellaneous	300 00	
		87,340 00
Current Repairs and Maintenance:		
Office equipment		4,000 00
Additions and Improvements:		
Office equipment		5,000 00
Total, The Judiciary		$2,327,493 00
Total, General State Operations		$191,356,770 00

STATE AID TO COUNTIES, MUNICIPALITIES AND SCHOOL DISTRICTS

State Aid, Counties; Municipalities and School Districts.

DEPARTMENT OF LAW AND PUBLIC SAFETY

D 50. *Division of Weights and Measures*

Payments to Counties and Municipalities

Extraordinary:		
For payment of fees to counties and municipalities from the sale of Solid Fuel Licenses, in accordance with the provisions of R. S. 51:8, approximating	$8,000 00	
For payment of fees to counties and municipalities from the sale of Poultry Licenses, in accordance with the provisions of chapter 248, P. L. 1942, approximating	2,000 00	
		$10,000 00

DEPARTMENT OF THE TREASURY

E 40. *Payments to Counties (5% Inheritance Taxes)*

Extraordinary:

Upon certification of the Director of Taxation, the State Treasurer is hereby authorized and it shall be his duty to withdraw from the

State fund such amounts as shall be required to carry out the provisions of R. S. 54:33–10, and to refund and pay such claims as may be necessary and such claims shall be paid upon the warrants of the Director of the Division of Budget and Accounting, and there is hereby appropriated the amount necessary therefor, approximating $1,000,000 00

E 41. *County Boards of Taxation*

Salaries:
Salaries of members $303,500 00

T 22. *Consolidated Police and Firemen's Pension Fund*

Extraordinary:
State's contribution to the Consolidated Police and Firemen's Pension Fund, pursuant to the provisions of chapter 358, laws of 1952 ..... $4,390,510 00

Total, Department of the Treasury $5,694,010 00

DEPARTMENT OF HEALTH

L 10. *General*

Extraordinary:
Subventions and direct aid for health purposes $106,496 00

L 30. *Crippled Children's Commission*

Extraordinary:	
Hospitalization and convalescent care	
Appliances	$175,000 00
Cardiac surgery	
Subventions and direct aid for health purposes	
Total, Department of Health ..	$281,496 00

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Division of Planning and Development

N 20. *Aid for Beach Protection and Inland Waterways*

For beach protection in the areas outlined in R. S. 12:6A–1	$1,000,000 00
The amount hereinabove appropriated shall be available for new construction or maintenance of beach protection projects, bulkheads, backfills, groins, jetties, sea walls, breakwaters, beach fills or dunes, pumping of sand, advertising and inspection costs.	
None of the funds hereinabove appropriated shall be available for	

expenditure unless matched by a municipality or county participating. Any municipality or county participating shall deposit its 50% share of participation with the State Treasurer through the Department of Conservation and Economic Development; provided, however, that out of this appropriation a sum not exceeding $10,000.00 shall be available for replacement of motor vehicles, transportation supplies and other equipment for use in this program; a sum not exceeding $25,000.00 shall be available to defray the State's share of a co-operative study in conjunction with the Federal Government; a sum not exceeding $25,000.00 shall be available for investigative and exploratory work including borings in the ocean bottom, rivers, lakes, ponds and in the upland, the purpose of which is to locate borrow areas from which material for beach fill may be

secured; a sum not to exceed $150,000.00 may be expended without matching by municipality or county to protect the beach and property at Barnegat Light State Park; a sum not to exceed $50,000.00 may be expended without matching by municipality or county to protect the beach and property at Cape May Point; a sum not to exceed $50,000.00 may be expended without matching by municipality or county for a connecting canal from Cape May County Canal to Spicers Creek; and a sum not to exceed $65,000.00 may be expended without matching by municipality or county to protect the beach and property at Fort Mott State Park. All projects shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development.

Inland Waterways—Construction, reconstruction, maintenance, im-

New Jersey State Library

provements and dredging of inland waterways, including bulk heading and dredging at State-operated Marinas; provided, that the funds herein appropriated shall be available for the replacement of motor vehicles, transportation supplies and other equipment used in the Inland Waterways Program	$200,000 00	
Harbor of Refuge at Atlantic City Marina.	100,000 00	
Sub-total, Division of Planning and Development		$1,300,000 00

The unexpended balances as of June 30, 1960 in the State aid accounts of this division are hereby reappropriated.

Federal receipts applicable to the State's share of beach protection costs are hereby appropriated, together with the unexpended balance of such receipts as of June 30, 1960, without any requirement for matching by municipalities and counties, for construction and maintenance of beach protection projects.

Division of Veterans' Services

N 60. *Veterans' Aid*

Payment to blind veterans pursuant to provisions of chapter 85, P. L. 1946	$27,000 00	
Payments to paraplegic, hemiplegic, amputee, osteochondritic, quadriplegic and multiple sclerotic veterans, pursuant to provisions of chapter 263, P. L. 1947, as amended	120,000 00	
Veterans' orphan fund—chapter 105, P. L. 1945	18,500 00	
Sub-total, Division of Veterans' Services		$165,500 00

N 72. *State Mosquito Control Commission*

State Aid:		
For transfer to the Agricultural Experiment Station for the cost of airplane spraying for mosquito extermination in counties bordering on the Atlantic ocean and the Delaware bay and in such other counties as the State Mosquito Control Commission may designate	$100,000 00	

For transfer to the Agricultural Experiment Station for State aid to counties in mosquito control and extermination pursuant to R. S. 26:9–12.6	150,000 00	
Sub-total, State Mosquito Control Commission		$250,000 00
The unexpended balances in these accounts as of June 30, 1960 are hereby reappropriated.		
Total, Department of Conservation and Economic Development		$1,715,500 00

DEPARTMENT OF EDUCATION

P 80. *State Aid to Counties, Municipalities and School Districts*

Salaries:		
County superintendents	$259,319 00	
Other officers and employees	547,303 00	
New positions	76,220 00	
		$882,842 00
Materials and Supplies:		
Office	$50,000 00	
Visual aids	80,475 00	
		130,475 00

Services Other Than Personal:		
Automation services..	$1,200 00	
Travel	44,000 00	
		45,200 00
Grants-in-Aid:		
For payment to districts for vocational schools pursuant to R. S. 18:5	$285,721 00	
For payment to districts for industrial schools pursuant to R. S. 18:15–24	70,000 00	
Chapter 85, Laws of 1954:		
Formula 69,649,236 00		
Transportation 8,252,605 00		
Emergency fund 175,000 00		
Atypical pupils 2,978,676 00		
School Building Aid Act, chapters 8 and 9, P. L. 1956 .....15,230,158 00		
Evening schools for foreign-born residents ..	77,523 00	
National Defense Education Act (State Share)	90,000 00	
Total Grants-in-Aid		96,808,919 00
Sub-total appropriation ...		$97,867,436 00

There are hereby reappropriated the unexpended balances in the accounts for Grants-in-Aid as of June 30, 1960 for the payment of any additional State Aid required as the result of revisions in the Table of Equalized Valuations adjudicated by the State Division of Tax Appeals.

The unexpended balance as of June 30, 1960 in the account "State Aid for Certain Libraries" is hereby reappropriated.

P 95. TEACHERS' PENSION AND ANNUITY FUND

State's Contribution to Teachers' Pension and Annuity Fund:

Pension Fund:	
Normal contribution	$22,873,011 00
Class B liability and deficiency contribution	5,222,369 00
Veterans' liability for Department of Education personnel	75,829 00
Local employees veterans appointed after 1-1-55	161,364 00
Interest deficit R. S. 18:13–112.27	594,358 00
Employer's share of social security taxes	7,800,000 00
Sub-total appropriation	$36,726,931 00

The unexpended balance as of June 30, 1960 in the account "Employer's share of social security taxes" is hereby reappropriated for the same purpose.

Notwithstanding any other provision of law, there is hereby appropriated to the contingent reserve fund, in addition to the amount specifically appropriated hereinabove, the sum of $1,000,000.00 constituting the dividends earned under the noncontributory insurance coverage provided by R. S. 18:13–112.79.

Total, Department of Education	$134,594,367 00

STATE HIGHWAY DEPARTMENT

R 20. *State Aid to Counties and Municipalities*

Construction, reconstruction, maintenance, et cetera, of county roads pursuant to chapter 199, P. L. 1946	$8,000,000 00
Construction, reconstruction, maintenance and repairs of county roads, on the basis of $55,000.00 per county pursuant to chapter 207, P. L. 1946	1,155,000 00
Construction, grading and maintenance of municipal roads pursuant to chapter 62, P. L. 1947	4,720,000 00
Construction or reconstruction of municipal roads on the basis of $100,000.00 per county pursuant to chapter 460, P. L. 1948	2,100,000 00
Sub-total, construction and reconstruction of county and municipal roads	$15,975,000 00
County and municipal aid for lighting	375,000 00
Projects Division—Operating, administrative and equipment charges	738,981 00
Total appropriation, State Highway Department	$17,088,981 00

The total appropriation for State aid herein is for the calendar year 1961. This appropriation is due and payable on January 2, 1961.

The unexpended balance in this account as of June 30, 1960 is hereby reappropriated.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

S 70. *County Mental Hospitals*

State Aid:

For the support of patients in county mental hospitals pursuant to Revised Statutes, section 30:4–78:

Atlantic	$200,000 00
Burlington	150,000 00
Camden	460,000 00
Cumberland	100,000 00
Essex	2,700,000 00
Hudson	1,350,000 00
	$4,960,000 00

The unexpended balances in this account as of June 30, 1960, are hereby reappropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 71. *County Tuberculosis Hospitals*

State Aid:

For the support of patients in county tuberculosis hospitals, pursuant to subdivision C, article 4, chapter 9, of Title 30 of the Revised Statutes:

Atlantic	$17,000 00
Bergen	26,000 00
Camden	21,000 00
Cape May	200 00
Cumberland	1,500 00

Essex	120,000 00	
Gloucester	100 00	
Hudson	65,000 00	
Hunterdon	100 00	
Mercer	11,000 00	
Middlesex	30,000 00	
Monmouth	19,000 00	
Ocean	500 00	
Passaic	39,000 00	
Salem	600 00	
Union	44,000 00	
		$395,000 00

The unexpended balance in this account as of June 30, 1960, is hereby reappropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 72. *State Aid—Old Age Assistance*

For the purpose of making payments for the State's share of Old Age Assistance, pursuant to chapter 7 of Title 44 of the Revised Statutes .. $6,650,000 00

The unexpended balances in this account as of June 30, 1960, including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 of the Revised Statutes during the fiscal year ending June 30, 1960, are hereby reappropriated. In addition thereto, all such funds recovered

under 44:7–14 of the Revised Statutes during the fiscal year ending June 30, 1961, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 73. *State Aid—Child Care*

For the purpose of making payments for the State's share of child care costs of children under the care of the Board of Child Welfare (Chapter 5 of Title 30 of the Revised Statutes) $2,282,520 00

The unexpended balance in this account as of June 30, 1960, is hereby reappropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 74. *State Aid—General Assistance*

For relief subsidies to municipalities and relief and administrative costs in State-administered towns $5,250,000 00

Receipts from State-administered towns during 1960-61, and the unexpended balance in this account as of June 30, 1960, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 75. *State Aid—Disability Assistance*

For the purpose of making payments for the State's share of cost for assistance to the permanently and totally disabled, pursuant to chapter 139, P. L. 1951 ..... $2,315,000 00

The unexpended balances in this account as of June 30, 1960 including State's net share of reimbursement, together with the net balance remaining, after full payment of sums due the Federal Government, of all funds recovered under 44:7–14 of the Revised Statutes during the fiscal year ending June 30, 1960, are hereby reappropriated. In addition thereto, all such funds recovered under 44:7–14 of the Revised Statutes during the fiscal year ending June 30, 1961 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

S 76. *State Aid—Community Mental Health Services*

For the establishment, development, improvement and expansion of community mental health services $975,000 00

The sum hereinabove appropriated, shall be available for training stipends, training programs and the support of demonstration projects in mental health to the extent that the appropriation exceeds the funds required for the aid program; provided, however, that the allotment of such excess funds be subject to the approval of the Director of Budget and Accounting and the Legislative Budget and Finance Director.

The unexpended balance in this account as of June 30, 1960, is hereby reappropriated.

S 77. *State Aid—Assistance for Dependent Children*

For the purpose of making payments for the State's share of cost of assistance for dependent children (Chapter 86, P. L. 1959) $7,815,000 00

The balances in this account as of June 30, 1960, including the State's net share of reimbursement together with the net balances remaining after full payment of sums

due the Federal Government, of all funds recovered under section 4 of chapter 86, P. L. 1959 during the fiscal year ending June 30, 1960, are hereby reappropriated, and in addition thereto, all such funds recovered under section 4 of chapter 86, P. L. 1959 during the fiscal year ending June 30, 1961 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

Total, Department of Institutions and Agencies $30,642,520 00

V 20. The Judiciary

Salaries:

For amounts to be refunded to various counties for the State's share of salaries of stenographic reporters appointed by the Supreme Court, pursuant to N. J. S. 2A:11 et seq.	$575,000	00
For the amount to be refunded to counties for the State's share of pensions, pursuant to R. S. 43:6–13.1	834	00
For amounts to be paid to various counties representing 40% of the salaries of county judges,		

pursuant to N. J. S. 2A:3–19	396,000 00	
Reimbursement to counties for cost of County Court judges temporarily assigned to the Superior Court outside their counties, pursuant to chapter 3, laws of 1955	18,000 00	
Total, The Judiciary		$989,834 00

The unexpended balance in this account as of June 30, 1960 is hereby reappropriated.

Notwithstanding any other provision in this act, the amount appropriated hereinabove to the Judiciary shall be available for any deficiency in this account as of June 30, 1960.

Grand Total, State Aid to Counties, Municipalities and School Districts ...	$191,016,708 00

Capital Construction.

STATE CAPITAL CONSTRUCTION

DEPARTMENT OF LAW AND PUBLIC SAFETY

D 20. *Division of State Police*

Capital Construction:		
Barracks at Pompton Lakes	$150,000 00	
Roads and approaches	15,000 00	
		$165,000 00

The unexpended balances in the accounts for capital construction as of June 30, 1960, are hereby reappropriated.

D 40. Division of Motor Vehicles

Capital Construction:		
For the establishment of additional facilities at the Lodi inspection station to include drivers' test course, drivers' examination room, agency office, accident prevention clinic, inspector force district office, and related service areas	$324,500 00	
For the establishment of a new inspection station in northern Hudson county consisting of a three-lane inspection station, reinspection lane, station office, lunch-room, locker-room, rest room, and storage area ..	435,500 00	
For improved ventilation of existing motor vehicle testing stations	90,000 00	
		$850,000 00

The unexpended balances in the accounts for capital construction as of June 30, 1960, are hereby reappropriated.

D 50. *Division of Weights and Measures*

Capital Construction:	
Roads and approaches—Mahwah ..	$8,250 00

The unexpended balances in the account for capital construction as of June 30, 1960, are hereby reappropriated.

Total, Department of Law and Public Safety	$1,023,250 00

DEPARTMENT OF THE TREASURY

E 10. *Administrative Division*

To the State Treasurer, for advance planning and architectural services related to future building construction by the State or on a lease with option-to-buy basis, to be allotted by the Director of the Division of Budget and Accounting, subject to the approval of the Legislative Budget and Finance Director	$50,000 00

The unexpended balance in this account as of June 30, 1960 is hereby reappropriated.

E 30. *Division of Purchase and Property*

Electrical distribution system—State House	$50,000 00

The unexpended balance as of June 30, 1960, in this account is hereby reappropriated.

Total, Department of the Treasury	$100,000 00

DEPARTMENT OF DEFENSE

J 11. *National Guard and/or State Guard*

Capital Construction:		
Rehabilitation—		
Newark Cavalry Armory	$78,000 00	
Roads and approaches	100,000 00	
		$178,000 00

The unexpended balances as of June 30, 1960, in the accounts for capital construction are hereby reappropriated and any additional Federal aid made available by the Congress for capital construction purposes is hereby appropriated for use by the Department of Defense.

Funds derived from the sale of any buildings or lands held by the Department of Defense are hereby appropriated for the acquisition of other lands, for rehabilitation or

improvement of existing installations and for the construction of new buildings for use by the State Military or Naval Services; provided, however, that allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

N 20. *Division of Planning and Development*

Forests, parks and recreational area developments	$500,000 00	
Roads and approaches..	100,000 00	
		$600,000 00

The unexpended balances in these accounts as of June 30, 1960, are hereby reappropriated.

There are hereby appropriated the receipts derived from sales of land to the State Highway Department acquired under Title 13 for the acquisition of lands for similar purposes as described in Title 13.

2 N 20. *Morris Canal and Banking Company*

The unexpended balances in this account as of June 30, 1960, are hereby reappropriated.

1 N 51. *Division of Fish and Game—Public Shooting and Fishing Grounds Fund*

Land	$60,000 00
Total, Department of Conservation and Economic Development	$660,000 00

DEPARTMENT OF EDUCATION

P 60. *New Jersey School for the Deaf*

The unexpended balance remaining in this account as of June 30, 1960 is hereby reappropriated.

P 70, P 71, P 72. *Rutgers University, The State University of New Jersey*

Institutional Roads and Approaches:		
Parking areas—General University	$15,000 00	
Parking areas and driveways — Douglass College	5,000 00	
Roadways and engineering — Experimental Station	5,000 00	
		$25,000 00

The unexpended balance as of June 30, 1960 in this account is hereby reappropriated for the same purposes.

P 94. *New Jersey State Colleges*

Roads and parking construction	$150,000 00

The unexpended balance as of June 30, 1960 in the account for New Jersey State Colleges construction is hereby reappropriated.

Total, Department of Education	$175,000 00

STATE HIGHWAY DEPARTMENT

R 12. *Construction of State Highway System*

Operating costs—Construction and right-of-way divisions	$4,148,042 00	
State Highway Projects—		
Federal aid participation	20,860,190 00	
Non-Federal aid	20,139,810 00	
		$45,148,042 00

The unexpended balances as of June 30, 1960 in all accounts providing for construction of the State highway system are hereby reappropriated.

The unexpended balance as of June 30, 1960 in the account appropriated by chapter 228, laws of 1955 to the State Highway Department for construction, reconstruction and repair of the free bridges under the control of the Delaware River Joint Toll Bridge Commission, damaged by

flood, is hereby reappropriated for the construction and reconstruction of free bridges and approaches under the control of the Delaware River Joint Toll Bridge Commission.

In addition to the amounts hereinabove appropriated for construction of the State highway system, there are appropriated such sums as may be receivable from, or authorized or allocated by the Federal Government, the New Jersey Turnpike Authority, the New Jersey Highway Authority, the Delaware River Joint Toll Bridge Commission, the Delaware River Authority, and the Port of New York Authority, for construction purposes.

Of the amount appropriated hereinabove for construction of the State highway system, a sum not to exceed $7,000,000.00 shall be available for the cost of a commuter and passenger railroad service program, as provided in the "Report to Governor Robert B. Meyner and the New Jersey State Legislature" entitled "New Jersey's Rail Transportation Problem, a Review and Suggestions for Immediate and Long Range Action" submitted by the New Jersey State Highway Department, Division of Railroad Transportation, dated April 4, 1960 and filed with the Senate and the General Assembly on April 11, 1960, subject to enactment of enabling legislation.

The amounts provided herein for construction of the State highway system and the purchase of rights-of-way shall be set forth in a construction program by route numbers by the State Highway Commissioner and shall not be expended or contracted for until such time as the Governor approves in writing.

New Buildings and Lands:
Installation of traffic signals $200,000 00

The unexpended balance as of June 30, 1960 in the appropriation of $150,000.00 made in the fiscal year 1958-59 for a garage in the Bergen-Passaic or Middlesex-Somerset areas is hereby reappropriated for construction of Building No. 4, Fernwood, Cinder Block for Building Maintenance Section; New Wash House, Fernwood; Four Maintenance Buildings; Four Storage Outbuildings; or other projects, the allotment of which shall be subject to approval by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

The unexpended balances as of June 30, 1960 in the accounts for new buildings and lands are hereby reappropriated.

Total, State Highway Department $45,348,042 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Miscellaneous Urgent Capital

S 30—State Colony, New Lisbon—		
Replace roofs — Patients' cottages	$27,930	00
Fire protection	17,500	00
Employee housing	30,939	00
S 31—State Colony, Woodbine—		
Hospital improvements	54,150	00
Terrazzo flooring—Cottage 6	17,435	00
S 32—New Jersey Home for Disabled Soldiers — Menlo Park—		
Fire protection	4,000	00
S 33—New Jersey Home for Disabled Soldiers — Vineland—		
Bathroom renovations—Main building	33,000	00
S 34—North Jersey Training School, Totowa—		
Steam line improvements	21,850	00
Fire protection	28,000	00

S 36—New Jersey Reformatory, Bordentown—	
Communication system	25,000 00
Locking system..	100,000 00
S 38—New Jersey Sanatorium for Chest Diseases, Glen Gardner—	
Building improvements	17,250 00
S 39—State Home for Boys, Jamesburg—	
Replace sewer lines	62,615 00
S 41—New Jersey State Hospital, Greystone Park—	
Water system improvements ..	150,000 00
Replace window guards and doors	75,000 00
Hot water improvements ..	71,000 00
S 42—New Jersey State Hospital, Marlboro—	
Patient cottage renovations ..	88,000 00
Medical supply room	40,220 00
S 43—New Jersey State Hospital, Trenton—	
Vroom Building improvements.	66,000 00

S 44—New Jersey State Prison, Trenton—		
Fire protection..	7,910 00	
S 48—Vineland State School—		
Fire protection..	20,000 00	
		$957,799 00

Major Urgent Capital

S 39—State Home for Boys, Jamesburg—		
Replace boilers and equipment	$265,000 00	
S 43—New Jersey State Hospital, Trenton—		
Reconstruct and fireproof—West main	728,000 00	
		$993,000 00

Roads and Approaches

Roads and approaches	$75,000 00
Total, Department of Institutions and Agencies	$2,025,799 00

The unexpended balances remaining in the capital construction accounts of this department as of June 30, 1960 are hereby reappropriated.

Total, Capital Construction..	$49,510,091 00
Grand Total Appropriation.	$431,883,569 00

Additional Appropriations.

2. In addition to the amounts hereinabove specifically appropriated, there are appropriated the following: sums required to refund amounts credited to the State Treasury which do not represent State revenues; Federal funds for the use of the State or its agencies in excess of those anticipated; funds donated to the Crippled Children's Commission; moneys received representing insurance to cover losses by fire and other casualties; moneys received by any State Department or agency from the sale of equipment, when such funds are received in lieu of trade-in value in the replacement of such equipment; private funds subsidizing the State; sums received in the State Treasury representing refunds of payments made from appropriations provided in this act.

Transfers.

3. In order that there be flexibility in the handling of appropriations, any department or other State agency receiving an appropriation by any act of the Legislature may apply to the Director of the Division of Budget and Accounting for permission to transfer a part of any item granted to such department or agency to any other item in such appropriation. Such application shall be made only during the current year for which the appropriation was made, and if the Director of the Division of Budget and Accounting shall consent thereto, he shall, subject to the approval of the Legislative Budget and Finance Director, place the amount so transferred to the credit of the item so designated; provided, however, that no sum appropriated for any permanent improvement shall be used for maintenance or for any temporary purpose except temporary motor vehicle inspection lanes, health and sanitary improvements in motor vehicle inspection stations and a commuter and passenger railroad service program; and provided further, that any item for capital improvement may be transferred to any other item of capital improvement on the approval of the Director of the Division of Budget and Accounting.

Transfers to other department or branch; new accounts.

4. The Director of the Division of Budget and Accounting, subject to the approval of the Legislative Budget and Finance Director, is hereby empowered, and it shall be his duty in the disbursement of funds appropriated for the maintenance and operation of any department or branch thereof, the duties or responsibilities of which are or may hereafter be transferred to any other department or branch, to transfer such appropriations to such department or branch as shall be charged with the responsibility of administering the functions of such department or branch so transferred. The Director of the Division of Budget and Accounting shall also have the authority to create such new accounts as may be necessary to carry out the intent of the Legislature.

Treasury Department to be credited for payments to various funds.

5. The Director of the Division of Budget and Accounting is hereby empowered, and it shall be his duty in the disbursement of funds for payment of pensions, contributions to pension funds, debt service, charges for rents, telephone, insurance and postage to credit to the Department of the Treasury such funds as may be appropriated for such purposes in any other department or branch from such other department or branch, as the Director of the Division of Budget and Accounting shall determine.

Corrections made to comply with intentions.

6. The Director of the Division of Budget and Accounting shall make such correction of the title, text or account number of an appropriation, necessary to make such appropriation available for the purpose or purposes intended. Such correction shall be by written ruling, reciting in appropriate details the facts thereof, and the reasons therefor, attested by the signature of said Director of the Division of Budget and Accounting and filed in the Division of Budget and Accounting of the Department of the Treasury as an official record thereof, and any action thereunder, including disbursements and the audit thereof, shall be legally binding and of full force and virtue.

Authorizes payment for architectural, etc., work.

7. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of the law, to transfer or credit from the various appropriations for construction, reconstruction, additions to and betterments of State buildings and appurtenances thereto, herein contained, to the appropriation for the bureau of architecture and construction of the Department of the Treasury a sufficient sum to pay for the cost of all architectural work, superintendence and other expert services in connection with such work.

Petty cash fund.

8. The Director of the Division of Budget and Accounting may, upon application therefor, allot from appropriations made to any official, department, commission or board a sum to establish a petty cash fund, for the payment of expenses under rules and regulations established by said director. The allotments thus made by the Director of the Division of Budget and Accounting shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making request therefor, and the money thus allotted shall be disbursed by such custodian, who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Director of the Division of Budget and Accounting for audit, and said director shall likewise make regulations governing disbursements from petty cash funds.

Transfers from special or dedicated funds.

9. The Director of the Division of Budget and Accounting is hereby empowered, notwithstanding any other provision of law, to transfer to the General State Fund out of any special, dedicated or trust fund such proportionate share of any appropriation made herein, which may be chargeable against such special, dedicated or trust fund. Any receipts in any special, dedicated or trust fund are hereby appropriated for the purpose of such transfer.

10. The State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay any claim not exceeding $250.00 out of any appropriations made to the several departments, provided such claim is recommended for payment by the Attorney General and approved by the Legislative Budget and Finance Director. Payment of Claims; limitation.

11. This act shall take effect July 1, 1960. Act effective.

Approved except as to items set forth in the statement appended hereto June 14, 1960.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

June 14, 1960.

STATEMENT ON SENATE BILL No. 250

Pursuant to Article V, Section I, paragraph 15 of the Constitution, I am appending to Senate Bill No. 250, at the time of signing it, this statement of each item or part thereof to which I object so that each item or part thereof so objected to shall not take effect.

On pages 7 and 8:

"A 9. SENATE

"Extraordinary:

"To establish a legislative contingent fund to be expended by the committees of the Senate and the joint legislative commissions established and to be established, for the payment of compensation for professional services and other expenses incurred in connection with special research, study or survey projects, not otherwise provided for by appropriation, to

the extent of $50,000.00 when the amount of the expenditures to be made by each such committee on each project is authorized to be made by resolution of the Senate and when the amount of the expenditures to be made by each such joint legislative commission on each project is authorized to be made by concurrent resolution and each expenditure to be approved by the chairman of the committee or joint legislative commission and audited by the Legislative Budget and Finance Director ..... $50,000 00''

On page 9:

''A 10. General Assembly

''Extraordinary:

''To establish a legislative contingent fund to be expended by the committees of the General Assembly and the joint legislative commissions established and to be established, for the payment of compensation for professional services and other expenses incurred in connection with special research, study or survey projects, not otherwise provided for by appropriation, to the extent of $50,000.00 when the amount of the expenditures to be made by each such committee on each project is authorized to be made by resolution of the General Assembly and when the amount of the expenditures to be made by each

such joint legislative commission on each project is authorized to be made by concurrent resolution and each expenditure to be approved by the chairman of the committee or joint legislative commission and audited by the Legislative Budget and Finance Director $50,000 00''

[SEAL] ROBERT B. MEYNER,
Attest: *Governor.*
H. CURTIS MEANOR,
Acting Secretary to the Governor.

CHAPTER 47

AN ACT concerning employees in counties of the first class having a population of less than 800,000, and supplementing chapter 10 of Title 43 of the Revised Statutes.

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

C. 43:10-7.1. Deduction of insurance premium from retirement allowance authorized.

1. Whenever any member of the pension fund established under article 1, chapter 10 of Title 43 of the Revised Statutes who has retired or shall retire from active service shall, in writing, request the pension commission to make deductions from his retirement allowance for the payment of premiums for any hospital service plan or medical surgical plan or both, the pension commission may make such deductions and transmit the sum so deducted to the company carrying the policy or policies. Any such written authorization may be withdrawn by any member upon filing notice of such withdrawal with the pension commission.

2. This act shall take effect immediately.

Approved June 14, 1960.

CHAPTER 48

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

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

Section amended.

1. Section 30 of the act of which this act is amendatory is amended to read as follows:

C. 30:4-123.30. Complete discharge from parole; condition; may relieve parolee of reporting.

30. Any prisoner released on parole as provided for herein may, in the discretion of the board, be given a complete discharge from parole prior to the expiration of the full maximum term for which he was sentenced less commutation time, provided that such parolee shall have completed at least 2 years of satisfactory adjustment while on parole. The board may in writing relieve a prisoner on parole from making further reports to his parole officer, and may in writing permit such prisoner to leave the State and reside elsewhere if satisfied that such change of residence is for the best interest of society and the welfare of the prisoner. Any such permission may be revoked by the board in its discretion.

2. This act shall take effect immediately.

Approved June 14, 1960.

CHAPTER 49

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

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

Section amended.

1. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 30:4-123.15. Terms and condition of parole; legal custody; payment of fines and costs.

15. If the board shall determine that a prisoner is eligible for parole then he may be released, upon such terms and conditions as the board shall prescribe, but while on parole shall at all times remain in the legal custody of the warden, keeper or chief executive officer of the institution from which he is paroled, and under immediate supervision of the Division of Parole of the Department of Institutions and Agencies in accordance with the rules of the board, until the expiration of the maximum sentence prescribed by law for the crime for which he was committed, and until payment has been made of any fine and costs imposed upon such prisoner, in the manner directed by the board as a condition of parole.

If an inmate is eligible for release on parole as otherwise provided for in this act or has served the maximum term of his sentence but is required to remain in confinement because of failure to pay a fine and costs imposed upon him, the board may release such inmate on parole upon condition that such fine and costs be paid, through the probation office of the county from which the inmate was committed, in weekly amounts to be fixed by the board. Failure to pay such fine and costs in the

manner directed by the board shall constitute sufficient cause for revocation of parole and upon such revocation and return to confinement the inmate shall not be released until said fine and costs are paid. remitted or worked out as provided in section 2A:166–16 of the New Jersey Statutes.

2. This act shall take effect immediately.

Approved June 14, 1960.

CHAPTER 50

AN ACT to amend "An act for the taxation of the gross receipts of street, railway, traction, sewerage, gas and electric light, heat and power corporations using or occupying the public streets, highways, roads or other public places, for the exemption from taxation of the franchises, stock and certain property of such corporations, and for the taxation of certain of the property of such corporations not so exempted from taxation," passed January 23, 1940 (P. L. 1940, c. 5), as said title was amended by chapter 264 of the laws of 1952.

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

Section amended.

1. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 54:30A-54. Imposition and rate of tax; computation and determination.

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

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

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

2. This act shall take effect January 1, 1961.

NOTE: Act effective.

Approved June 15, 1960.

CHAPTER 51

AN ACT concerning taxation, supplementing chapter 4 of Title 54, revising parts of the statutory law, and repealing sections 54:1–31, 54:1–32 and 54:4–3.16, of the Revised Statutes.

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

C. 54:4-2.25. Basis of assessment; taxable value; percentage levels.

1. All real property subject to assessment and taxation for local use shall be assessed according to the same standard of value, which shall be the true value of such real property and the assessment shall be expressed in terms of the taxable value of such property, which taxable value shall be that percentage of true value as shall be established by each county board of taxation as the level of taxable value to be applied uniformly throughout the county.

C. 54:4-2.26. Percentage level expressed as a multiple of 10%.

2. Every percentage level of taxable value of real property established by a county board of taxation shall be expressed as a multiple of 10%, and no level so established shall be lower than 20% or higher than 100% of the standard of value.

C. 54:4-2.27. Percentage level established by county board; change of level; notice.

3. Each county board of taxation shall, by resolution, establish the percentage level of taxable value of real property on or before April 1 of the year preceding the tax year, and the level so established shall be applied uniformly in such county for the purpose of assessing the taxable values to be used in levying taxes for the calendar year next succeeding the year in which such level was established. The level so established may be altered by any such board by establishing, on or before the date fixed by this section in any year, a new level; but the percentage level last established pursuant to this act shall remain in full force and effect for a period of not less than 3 years and until altered

as provided in this section. In the event that the county board of taxation for any county shall fail to initially establish the percentage level for such county, then until the same shall be done the level of assessment shall be 50% of the true value. The secretary of the county board of taxation, not later than April 10 of each year, shall mail to the Director of the Division of Taxation, to each assessor and board of assessors, and to the municipal clerk of each municipality within the county, a copy of such resolution, or, if such resolution was not adopted, a statement to that effect.

C. 54:4-2.28. Assessed at fair value.

4. The standard of value according to which tangible personal property used in business shall be assessed shall be the fair value thereof.

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

5. The fair value of tangible personal property used in business shall be presumed to be the net book value thereof as shown by the books and records of the person assessed as of the listing date; provided that the Director of the Division of Taxation may promulgate uniform rules and regulations for the determination and reporting of costs, depreciation, and net book value of such property as he may find necessary to provide for fair and equal assessments, and such rules and regulations may include provisions for averaging in a group or composite accounts in the case of a taxpayer holding items of like property in more than 1 taxing district, where it is determined by the director that it is impracticable to report with respect to each item separately; and provided that so long as any depreciable property shall remain in use or be held for use its fair value shall be presumed to be not less than 20% of its original cost to the person assessed as shown by his said books and records, unless otherwise provided in said uniform rules and regulations.

C. 54:4-2.30. Determining fair value of inventories; rules and regulations.

6. The fair value of inventories shall be determined according to the average fair value of such property which was in the possession of the taxpayer within the taxing district during the period of 12 months ending on the listing date, or that part

of such period during which he was engaged in business within the taxing district. Such average shall so far as possible be determined as the sum of the fair values as of the end of each such month or as of some other day or days of each such month divided by the number of months of such period or part thereof. The Director of the Division of Taxation may promulgate uniform rules and regulations for the fair, equitable and practical valuation of inventories.

Section amended.

7. Section 54:4–9 of the Revised Statutes is amended to read as follows:

Personal property; where assessed; liability for payment.

54:4–9. Tangible personal property used in business and subject to taxation in this State shall be assessed and taxed at its taxable value as defined by law, at the general tax rate of the taxing district wherein such property is found, for the use of such taxing district, in the manner provided by this article. The person lawfully assessed shall be personally liable for the payment of the tax so computed and assessed.

Section amended.

8. Section 54:4–11 of the Revised Statutes is amended to read as follows:

Taxable values to be percentage levels of fair value; listing date; levels; "used in business" defined; "common level" defined.

54:4–11. The taxable values of tangible personal property used in business in each taxing district shall be at those percentage levels of the fair value thereof as are set forth in this section. The taxable value shall be determined as of January 1, 1961, which shall be the listing date with respect to taxes payable in the year 1962, and as of a listing date of January 1 annually thereafter, which date shall be the date as of which the assessment is made. The said levels shall be as follows:

(a) On all machinery, implements, equipment and all other personal property used in business, other than inventories, farm machinery, farm livestock, crops and produce, the level shall be the common level, determined as hereinafter provided, at which real property in the taxing district is assessed.

(b) On inventories, but inventories of raw materials, supplies and small tools shall not be taxable, the level shall be ¼ of such common level.

(c) On farm machinery, farm livestock, crops, other than exempted growing crops, and produce, the level shall be ¼ of the percentage level established for real property in the county, or the level applicable to inventories in the respective taxing district under subsection (b) hereof, whichever is lower.

The term "used in business" shall mean used in any activity, transaction or privilege engaged in, conducted or exercised for gain or profit, or held for such use.

For the purpose of this section "common level" shall mean the unweighted average ratio of assessed to true value of real property in the taxing district determined by the Director of the Division of Taxation as of October 1 of the year preceding the tax year, from data compiled for the purposes of chapter 86, laws of 1954 (N. J. S. A. 54:1–35.1 et seq.); provided, nevertheless, that such common level shall not exceed the percentage level, in effect in the tax year, for expressing the taxable value of real property in the county. On or before such October 1, the director shall mail to the secretary of each county board of taxation and to the assessor or board of assessors, and the municipal clerk of each municipality, a certified list setting forth the unweighted average assessment ratio determined by him for each taxing district.

In the year in which a taxing district shall have completed and put into operation a district-wide adjustment of real property taxable valuations to conform to the percentage level established for expressing the taxable value of real property in the county, and if a statement to such effect has been included by the assessor in the affidavit prescribed by section 54:4–36 of the Revised Statutes, the common level shall be presumed, subject to rebuttal, to be the same level as is established for the taxable value of real property in the county.

C. 54:4-2.31. Rules and regulations ascertaining real or personal property.

9. The director shall make, promulgate and enforce uniform rules and regulations for ascertaining whether property is real or personal and for identifying and determining the several personal property classifications.

Section amended.

10. Section 54:4–12 of the Revised Statutes is amended to read as follows:

Owners of tangible personal property used in business to file returns annually; audit and review; valuations included in tax list and duplicate.

54:4–12. On or before May 1, 1961 and on or before May 1 in each year thereafter, each person owning personal property used in business within the taxing district during any part of the 12-month period ending on the preceding listing date and taxable under this article shall prepare and file with the assessor a return of such taxable personal property in such form and containing such information relating thereto as the Director of the Division of Taxation shall prescribe. The returns required to be filed on or before May 1, 1961 shall be filed in duplicate and every assessor shall, upon receipt thereof, forward the duplicate to the Director of the Division of Taxation. The return shall list such property for taxation according to its fair value as of the preceding listing date, and a separate return shall be required for personal property situated in each taxing district. All such returns shall be verified by the owner or his authorized agent under the penalties of perjury. The assessors of the respective taxing districts shall review, audit and determine the taxable valuations of each taxpayer required to file a return with them and shall also determine the taxable value of tangible personal property not used in business. On or before January 10 in each year, the respective assessors shall complete such review, audit and determination. The assessor of each taxing district shall include in his tax list and duplicate the taxable valuations of tangible personal property determined by him.

Section amended.

11. Section 54:4–13 of the Revised Statutes is amended to read as follows:

Failure to file returns or fraudulent returns; penalties.

54:4–13. If any taxpayer shall refuse or neglect to file a return as required by this chapter, the assessor shall value the taxable personal property

of such taxpayer at such amount as he may, from any information in his possession or available to him, reasonably determine to be the taxable value at which such property is assessable. Any taxpayer who fails or neglects to file a return within the time required by this chapter shall be assessed a penalty of $2.00 for each day or part thereof of such delinquency. In addition to such penalty, any taxpayer who shall fail to file a return prior to the expiration of 3 months following the last date for filing as fixed by law, or who shall file a willfully false or fraudulent return shall be subject to the further penalty of a sum equivalent to 25% of the amount of the tax determined to be due which penalty shall be due and payable at the end of said 3-month period, plus interest at the rate of 1% per month or fraction thereof on such tax and penalties until the same are paid. All penalties and interest shall be added to and become part of the tax and shall be enforceable and collectible in the same manner as the tax or pursuant to the penalty enforcement law (chapter 58 of Title 2A of the New Jersey Statutes) in a summary manner. Such penalties and interest shall be assessed by the assessor and be payable to and recoverable by the tax collector of the taxing district. The assessor, upon request made on or before the expiration of 3 months next following the last date for filing any return as fixed by law, may extend the time to file such return to a date not later than the end of a 4-month period next following such last date for filing, for good cause shown.

C. 54:4-9.1. Assessment of tangible personal property not used in business; included in tax list and duplicate.

12. Tangible personal property not used in business, other than tangible household personal property and personal effects, shall be assessed and taxed for local use at the general tax rate of the taxing district wherein such property is found. Such property shall be assessed according to the fair value thereof, which shall be the fair market value thereof, and the assessment shall be expressed at that percentage of such fair value as is established pursuant to law as the percentage level for

the taxation of real property within the county in which the municipality is located. The taxable valuations of tangible personal property determined under this section shall be included by the assessor of each taxing district in his tax list and duplicate required to be filed on or before January 10 in each year.

C. 54:4-9.2. Assessment of household personalty; separate tax list and duplicate; fair value; local option.

13. (a) Tangible household personal property and personal effects shall be assessed and taxed for local use unless the governing body of the municipality within which the same is located shall determine, by ordinance, not to tax the same, in which event such property shall not be so assessed and taxed so long as the ordinance is in effect. A certified copy of such ordinance shall be filed with the Division of Taxation in the Department of the Treasury, and with the county board of taxation. Such property shall be assessed according to the fair value thereof, and the assessment shall be expressed at that percentage of such fair value as is established pursuant to law as the percentage level for the taxation of real property within the county in which the municipality is located. Such property shall be taxed at the general tax rate of the taxing district for the year preceding the year in which the tax is payable. The valuations of such property shall not be included in computing the "apportionment valuation" to be determined under R. S. 54:4–49, and the revenue from such taxation shall be treated as anticipated revenue from sources other than the general taxation of property. The taxable valuations of tangible household personal property and personal effects determined under this section shall be reported by the assessor of each taxing district on a separate tax list and duplicate which shall be filed with the county board of taxation on or before January 10 in each year.

(b) The fair value of tangible household personal property taxable pursuant to law shall be the value thereof for each household if offered for sale as a single lot. The owner of such property may file proofs with the assessor to assist in the determina-

tion of such fair value. In the absence of such proof, or of other proof, the assessor may assess the same by estimating the fair value thereof in terms of an average value per room, taking into account the size of the household, the general economic level of the neighborhood in which it is located, and such other relevant factors as will assist him in arriving at a fair, equitable and practicable valuation; but any such assessment shall be made according to standards and practices set forth in uniform rules and regulations promulgated by the Director of the Division of Taxation.

Section amended.

14. Section 54:1–21 of the Revised Statutes is amended to read as follows:

Decrease and equalization of assessments.

54:1–21. If upon such investigation it shall appear to the Director of the Division of Taxation that the assessment of any property lying in a taxing district or county, including such property of a railroad or canal company, and taxed for a common benefit, is greater than the taxable value thereof, he may, for that purpose, in order to equalize the valuations throughout the territory which contributes to the common burden, reduce the assessment to the amount of the taxable value of the property therein, and at the same time make such increases in the valuation as shall be warranted and as in this article provided. He may further, in any year in which the reduction or increase is made and the tax rate has already been fixed, in order to do justice, equitably equalize the assessment of any piece or pieces of property.

Section amended.

15. Section 54:1–26 of the Revised Statutes is amended to read as follows:

Director may increase assessments or require and make reassessment.

54:1–26. When the Director of the Division of Taxation has reason to believe that any property, including the property of railroad and canal companies, has been assessed at a rate lower than is consistent with the purpose of securing uniform taxable valuation of property according to law for the purpose of taxation, or that the assessment of property according to law in a taxing district is not in substantial compliance with the law and that the

interests of the public will be promoted by a reassessment of such property, he may, after due investigation, order or make a reassessment of any property undervalued or a reassessment of all the property in the taxing district.

Section amended.

16. Section 54:1–30 of the Revised Statutes is amended to read as follows:

Investigation for securing true valuation every 5 years.

54:1–30. The Director of the Division of Taxation shall, once in every 5 years beginning with the calendar year 1933, investigate in each county assessments made against any property, including the property of railroad and canal companies, for the purpose of securing a uniform taxable valuation of all such property within each county for the purpose of taxation. The investigation shall be conducted in the manner provided in sections 54:1–26 to 54:1–29 of this Title. The director may, after due investigation, order or make a reassessment of any property undervalued, or a reassessment of all property in the county.

Section amended.

17. Section 54:2–39 of the Revised Statutes is amended to read as follows:

Appeal from judgment of county board.

54:2–39. Any appellant who is dissatisfied with the judgment of the county board of taxation upon his appeal may appeal from that judgment to the Division of Tax Appeals in the Department of the Treasury by filing a petition of appeal to the division, in manner and form to be by said division prescribed, on or before December 15 following the date fixed for final decisions by the county boards, and the division shall proceed summarily to hear and determine all such appeals and render its judgment thereon as soon as may be.

Each petition of appeal shall be verified and shall contain full and complete information as to the land, including the size of the lot, a description of the buildings and structures thereon, if any, and the use thereof and further shall detail the income and expense of operation in cases of income-producing property.

No appeal, however, shall lie to the Division of Tax Appeals in the Department of the Treasury

where the appeal to the county board of taxation has been (a) withdrawn at the hearing, or previously thereto in writing by the appellant or his agent; (b) dismissed because of appellant's failure to prosecute the appeal at a hearing called by the county tax board; (c) settled by mutual consent of the taxpayer and assessor of the taxing district. This provision shall not preclude an appeal to the Division of Tax Appeals in the Department of the Treasury in the event that the appeal was "dismissed without prejudice" by the county board of taxation.

Section amended.

18. Section 54:3–13 of the Revised Statutes is amended to read as follows:

Secure taxation at taxable value.

54:3–13. Each county board of taxation shall secure the taxation of all property in the county at its taxable value as prescribed by law, in order that all property, except such as shall be exempt by law, shall bear its full and just share of taxes.

Section amended.

19. Section 54:3–17 of the Revised Statutes is amended to read as follows:

Ascertain ratio of assessments to value; equalization table; copies to assessors and division of taxation.

54:3–17. Each county board of taxation shall annually ascertain and determine, according to its best knowledge and information, the general ratio or percentage of true value at which the real property of each taxing district is in fact assessed according to the tax lists laid before the board. It shall prepare an equalization table showing, for each district, the following items:

(a) The percentage level established pursuant to law for expressing the taxable value of real property in the county;

(b) the aggregate assessed value of the real property, exclusive of Class II railroad property;

(c) the ratio of aggregate assessed to aggregate true value of the real property, exclusive of Class II railroad property;

(d) the aggregate true value of the real property, exclusive of Class II railroad property;

(e) the amount by which the valuation in item (b) should be increased or decreased in order to correspond to item (d);

(f) the aggregate assessed value of machinery, implements and equipment and all other personal property used in business, other than inventories, farm machinery, farm livestock, crops and produce;

(g) the aggregate fair value of machinery, implements and equipment and all other personal property used in business, other than inventories, farm machinery, farm livestock, crops and produce;

(h) the amount by which the valuation in item (f) should be increased or decreased in order to correspond to item (g);

(i) the aggregate assessed value of inventories used in business;

(j) the aggregate fair value of inventories used in business;

(k) the aggregate equalized valuation of inventories used in business, computed by multiplying the aggregate fair value thereof by 25%;

(l) the amount by which the valuation in item (i) should be increased or decreased in order to correspond to item (k);

(m) the aggregate assessed value of farm machinery, farm livestock, crops and produce;

(n) the aggregate fair value of farm machinery, farm livestock, crops and produce;

(o) the aggregate equalized valuation of farm machinery, farm livestock, crops and produce, computed by multiplying the fair value thereof by 25%;

(p) the amount by which the valuation in item (m) should be increased or decreased to correspond to item (o).

A copy of the table shall be mailed to the assessor of each district, and to the Division of Taxation, and be posted at the courthouse, at least 1 week before the hearings provided for in section 54:3–18 of this Title.

Section amended.

20. Section 54:3–18 of the Revised Statutes is amended to read as follows:

Meeting for equalizing assessments; hearing and notice.

54:3–18. The county board of taxation in each county shall meet annually on January 25 (or if that date is a Sunday or legal holiday, on the next succeeding day which is neither a Sunday nor a

legal holiday) for the purpose of equalizing the assessments of property among the several taxing districts of the county. At the meeting a hearing shall be given to the assessors and representatives of the governing bodies of the various taxing districts for the purpose of determining the accuracy of the ratios and valuations of property as shown in the equalization table, and the board shall confirm or revise the table in accordance with the facts. The hearings may be adjourned from time to time but the equalization shall be completed before March 10. At the first hearing any taxing district may object to the ratio or valuation fixed for any other district, but no increase in any valuation as shown in the table shall be made by the board without giving a hearing, after 3 days' notice, to the governing body of the taxing district affected.

Section amended.

21. Section 54:3–19 of the Revised Statutes is amended to read as follows:

Valuation of real property as confirmed to be final; copies of table.

54:3–19. After the equalization table is finally confirmed by the board, the valuations of property in each district as equalized shall be deemed to be the valuation of such property in computing the total ratables of each district for all apportionments of county and State taxes, charges or distribution of moneys, except as may be otherwise provided by law. A certified copy of the equalization table as confirmed shall be transmitted to the Division of Tax Appeals, the Director of the Division of Taxation, and each taxing district in the county.

Section amended.

22. Section 54:3–22 of the Revised Statutes is amended to read as follows:

Hearing of appeals; witnesses.

54:3–22. The board shall thereupon make such order respecting the time and manner for hearing the appeal as it may deem just, and shall summarily hear and determine the appeal, and revise and correct the assessment in accordance with the value prescribed by law. All appeals filed pursuant to the provisions of chapter 3 of Title 54 of the Revised Statutes shall be heard and determined by the board. It may compel the attendance of witnesses, the production of books and papers before it,

examine witnesses or cause witnesses to be examined under oath before it, which oath may be administered by a member of the board. In any proceeding before the board where deeds or other instruments of conveyance do not state the true consideration or sale price of the property, which is the subject of appeal, the United States documentary stamps attached, if any, to such deeds or instruments as well as recitals in such deed or in other instruments of record with respect to such property shall be admitted as prima facie evidence of the true consideration or sales price of the said property.

Section amended.

23. Section 54:4–1 of the Revised Statutes is amended to read as follows:

Property subject to tax; assessment of agricultural land; intangible personal property excluded omitted property.

54:4–1. All property real and personal within the jurisdiction of this State not expressly exempted from taxation or expressly excluded from the operation of this chapter shall be subject to taxation annually under this chapter. Such property shall be valued and assessed at the taxable value prescribed by law. An executory contract for the sale of land, under which the vendee is entitled to or does take possession thereof, shall be deemed, for the purpose of this act, a mortgage of said land for the unpaid balance of purchase price. In the assessment of acreage which is actively devoted to agricultural use, such value shall not be deemed to include prospective value for subdivisions or non-agricultural use. Personal property taxable under this chapter shall include, however, only tangible goods and chattels and shall not include any intangible personal property whatsoever whether or not such personalty is evidenced by a tangible or intangible chose in action, except as otherwise provided by section 54:4–20 hereof. Property omitted from any assessment may be assessed by the county board of taxation within such time and in such manner as shall be provided by law. The person assessed for personal property shall be personally liable for the taxes thereon.

Section amended.

24. Section 54:4–3.3 of the Revised Statutes is amended to read as follows:

Exemption of public property; Morris Canal and Banking Company property.

54:4–3.3. Except as otherwise provided by article 1 of this chapter (§ 54:4–1 et seq.), the property of the State of New Jersey; and the property of the respective counties, school districts and taxing districts used for public purposes, or for the preservation or exhibit of historical data, records or property; and property acquired by any municipality through tax title foreclosure or by deed in lieu of foreclosure, if not used for private purpose, shall be exempt from taxation under this chapter, but this exemption shall not include real property bought in for debts or on foreclosure of mortgages given to secure loans out of public funds or out of money in court, which property shall be taxed unless devoted to public uses. The lands of counties, municipalities, and other municipal and public agencies of this State used for the purpose and for the protection of a public water supply, shall be subject to taxation by the respective taxing districts where situated, at the taxable value thereof, without regard to any buildings or other improvements thereon, in the same manner and to the same extent as the lands of private persons, but all other property so used shall be exempt from taxation. Property, the title to which is in the Morris Canal and Banking Company, in trust for the State, shall, so long as the title is so vested, be deemed to be the property of the State within the meaning of any tax law.

Section amended.

25. Section 54:4–23 of the Revised Statutes is amended to read as follows:

Date of assessment; duty of assessor; standard of value.

54:4–23. All real property shall be assessed to the person owning the same on October 1 in each year. The assessor shall ascertain the names of the owners of all real property situate in his taxing district, and after examination and inquiry, determine the full and fair value of each parcel of real property situate in the taxing district at such price as, in his judgment, it would sell for at a fair and bona fide sale by private contract on October 1 next

New Jersey State Library

preceding the date on which the assessor shall complete his assessments, as hereinafter required. For the purposes of assessment, the assessor shall compute and determine the taxable value of such real property at the level established for the county pursuant to law.

Section amended.

26. Section 54:4–24 of the Revised Statutes is amended to read as follows:

Assessor's list; form and content.

54:4–24. The assessor shall make a list in tabular form of the names of the owners, and set down in proper columns opposite each name the description and area of each parcel sufficient to ascertain its location and extent and the taxable value of each parcel as determined by him. Property held in trust shall be assessed in the name of 1 or more of the trustees as such, separately from his individual assessment. If the name of the owner of a parcel shall be unknown, it shall be so entered in the list of names, and where an owner is not known to reside in the taxing district the list shall describe him as nonresident.

Section amended.

27. Section 54:4–26 of the Revised Statutes is amended to read as follows:

Director may prescribe rules governing form and methods used by assessors.

54:4–26. In listing the names of owners and properties the assessor shall follow such forms and methods as may be prescribed by the Director of the Division of Taxation including, without limitation of the foregoing, a listing of the use of each parcel assessed, the taxable value of the land and of the buildings and improvements separately on each parcel, and the sum of such separate values as the assessed value of the parcel, and in such case the tax bill shall contain the separate valuations of land and of buildings and improvements.

In addition to the foregoing, the director may by rule require the assessor to certify land and improvements in his tax list according to such characteristics thereof as the director may prescribe and he may require the assessor to append to his tax list a statement showing the total valuation of each category of such property in the taxing district.

28. Section 54:4–27 of the Revised Statutes is amended to read as follows: Section amended.

54:4–27. The assessor shall enter in a separate list a description of all cemeteries, churches, public buildings and other real property exempt from taxation, and all exempt personal property, with the name of the owner, and shall value such land and buildings and personal property at the amount which would be the taxable value if the same were not exempt from taxation in the same manner as other real and personal property, and in each case he shall state the ground of exemption. Exempt property listed separately.

29. Section 54:4–34 of the Revised Statutes is amended to read as follows: Section amended.

54:4–34. Every owner of real property of the taxing district shall, on application of the assessor, render a full and true account of his name and real property and the income therefrom, in the case of income-producing property, and produce his title papers, and he may be examined on oath by the assessor, and if he shall refuse so to do, or to testify on oath when required, or shall render a false or fraudulent account, the assessor shall value his property at such amount as he may, from any information in his possession or available to him, reasonably determine to be the full and fair value thereof. Statement by owner; examination by assessor.

30. Section 54:4–35 of the Revised Statutes is amended to read as follows: Section amended.

54:4–35. The assessor shall determine his taxable valuations of real property and taxable tangible personal property not used in business as of October 1 in each year and shall complete the preparation of his assessment list by January 10 following, on which date he shall attend before the county board of taxation and file with the board his complete assessment list, and a true copy thereof, to be called the assessor's duplicate. Such list and duplicate shall include the assessments of personal property reported or determined pursuant to this chapter. They shall be properly made up in Period of assessing; assessor's list and duplicate.

such manner and form required by the Director of the Division of Taxation pursuant to section 54:4–26 of this chapter, to be examined, revised and corrected by the board as provided by law.

Section amended.

31. Section 54:4–36 of the Revised Statutes is amended to read as follows:

Assessor's affidavit; form and content; district wide adjustment.

54:4–36. (a) The assessor shall annex to his assessment list and duplicate so filed, his affidavit in substantially the following form:

"I, ..., as assessor of the ..... of ....., do swear (or affirm) that the foregoing list contains the valuations of all the property liable to taxation in the taxing district in which I am assessor, and that such property has been valued without favor or partiality, at its taxable value and I have allowed only such exemptions as are prescribed by law."

(b) If applicable, the following statement required by R. S. 54:4–11 shall be added to the foregoing affidavit:

"I do further swear (or affirm) that, for the tax year 19....., I have completed and put into operation a district-wide adjustment of real property taxable valuations and such taxable valuations conform to the percentage level established for such year for expressing the taxable value of real property in the county."

Section amended.

32. Section 54:4–47 of the Revised Statutes is amended to read as follows:

Revision and equalization; functions of county board.

54:4–47. The county board may adjourn from time to time in the discharge of its duties, and may, after investigation, revise, correct and equalize the assessed value of all property in the respective taxing districts, increase or decrease the assessed value of any property not valued at its taxable value, assess property omitted from any assessment, as provided by law, at its taxable value, and in general do everything necessary for the taxation of all property in the county at its taxable value.

C. 54:4-9.3. Limitation period on determination of taxable valuations.

33. Except in the case of a willfully false or fraudulent return made with intent to evade valuation, assessment or taxation of personal property pursuant to chapter 4 of Title 54 of the Revised Statutes, no increase in any taxable valuation of property reported or required to be reported in such return shall be made by the assessor after the expiration of 2 years from the date of the filing of a return; provided that where no return required by law has been filed, the taxable value may be determined and assessed at any time within 6 years after the date upon which such return was required to be filed. Notwithstanding any other provision of law relating to the assessment of taxable property omitted from assessment under said chapter, the times within which such assessments of tangible personal property may be made shall be as provided in this section.

Section amended.

34. Section 2 of chapter 397 of the laws of 1941 (C. 54:4–63.2) is amended to read as follows:

C. 54:4-63.2. Valuation of real property with structures thereon, etc., after October 1 and completed before January 1, assessment.

2. When any parcel of real property has been sold by any municipality as not needed for public use, and the deed has been delivered after October 1 in any year and before January 1 following, or when any parcel of real property contains any building or other structure which has been erected, added to or improved after October 1 in any year and completed before January 1 following, the assessor shall, after examination and inquiry, determine the taxable value of such parcel of real property as of said January 1, and if such parcel of real estate was not assessed as of October 1 preceding or if such value so determined exceeds the assessment made as of October 1 preceding, the assessor shall enter the amount of such assessment or such excess, as an assessment or an added assessment against such parcel of real property, in a list to be known as the "Added Assessment List, 19" (inserting the name of the year in which the assessment is made); such entry to be made opposite the name of the owner and the description and area of the parcel of real property.

Section amended.

35. Section 3 of chapter 397 of the laws of 1941 (C. 54:4–63.3) is amended to read as follows:

C. 54:4-63.3. Structure erected, etc., after October 1 and completed after January 1; valuation and assessment.

3. When any parcel of real property has been sold by any municipality as not needed for public use, and the deed has been delivered between January 1 and October 1 in any year, or when any parcel of real property contains any building or other structure which has been erected, added to or improved after October 1 and completed between January 1 and October 1 following, the assessor shall, after examination and inquiry, determine the taxable value of such parcel of real property as of the first of the month following the date of delivery of such deed, or of such completion, and if such property was not assessed as of October 1 preceding or, if such value so determined exceeds the assessment made as of October 1 preceding, the assessor shall enter an assessment, as an added assessment against such parcel of real property, in the "Added Assessment List, 19," which assessment shall be determined as follows: by multiplying the amount of such assessment or such excess by the number of whole months remaining in the calendar year after the date of delivery of such deed, or of such completion, and dividing the result by 12.

C. 54:4-2.32. Provisions severable.

36. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

C. 54:4-2.33. Repealer.

37. Sections 54:1–31, 54:1–32, and 54:4–3.16 of the Revised Statutes are hereby repealed but only in respect to the taxation of property for the year 1962 and thereafter.

C. 54:4-2.34. Act effective; existing obligations not affected.

38. This act shall apply to real and personal property taxes due and payable in the year 1962 and thereafter, and shall not affect the obligation, lien, or duty to pay any taxes, interest or penalties which

have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1962, nor shall this act affect the legal authority to assess and collect taxes which may be or have been due and payable prior to January 1, 1962, together with such interest and penalties as would have accrued thereon under any provisions of law amended or repealed hereby; nor shall this act invalidate any assessments or affect any proceedings for the enforcement thereof pending upon the effective date of this act or upon January 1, 1962, or during the period between said dates.

C. 54:4-2.35. Treasurer to report to Legislature on proposed changes in act.

39. It is the intention of the Legislature that all pertinent statutes be revised in order that they may reflect the policies embodied in the provisions of this act, and for that purpose the State Treasurer is hereby directed to prepare, or cause to be prepared, an appropriate study and analysis of the statutory law relating to taxation and to report to the Legislature what provisions thereof require amendment, supplement or repeal in order that the same may be consistent with this act, and to recommend legislation for the purpose.

40. This act shall take effect immediately.

Approved June 15, 1960.

CHAPTER 52

AN ACT concerning evidence and witnesses, providing for the adoption of rules of evidence, supplementing subtitle 9 of Title 2A of the New Jersey Statutes, amending sections 2A:81–2, 2A:81–17, 2A:82–16 and 2A:82–27 and repealing sections 2A:81–3, 2A:81–5, 2A:81–7, 2A:81–9 and 2A:81–10 of said Title 2A.

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

ARTICLE I

GENERAL PROVISIONS

C. 2A:84A-1. Terms defined.

1. Rule 1. Definitions. As used in the rules set forth in this act or in rules adopted pursuant hereto, the terms defined in this article shall have the meaning specified unless the context indicates a contrary intention.

C. 2A:84A-2. Evidence.

2. Rule 1. (1) "Evidence" is the means from which inferences may be drawn as a basis of proof in duly constituted judicial or fact-finding tribunals, and includes testimony in the form of opinion, and hearsay.

C. 2A:84A-3. Relevant evidence.

3. Rule 1. (2) "Relevant evidence" means evidence having any tendency in reason to prove any material fact.

C. 2A:84A-4. Proof.

4. Rule 1. (3) "Proof" is all of the evidence before the trier of the fact relevant to a fact in issue which tends to prove the existence or nonexistence of such fact.

C. 2A:84A-5. Burden of Proof.

5. Rule 1. (4) "Burden of proof" means the obligation of a party to meet the requirements of a rule of law that the fact be proved either by a preponderance of the evidence or by clear and con-

vincing evidence or beyond a reasonable doubt, as the case may be. Burden of proof is synonymous with "burden of persuasion."

C. 2A:84A-6. Burden of producing evidence.

6. Rule 1. (5) "Burden of producing evidence" means the obligation of a party to introduce evidence when necessary to avoid the risk of a judgment or peremptory finding against him on a material issue of fact.

C. 2A:84A-7. Conduct.

7. Rule 1. (6) "Conduct" includes all active and passive behavior, both verbal and nonverbal.

C. 2A:84A-8. The hearing.

8. Rule 1. (7) "The hearing," unless some other is indicated by the context of the rule where the term is used, means the hearing at which the question under a rule is raised, and not some earlier or later hearing.

C. 2A:84A-9. Finding of fact.

9. Rule 1. (8) "Finding of fact" means the determination from proof or judicial notice of the existence of a fact. A ruling implies a supporting finding of fact; no separate or formal finding is required unless required by a statute or rule of court of this State.

C. 2A:84A-10. Guardian.

10. Rule 1. (9) "Guardian" means the person, committee, or other representative authorized by law to protect the person or estate or both of an incompetent or a sui juris person having a guardian and to act for him in matters affecting his person or property or both. An incompetent is a person under disability imposed by law.

C. 2A:84A-11. Judge.

11. Rule 1. (10) "Judge" means member or members or representative or representatives of a court or other tribunal conducting a trial or hearing at which evidence is introduced.

C. 2A:84A-12. Trier of facts.

12. Rule 1. (11) "Trier of fact" includes a jury and a judge when he is trying an issue of fact other than one relating to the admissibility of evidence.

C. 2A:84A-13. Verbal.

13. Rule 1. (12) "Verbal" includes both oral and written words.

C. 2A:84A-14. Writing.

14. Rule 1. (13) "Writing" means handwriting, typewriting, printing, photostating, photography and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures,

sounds or symbols, or combinations thereof, provided that such recording is (a) reasonably permanent and (b) readable by sight.

C. 2A:84A 15. Perceive.

15. Rule 1. (14) "Perceive" means acquire knowledge through one's own senses.

C. 2A:84A-16 Scope of the rules.

16. Rule 2. Scope of the rules.

(1) The provisions of article II, Privileges, shall apply in all cases and to all proceedings, places and inquiries, whether formal, informal, public or private, as well as to all branches of government and by whomsoever the same may be conducted, and none of said provisions shall be subject to being relaxed.

(2) All other rules contained in this act, or adopted pursuant hereto, shall apply in every proceeding, criminal or civil, conducted by or under the supervision of a court, in which evidence is produced.

(3) Except to the extent to which the rules of evidence may be relaxed by or pursuant to statute applicable to the particular tribunal and except as provided in paragraph (1) of this rule, the rules set forth in this act or adopted pursuant hereto shall apply to formal hearings before administrative agencies and tribunals.

(4) The enactment of the rules set forth in this act or the adoption of rules pursuant hereto shall not operate to repeal any statute by implication.

Article II

PRIVILEGES

C. 2A:84A-17. Privilege of accused.

17. Rule 23. Privilege of accused.

(1) Every person has in any criminal action in which he is an accused a right not to be called as a witness and not to testify.

(2) The spouse of the accused in a criminal action shall not testify in such action except to prove the fact of marriage unless (a) such spouse and the accused shall both consent, or (b) the accused is

charged with an offense against the spouse, a child of the accused or of the spouse, or a child to whom the accused or the spouse stands in the place of a parent, or (c) such spouse is the complainant.

(3) An accused in a criminal action has no privilege to refuse when ordered by the judge, to submit his body to examination or to do any act in the presence of the judge or the trier of the fact, except to refuse to testify.

(4) If an accused in a criminal action does not testify after direct evidence is received of facts which tend to prove some element of the crime and which facts, if untrue, he could disprove by his own testimony, counsel and the judge may comment on his failure to testify, and the trier of fact may draw an inference that accused cannot truthfully deny those facts.

18. Rule 24. Definition of incrimination.

C. 2A:84A-18. Definition of incrimination.

Within the meaning of this article, a matter will incriminate (a) if it constitutes an element of a crime against this State, or another State or the United States, or (b) is a circumstance which with other circumstances would be a basis for a reasonable inference of the commission of such a crime, or (c) is a clue to the discovery of a matter which is within clauses (a) or (b) above; provided, a matter will not be held to incriminate if it clearly appears that the witness has no reasonable cause to apprehend a criminal prosecution. In determining whether a matter is incriminating under clauses (a), (b) or (c) and whether a criminal prosecution is to be apprehended, other matters in evidence, or disclosed in argument, the implications of the question, the setting in which it is asked, the applicable statute of limitations and all other factors, shall be taken into consideration.

19. Rule 25. Self-incrimination: exceptions.

C. 2A:84A-19. Self-incrimination; exceptions.

Subject to Rule 37, every natural person has a right to refuse to disclose in an action or to a police officer or other official any matter that will incriminate him or expose him to a penalty or a forfeiture of his estate, except that under this rule:

(a) no person has the privilege to refuse to submit to examination for the purpose of discovering or recording his corporal features and other identifying characteristics or his physical or mental condition;

(b) no person has the privilege to refuse to obey an order made by a court to produce for use as evidence or otherwise a document, chattel or other thing under his control if some other person or a corporation or other association has a superior right to the possession of the thing ordered to be produced;

(c) no person has a privilege to refuse to disclose any matter which the statutes or regulations governing his office, activity, occupation, profession or calling, or governing the corporation or association of which he is an officer, agent or employee, require him to record or report or disclose except to the extent that such statutes or regulations provide that the matter to be recorded, reported or disclosed shall be privileged or confidential;

(d) subject to the same limitations on evidence affecting credibility as apply to any other witness, the accused in a criminal action or a party in a civil action who voluntarily testifies in the action upon the merits does not have the privilege to refuse to disclose in that action, any matter relevant to any issue therein.

C. 2A:84A-20. Lawyer-Client privilege; exceptions; terms "Client" and "lawyer" defined.

20. Rule 26. Lawyer-client privilege.

(1) General rule. Subject to Rule 37 and except as otherwise provided by paragraph 2 of this rule communications between lawyer and his client in the course of that relationship and in professional confidence, are privileged, and a client has a privilege (a) to refuse to disclose any such communication, and (b) to prevent his lawyer from disclosing it, and (c) to prevent any other witness from disclosing such communication if it came to the knowledge of such witness (i) in the course of its transmittal between the client and the lawyer, or (ii) in a manner not reasonably to be anticipated,

or (iii) as a result of a breach of the lawyer-client relationship, or (iv) in the course of a recognized confidential or privileged communication between the client and such witness. The privilege shall be claimed by the lawyer unless otherwise instructed by the client or his representative; the privilege may be claimed by the client in person, or if incompetent or deceased, by his guardian or personal representative. Where a corporation or association is the client having the privilege and it has been dissolved, the privilege may be claimed by its successors, assigns or trustees in dissolution.

(2) Exceptions. Such privilege shall not extend (a) to a communication in the course of legal service sought or obtained in aid of the commission of a crime or a fraud, or (b) to a communication relevant to an issue between parties all of whom claim through the client, regardless of whether the respective claims are by testate or intestate succession or by inter vivos transaction, or (c) to a communication relevant to an issue of breach of duty by the lawyer to his client, or by the client to his lawyer. Where 2 or more persons have employed a lawyer to act for them in common, none of them can assert such privilege as against the others as to communications with respect to that matter.

(3) Definitions. As used in this rule (a) "client" means a person or corporation or other association that, directly or through an authorized representative, consults a lawyer or the lawyer's representative for the purpose of retaining the lawyer or securing legal service or advice from him in his professional capacity; and includes an incompetent whose guardian so consults the lawyer or the lawyer's representative in behalf of the incompetent, (b) "lawyer" means a person authorized, or reasonably believed by the client to be authorized to practice law in any State or nation the law of which recognizes a privilege against disclosure of confidential communications between client and lawyer. A communication made in the course of relationship between lawyer and

client shall be presumed to have been made in professional confidence unless knowingly made within the hearing of some person whose presence nullified the privilege.

C. 2A:84A-21. Newspaperman's privilege.

21. Rule 27. Newspaperman's privilege.

Subject to Rule 37, a person engaged on, connected with, or employed by, a newspaper has a privilege to refuse to disclose the source, author, means, agency or person from or through whom any information published in such newspaper was procured, obtained, supplied, furnished, or delivered.

C. 2A:84-22. Marital privilege—confidential communications.

22. Rule 28. Marital privilege—confidential communications.

No person shall disclose any communication made in confidence between such person and his or her spouse unless both shall consent to the disclosure or unless the communication is relevant to an issue in an action between them or in a criminal action or proceeding coming within Rule 23 (2). When a spouse is incompetent or deceased, consent to the disclosure may be given for such spouse by the guardian, executor or administrator. The requirement for consent shall not terminate with divorce or separation. A communication between spouses while living separate and apart under a divorce from bed and board shall not be a privileged communication.

C. 2A:84A-23. Priest—penitent privilege.

23. Rule 29. Priest-penitent privilege.

Subject to Rule 37, a clergyman, minister or other person or practitioner authorized to perform similar functions, of any religion shall not be allowed or compelled to disclose a confession or other confidential communication made to him in his professional character, or as a spiritual advisor in the course of the discipline or practice of the religious body to which he belongs or of the religion which he professes.

C. 2A:84A-24. Religious belief.

24. Rule 30. Religious belief.

Every person has a privilege to refuse to disclose his theological opinion or religious belief unless his adherence or nonadherence to such an

opinion or belief is material to an issue in the action other than that of his credibility as a witness.

25. Rule 31. Political vote. C. 2A:84A-25. Political vote.

Every person has a privilege to refuse to disclose the tenor of his vote at a political election unless the judge finds that the vote was cast illegally.

26. Rule 32. Trade secret. C. 2A:84A-26. Trade secret.

The owner of a trade secret has a privilege, which may be claimed by him or his agent or employee, to refuse to disclose the secret and to prevent other persons from disclosing it if the judge finds that the allowance of the privilege will not tend to conceal fraud or otherwise work injustice.

27. Rule 34. Official information. C. 2A:84A-27. Official information.

No person shall disclose official information of this State or of the United States (a) if disclosure is forbidden by or pursuant to any Act of Congress or of this State, or (b) if the judge finds that disclosure of the information in the action will be harmful to the interests of the public.

28. Rule 36. Identity of informer. C. 2A:84A-28. Identity of informer.

A witness has a privilege to refuse to disclose the identity of a person who has furnished information purporting to disclose a violation of a provision of the laws of this State or of the United States to a representative of the State or the United States or a governmental division thereof, charged with the duty of enforcing that provision, and evidence thereof is inadmissible, unless the judge finds that (a) the identity of the person furnishing the information has already been otherwise disclosed or (b) disclosure of his identity is essential to assure a fair determination of the issues.

29. Rule 37. Waiver of privilege by contract or previous disclosure; limitations. C. 2A:84A-29. Waiver of privilege by contract or previous disclosure; limitations.

A person waives his right or privilege to refuse to disclose or to prevent another from disclosing a specified matter if he or any other person while the holder thereof has (a) contracted with anyone not to claim the right or privilege or, (b) without coercion and with knowledge of his right or privilege, made disclosure of any part of the

privileged matter or consented to such a disclosure made by anyone.

A disclosure which is itself privileged or otherwise protected by the common law, statutes or rules of court of this State, or by lawful contract, shall not constitute a waiver under this section. The failure of a witness to claim a right or privilege with respect to 1 question shall not operate as a waiver with respect to any other question.

C. 2A:84A-30. Admissibility of disclosure wrongfully compelled.

30. Rule 38. Admissibility of disclosure wrongfully compelled.

Evidence of a statement or other disclosure is inadmissible against the holder of the privilege if the disclosure was wrongfully made or erroneously required.

C. 2A:84A-31. Reference to exercise of privileges.

31. Rule 39. Reference to exercise of privileges.

Subject to paragraph (4) of Rule 23, if a privilege is exercised not to testify or to prevent another from testifying, either in the action or with respect to particular matters, or to refuse to disclose or to prevent another from disclosing any matter, the judge and counsel may not comment thereon, no presumption shall arise with respect to the exercise of the privilege, and the trier of fact may not draw any adverse inference therefrom. In those jury cases wherein the right to exercise a privilege, as herein provided, may be misunderstood and unfavorable inferences drawn by the trier of the fact, or be impaired in the particular case, the court, at the request of the party exercising the privilege, may instruct the jury in support of such privilege.

C. 2A:84A-32. Effect of error in overruling claim of privilege.

32. Rule 40. Effect of error in overruling claim of privilege.

(1) A party may predicate error on a ruling disallowing a claim of privilege only if he is the holder of the privilege.

(2) If a witness refuses to answer a question, under color of a privilege claimed pursuant to Rules 23 through 38, after the judge has ordered the witness to answer, and a contempt proceeding is brought against the witness, the court hearing

the same shall order it dismissed if it appears that the order directing the witness to answer was erroneous.

ARTICLE III

ADOPTION OF RULES

C. 33:84A-33. Supreme court may adopt rules.

33. The Supreme Court may adopt rules dealing with the admission or rejection of evidence, in accordance with the procedures set forth in this article.

C. 33:84A-34. Procedure for adopting rule or rules.

34. The subject matter and a tentative draft of a rule or rules proposed to be adopted pursuant to this article shall be entered upon the agenda and discussed at a Judicial Conference whose membership shall at least include delegates from the Supreme Court, the Appellate Division of the Superior Court, the judges of the Law Division and the Chancery Division of the Superior Court, the judges of the County Courts, the judges of the county district courts, the judges of the juvenile and domestic relations courts, the judges of the municipal courts, the surrogates, the State Bar Association, the county bar associations, the Senate and General Assembly, the Attorney General, the county prosecutors, the law schools of this State, and members of the public.

C. 2A:84A-35. Rule or rules publicly announced; time; copies furnished.

35. The proposed rule or rules shall be publicly announced by the Supreme Court on September 15 next following such Judicial Conference (or, if such day be a Saturday, Sunday or legal holiday, on the first day thereafter that is not), and the court shall, on the same day, cause true copies thereof to be delivered to the President of the Senate, the Speaker of the General Assembly, and the Governor.

C. 2A:84A-36. Effective date of rules.

36. The rule or rules so announced and delivered shall take effect on July 1 next following; provided, however, that all such rules shall remain subject to cancellation at any time up to such effective date by joint resolution to that effect adopted

by the Senate and General Assembly and signed by the Governor.

C. 2A:84A-37. Change or cancellation rule or rules.

37. Any rule or rules so proposed or adopted shall be subject to change or cancellation at any time by statute or by a subsequent rule adopted pursuant to this article.

C. 2A:84A-38. Adoption of rule or rules by joint resolution of legislature.

38. By joint resolution adopted by the Senate and General Assembly and signed by the Governor with respect to a particular rule or rules therein specified, the Supreme Court may adopt such rule or rules at such time or times, or with such effective date, or without presentation at a Judicial Conference, as may be provided in the joint resolution.

C. 2A:84A-39. Time of cancellation may be reduced or eliminated.

39. By joint resolution adopted by the Senate and General Assembly and signed by the Governor with respect to a particular rule or rules therein specified, the period of time provided in section 36 during which the same may be canceled by joint resolution may be reduced or eliminated.

C. 2A:84A-40. Previous rule or rules to have no force and effect.

40. All previous laws or parts of laws dealing with the admission or rejection of evidence which shall be expressly identified by footnote to any rule so adopted, and which shall be in conflict or inconsistent with such rule or rules, or included therein, revised or rendered obsolete thereby, shall be of no further force or effect after such rule or rules shall have taken effect.

C. 2A:84A-41. Not to abridge, etc., any substantive right.

41. No rule adopted pursuant to this article shall abridge, enlarge or modify any substantive right or eliminate the right of trial by jury.

C. 2A:84A-42. Adopt rule not to apply to pending proceedings.

42. No rule adopted pursuant to this article shall be made applicable to pending proceedings or to existing rights or remedies except to the extent that such application is fair and practicable, and does not impair the obligation of contracts or deprive a party of any remedy for enforcing a contract which existed when the contract was made.

C. 2A:84A-43. Rules presented and arranged by supreme court; publish compilations; numbering and arrangement.

43. To the end that rules dealing with evidence may be conveniently presented and arranged, the Supreme Court may publish compilations and restatements thereof which may include, in addition to such rules as may be adopted pursuant to this

article, rules established by common law, statute, constitution or otherwise, together with editorial notes, tables and references, and with indications as to the source of each such rule. Where practicable or desirable, the numbering and arrangement of such publications shall conform to standard or uniform works on the subject, or provide cross-reference thereto.

C. 2A:84A-44. Previous rules to have force and effect.

44. All rules of court heretofore promulgated and which may deal with the admission or rejection of evidence shall be deemed to have the same force and effect as though they had been adopted pursuant to this article.

Article IV

Miscellaneous Revisions and Repealers

Section amended.

45. Section 2A:81–2 of Title 2A of the New Jersey Statutes is amended to read as follows:

Civil action involving lunatic or decedent.

2A:81–2. When 1 party to any civil action is a lunatic suing or defending by guardian or when 1 party sues or is sued in a representative capacity, any other party who asserts a claim or an affirmative defense against such lunatic or representative, supported by oral testimony of a promise, statement or act of the lunatic while of sound mind or of the decedent, shall be required to establish the same by clear and convincing proof.

Section amended.

46. Section 2A:81–17 of Title 2A of the New Jersey Statutes is amended to read as follows:

Privilege of witness from arrest during attendance.

2A:81–17. Except as provided in section 2A:81–21 of this Title, a witness shall be privileged from arrest in all civil actions, and no other, during necessary attendance at court or other place, required by subpœna previously duly served, and during his going to and returning therefrom, allowing 1 day for every 30 miles from his place of residence.

Any arrest made in violation of the privilege given by this section shall be a contempt of the

court out of which the subpœna issued, and the court, may, by an order, forthwith discharge the witness from arrest.

Section amended.

47. Section 2A:82–16 of Title 2A of the New Jersey Statutes is amended to read as follows:

Public records of foreign States, etc., U. S. departments, courts, etc., as evidence; copies filed with interstate commerce and Federal Communications Commissions.

2A:82–16. Any public record of any foreign State or territory, province, county or city, or of any court therein or any copy thereof, which is admissible in such State, territory, province, county or city, or in any court therein, to prove the facts therein contained, or any duly certified public record of any department of the United States Government or of any Federal court which is admissible in any Federal court or by virtue of any Federal statute to prove the facts therein contained, shall be admitted in evidence in the courts of this State, and shall be evidence of the facts therein contained, to the same extent as though the original paper or papers, of which the record thereof is a copy, had been produced and proved; provided, that whenever a copy of such record, other than a duly certified copy of any public record of any department of the United States Government or of any Federal court, shall be offered in evidence, the same shall not be admitted, unless the same shall have been first exemplified according to the Acts of Congress of the United States. Printed copies of (a) schedules, classifications, tariffs of rates, fares and charges, and supplements thereto filed with the Interstate Commerce Commission, which bear an Interstate Commerce Commission number which may be shown in abbreviated form as I. C. C. No. ....., and an effective date, and (b) tariffs, rates, rules, and supplements thereto of companies subject to the supervision of the Federal Communications Commission, shall be received in evidence to prove the contents thereof without certification although privately printed, and shall be presumed to be correct copies of the originals unless the contrary be shown.

Section amended.

48. Section 2A:82–27 of Title 2A of the New Jersey Statutes is amended to read as follows:

Judicial notice of foreign law; presumption as to common law.

2A:82–27. Whenever the common or statute law of any other State or country is pleaded, or notice thereof given to the court and each adverse party at or before the pretrial conference, or at least 10 days before trial when there is no pretrial conference, or within such other time as the court may fix by order, in an action in any court of this State, the court shall take judicial notice thereof. In the absence of such pleading or notice, it shall be presumed that the common law of such State is the same as the common law as interpreted by the courts of this State.

C. 2A:84A-45. Repealer.

49. The following acts and parts of acts and all amendments and supplements thereto are hereby repealed: Sections 2A:81–3, 2A:81–5, 2A:81–7, 2A:81–9 and 2A:81–10 of Title 2A of the New Jersey Statutes.

C. 2A:84A-46. Numbering rules.

50. The numbering of rules of evidence within various sections in this act is intended to keep the designation thereof compatible with the numbering arrangement of the proposed Uniform Rules of Evidence, to the extent feasible. Reference within a section or sections of this act to a "Rule" shall be deemed to be equivalent to a reference to that section of this act containing the designated rule. Rule numbers not used are reserved for rules hereafter adopted.

C. 2A:84A-47. Repeal not to effect a revival of repealed act.

51. No repeal effected by this act shall operate to revive any statute heretofore repealed nor to impair the obligation of contracts made before the effective date hereof, nor to deprive a party of any remedy for enforcing a contract which existed when the contract was made.

C. 2A:84A-48. Short title.

52. This act shall be known and may be cited as "The Evidence Act, 1960."

C. 2A:84A-49. Act effective.

53. This act shall take effect July 1, 1960, except that article III shall take effect immediately.

Approved June 20, 1960.

CHAPTER 53

AN ACT to preserve the accumulative sick leave rights of employees in high schools and in junior high schools in school districts which unite or which have united to create a regional school district for the establishment and development of high school or junior high school education and supplementing chapter 8 of Title 18 of the Revised Statutes.

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

C. 18:8-25. Accumulated sick leave rights preserved.

1. The accumulative sick leave rights of the employees in any high school or junior high school located in districts uniting to create a regional district or which have heretofore been united shall be recognized and preserved by the regional board of education whenever said former employees of the uniting districts shall be employed or have been employed by the regional board of education.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 54

AN ACT to amend "An act concerning consolidated school districts, supplementing chapter 5 of Title 18 and repealing sections 18:5–14 to 18:5–17, both inclusive, of the Revised Statutes and 'An act relating to the public schools of this State, and supplementing chapter 5 of Title 18 of the Revised Statutes,' approved May 7, 1938 (P. L. 1938, c. 144)," approved April 28, 1947 (P. L. 1947, c. 86).

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

1. Section 12 of the act of which this is amendatory is amended to read as follows: Section amended.

C. 18:5-17.12. Principals, teachers, etc., tenure, pension and leave rights not affected.

12. All principals, teachers, and employees in the public schools of the consolidating school districts and of any regional district or districts abolished by the consolidation shall, when the consolidation becomes effective, be principals, teachers and employees, respectively, in the public schools of the consolidated district, and their tenure, pension and accumulative sick leave rights under the State laws shall not be affected by consolidation or abolition or by any of the provisions of this act.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 55

AN ACT relating to the manufacture, possession, storage, sale, transportation, use and disposition of explosives; and repealing P. L. 1941, c. 27 (approved March 28, 1941), and all amendments and supplements thereto.

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

C. 21:1A-128. Short title.

1. This act shall be known and may be cited as the "Explosives Act."

C. 21:1A-129. Terms defined.

2. As used in this act unless the context clearly indicates otherwise:

(a) "Act" means this act and rules and regulations promulgated hereunder.

(b) "Commissioner" means the Commissioner of the Department of Labor and Industry or his authorized representative.

(c) "Barricaded" means that a building containing explosives is effectively screened from a magazine, inhabited building, railway or highway, either by a natural barricade or by an artificial barricade of such height that a straight line from the top of any sidewall of a building containing explosives to the eave line of any magazine or inhabited building or to a point 12 feet above the center of a railway or highway, will pass through such intervening natural or artificial barricade.

(d) "Artificial barricade" means an artificial mound or properly revetted wall of earth of a minimum thickness of 3 feet.

(e) "Natural barricade" means natural features of the ground including but not limited to hills, or timber of sufficient density so that the surrounding exposures which require protection cannot be seen from the magazine containing explosives when the trees are bare of leaves.

(f) "Explosives" means any chemical compound or mixture that is commonly used or in-

tended for the purpose of producing an explosion, that contains any oxidizing and combustible materials or other ingredients, in such proportions, quantities or packing that an ignition by fire, by friction, by concussion or by detonation of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects. The term ''explosives'' shall include, but is not limited to commercial explosives, propellants and nitro-carbo-nitrates. The term ''explosives,'' except as specifically stated in this act, shall not include small arms ammunition, explosives in the forms prescribed by the official United States Pharmacopoeia, or fireworks regulated under Revised Statutes sections 21:2–1 through 21:2–7.

(g) ''Commercial explosives'' means all explosives except propellants and nitro-carbo-nitrates, including, but not limited to, dynamite, black blasting powder, pellet powder, initiating explosives, blasting caps, electric blasting caps, safety fuses, fuse igniters, fuse lighters, squibs, cordeau detonant fuses, instantaneous fuses, igniter cord and igniters.

(h) ''Propellants'' means solid chemicals or solid chemical mixtures which function by rapid combustion of successive layers and include, but are not limited to, smokeless powder for small arms, smokeless powder for cannon, smokeless powder or solid propellants for rockets, jet thrust units, or other devices.

(i) ''Nitro-carbo-nitrate'' means a mixture intended for blasting consisting substantially of inorganic nitrates and carbonaceous combustibles in which none of the ingredients is a commercial explosive and the finished product, as mixed and packaged for use or shipment, cannot be detonated by the test procedure established by rules and regulations promulgated under this act.

(j) ''Explosives manufacturing establishment'' means all lands, and buildings situated thereon,

used in connection with the manufacture of explosives.

(k) "Explosives manufacturing building" means any building or other structure, except magazines, in which the manufacture of explosives is carried on.

(l) "Magazine" means any building or structure used for the storage of explosives but shall not mean an explosives manufacturing building.

(m) "Inhabited building" means a building regularly occupied in whole or in part as a habitation for human beings, or any church, schoolhouse, railroad station, store or other structure where people are accustomed to assemble, except any building or structure occupied in connection with the manufacture, transportation, storage or use of explosives.

(n) "Highway" means any public street, road, highway, alley or those parts of navigable streams which are used as highways of commerce.

(o) "Public conveyance" means any transportation facility which is carrying passengers for hire.

(p) "Person" means any natural person, partnership, firm, association or corporation.

(q) "Railway" shall mean and include any steam, electric or other railroad or railway which carries passengers for hire on the particular line or branch in the vicinity where explosives storage magazines or explosives manufacturing buildings are situated, but shall not include auxiliary tracks, spurs and sidings installed and primarily used for transporting freight.

C. 21:1A-130. Enforcement; inspection; order to cease violation; injunction; State police to have concurrent enforcement powers in regards to transportation; hearing.

3. The commissioner shall enforce the provisions of this act, make complaints against persons violating its provisions, and prosecute violations of the same. The commissioner and any authorized person acting under him shall have authority to enter and inspect any place or establishment covered by this act. If upon inspection the commissioner discovers a condition which exists in violation of the provision of this act or if the commissioner determines that certain precautions are

reasonably necessary for the safety of workers and the public and the protection of property, he shall be authorized to order such violation to cease or such precaution to be taken. The order shall state the items which are in violation of the provisions of the act or the precautions which he deems reasonably necessary to be taken, and shall provide a reasonable specified time within which the required action must be taken by the person responsible. If the violation or the lack of certain precautions constitutes an imminent hazard and the commissioner's order is not obeyed, the commissioner may apply for an injunction in the Superior Court of New Jersey. Nothing herein shall be deemed to prevent the commissioner from prosecuting any violation of this act, notwithstanding that such violations are corrected in accordance with his order.

The Division of State Police, Department of Law and Public Safety shall have concurrent enforcement power with regard to the transportation of explosives on any highway as defined in this act.

Any person aggrieved by an order or act of the commissioner under this act may, upon application made within 15 days after notice thereof, be entitled to a hearing before the commissioner who shall within 30 days after submission of the application hold a hearing of which at least 15 days written notice shall be given to all interested parties. The commissioner, upon application therefor, may stay the operation of the order complained of pending his final determination upon such terms and conditions as he may deem proper. Within 30 days after the said hearing the commissioner shall issue an appropriate order modifying, approving or disapproving his prior order or act. A copy of such order shall be served upon all interested parties.

C. 21:1A-131. Rules and regulations; scope; notice to holders of permits; hearing.

4. The commissioner may make and promulgate rules and regulations necessary to further the purposes of this act. The rules and regulations may include requirements that are not mentioned spe-

cifically in this act but which are reasonably necessary for the safety of workers and the public and the protection of property. Such rules and regulations shall have the force and effect of law and shall be enforced in the same manner. The procedure for the promulgation of rules and regulations under this section shall be as follows:

(a) Upon the completion of proposed rules and regulations by the commissioner notice of the proposed promulgation shall be given to all holders of explosive permits. This notice shall be in writing, shall state briefly the purpose of the proposed rules and regulations, shall state that a copy of the proposed rules and regulations may be obtained upon written request to the Department of Labor and Industry and shall state that upon written request to the Commissioner of Labor and Industry, a hearing will be held by the commissioner or his authorized representative for the purpose of hearing recommendations concerning the proposed rules and regulations;

(b) If no hearing is requested, the commissioner shall promulgate the rules and regulations within 60 days of the notice required by section 4 (a) of this act.

(c) If a hearing is requested, notice of the hearing shall be sent to all holders of permits. The notice shall state the date, time and place of the hearing.

(d) Within 60 days after the hearing, the commissioner shall promulgate the rules and regulations as originally proposed or with such changes that he, in his discretion, decides to make in view of the recommendations offered at the hearing. No further hearings are required.

C. 21:1A-132. Manufacture, sale, use, etc., of explosives prohibited; compliance with act; permit required; records kept; certain acts forbidden.

5. It is prohibited for any person to manufacture, store, sell, transport, use, dispose of, or possess explosives in any manner except as permitted under this act. Any person who is not engaged primarily in the manufacture, sale, storage, transportation or use of explosives but who in the course of activities engages in any of the above or

uses explosives in any manufacturing process shall be required to comply with the provisions of this act.

A. No person shall sell, deliver, give away or otherwise dispose of any explosives to any persons not in possession of a permit as required by the provisions of this act. No person shall have any explosives in his possession or control without a permit required by this act.

B. Every person holding a permit to manufacture, sell, store or use explosives shall keep such records as may be required by the commissioner, provided, however, that where an employer is maintaining such records, his employees holding permits to use explosives shall not be required to maintain individual records. Records shall be retained at least until the end of the calendar year next following the year in which the record is made. All such records shall be open to inspection by the commissioner.

C. No person shall handle explosives while under the influence of narcotics or intoxicating liquors.

D. No person shall smoke or have open lights or fire- or flame-producing devices while handling or using explosives or when within 100 feet of any magazine or vehicle containing explosives; provided, however, that this prohibition shall not apply to the use of igniters when preparing to detonate an explosive charge.

E. When deteriorated or leaking explosives are found by the commissioner, he may order them disposed of in the manner he shall direct, at the expense of the possessor.

C. 21:1A-133. Permit to show specifically use or uses authorized.

6. Any person who shall manufacture, sell, store, transport or use explosives first shall obtain a written or printed permit from the commissioner, which permit shall state specifically the use or uses authorized:

(a) To manufacture—authorizing the manufacture of explosives and storage of materials in process, developmental materials and finished products.

(b) To sell—authorizing the sale of explosives.

(c) To transport—authorizing the transportation of explosives; provided, however, that no permit will be required where such transportation is not on the highways nor where the articles being transported are of laboratory samples; however, such transportation shall otherwise be in conformity with the provisions of this act.

(d) To store—authorizing the purchase and storage of explosives in a specified magazine;

(e) To use—authorizing a person to use explosives for such purposes and under such conditions as are specified on the permit. The commissioner may establish classifications of use of explosives for blasting and other purposes, specifying the privileges and requirements of each classification. Persons holding, or employed by a person holding, a permit to manufacture explosives, and who are engaged in the testing of explosives incident to the manufacture or development thereof shall not be required to obtain a permit to use explosives.

A. No permit shall be required for the storage, transportation or use of smokeless powder which is used by private persons for the hand loading of small arms ammunition and which is not for resale. For this purpose not more than 100 lbs. of smokeless powder shall be stored or transported without a permit.

B. Permits shall at all times be readily available to inspection by the commissioner, State Police or local police and fire departments and shall be posted as directed by the commissioner.

C. Permits shall not be transferable.

D. Whenever a permanent storage magazine for which a permit has been issued is moved to a new location, or its physical surroundings are so changed that the magazine comes within the prohibited distances to a highway, railroad or inhabited building, the permit for said magazine shall become invalid and a new permit required.

E. No permittee shall manufacture, sell, transport, store or use explosives except in compliance with the limitations expressed on the permit.

C. 21:1A-134. Investigation of applicant; permit issued; subject to amendment; information furnished; qualifications; expiration; fees.

7. Upon receipt of an application for a permit to manufacture, store, sell, transport or use explosives, and before the permit is issued, the commissioner shall make or cause to be made an investigation for the purpose of ascertaining if all applicable requirements of this act have been met. The commissioner shall not issue a permit to manufacture, sell, store. transport or use explosives unless all the requirements of this act have been met. All permits issued in accordance with the provisions of this act shall be subject to any amendments hereafter made to this act.

A. An applicant for a permit shall, at his own expense, furnish whatever pertinent information the commissioner may require in addition to that specified herein. Application forms shall be furnished by the Department of Labor and Industry.

B. An applicant for a permit to manufacture, sell, transport, store or use explosives must:

(a) be at least 21 years of age;

(b) have a reasonable understanding of the English language;

(c) present satisfactory evidence of experience in the manufacture, sale, transportation, storage or use of explosives;

(d) demonstrate by written, oral or field examination, as the commissioner may direct, adequate knowledge of the safe manufacture, sale, transportation, storage or use of explosives and of the provisions of this act; and

(e) be of good moral character and must never have been disloyal to the United States; and

it shall be within the sole discretion of the commissioner to determine whether an applicant who has been convicted of a crime involving moral turpitude has the good moral character necessary for

a permit. It shall also be within the reasonable discretion of the commissioner to deny the issuance of a permit where he concludes, after a full examination of the qualifications of an applicant, that to grant a permit would be dangerous to the health, safety and welfare of the people of the State of New Jersey. The failure of a holder of a permit to maintain the qualifications stated herein shall be good cause for the revocation of the permit.

C. When the applicant for a permit to manufacture, sell, transport, store or use explosives is a firm, association or corporation, the applicant must demonstrate that such activities with regard to explosives will be under the direct supervision of a person who meets the qualifications stated above.

D. Permits shall be valid for 1 year unless sooner revoked. Permits which expire on July 1, 1960 may be renewed by the commissioner at his discretion for a period of not less than 3 months nor more than 15 months, and permits renewed after such a period shall thereafter be valid for 1 year unless sooner revoked. The fee for all permits shall be fixed by the commissioner on a yearly basis or, for periods of less than a year, in amounts proportionately less than the annual fee.

E. The application for any permit must be accompanied by a fee established by regulation in accordance with the following schedule:

(a) To manufacture—not less than $10.00 nor more than $150.00;

(b) To sell—not less than $10.00 nor more than $50.00;

(c) To transport—not less than $5.00 nor more than $10.00;

(d) To store—not less than $10.00 nor more than $150.00;

(e) To use—not more than $10.00.

C. 21:1A-135. Manufacturing establishments under jurisdiction of commissioner; plan of establishment kept in main office; contents; filing of plan may be required; quantity and distance table.

8. All explosives manufacturing establishments shall come under the jurisdiction of the commissioner in accordance with the provisions of Title 34 of the Revised Statutes of the State of New Jersey.

A. A copy of the plan of the explosives manufacturing establishment shall be kept in the main office of the premises of every such establishment and shall be open to inspection by the commissioner. The said plan shall show the location of all explosives manufacturing buildings, the distance they are located from other buildings on the premises and from magazines. Before a permit to manufacture is issued by the commissioner, he may require that such a plan be submitted to him in triplicate for approval.

B. All commercial explosives manufacturing buildings shall be located one from the other and from other buildings of the explosives manufacturing establishment in which persons are regularly employed, and all commercial explosives magazines shall be located from explosives manufacturing buildings and other buildings of the explosives manufacturing establishment in which persons are regularly employed, in conformity with the Intra-Explosives Plant Quantity and Distance Table for commercial explosives set forth below.

INTRA EXPLOSIVES PLANT QUANTITY AND DISTANCE TABLE FOR COMMERCIAL EXPLOSIVES

Quantity of Explosives

Pounds Over	Pounds Not Over	Distance in Feet Unbarricaded	Barricaded
10	25	40	20
25	50	60	30
50	100	80	40
100	200	100	50
200	300	120	60
300	400	130	65

Quantity of Explosives			
Pounds Over	Pounds Not Over	Distance in Feet Unbarricaded	Barricaded
400	500	140	70
500	750	160	80
750	1,000	180	90
1,000	1,500	210	105
1,500	2,000	250	115
2,000	3,000	260	130
3,000	4,000	280	140
4,000	5,000	300	150
5,000	6,000	320	160
6,000	7,000	340	170
7,000	8,000	360	180
8,000	9,000	380	190
9,000	10,000	400	200
10,000	12,500	420	210
12,500	15,000	450	225
15,000	17,500	470	235
17,500	20,000	490	245
20,000	25,000	530	265
25,000	30,000	560	280
30,000	35,000	590	295
35,000	40,000	620	310
40,000	45,000	640	320
45,000	50,000	660	330
50,000	55,000	680	340
55,000	60,000	700	350
60,000	65,000	720	360
65,000	70,000	740	370
70,000	75,000	770	385
75,000	80,000	780	390
80,000	85,000	790	395
85,000	90,000	800	400
90,000	95,000	820	410
95,000	100,000	830	415
100,000	125,000	900	450
125,000	150,000	950	475
150,000	175,000	1,000	500
175,000	200,000	1,050	525

Quantity of Explosives

Pounds Over	Pounds Not Over	Distance in Feet Unbarricaded	Barricaded
200,000	225,000	1,100	550
225,000	250,000	1,150	575
250,000	275,000	1,200	600
275,000	300,000	1,270	635

Note: Ten (10) pounds or less may be stored in a separate building or in storage space properly separated by substantial dividing walls.

C. All explosives manufacturing buildings and magazines in which explosives are had, kept or stored must be located at distances from inhabited buildings, railways and public highways in conformity with the Tables of Distance established pursuant to section 9G of this act.

C. 21:1A-136. Stored in compliance with act; specifications for storage magazines; maximum amounts stated on permits; quantity and distance table complied with.

9. All explosives, except those in the process of manufacture or being transported or used as permitted by this act, shall be stored in a magazine complying with the requirements of this act.

A. All magazines shall be in charge of a competent person who shall be at least 21 years of age. The holder of the storage permit shall be held responsible for compliance with all safety precautions.

B. All magazines shall be well ventilated, clean, dry and free of grit, paper, rubbish and any combustible material other than explosives or the cases containing them.

C. All magazines shall be kept closed and locked except when necessarily opened for the lawful purpose of storing or removing explosives, for inspections, or by persons lawfully entitled to enter same.

D. No container of explosives shall at any time be opened in or within 50 feet of any magazine, nor shall any explosives be kept in any magazine except in closed containers.

E. The commissioner is hereby authorized to deny a permit for a magazine which in his judg-

ment is unsuited for the storage of explosives. The commissioner may require plans for magazines to be submitted for approval before the magazines are constructed and used.

F. Magazines shall not be provided with artificial heat or internal lighting except by approved portable electric safety battery lamps. Underground magazines may be provided with explosion proof lights where all wiring is in conduits and the switch is located outside of the magazine.

G. All magazines in which explosives are stored, except those in explosives manufacturing establishments, shall conform with the Tables of Distance for storage of explosives established by regulations promulgated under this act.

H. The commissioner shall state on each storage permit the maximum amount of explosives that may be stored under that permit. No quantity of explosives in excess of that amount shall be stored under the permit. In any event no quantity in excess of 300,000 pounds of commercial explosives and no quantity in excess of 20,000,000 blasting caps shall be kept or stored in any magazine.

I. Nitro-carbo-nitrates or propellants, or both, may be stored with commercial explosives in the same magazine, but when so stored, all commercial explosives magazine regulations apply, and the quantity of nitro-carbo-nitrate or propellant shall be taken into consideration in computing the total quantity in the magazine for compliance with the quantity and distance tables for commercial explosives established by regulation.

C. 21:1A-137. Transportation of explosives.

10. A. The person using any vehicle for the transportation of explosives, whether he be the owner or lessee, shall be responsible for the keeping of inspection records required by the commissioner.

B. It is prohibited for any person to transport or carry explosives upon any public conveyance.

C. No explosives shall be transported in any form of full trailer, nor shall any trailer be attached to a vehicle transporting explosives.

D. Vehicles in which explosives are being transported shall be driven by and be under the control of a driver at least 21 years of age. Such a person shall be familiar with the New Jersey laws and rules and regulations pertaining to the transportation of explosives.

E. No quantity of explosives in excess of the quantity indicated upon the transportation permit shall be transported in a vehicle.

F. Blasting caps or electric blasting caps, or both, may be transported in the same vehicle with other commercial explosives only when the net weight of the other commercial explosives does not exceed 5,000 pounds.

G. When nitro-carbo-nitrates or propellants, or both, are transported in the same vehicle with commercial explosives, all requirements governing the transportation of commercial explosives must be followed.

C. 21:1A-138. Blasters must have permit; exception;

11. A. Persons authorized to conduct blasting operations and their employers or persons in charge of the operation shall comply with all provisions of this act and rules and regulations promulgated hereunder. No employer shall employ any person to prepare explosive charges or conduct blasting operations unless such person holds a valid permit to use explosives issued by the commissioner, provided however, that

(a) explosives may be used by a miner in underground mining operations without a permit to use explosives if the blasting operations are under the direct supervision of a person in possession of a valid permit.

(b) explosive charges may be prepared by a person at least 18 years of age without a permit to use explosives if such work is done under the direct supervision of a person in possession of a valid permit.

(c) persons not less than 15 years of age shall be permitted to assist in the preparation or use of propellants in amateur rocket experimentation when such work is done under the actual control and

supervision of a person in possession of a valid permit to use explosives, and in such a manner and place as to insure the safety of persons and property where such work is performed, and in conformity with rules and regulations promulgated under this act.

B. The amount of explosives taken into a blast area shall never exceed the amount estimated by the blaster as necessary for the blast.

C. When commercial explosives are used in conjunction with nitro-carbo-nitrates, all safety precautions and rules and regulations for commercial explosives shall be observed.

D. Except when nitro-carbo-nitrates are mixed at the site of the blast for immediate use, any such mixing shall be deemed to be manufacturing of explosives and shall be subject to all applicable provisions relating thereto.

C. 21:1A-139. Commissioner to have exclusive jurisdiction; supersede existing municipal ordinances.

12. The commissioner shall have exclusive jurisdiction over the regulation of the manufacture, sale, transportation, storage and use of explosives. This act shall supersede any existing ordinance, by-law or resolution of any municipality or other governmental subdivision pertaining to the manufacture, sale, transportation, storage or use of explosives.

C. 21:1A-140. Violations; penalties; continuing violations; penalty claim may be compromised; permits revocable; application of act.

13. It shall be unlawful for any person, partnership, firm, association or corporation, and any officer, agent or employee thereof, to violate or proximately contribute to the violation of any of the provisions of this act or of the regulations made hereunder. The violation of this act by an employee, acting within the scope of his authority, of any person, partnership, firm, association, or corporation shall be deemed also to be the violation of such person, partnership, firm, association or corporation. Violations of the provisions of this act or rules and regulations made hereunder shall be punishable for the first offense by a penalty of not less than $25.00 nor more than $500.00, for the second offense by a penalty of not less than $150.00 nor more than $500.00 and for the third and each suc-

ceeding offense by a penalty of not less than $250.00 nor more than $1,000.00. The penalties shall be collected by a civil action in the name of the commissioner, to be instituted in the county district court of the county, or in municipal court of the municipality, where the offense was committed. Where the violation consists of a refusal to obey an order of the commissioner made under this act, each day during which the violation continues shall constitute a separate and distinct offense except during the time an appeal from said order may be taken or is pending.

A. The Commissioner of Labor and Industry, in his discretion, is hereby authorized and empowered to compromise and settle any claim for a penalty under this section for an amount that appears appropriate and equitable under all of the circumstances.

B. Permits to sell, transport, store or use explosives are revocable for cause by the commissioner. In any case where the commissioner revokes a permit, he shall notify the permittee of the revocation and shall provide, upon written request, for a hearing within 10 days of the date of the revocation. Within 30 days from the termination of the hearing, the commissioner shall issue an order approving, disapproving or modifying the revocation. permits to manufacture are exempt from revocation, but the holders of such permits shall be subject in every other respect to the provisions of this act and the rules and regulations promulgated hereunder.

C. The requirements of this act concerning the distances of explosives manufacturing buildings and magazines from each other shall not be construed to apply to permanent buildings or magazines that exist at the time that this act becomes effective and which buildings and magazines have been used under authority of the laws formerly governing the manufacture and storage of explosives. This provision designating such explosives manufacturing buildings and magazines already

existing at the effective date of this act as nonconforming uses shall not apply to any explosives manufacturing buildings or magazines constructed subsequent to the passage of this act nor to extensions or additions to such buildings and magazines that are made subsequent to the passage of this act.

C. 21:1A-141. Application of act as to military, etc., application of act as to transporting.

14. Nothing contained in this act shall be construed as applying to the military or naval forces of the United States or its allies, or the duly authorized militia of any State, nor to the police or fire departments of this State, providing the same are acting in their official capacity and in the performance of their public duties.

A. Nothing contained in this act shall be construed as applying to explosives which are in transit upon vessels, railroad cars or vehicles or while being held for delivery, when such transportation and delivery are under the jurisdiction of and in conformity with regulations adopted by the Interstate Commerce Commission, the United States Coast Guard or the Civil Aeronautics Board, and provided, further, that nothing in this act shall be construed as applying to the receipt, possession, and use of signals required for the safe operation of vessels, motor vehicles, railroad cars, or aircraft by the operators of such vessels, motor vehicles, railroad cars or aircraft.

C. 21:1A-142. Possession or control with intent to use for unlawful purpose, penalty.

15. Any person who shall have in his possession or control any explosives, including any bomb, shell or similar device filled with 1 or more explosives, intending to use the same or cause the same to be used or who has used the same for an unlawful purpose shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment in a State prison for a term of not less than 1 year nor more than 10 years. The possession of explosives or any bomb, shell or similar device filled with explosives, without a permit as required by this act, shall be evidence of an intent to use the same or cause the same to be used for an unlaw-

ful purpose. Unlawful purpose shall mean a purpose that cannot be authorized under the provisions of this act.

C. 21:1A-143. Provisions severable.

16. If any provision of this act is adjudged unconstitutional or invalid for any reason, such adjudication shall not affect any of the other provisions of this act.

C. 21:1A-144. Repealer.

17. The following statutes are hereby repealed:

P. L. 1941, c. 27 (approved March 28, 1941) and all amendments and supplements thereto.

Sections 34:5–24 through 34:5–32 of the Revised Statutes.

Sections 21:1–41 through 21:1–44 of the Revised Statutes.

Sections 21:1–50 and 21:1–51 of the Revised Statutes.

The repeal of any statute herein shall not be deemed to revive any act previously repealed by any such statute.

18. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 56

AN ACT concerning County Courts and amending section 2A:3–13 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:3–13 of the New Jersey Statutes is amended to read as follows:

Additional judges in certain counties.

2A:3–13. There shall be a judge of each County Court; and in addition, the Governor may, whenever in his judgment the public interest requires, appoint additional judges, as follows:

a. In counties now or hereafter having 900,000 or more inhabitants, 7 additional judges, making 8 in all in each of such counties.

b. In counties now or hereafter having not less than 500,000 nor more than 900,000 inhabitants, 5 additional judges, making 6 in all in each of such counties.

c. In counties now or hereafter having 260,000 or more and less than 500,000 inhabitants, 3 additional judges, making 4 in all in each of such counties.

d. In counties now or hereafter having more than 150,000 and less than 260,000 inhabitants other than counties of the fifth class, an additional judge, making 2 in all in each of such counties.

e. In counties bordering on the Atlantic ocean and now or hereafter have not less than 50,000 nor more than 100,000 inhabitants, an additional judge, making 2 in all in each of such counties.

f. In counties of the fifth class having not less than 100,000 nor more than 150,000 inhabitants, an additional judge, making 2 in all in each of such counties and in said counties having more than 150,000 inhabitants, 3 additional judges, making 4 in all.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 57

AN ACT to amend "An act concerning workmen's compensation, amending sections 34:15–22, 34:15–27, 34:15–57 and 34:15–58, and supplementing chapter 15 of Title 34 of the Revised Statutes," approved May 22, 1952 (P. L. 1952, c. 269).

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

Section amended.

1. Section 6 of the act hereby amended is amended to read as follows:

C. 34:1A-12.2. Referee or referee, formal hearings, qualifications.

6. Any person hereafter appointed as a "referee," or "referee, formal hearings," shall be an attorney-at-law of the State of New Jersey, except that a referee who, on May 1, 1958, had been a referee for a period of not less than 5 years may be appointed as a "referee, formal hearings," notwithstanding that he is not such an attorney-at-law.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 58

AN ACT to change the title of "deputy directors of compensation" to "judges of compensation" and amending section 12 of the Department of Labor and Industry Act of 1948, approved October 21, 1948 (P. L. 1948, c. 446) and section 5 of chapter 269 of the laws of 1952.

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

Section amended.

1. Section 12 of the Department of Labor and Industry Act of 1948 is amended to read as follows:

C. 34:1A-12. Division of workmen's compensation; officials and employees; director powers and duties.

12. The Division of Workmen's Compensation shall consist of the Commissioner of Labor and Industry who shall act as chairman, a director who shall be appointed as hereinafter provided, judges of compensation appointed by the commissioner, and such referees and other employees as may, in the judgment of the commissioner, be necessary. Appointments of such judges of compensation, referees and other employees shall be made in accordance with the provisions of Title 11 of the Revised Statutes, Civil Service.

The Director of the Division of Workmen's Compensation shall be a person qualified by training

and experience to direct the work of such division. He shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve during the term of office of the Governor appointing him and until the director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The Director of the Division of Workmen's Compensation shall, subject to the supervision and direction of the Commissioner of Labor and Industry:

(a) Be the administrative head of the division;

(b) Prescribe the organization of the division, and the duties of his subordinates and assistants, except as may otherwise be provided by law;

(c) Direct and supervise the activities of all members of the division;

(d) Make an annual report to the Commissioner of Labor and Industry of the work of the division, which report shall be published annually for general distribution at such reasonable charge, not exceeding cost, as the commissioner shall determine;

(e) Perform such other functions of the department as the commissioner may prescribe.

The Director of the Division of Workmen's Compensation shall also serve as secretary of such division, and may perform the duties of a judge of compensation.

Section amended.

2. Section 5 of chapter 269 of the laws of 1952 is amended to read as follows:

C. 34:1A-12.1. Director and judges to be attorneys.

5. The Director of the Division of Workmen's Compensation and each judge of compensation shall be an attorney-at-law of the State of New Jersey.

C. 34:1A-12.3. To continue as judges of compensation.

3. All persons heretofore appointed and serving as deputy directors of compensation shall continue in such appointments, as heretofore, with the title of judge of compensation.

4. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 59

AN ACT to amend and supplement the "Law Against Discrimination," approved April 16, 1945 (P. L. 1945, c. 169).

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

Section amended.

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

C. 18:25-8. Powers and duties of commissioner.

8. The commissioner shall

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

b. Administer the work of the division.

c. Organize the division into 2 sections, one of which shall receive, investigate, and act upon complaints alleging discrimination in employment against persons because of race, creed, color, national origin or ancestry or because of their liability for service in the Armed Forces of the United States, and the other of which shall receive, investigate, and act upon complaints alleging other unlawful acts of discrimination against persons because of race, creed, color, national origin or ancestry; prescribe the organization of said sections and the duties of his subordinates and assistants.

d. Subject to the approval of the commission and the Governor, appoint an assistant Commissioner of Education, who shall act for the commissioner, in his place and with his powers, and such other directors, field representatives and assistants as may be necessary for the proper administration of the division and fix their compensation within the limits of available appropriations. The assistant commissioner, directors, field representatives, and assistants shall not be subject to the Civil Service Act and shall be removable by the commissioner at will.

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

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

g. Subject to the approval of the commission adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this act.

h. Receive, investigate, and pass upon complaints alleging acts in violation of the provisions of this act.

i. Hold hearings, subpœna witnesses, compel their attendance, administer oaths, take the testimony of any person, under oath, and, in connection therewith, require the production for examination of any books or papers relating to any subject matter under investigation or in question before the commissioner. The commissioner may make rules as to the issuance of subpœnas by the assistant commissioner.

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

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

l. Appoint, subject to the approval of the commission, a panel of not more than 5 hearing examiners, each to serve for a term of 1 year and until his successor is appointed, any one of whom the commissioner may designate in his place to conduct any hearing and recommend findings of fact and conclusions of law. The hearing examiners shall receive such compensation as may be determined by the commissioner, subject to available appropriations.

Section amended.

2. Section 12 of the act of which this act is amendatory is amended to real as follows:

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

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

C. 18:25-5.1. Division on civil rights.

3. The Division Against Discrimination shall be known as the "Division on Civil Rights."

4. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 60

AN ACT to validate certain sales of land by the several municipalities of this State in certain cases.

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

Validates sales of certain land by municipality.

1. All sales heretofore made of any lands and premises by any municipality by virtue of subsection (c) of section 40:60–26 of the Revised Statutes are hereby validated and confirmed, and any

conveyances by such municipality of said lands to the purchaser or purchasers thereof upon payment of the purchase moneys therefor, shall be construed in all courts of this State to convey or have conveyed all of the right, title and interest of any such municipality of, in and to said lands and premises notwithstanding that notice as prescribed by subsection (c) of section 40:60–26 of the Revised Statutes was not published at least once in a newspaper circulating in said municipality not less than 2 days, nor more than 10 days before the further meeting described in said section; provided, however, that said notice was published not less than 2 days, nor more than 15 days before said further meeting; and provided further, that such sale or sales shall have been authorized or confirmed by resolution of the governing body of such municipality; and provided further, that this act shall not be deemed to validate any defective or invalid assignment of any certificate of tax sale or to cure any infirmity in any such assignment; and provided further, that no proceedings shall have been heretofore instituted or shall within 30 days from the effective date hereof be instituted in any court in respect to the validity of any such sale or conveyance.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 61

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

Section amended.

1. Section 3–13 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-43. Departments; limitation; directors; appointment, removal of subordinates; board of alcoholic beverage control; compensation.

3–13. (a) The municipality shall have a department of administration and such other departments, not exceeding 9 in number, as council may establish by ordinance. All of the administrative functions, powers and duties of the municipality, other than those vested in the office of the municipal clerk, shall be allocated and assigned among and within such departments.

(b) Each department shall be headed by a director, who shall be appointed by the mayor with the advice and consent of the council. Each department head shall serve during the term of office of the mayor appointing him, and until the appointment and qualification of his successor.

(c) The mayor may in his discretion remove any department head after notice and an opportunity to be heard. Prior to removing a department head the mayor shall first file written notice of his intention with the council, and such removal shall become effective on the twentieth day after the filing of such notice unless the council shall prior thereto have adopted a resolution by a ⅔ vote of the whole number of the council, disapproving the removal.

(d) Department heads shall appoint subordinate officers and employees within their respective departments and may, with approval of the mayor, remove such officers and employees subject to the provisions of the Revised Statutes, Title 11, Civil Service, where that Title is effective in the municipality, or other general law; provided, however, that council may provide by ordinance for the appointment and removal of specific boards or commissions by the mayor.

(e) In any city of the first class having a population of more than 250,000, notwithstanding the foregoing provisions of this section, there shall be a board of alcoholic beverage control which shall exercise the powers conferred upon municipal boards of alcoholic beverage control under Title 33 of the Revised Statutes. Such board shall be comprised of 3 members, no more than 2 of whom shall

New Jersey State Library

be of the same political party, who shall be appointed by the mayor, with the advice and consent of the council, each to serve for a term of 3 years, provided that of those first appointed, 1 shall be appointed to serve for a term of 1 year, 1 for 2 years, and 1 for 3 years. Any vacancy in such office shall be filled in the same manner as the original appointment for the balance of the unexpired term. The members of such board shall receive such compensation as shall be established by ordinance of the municipality. They shall be removable by the mayor for cause. Any person appointed hereunder shall not be subject to the provisions of Title 11 of the Revised Statutes, Civil Service, and no such person shall be a member of the city council.

Nothing in this subsection shall be construed to limit the general power of the municipal council under this act to establish, alter and abolish offices, boards and commissions in any municipality other than a city of the first class having a population of more than 250,000.

(f) Whenever in any city of the first class having a population of more than 250,000 the governing body is authorized by any provision of general law to appoint the members of any board, authority or commission, such power of appointment shall be deemed to vest in the mayor with the advice and consent of the council.

2. This act shall take effect immediately.

Approved June 21, 1960.

CHAPTER 62

AN ACT concerning crimes and supplementing chapter 111 of Title 2A of the New Jersey Statutes.

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

C. 2A:111-32. False advertising a misdemeanor; penalties.

1. Any person who, by advertising, offers for sale any commodity or service as a part of a plan or scheme with the intent, design or purpose not to sell or not to sell at the price stated therein, the commodity or service so advertised, is guilty of a misdemeanor. Nothing herein contained shall apply to the publisher of such advertising in newspapers, magazines, publications or programs where the publisher thereof has no knowledge of the said intent, design or purpose of the advertiser, or to the owner or operator of a radio or television station who disseminates such advertising without knowledge of the said intent, design or purpose of the advertiser.

Any person found guilty of a misdemeanor as set forth in this section shall be punished by a fine of not more than $1,000.00 or by imprisonment of not more than 1 year, or both.

C. 2A:111-32. Act effective.

2. This act shall take effect July 1, 1960.

Approved June 22, 1960.

CHAPTER 63

AN ACT concerning education and amending section 18:5–64 of the Revised Statutes.

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

Section amended.

1. Section 18:5–64 of the Revised Statutes is amended to read as follows:

Custodian of school moneys in districts containing more than one municipality; bond.

18:5–64. When a school district shall contain more than 1 municipality, the board of education may appoint a suitable person as custodian of school moneys of the district, and may fix his salary and term of office.

The custodian shall render to the board, when requested by it so to do, a true and full account of all moneys in his possession, as custodian up to such time, and of all payments made by him out of such moneys and the purposes thereof. He shall when required by resolution of the board deposit in any bank or banking institution designated by it, all moneys then in his hands or thereafter collected or received by him as custodian.

He shall give bonds for the faithful discharge of his duties in such amount and with such surety as the board shall direct.

Until the appointment of a custodian of school moneys by the board of education, the collector or other person residing in the municipality, situated in such school district, having the largest amount of taxable property shall be custodian of the school moneys of the district.

2. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 64

AN ACT to amend "An act to authorize the board of chosen freeholders of any county to appropriate money in aid of volunteer fire companies," approved May 6, 1949 (P. L. 1949, c. 79).

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

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

1. The board of chosen freeholders of any county may raise, appropriate and expend such sums of money not exceeding $2,000.00 in any 1 year, as it may deem expedient to aid volunteer fire companies located in any municipality or fire district in such county to keep abreast of the latest methods, procedures and techniques of fire fighting by enabling members of said companies to attend courses of instruction or otherwise acquire familiarity with said methods, procedures and techniques. Any such appropriation and expenditure may include a provision for the purchasing of uniforms for the members of said volunteer fire companies. C. 40:23-8.9. May appropriate moneys in aid of volunteer fire companies.

2. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 65

AN ACT to amend the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

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

Section amended.

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

C. 18:13-112.40. Death benefits; contribution not required when leave is due to illness.

38. Except as provided in section 69, upon the receipt of proper proof of the death of a member in service on account of which no accidental death benefit is payable under section 46, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate;

(a) His accumulated deductions at the time of death together with regular interest after January 1, 1956; and

(b) An amount equal to 1½ times the compensation upon which his contributions are based or received by the member in the last year of creditable service; provided, however, that if such death shall occur on or after July 1, 1956, and after the member shall have attained the age 70, the amount payable shall equal $\frac{3}{16}$ of the compensation received by the member in the last year of creditable service instead of 1½ times such compensation.

A member may file with the board of trustees, and alter from time to time during his lifetime, as desired, a duly attested written new nomination of the payee of the death benefit provided under this section. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in 1 sum or in equal annual install-

ments over a period of years or as a life annuity. Upon the death of such a member a beneficiary to whom a benefit is payable in 1 sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

For the purpose of this section and section 53 of this act, a member shall be deemed to be in service for a period of no more than 2 years while on official leave of absence without pay; provided, that satisfactory evidence is presented to the board of trustees that such leave of absence without pay is due to illness. For the purposes of this section and section 53 of this act, a member shall be deemed to be in service for a period of not more than 93 days while on official leave of absence without pay when such leave of absence is due to any reason other than illness. In order for a member to be covered for the optional death benefits provided by section 53 of this act, he shall continue to make contributions for same during the period such member is on official leave of absence without pay, except that when such official leave of absence without pay is due to illness, no contributions shall be required of the member during the period he is deemed to be in service while on such leave of absence.

2. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 66

AN ACT concerning passenger railroad service required for the convenience and necessity of the people of New Jersey, and providing for the continuation and improvement of passenger service on a contractual basis and for the cost and expense thereof.

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

C. 48:12A-1. Legislative findings and policy.

1. Legislative findings and policy. The Legislature hereby finds and determines that:

(a) Commuter and suburban rail passenger service between points within this State and between points in this State and in adjacent metropolitan areas in other states has been declining generally for the last several years;

(b) This decline has been and is being caused principally by the diversion of potential users of such commuter and suburban rail passenger service to public highways and to vehicular river crossings and other facilities, and is resulting in an increase in highway congestion costly to the State and its people and consequent impairment of the efficiency and adequacy of the State's public transportation system available for its citizens, commerce and industry;

(c) In these circumstances, there has been substantial curtailment of commuter and suburban rail passenger service, and further curtailments are continually being sought by the railroads;

(d) Continuation of these trends will confront the State with the likelihood of substantial curtailments and discontinuances of vital commuter and suburban rail passenger service within the next 2 or 3 years;

(e) Substantial further curtailment of such commuter and suburban rail passenger service will

increase highway congestion which will require the expenditure of many millions of dollars by the State and its counties and municipalities and other agencies for the construction of additional roads, bridges and tunnels;

(f) Substantial further curtailment of such commuter and suburban rail passenger service will adversely affect economic values in large portions of the State to the detriment of the people of the entire State;

(g) It is essential to the public health, safety and welfare and to the development of the industrial potential of the State that such commuter and suburban rail passenger service be preserved, and increased, if possible, at least until it is determined whether more efficient and desirable alternative means of transportation can be economically provided;

(h) The facilities of railroads providing necessary commuter and suburban rail passenger service are an essential part of the State's public transportation system, and it is in the public interest under all conditions now foreseeable that they be preserved and improved and that to this end contracts be made between the State and the railroads operating such facilities providing for necessary and approved commuter and suburban rail passenger service by the railroads in return for payment to each contracting railroad by the State, out of such appropriation or appropriations as may be made by the Legislature, or from such other funds which may be made available from time to time, of compensation not exceeding the value to the State of the consideration received or to be received by the State and the service to the public so rendered by such railroad.

C. 48:12A-2. Terms defined.

2. Definitions. Hereafter in this act, unless the context indicates another or different meaning or intent:

(a) "Carrier" shall mean any individual, copartnership, association, corporation, joint stock company, receiver or trustee operating any rail-

road in this State for public use except a railroad providing substantially no transportation service other than the carriage of passengers;

(b) "Commissioner" shall mean the State Highway Commissioner;

(c) "Fiscal year" shall mean a period of 12 consecutive calendar months ending on June 30 of any year;

(d) "Passenger service" shall mean activities and facilities provided upon a railroad for or incidental to the carriage of commuter and suburban passengers between points within this State or between points in this State and in adjacent metropolitan areas in other States, but does not include any nonrevenue movements of trains;

(e) "Approved service" shall have the meaning ascribed to said term in section 3 of this act;

(f) "Contracted service" shall mean the passenger service which the carrier shall be required to operate and for which the State shall be obligated to pay under the terms of this act;

(g) "Car mile" shall mean the unit which is computed by (1) multiplying the number of passenger seats in a train (including self-propelled units) moved within this State by a railroad in revenue service by the number of miles of such movement, and (2) dividing the product so obtained by 85;

(h) "Approved service car miles" means the total number of car miles operated in trains required to provide the passenger service which the commissioner has found to be necessary for a fiscal year pursuant to the provisions of section 3 of this act;

(i) "Maximum rate" shall mean, with respect to a fiscal year, the dollar amount obtained by dividing (1) the amount appropriated for such fiscal year for expenditure pursuant to this act by (2) the approved service car miles for such fiscal year.

C. 48:12A-3. Approved passenger service.

3. Approved passenger service. The commissioner annually shall investigate, determine and in writing state the passenger service which for and

during the next fiscal year is essential in the public interest. The following factors shall be taken into account in addition to whatever other circumstances the commissioner believes just and reasonable, (1) the State's need of time and money to develop an orderly program for providing substitutes for or supplements to passenger service theretofore discontinued or in danger of discontinuance thereafter, (2) the likelihood of curtailment or discontinuance of passenger service in the area affected by the contract and the alternate means of transportation available for said area, (3) comparisons of the contribution made by the State toward the cost of transportation of passengers (a) by rail under this act or (b) by vehicle operated on highways, bridges or tunnels, (4) the effect on other transportation facilities of further curtailment of passenger service (5) the growth trends of population in the State and the economic loss to the State if passenger service is not preserved and, in due course, expanded to meet the transportation needs in areas where such trends indicate increasing population, (6) the danger to the public health, safety and welfare inherent in loading more vehicles on highways, bridges and tunnels, and (7) the effect on tax revenues and economic values in any area of continued construction of highways, bridges and tunnels. The determination shall describe what service is essential in the public interest to be maintained or restored for each carrier (such service shall be described as "approved service"). The determination shall be made public and filed with the Secretary of State 90 days before the commencement of each fiscal year. In aid of the investigation leading to the making of such determination the commissioner shall hold hearings, meetings and conferences where interested parties may advise, make known to, and give the commissioner any facts, material, or recommendations that would be of assistance under the circumstances.

C. 48:12A-4. Contract for approved service.

4. Contracts for approved service. In order to conserve and improve passenger service necessary for public use now and in future years in this State, but subject to the limitations of this act, the State of New Jersey, acting by and through the commissioner, may enter into contract or contracts in accordance with this act with any carrier offering and agreeing to the same, providing for operation by such carrier of any part of such approved passenger service during all or any part of a fiscal year subject to the following conditions:

(a) Every such contract shall limit the amounts to be paid by the State pursuant to such contract and all other contracts entered into in accordance with this act with respect to the same fiscal year to a sum not exceeding the amount of the appropriation or appropriations for such fiscal year made by law for expenditure pursuant to this act, and shall contain provisions consistent with this paragraph for the ratable reduction or limitation of amounts payable by the State.

(b) No such contract with respect to any fiscal year shall provide for payment by the State for or with respect to any car mile upon the basis of a rate in excess of the maximum rate determined with respect to such fiscal year.

(c) Every such contract with respect to a fiscal year shall describe the passenger service which the carrier shall be required to operate under the terms of such contract. Such description shall set forth a plan for the operation of the contracted service which shall include timetables, train consists and fare tariffs applicable to the service and all such other provisions as the commissioner may deem reasonable.

(d) If the contract contains any provisions respecting a change from existing fare tariffs the specific rates to be collected during the term of the contract for all passenger service to be operated shall be stated therein.

C. 48:12A-5. Obligations of contracting carrier.

5. Obligation of contracting carrier. Each contract entered into in accordance with this act shall obligate the carrier:

(a) To operate a schedule of passenger service, on the main line and branch lines of the railroad operated by it and on or over tracks of other railroads as required, in accordance with and as described in said contract, and to collect fares from persons (other than those employees of railroads allowed free passage in such passenger service and those persons allowed free passage or reduced fares in such passenger service under statutes heretofore enacted and now in effect) at not exceeding the rates applicable thereto set forth in the fare tariffs included in such contract;

(b) To secure, keep in effect and abide by all approvals, orders or other proceedings of any State or Federal agency or court necessary for the carrier to fulfill its obligations with rspect to the contracted service;

(c) During the term of the contract and such further period as the contract may provide, unless otherwise approved in writing by the commissioner, not to initiate, take or prosecute, and to actively resist, any proceedings before any State or Federal agency or court for any order, approval, judgment, decree or other action (1) impairing or limiting the rights, powers and capacity of the carrier to operate the contracted service and carry out and perform its obligations under said contract with respect to the contracted service, or (2) authorizing, directing or permitting the discontinuance or other curtailment of any passenger service operated by the carrier after the effective date of said contract or the increase of any rate of fare charged or collected after such effective date for the use of such suburban passenger service; and

(d) To maintain and operate passenger service required by virtue of the contract, equipment and all facilities incidental thereto in a safe, adequate, sanitary and proper manner and condition with a minimum of delays or cancellations and with main-

tenance of arrival and departure times for all stations and station stops.

C. 48:12A-6. Obligations of State.

6. Obligation of State. Each contract entered into in accordance with this act shall obligate the State to pay to the carrier periodically during the fiscal year or during the period of 2 months next following such fiscal year, for each car mile of the contracted service theretofore operated by said carrier during such fiscal year in substantial conformity with its obligations under said contract, such sum of money, based upon the maximum rate or a lesser rate set forth in said contract, as may be approved by the commissioner as necessary in order to obtain the objective of this act.

C. 48:12A-7. Other provisions of contracts.

7. Other provisions of contracts. Each contract entered into in accordance with this act shall contain all such conditions, terms and provisions as the commissioner may require including, but not limited to, provisions permitting or relating to (a) determination of car miles of contracted service satisfactorily operated, (b) deductions or penalties with respect to unsatisfactory service, (c) auditing and settlement of accounts, (d) termination, waivers, release, modification or other effect in event of non performances, or of strikes, riots, disasters, acts of God or conditions not caused or permitted by the carrier or within its control, (e) additional obligations of the carrier, and (f) any such other matters as the commissioner deems to be in the public interest.

C. 48:12A-8. Amendments to contract.

8. Amendments of contract. Any contract entered into in accordance with this act may, from time to time upon mutual agreement of the parties, and subject to the requirements of this act, be amended with respect to the manner in which the service required by the contract is to be operated by the carrier from and after the effective date of such amendment.

9. Rates of fare. In the making of any contract with a carrier the commissioner, after notice and hearing, may establish fare tariffs to be charged and collected from users of all passenger service

during the term of the contract. Such rates set forth in the contract may be the same as, or higher or lower than rates then or previously in effect. Such rates shall remain in effect for the duration of the contract only unless modified by future contracts or determinations.

C. 48:12A-10. Obligations to provide passenger service.

10. Obligation to provide passenger service. Subject to the terms of this act every carrier entering into a contract shall be obligated to continue all passenger service during the term of the contract provided however that after 6 months the commissioner may re-evaluate service which under section 3 of this act has not been found to be approved service and determine in his best judgment what part of that service can and should reasonably be required of the railroad during the remaining term of the contract. In making a study and determination under this section the commissioner shall hold a hearing on notice and, in addition to those factors specified in section 3, take into account the service which the carrier has rendered in the public interest under the terms of the contract. The determination may be based on information and evidence adduced at the hearing or upon other information which has been made available as the result of any investigation or study. Any action taken pursuant to such a determination shall be for the duration of the contract only unless by future contracts or determinations, the rights and obligations are extended.

Any carrier not entering into a contract under the terms of this act shall be obligated to provide passenger service in accordance with law.

C. 48:12A-11. Suspension of regulations; effect of contract.

11. Suspension of regulations; effect of contract. During the term of a contract, and subject to the provisions of this act, any statute, regulation, or order of any State or Federal agency or court made prior to or during the period the contract is in effect affecting the subject matter of the contract is suspended. The contract shall be deemed to require, fix and control such matters with the same force and effect as if required by law. Compliance

with and performance of the contract shall constitute compliance with all laws relating to the subject matter of the contract.

C. 48:12A-12. General powers.

12. General powers. In addition to other powers contained therein and in order to carry out the objectives of this act, the commissioner may:

(a) Make whatever reasonable rules and regulations he may deem necessary which shall have the force and effect of law;

(b) Make upon his own initiative, or through any duly delegated representative, an investigation of any matter concerning any carrier and in aid of such investigation the commissioner shall have access to and the carrier shall make available its property, books, records, or documents;

(c) From time to time make use of personnel or technicians of any Federal or State agency as needed;

(d) Have the power to receive and expend moneys from any Federal or State agency or instrumentality and from any private sources, in addition to the money appropriated by the Legislature; and

(e) Designate assistants to conduct hearings on his behalf.

C. 48:12A-13. Confidential records.

13. Confidential records. In order to serve the public interest all evidence, material, papers and documents of whatever nature presented to, received by, or in the possession of the commissioner in the process of performing his duties under any section of this act and any finding or determination of the commissioner made pursuant to this act, shall not be evidential in any proceeding or action before any State or Federal agency or court whether he is or is not a party thereto unless otherwise ordered by the commissioner.

The commissioner or any of his employees shall not be required to give testimony or to furnish documents in any civil suit or administrative hearing in which he is not a party, with regard to information obtained by him in the discharge of his duties under this act.

14. Liberal construction. This act is intended to protect and promote the public health, safety and welfare and shall be liberally construed to obtain the objective and effect the purposes thereof. C. 48:12A-14. Liberal construction.

15. Severability. If any provision of this act or the application thereof to any person or circumstance or the exercise of any power or authority thereunder is held invalid or contrary to law, such holding shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications or affect other exercises of power or authority under said provision not contrary to law, and to this end the provisions of this act are declared to be severable. C. 48:12A-15. Provisions severable.

16. Suspension of time provisions. During the first year of the operation of this act, the time requirement of section 3 is modified to permit the commissioner to issue his determination in not more than 60 days following the effective date of this act. C. 48:12A-16. Suspension of time provisions.

17. Effective date. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 67

AN ACT to amend "An act requiring a trout fishing stamp, and supplementing chapter 3 of Title 23 of the Revised Statutes," approved June 18, 1952 (P. L. 1952, c. 328).

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

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

3. The fee for this stamp shall be $2.00 for residents and $5.00 for nonresidents. The amounts C. 23:3-59. Fee.

remitted to the State treasury for stamps issued under this law shall be placed to the credit of the "hunters' and anglers' license fund" mentioned in section 23:3–12 of the Revised Statutes.

Note: Act effective.

2. This act shall take effect January 1, 1961.

Approved June 22, 1960.

CHAPTER 68

AN ACT to amend "An act concerning education, providing for the establishment and maintenance of county educational audio-visual aid centers, and supplementing Title 18 of the Revised Statutes," approved June 13, 1950 (P. L. 1950, c. 228).

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

Section amended.

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

C. 18:12A-7. Assessments for maintenance of audio-visual aid centers.

7. The commission shall assess against the participating school districts a sum which, together with any anticipated State aid and private donations, shall be required for the establishment and maintenance of the County Educational Audio-Visual Aids Center during the first year and for the maintenance and operation of the same, during each year thereafter, which total annual assessment shall not exceed $0.60 per pupil in daily average enrollment in the participating school districts and shall be apportioned among the participating school districts in the proportion which the average daily enrollment of the pupils of each such district shall bear to the total average daily enrollment of the pupils of all of the participating school districts. Said average daily enrollment shall be calculated and determined upon the basis of the preceding

school year in the same manner as the same was calculated and determined by the Commissioner of Education for the apportionment of current expense State aid for schools among the participating school districts.

2. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 69

AN ACT concerning crimes and supplementing subtitle 10 of Title 2A of the New Jersey Statutes.

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

C. 2A:122-11. Maliciously giving false information a misdemeanor.

1. Any person who maliciously gives to any person or causes to be given to any person information which he knows to be false as to the location or existence of a bomb or other dangerous explosive is guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved June 22, 1960.

CHAPTER 70

AN ACT concerning the compensation of the mayor and the commissioners in certain second-class cities, and supplementing chapter 72 of Title 40 of the Revised Statutes.

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

C. 40:72-24.11. Salaries of mayor and commission members.

1. Notwithstanding any other provision of law, the board of commissioners of any city of the second class governed by the commission form of government law, and having a population of not less than 12,000 nor more than 20,000 inhabitants as ascertained by the latest Federal census, may by ordinance fix the annual salary of the mayor at $3,500.00 and of the remaining members of the commission at $3,000.00 each.

C. 40:72-24.12. Ordinance operative; petition protesting passage; effect.

2. Any such ordinance shall become operative in 10 days after the publication thereof after its final passage, unless within said 10 days, a petition, signed by the electors of such city equal in number to at least 10% of the entire vote in the last preceding general election, protesting against the passage of such ordinance, be presented to the board of commissioners, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted, at the next general election held after the fortieth day following the presentation of said petition, by a majority of the qualified voters voting on said proposition.

3. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 71

AN ACT to amend "An act concerning guardians and minors and the deposit of moneys or investment of funds of the minors in certain cases, and supplementing chapter 7 of Title 3A of the New Jersey Statutes," approved June 19, 1959 (P. L. 1959, c. 132).

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

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

C. 3A:7-14.1. Deposit of moneys or investment of funds of minors.

1. Where the estate of a minor for whom a guardian has been or is to be appointed by a surrogate or a County Court, consists of or is likely to consist of the proceeds of a judgment recovered in favor of the minor in any court of this State, the court, on application of the guardian or a person entitled to be appointed as guardian, by its order may dispense with the giving of a bond by the guardian if the amount involved is less than $10,000.00 and in lieu thereof may direct the moneys be paid into a County Court for the benefit of such minor and that such moneys, or any part thereof, shall be deposited to the credit of the court in an interest-bearing account in a responsible bank, savings bank or trust company, or in an account in any savings and loan association of this State, or any Federal savings and loan association, having its principal office in this State, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, designated by the County Court, or the court may direct that the moneys, or any part thereof, shall be invested by the surrogate of the county, where such guardian has been or shall be appointed, in United States Savings Bonds in the name of the minor, and in the event of the maturity of said bonds during the period of

minority, the court may order the surrogate to reinvest the proceeds in other United States Savings Bonds having later maturity date. The custody of said bonds shall be retained by the surrogate, and said moneys or bonds shall be subject to any order in respect thereto as may be made by a court of competent jurisdiction. Such moneys shall be paid out or such bonds surrendered by the surrogate only by order of the court.

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 72

AN ACT to amend "An act concerning alcoholic beverages; limiting the number of licenses to sell alcoholic beverages at retail, and supplementing chapter 1, Title 33, of the Revised Statutes," approved May 1, 1947 (P. L. 1947, c. 94).

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

Section amended.

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

C. 33:1-12.14. Limits the number of retail licenses.

2. Except as otherwise provided in this act, no new plenary retail consumption or seasonal retail consumption license shall be issued in a municipality unless and until the combined total number of such licenses existing in the municipality is fewer than 1 for each 2,000 of its population as shown by the last then preceding Federal census; and no new plenary retail distribution license shall be issued in a municipality unless and until the number of such licenses existing in the municipality is fewer than 1 for each 5,000 of its population as shown by the last then preceding Federal census.

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 73

AN ACT concerning the compensation of the mayor and commissioners in certain municipalities and supplementing chapter 72 of Title 40 of the Revised Statutes.

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

C. 40:72-24.10. Salaries of mayor and commissioners.

1. Nothwithstanding any other provision of law, in municipalities having a commission form of government under subtitle 4 of Title 40 of the Revised Statutes, and located in counties having a population of not less than 600,000 nor more than 800,000, the annual salary of the mayor and each commissioner may be fixed by ordinance as follows:

In such municipalities having from 35,000 to 60,000 population, the mayor's annual salary may be fixed at $6,000.00 and that of each commissioner at $5,500.00.

Any such ordinance shall become operative in 10 days after the publication thereof after its final passage, unless within said 10 days, a petition, signed by the electors of such municipality equal in number to at least 10% of the entire vote in the last preceding general election, protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition.

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 74

AN ACT concerning the membership of the Commission for the Blind, and amending section 30:4–1 of the Revised Statutes.

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

Section amended.

1. Section 30:4–1 of the Revised Statutes is amended to read as follows:

Boards of managers, appointment, terms, vacancies and expenses.

30:4–1. The State board shall appoint a board of managers for each institution or agency within the department or for each group or class thereof as it may determine. Whenever the establishment or assumption of jurisdiction over an additional institution, or the acquisition of a site therefor, is authorized by the Legislature the State board may appoint a board of managers therefor or in its discretion may authorize or designate any existing board of managers to assume jurisdiction thereof. Each board of managers in charge of an institution shall be known as "the board of managers" naming the institution or group or class for which the board is appointed. The State board shall determine the names of the boards in charge of nonconstitutional agencies.

The boards of managers shall consist of not less than 5 nor more than 7 members appointed with the approval of the Governor from residents of the State at large without respect to political affiliation or belief. At least 2 women shall be members of each board in charge of the State Home for Boys, the Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows, and the institutions or agencies for the blind, feeble-minded, the tubercular, the epileptic and the insane and at least 2 members of the Commission for the Blind shall themselves be blind but they shall not be employees, or related by blood, marriage or adoption to any

employee, of said commission. At least a majority of the members of each board in charge of the State Home for Girls, the women's reformatory and the care of dependent children shall be women.

The Department Commander, Department of New Jersey, Grand Army of the Republic, shall be ex officio a member of the board of managers of the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows and of the board of managers of the New Jersey Memorial Home for Disabled Soldiers. The term of each board member shall be 3 years commencing on July 1 and ending on June 30 of the third year thereafter. A vacancy shall be filled by the State board for the unexpired term only.

The members of new or additional boards of managers shall at the time of their appointment be divided into groups so that the terms of 2 members shall expire on June 30 of the year next succeeding appointment; the terms of 2 others on June 30 of the second year succeeding appointment; the term of the fifth member and in case of larger boards the term of the sixth member, on June 30 of the third year succeeding appointment; the term of the seventh member of a board having 7 members, on June 30 of the fourth year succeeding appointment. Their successors shall be appointed for 3-year terms.

The members of such boards shall receive no compensation for services but shall be reimbursed for actual expenditures incurred in the performance of duty. They shall be subject to removal by the State board at any time for good and sufficient cause.

2. This act shall take effect immediately but shall become operative only in such manner that as the terms of the 2 members of the Commission for the Blind next to expire do expire, their successors shall be appointed in accordance with this act.

Note: Act operative.

Approved June 23, 1960.

CHAPTER 75

AN ACT relating to securities; prohibiting fraudulent practices in relation thereto; providing criminal penalties and imposing civil liability for violations; requiring the registration of broker-dealers, agents and investment advisors; making uniform the law with reference thereto; establishing a Bureau of Securities in the Department of Law and Public Safety and repealing the "New Jersey Securities Law," chapter 1 of Title 49 of the Revised Statutes.

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

ARTICLE 1

GENERAL PROVISIONS

C. 49:3-1. Short title.

1. Short title.

This act may be cited as the "Uniform Securities Law."

C. 49:3-2. Terms defined.

2. Definitions.

When used in this law, unless the context otherwise requires:

(a) "Bureau" means the agency designated in section 14, paragraph (a);

(b) "Agent" means any individual other than a broker-dealer who represents a broker-dealer or issuer (except as provided in section 3 or except a person who effects transactions in this State exclusively in securities described in subdivisions (1) and (2) of section 3(a) in effecting or attempting to effect purchases or sales of securities. A partner, officer, or director of a broker-dealer or issuer, or a person occupying a similar status or perform-

ing similar functions, is an agent only if he otherwise comes within this definition;

(c) "Broker-dealer" means any person engaged in the business of effecting or attempting to effect transactions in securities for the account of others or for his own account. "Broker-dealer" does not include (1) an agent, (2) an issuer, (3) a person who effects transactions in this State exclusively in securities described in subdivisions (1) and (2) of section 3(a), (4) a bank, savings institution, or trust company, or (5) a person who (i) effects transactions in this State exclusively with or through (A) the issuers of the securities involved in the transactions, (B) other broker-dealers, or (C) banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees, or (ii) during any period of 12 consecutive months does not direct more than 15 offers to sell or to buy into this State in any manner to persons other than those specified in paragraph (c) (5) (i), whether or not the offeror or any of the offerees is then present in this State;

(d) "Capital" shall mean net capital as defined and adjusted under the formula established by the securities and exchange Commission in Rule X-15C3-1, made pursuant to the Securities Exchange Act of 1934, prescribing a minimum permissible ratio of aggregate indebtedness to net capital as such rule presently exists or as it may hereafter be amended;

(e) "Fraud," in addition to the usual construction placed on it and accepted in courts of law and equity, shall include the following, provided, however, that any promise, representation, misrepresentation or omission be made with knowledge and with intent to deceive and result in a detriment to the purchaser:

(1) Any misrepresentation by word, conduct or in any manner of any material fact, either present or past, and any omission to disclose any such fact;

(2) Any promise or representation as to the future which is beyond reasonable expectation or is unwarranted by existing circumstances;

(3) The gaining of, or attempt to gain, directly or indirectly, through a trade in any security, a commission, fee or gross profit so large and exorbitant as to be unconscionable and unreasonable;

(4) Generally any course of conduct or business which is calculated or put forward with intent to deceive the public or the purchaser of any security as to the nature of any transaction or the value of such security;

(5) Any artifice, agreement, device or scheme to obtain money, profit or property by any of the means herein set forth or otherwise prohibited by this law.

(f) "Guaranteed" means guaranteed as to payment of principal, interest or dividends;

(g) "Investment advisor" means any person who, for compensation, engages in the business of advising others, either directly or through publications or writings, as to the value of securities or as to the advisability of investing in, purchasing, or selling securities, or who, for compensation and as a part of a regular business, issues or promulgates analyses or reports concerning securities. "Investment advisor" does not include (1) a bank, savings institution, or trust company; (2) a lawyer, accountant, engineer, or teacher whose performance of these services is solely incidental to the practice of his profession; (3) a broker-dealer registered under this law; (4) a publisher of any bona fide newspaper, news magazine, or business or financial publication of general, regular, and paid circulation; (5) a person whose advice, analyses, or reports relate only to securities exempted by section 3,

paragraph (a) (1) and (2); (6) a person who has no place of business in this State if (a) his only clients in this State are other investment advisors, broker-dealers, banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees, or (b) during any period of 12 consecutive months he does not direct business communications into this State in any manner to more than 5 clients other than those specified in subparagraph (6) (a) of this paragraph, whether or not he or any of the persons to whom the communications are directed is then present in this State; or (7) such other persons not otherwise within the intent of this paragraph (g) as the bureau chief may by rule or order designate;

(h) "Issuer" means any person who issues or proposes to issue any security, except that (1) with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors (or persons performing similar functions) or of the fixed, restricted management, or unit type, the term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which the security is issued; and (2) with respect to certificates of interest in oil, gas, or mining titles or leases, there is not considered to be any "issuer."

(i) "Person" means an individual, a corporation, a partnership, an association, a joint-stock company, a trust where the interest of the beneficiaries are evidenced by a security, an unincorporated organization, a government, or a political subdivision of a government;

(j) (1) "Sale" or "sell" includes every contract of sale of, contract to sell, or disposition of, a security or interest in a security for value;

(2) "Offer" or "offer to sell" includes every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security for value;

(3) Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing is considered to constitute part of the subject of the purchase and to have been offered and sold for value;

(4) A purported gift of assessable stock is considered to involve an offer and sale;

(5) Every sale or offer of a warrant or right to purchase or subscribe to another security of the same or another issuer, as well as every sale or offer of a security which gives the holder a present or future right or privilege to convert into another security of the same or another issuer, is considered to include an offer of the other security;

(6) The terms defined in this paragraph (j) do not include (a) any bona fide pledge or loan; (b) any stock dividend, whether the corporation distributing the dividend is the issuer of the stock or not, if nothing of value is given by stockholders for the dividend other than the surrender of a right to a cash or property dividend when each stockholder may elect to take the dividend in cash or property or in stock; (c) any act incident to a class vote by stockholders, pursuant to the certificate of incorporation or the applicable corporation statute, on a merger, consolidation, reclassification of securities, or sale of corporate assets in consideration of the issuance of securities of another corporation; or (d) any act incident to a judicially approved reorganization in which a security is issued in exchange for 1 or more outstanding securities, claims, or property interests, or partly in such exchange and partly for cash;

(k) "Savings institution" shall mean any savings and loan association or building and loan

association operating pursuant to the Savings and Loan Act of New Jersey, and any Federal savings and loan association and any association organized under the laws of any State whose accounts are insured by the Federal Savings and Loan Insurance Corporation and who are subject to supervision and examination by the Federal Home Loan Bank Board, and any credit union licensed and supervised under the Credit Union Act of New Jersey or licensed and supervised by the Bureau of Federal Credit Unions.

(l) "Securities Exchange Act of 1934" and "Investment Company Act of 1940" mean the Federal statutes of those names as amended or supplemented before or after the effective date of this act;

(m) "Security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; certificate of interest or participation in any profit-sharing agreement including but not limited to certificates of interest or participation in real or personal property; collateral-trust certificate; preorganization certificate or subscription; transferable share; investment contract; voting-trust certificate; certificate of deposit for a security; certificate of interest in an oil, gas or mining title or lease; or, in general, any interest or instrument commonly known as a "security," or any certificate of interest or participation in, temporary or interim certificate for, guarantee of, or warrant or right to subscribe to or purchase, any of the foregoing. "Security" does not include any insurance or endowment policy or annuity contract under which an insurance company promises to pay a fixed or variable number of dollars either in a lump sum or periodically for life or some other specified period;

(n) "State" means any State, territory, or possession of the United States, as well as the District of Columbia and Puerto Rico.

C. 49:3-3. Exceptions for agents of issuers of certain securities and in certain transactions.

3. Exceptions for agents of issuers of certain securities and in certain transactions.

(a) agents of issuers with respect to the following securities are excepted from section 2, paragraph (b):

(1) any security (including a revenue obligation) issued or guaranteed by the United States, any State, any political subdivision of a State, or any agency or corporate or other instrumentality of 1 or more of the foregoing; or any certificate of deposit for any of the foregoing;

(2) any security issued or guaranteed by Canada, any Canadian province, any political subdivision of any such province, any agency or corporate or other instrumentality of 1 or more of the foregoing, or any other foreign government with which the United States currently maintains diplomatic relations, if the security is recognized as a valid obligation by the issuer or guarantor;

(3) any security issued by and representing an interest in or a debt of, or guaranteed by, any bank, savings institutions, or trust company organized and supervised under the laws of any State or under the laws of the United States;

(4) any commercial paper which arises out of a current transaction or the proceeds of which have been or are to be used for current transactions, and which evidences an obligation to pay cash within 12 months of the date of issuance, exclusive of days of grace, or any renewal of such paper which is likewise limited, or any guarantee of such paper or of any such renewal;

(5) any investment contract issued in connection with an employees' stock purchase, savings, pension, profit-sharing, or similar benefit plan if the bureau chief is notified in writing 30 days before the inception of the plan

or, with respect to plans which are in effect on the effective date of this act, within 60 days thereafter (or within 30 days before they are reopened if they are closed on the effective date of this act);

(b) Agents of issuers with respect to the following transactions are excepted from section 2, paragraph (b):

(1) any transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or among underwriters;

(2) any transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale of real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness secured thereby, is offered and sold as a single unit;

(3) any transaction by a receiver or trustee in bankruptcy;

(4) any offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the Investment Company Act of 1940, pension or profit-sharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in some fiduciary capacity;

(5) any transaction pursuant to an offer directed by the offeror to not more than 10 persons (other than those designated in paragraph(b) (4)) in this State during any period of 12 consecutive months, whether or not the offeror or any of the offerees is then present in this State, if (i) the seller reasonably believes that all buyers are purchasing for investment, and (ii) no commission or other remuneration is paid or given directly or in-

directly for soliciting any prospective buyer;

(6) any offer or sale of a preorganization certificate or subscription if (i) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective subscriber, (ii) the number of subscribers does not exceed 10, and (iii) no payment is made by any subscriber;

(7) any transaction pursuant to an offer to existing security holders of the issuer, including persons who at the time of the transaction are holders of convertible securities, nontransferable warrants, or transferable warrants exercisable within not more than 90 days of their issuance, if (i) no commission or other remuneration (other than a standby commission) is paid or given directly or indirectly for soliciting any security holder in this State, or (ii) the issuer first files a notice specifying the terms of the offer and the bureau chief does not by order disallow the exception within the next 5 full business days;

(8) any transaction effected with existing employees, partners, officers or directors of the issuer if no commission other remuneration is paid or given directly or indirectly for soliciting any person in this State;

(c) In any proceeding under this law, the burden of proving an exception from a definition is upon the person claiming it.

C. 49:3-4. Scope of act.

4. Scope of the act.

(a) Sections 5, 8, 19 and section 9, paragraph (a) apply to persons who sell or offer to sell when (1) an offer to sell is made in this State, or (2) an offer to buy is made and accepted in this State;

(b) Sections 5, 8 and section 9, paragraph (a) apply to persons who buy or offer to buy when (1) an offer to buy is made in this State, or (2) an offer to sell is made and accepted in this State;

(c) For the purpose of this section, an offer to sell or to buy is made in this State, whether or

not either party is then present in this State, when the offer (1) originates from this State or (2) is directed by the offeror to this State and received at the place to which it is directed (or at any post office in this State in the case of a mailed offer);

(d) For the purpose of this section, an offer to buy or to sell is accepted in this State when acceptance (1) is communicated to the offeror in this State and (2) has not previously been communicated to the offeror, orally or in writing, outside this State; and acceptance is communicated to the offeror in this State, whether or not either party is then present in this State, when the offeree directs it to the offeror in this State reasonably believing the offeror to be in this State and it is received at the place to which it is directed (or at any post office in this State in the case of a mailed acceptance);

(e) An offer to sell or to buy is not made in this State when (1) the publisher circulates or there is circulated on his behalf in this State any bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this State, or which is published in this State but has had more than ⅔ of its circulation outside this State during the past 12 months, or (2) a radio or television program originating outside this State is received in this State;

(f) Sections 6, 8, and 9, so far as investment advisors are concerned, apply when any act instrumental in effecting prohibited conduct is done in this State, whether or not either party is then present in this State.

ARTICLE 2

FRAUDULENT AND OTHER PROHIBITED PRACTICES

C. 49:3-5. Unlawful sales and purchases.

5. Sales and purchases.

It shall be unlawful for any person, in connection with the offer, sale, or purchase of any security, directly or indirectly

(a) to employ any device, scheme, or artifice to defraud;

(b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or

(c) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

C. 49:3-6. Unlawful advisory activities.

6. Advisory activities.

(a) It shall be unlawful for any person who receives any consideration from another person primarily for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of analyses or reports or otherwise,

(1) to employ any device, scheme or artifice to defraud the other person; or

(2) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon the other person;

(b) It shall be unlawful for any investment advisor or registered broker-dealer acting as an investment advisor to enter into, extend, or renew any investment advisory contract unless it provides in writing

(1) that the investment advisor shall not be compensated on the basis of a share of capital gains upon or capital appreciation of the funds or any portion of the funds of the client;

(2) that no assignment of the contract may be made by the investment advisor without the consent of the other party to the contract; and

(3) that the investment advisor, if a partnership shall notify the other party to the contract of any change in the membership of the partnership within a reasonable time after the change;

(c) Paragraph (b) (1) does not prohibit an investment advisory contract which provides for compensation based upon the total value of a fund averaged over a definite period, or as of definite dates or taken as of a definite date. "Assignment," as used in paragraph (b) (2), includes any direct or indirect transfer or hypothecation of an investment advisory contract by the assignor or of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor; but, if the investment advisor is a partnership, no assignment of an investment advisory contract is considered to result from the death or withdrawal of a minority of the members of the investment advisor having only a minority interest in the business of the investment advisor, or from the admission to the investment advisor of 1 or more members who, after admission, will be only a minority of the members and will have only a minority interest in the business.

C. 49:3-7. Misleading filings.

7. Misleading filings.

It is unlawful for any person to make or cause to be made, in any document filed with the bureau or in any proceeding under this law, any statement which is, at the time and in the light of the circumstances under which it is made, false or misleading in any material respect.

C. 49:3-8. Unlawful representation concerning registration.

8. Unlawful representations concerning registration.

(a) Neither (1) the fact that an application for registration has been filed nor (2) the fact that a person is effectively registered constitutes a finding by the bureau chief that any document filed under this act is true, complete, and not misleading. Neither any such fact nor the fact that an exception is available means that the bureau chief has recommended any person, security, or transaction, nor does it constitute approval of any person, security, or transaction except to the extent that an effectively registered person has a revocable authority to conduct business in this State as a broker-

dealer, agent, or investment advisor, as the case may be.

(b) It is unlawful to make, or cause to be made, to any prospective purchaser, customer, or client any representation inconsistent with paragraph (a).

ARTICLE 3

REGISTRATION OF BROKER-DEALERS, AGENTS AND INVESTMENT ADVISORS

C. 49:3-9. Registration required; term.

9. Registration requirement.

(a) It shall be unlawful for any person to act as a broker-dealer or agent in this State unless he is registered under this act;

(b) It shall be unlawful for any broker-dealer or issuer to employ an agent in this State unless the agent is registered, except as permitted by sections 3(a) and (b). The registration of an agent is not effective during any period when he is not associated with a particular broker-dealer registered under this act or a particular issuer. When an agent begins or terminates a connection with a broker-dealer or issuer, or begins or terminates those activities which make him an agent, the agent as well as the broker-dealer or issuer shall promptly notify the bureau;

(c) It shall be unlawful for any person to transact business in this State as an investment advisor unless (1) he is so registered under this act, (2) he is registered as a broker-dealer without the imposition of a condition under section 11, paragraph (b) (6), or (3) his only clients in this State are investment companies as defined in the Investment Company Act of 1940 or insurance companies;

(d) Every registration shall expire 2 years from its effective date unless renewed, except that the bureau chief may by rule provide that registrations shall all expire on the same date.

C. 49:3-10. Registration procedure.

10. Registration procedure.

(a) A broker-dealer, agent, or investment advisor may obtain an initial or renewal registration by filing with the bureau an application together with a consent to service of process pursuant to section 21, paragraph (a). The application shall contain whatever information the bureau chief by rule requires concerning such matters as (1) the applicant's form and place of organization; (2) the applicant's proposed method of doing business; (3) the qualifications and business history of the applicant; in the case of a broker-dealer or investment advisor, the qualifications and business history of any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment advisor; and, in the case of an investment advisor or registered broker-dealer acting as an investment advisor, the qualifications and business history of any employee who is to give investment advice; (4) any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a high misdemeanor or felony; and (5) the applicant's financial condition. If no denial, postponement or suspension order is in effect and no proceeding is pending under section 11, registration becomes effective at noon of the thirtieth day after an application is filed. The bureau chief may by rule or order specify an earlier effective date, or he may by order defer the effective date until the first day of the next calendar month after the thirtieth day after the filing of the application. The time limits herein provided shall run anew from the filing of any amendment. Registration of a broker-dealer automatically constitutes registration of any agent who is a partner, officer, or director, or a person occupying a similar status or performing similar functions;

(b) Every applicant for initial or renewal registration shall pay a filing fee of $75.00 in the case of

a broker-dealer, plus $2.00 for each partner, officer, director or principal doing business in this State, $15.00 in the case of an agent, and $50.00 in the case of an investment advisor. When application is denied or withdrawn, the bureau shall retain the fee. Whenever any supplemental filing, for the purpose of keeping current the information furnished to the bureau chief, is made there shall be a supplemental filing fee of $5.00.

(c) A registered broker-dealer or investment advisor may file an application for registration of a successor, whether or not the successor is then in existence, for the unexpired portion of the registration period. There shall be no filing fee;

(d) The bureau chief may by rule require a minimum capital for registered broker-dealers, provided that the bureau chief shall not in any case require a minimum capital in excess of $10,000.00 in the case of a registered broker-dealer; and provided, further, that the minimum capital requirement of a broker-dealer engaged exclusively in the sale of investment company shares shall not be in excess of $5,000.00;

(e) The bureau chief may by rule require registered investment advisors who have custody of clients' funds or securities and registered broker-dealers to post surety bonds in amounts up to $25,000.00, and may determine their conditions; provided that no such surety bond shall be required of an investment advisor or a broker-dealer who has a minimum capital of at least $25,000.00 or of a broker-dealer engaged exclusively in the sale of investment company shares who has a minimum capital of $5,000.00; except that, notwithstanding the provisions of this or any other section of this law, the bureau chief may by rule require registered broker-dealers and investment advisors if such registrant or any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling such registrant has ever been convicted of any misdemeanor involving a security or any

aspect of the securities business, or any high misdemeanor or felony to post surety bonds in amounts up to $200,000.00. Any appropriate deposit of cash or securities shall be accepted in lieu of any bond so required. Every bond shall provide for suit thereon by any person who has a cause of action under section 19. Every bond shall provide that no suit may be maintained to enforce any liability on the bond unless brought within 2 years after the sale or other act upon which it is based, or within 2 years of the time when the person aggrieved knew or should have known of the existence of his cause of action, whichever is later.

C. 49:3-11. Denial, revocation, suspension and withdrawal of registration.

11. Denial, revocation, suspension, and withdrawal of registration.

(a) The bureau chief may by order deny, suspend, or revoke any registration if he finds (1) that the order is in the public interest and (2) that the applicant or registrant or, in the case of a broker-dealer or investment advisor, any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment advisor

(i) has filed an application for registration which as of its effective date, or as of any date after filing in the case of an order denying effectiveness, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(ii) has willfully violated or willfully failed to comply with any provision of this law or a predecessor law or any rule or order authorized by this law or a predecessor law;

(iii) has been convicted of any crime involving a security or any aspect of the security business or any crime involving moral turpitude; however, where the applicant can show by proof satisfactory to the bureau chief that

during the 10-year period preceding the application he has conducted himself in such a manner as to warrant his registration consistent with all other provisions of this act, the conviction shall not be a bar to registration;

(iv) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the securities business;

(v) is the subject of an effective order of the bureau chief denying, suspending, or revoking registration as a broker-dealer, agent, or investment advisor;

(vi) is the subject of an order entered within the past 5 years by the securities administrator of any other State or by the Securities and Exchange Commission denying or revoking registration as a broker-dealer, agent, or investment advisor, or the substantial equivalent of those terms as defined in this act, or is the subject of an order of the Securities and Exchange Commission suspending or expelling him from a national securities exchange or national securities association registered under the Securities Exchange Act of 1934, or is the subject of a United States Post Office fraud order; but (A) the bureau chief may not institute a revocation or suspension proceeding under this clause (vi) more than 1 year from the date of the order relied on and (B) he may not enter an order under this clause (vi) on the basis of an order under another State act unless that order was based on facts which would currently constitute a ground for an order under this law;

(vii) has engaged in dishonest or unethical practices in the securities business;

(viii) is insolvent, either in the sense that his liabilities exceed his assets or in the sense that he cannot meet his obligations as they mature; but the bureau chief may not enter an

order against a broker-dealer or investment advisor for insolvency without a finding of insolvency as to the broker-dealer or investment advisor;

(ix) is not qualified on the basis of such factors as character, training, experience, and knowledge of the securities business, except as otherwise provided in paragraph (b);

(x) has failed to pass an examination under subdivision (b) of this section 11 if such an examination has been by rule provided for by the bureau chief;

(xi) has failed reasonably to supervise his agents if he is a broker-dealer or his employees who give investment advice if he is an investment advisor;

(xii) has failed to pay the proper fees, but the bureau chief shall vacate any such order when the deficiency has been corrected.

(b) The following provisions govern the application of paragraph (a) (2) (ix):

(1) The bureau chief may not enter an order against a broker-dealer on the basis of the lack of qualification of any person other than (i) the broker-dealer himself if he is an individual or (ii) an agent of the broker-dealer;

(2) The bureau chief may not enter an order against an investment advisor on the basis of the lack of qualification of any person other than (i) the investment advisor himself if he is an individual or (ii) any other person who represents the investment advisor in doing any of the acts which make him an investment advisor;

(3) The bureau chief may not enter an order solely on the basis of lack of experience if the applicant or registrant is qualified by training or knowledge or both;

(4) The bureau chief may by rule provide for an examination, which may be written or

oral or both, to be taken by any class of or all applicants, as well as persons who represent or will represent an investment advisor in doing any of the acts which make him an investment advisor;

(5) The bureau chief shall consider that an agent who will work under the supervision of a registered broker-dealer need not have the same qualifications as a broker-dealer;

(6) The bureau chief shall consider that an investment advisor is not necessarily qualified solely on the basis of experience as a broker-dealer or agent. When he finds that an applicant for initial or renewal registration as a broker-dealer is not qualified as an investment advisor, he may by order condition the applicant's registration as a broker-dealer upon his not transacting business in this State as an investment advisor.

(c) (1) When the bureau chief finds that an application for registration should be denied he may enter an order denying such registration; but he shall promptly notify the applicant, as well as the prospective employer if the applicant is an agent, that the order has been entered and of the reasons therefor and that the matter will be set down for hearing if a written request for such hearing is filed with the bureau chief within 30 days after receipt of such notice by the applicant. If no hearing is requested the order shall remain in effect until modified or vacated. If a hearing is held the bureau chief shall affirm, vacate or modify the order in accord with the findings at the hearing.

(2) When the bureau chief finds that a registration should be suspended or revoked he may enter a proposed order to suspend or revoke such registration and he shall promptly notify the registrant, as well as the employer if the registrant is an agent, of the proposed order, of the reasons therefor and that the matter will be set down for hearing if a written request for such hearing is filed with the

bureau chief within 10 days after receipt of such notice by the registrant. If no hearing is requested within the specified time the bureau chief shall enter the proposed order as a final order, which shall be effective when entered. If a hearing is held the bureau chief shall withdraw the proposed order or enter a final order in accord with the findings at the hearing, which order shall be effective when entered.

(d) If the bureau chief finds that any registrant or applicant for registration is no longer in existence or has ceased to do business as a broker-dealer, agent, or investment advisor, or is subject to an adjudication of mental incompetence or to the control of a committee, conservator, or guardian, or cannot be located after reasonable search, the bureau chief may by order revoke or deny the registration or application;

(e) Withdrawal from registration as a broker-dealer, agent, or investment advisor becomes effective 30 days after receipt of an application to withdraw or within such shorter period of time as the bureau chief may determine by rule or order. The bureau chief may nevertheless institute a revocation or suspension proceeding under paragraph (a) (2) (ii) within 1 year after withdrawal becomes effective and enter a revocation or suspension order as of the last date on which registration was effective;

(f) No order may be entered under this section, except under paragraph (c) (1), without (i) appropriate prior notice to the applicant or registrant (as well as the employer or prospective employer if the applicant or registrant is an agent), (ii) opportunity for hearing, and (iii) written findings of fact and conclusions of law;

(g) Every hearing before an officer or employee of the bureau which this law requires to be held before any formal action may be taken by the bureau shall not be public without the written consent of all the respondents.

C. 49:3-12. Post-registration procedures.

12. Post-registration procedures.

(a) Every registered broker-dealer shall file with the bureau chief a report of financial condition as of a date within each calendar year within 60 days after the date of such report of financial condition, provided that reports for any 2 consecutive years shall not be as of dates within 4 months of each other. The report of financial condition of a broker-dealer shall be certified by a certified public accountant or a public accountant who shall be in fact independent;

(b) Every registered broker-dealer and investment advisor shall make and whenever required by rule of the bureau chief shall file with the bureau, such books, records, and accounts as the bureau chief by rule prescribes. Such books, records and accounts shall conform insofar as practicable, to those prescribed by the Securities and Exchange Commission. All records so required shall be preserved for 3 years unless the bureau chief by rule prescribes otherwise for all records or for particular types of records;

(c) If the information contained in any document filed with the bureau is or becomes inaccurate or incomplete in any material respect, the registrant shall promptly make a correcting supplemental filing unless notification of the correction has been given under section 9, paragraph (b).

C. 49:3-13. Bureau files.

13. Bureau files.

(a) A document is filed when it is received by the bureau;

(b) The bureau shall keep a register of all applications for registration which are or have ever been effective under this act and all denial, suspension, or revocation orders which have been entered under this act. The register shall be open for public inspection;

(c) The information contained in or filed with any application or report may be made available to the public under such rules as the bureau chief prescribes;

(d) Upon request, the bureau chief shall furnish to any person photographic or other copies, certified under his seal of office if requested, of any entry in the register or any document in the custody of the bureau chief which is a public record. The bureau chief may establish such reasonable conditions and charges for the obtaining of such copies as will in his judgment be practicable.

ARTICLE 4

ENFORCEMENT

C. 49:3-14. Administration of law.

14. Administration of law.

(a) This law shall be administered by the Bureau of Securities which is hereby created in the Division of Law of the Department of Law and Public Safety. The principal executive officer of the bureau shall be a chief who is appointed by and serves at the pleasure of the Attorney General. The chief of the bureau shall have power to employ such officers and employees as may be necessary to carry out the purposes of this law and to define their duties;

(b) It shall be unlawful for any of the officers or employees of the bureau to use for personal benefit any information which is filed with or obtained by the bureau and which is not made public. No provision of this law authorizes any officers or employees of the bureau to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under this law. No provision of this law either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpœna directed to any of the officers or employees of the bureau.

C. 49:3-15. Rules, forms and orders.

15. Rules, forms and orders.

(a) The bureau chief may from time to time make, amend and rescind such rules, forms and orders as are reasonably necessary to carry out the

provisions of this law, including rules and forms governing applications and reports, and defining any terms, whether or not used in this law, insofar as the definitions are not inconsistent with the provisions of this law. For the purpose of rules and forms, the bureau chief may classify securities, persons and matters within his jurisdiction, and prescribe different requirements for different classes;

(b) No rule, form or order may be made, amended or rescinded unless the bureau chief finds that the action is necessary and appropriate (1) in the public interest, or (2) for the protection of investors, or (3) consistent with the purposes fairly intended by the policy and provisions of this act. In prescribing rules and forms the bureau chief may co-operate with the securities administrators of the other States and the Securities and Exchange Commission with a view to effectuating the policy of this statute to achieve maximum uniformity in the form and content of applications and reports wherever practicable;

(c) The bureau chief may by rule prescribe (1) the form and content of financial statements required under this act; and (2) the circumstances under which consolidated financial statements shall be filed. All financial statements shall be prepared in accordance with generally accepted accounting practices. The form and content of financial statements shall conform, insofar as practicable, to those prescribed by the Securities and Exchange Commission.

(d) All rules and forms promulgated by the bureau chief shall be filed with the Secretary of State a reasonable time before their effective date. Copies of the rules and samples of the forms shall be published in convenient form by the bureau for distribution to interested persons, subject to available appropriations.

C. 49:3-16. Investigations, subpœnas and ne exeat.

16. Investigations, subpœnas and ne exeat.

(a) The bureau chief in his discretion (1) may make such private investigations within or outside of this State as he deems necessary to determine whether any person has violated or is about to violate any provision of this law or any rule or order hereunder, or to aid in the enforcement of this law or in the prescribing of rules and forms hereunder, (2) may require or permit any person to file a statement in writing, under oath or otherwise as the bureau chief determines, as to all the facts and circumstances concerning the matter to be investigated, and (3) may publish information concerning any violation of this act or any rule or order hereunder, provided that there shall be no publication until such rule or order becomes effective;

(b) For the purpose of any investigation or proceeding under this law, the bureau chief or any officer designated by him may administer oaths and affirmations, subpœna witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, agreements or other documents or records which the bureau chief deems relevant or material to the inquiry;

(c) In case of contumacy by, or refusal to obey a subpœna issued to, any person, the Superior Court, upon application by the bureau chief, may issue to the person an order requiring him to appear before the bureau chief, or the officer designated by him, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. The court may grant injunctive relief restraining the issuance, sale or offer for sale, purchase or offer to purchase, promotion, negotiation, advertisement or distribution from or within this State of any securities by a person, or agent, employee, broker, partner, officer, director or stockholder thereof, until such person has fully complied with such subpœna and the bureau has completed its

investigation. The court may proceed in the action in a summary manner or otherwise;

(d) No person is excused from attending and testifying or from producing any document or record before the bureau, or in obedience to the subpœna of the bureau chief or any officer designated by him, or in any proceeding instituted by the bureau, on the ground that the testimony or evidence (documentary or otherwise) required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence (documentary or otherwise), except that the individual testifying is not exempt from prosecution and punishment for perjury, false swearing or contempt committed in testifying.

(e) When it shall appear to the bureau chief that the testimony of any person is essential to an investigation instituted by him as provided by this chapter, and that the failure of such person to appear and testify may defeat the proper and effective conduct thereof, the bureau chief, in addition to the other remedies provided for herein, may, by petition verified generally, setting forth the facts, apply to the Superior Court for a writ of ne exeat against such person. The court shall thereupon direct the issuance of the writ against such person requiring him to give sufficient bail conditioned to insure his appearance before the bureau chief for examination under oath in such investigation and that he will continue his appearance therein from time to time until the completion of the investigation and will appear before the court if the bureau chief shall institute any proceeding therein as a result of his investigation.

The court shall cause to be indorsed on the writ of ne exeat, in words at length, a suitable amount of bail upon which the person named in the writ

shall be freed, having a due regard to the nature of the case and the value of the securities involved. All applications to be freed on bail shall be on notice to the bureau chief and the sufficiency of the bail given on the writ shall be approved by the court. All recognizances shall be to the State and all forfeitures thereof shall be declared by the court. The proceeds of the forfeitures shall be paid into the State treasury.

17. Injunctions and receivers.

C. 49:3-17. Injunctions and receivers.

(a) When it shall appear to the bureau chief that a person has engaged in, is engaging in, or is about to engage in, any practices declared to be illegal and prohibited by this law or when it shall appear that it will be against the public interest for any person to issue, sell, offer for sale, purchase, offer to purchase, promote, negotiate, advertise or distribute any securities from or within this State, the Attorney General on his behalf may bring an action in the Superior Court and apply therein for injunctive relief, or the appointment of a receiver, or both. The court may proceed in the action in a summary manner or otherwise;

(b) If it shall appear to the court in the action that such person has engaged in, is engaging in, or is about to engage in any practice declared to be illegal and prohibited by this law, it may enjoin such person, and any agent, employee, broker, partner, officer, director or stockholder thereof, from continuing such practices or engaging therein or doing any acts in furtherance thereof. The court may also enjoin the issuance, sale, offer for sale, purchase, offer to purchase, promotion, negotiation, advertisement or distribution from or within this State of any securities by such persons, and any agent, employee, broker, partner, officer, director or stockholder thereof, until the court shall otherwise order;

(c) When the court shall grant injunctive relief as provided for in paragraph (b), it may appoint a receiver with power to sue for, collect, receive and take into his possession all the goods and chattels,

rights and credits, moneys and effects, lands and tenements, books, records, documents, papers, choses in action, bills, notes and property of every description, derived by means of any practice declared to be illegal and prohibited by this law, including property with which such property has been mingled, if it cannot be identified in kind because of such commingling, and to sell, convey and assign the same and hold and dispose of the proceeds thereof under the direction of the court for the equal benefit of all who establish an interest therein by reason of the use and employment by the defendant of any practices herein declared to be illegal and prohibited. The receiver may retain an attorney with the consent of the Attorney General and the court. The court shall have jurisdiction of all questions arising in such proceedings and may make such orders and judgments therein as justice shall require;

(d) When injunctive relief is granted as provided for in paragraph (b) against a corporation, partnership, company, association or trust, the court may appoint a receiver and may restrain the corporation, its officers, directors, stockholders, and agents, the partnership, company or association, its officers, members and agents, and the trust, its grantors, trustees, officers, cestuis que trustent and agents, from exercising any of its privileges or franchises, and in the case of a trust from executing the trust, and in all cases from collecting or receiving any debts, or paying out, selling, assigning or transferring any of its estate, moneys, funds, lands, tenements or effects except to the receiver appointed by the court until the court shall otherwise order.

Upon the appointment of the receiver, all the real and personal property of the corporation, partnership, company, association or trust, and its franchises, rights, privileges and effects shall forthwith vest in him and the corporation, partnership, company, association or trust shall be divested of the title thereto.

The receiver shall settle the estate and distribute the assets, and have all the powers and duties conferred upon receivers by the provisions of Title 14, Corporations, General, so far as the provisions thereof are applicable.

18. Criminal penalties. C. 49:3-18. Criminal penalties.

Any person who willfully violates any provision of this law, except section 7, or who willfully violates any rule or order under this law, or who willfully violates section 7 knowing the statement made to be false or misleading in any material respect, shall be guilty of a misdemeanor and fined not more than $5,000.00 or imprisoned not more than 3 years, or both; but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order. No indictment or information may be returned under this law more than 5 years after the alleged violation.

19. Civil liabilities. C. 49:3-19. Civil liabilities.

(a) Any person who

(1) offers or sells a security in violation of section 8, paragraph (b) or section 9, paragraph (a), or

(2) offers or sells a security by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading (the buyer not knowing of the untruth or omission),

is liable to the person buying the security from him, who may sue to recover the consideration paid for the security, together with interest at 6% per year from the date of payment and costs, less the amount of any income received on the security, upon the tender of the security and any income received on it, or for damages if he no longer owns the security; provided, however, that the person buying the security must sustain the burden of

proof that the seller knew of the untruth or omission and intended to deceive the buyer, and provided further that the buyer has suffered a financial detriment. Damages are the amount that would be recoverable upon a tender less the value of the security when the buyer disposed of it and interest at 6% per year from the date of disposition;

(b) Every person who directly or indirectly controls a seller liable under paragraph (a), every partner, officer, or director of such a seller, every person occupying a similar status or performing similar functions, every employee of such a seller who materially aids in the sale, and every broker-dealer or agent who materially aids in the sale are also liable jointly and severally with and to the same extent as the seller, unless the nonseller who is so liable sustains the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable;

(c) Any tender specified in this section may be made at any time before entry of judgment;

(d) Every cause of action under this law survives the death of any person who might have been a plaintiff or defendant;

(e) No person may sue under this section more than 2 years after the contract of sale. No person may sue under this section (1) if the buyer received a written offer, before suit and at a time when he owned the security, to refund the consideration paid together with interest at 6% per year from the date of payment, less the amount of any income received on the security, and he failed to accept the offer within 30 days of its receipt, or (2) if the buyer received such an offer before suit and at a time when he did not own the security, unless he rejected the offer in writing within 30 days of its receipt;

(f) No person who has made or engaged in the performance of any contract in violation of any provision of this law or any rule or order hereunder, or who has acquired any purported right under any such contract with knowlelge of the facts by reason of which its making or performance was in violation, may base any suit on the contract;

(g) Any condition, stipulation or provision binding any person acquiring any security to waive compliance with any provision of this law or any rule or order hereunder is void;

(h) The rights and remedies provided by this act are in addition to any other rights or remedies that may exist at law or in equity, but this law does not create any cause of action not specified in this section or section 10, paragraph (e).

C. 49:3-20. No liability.

20. No liability for good faith compliance with invalid rule, form or order.

No provision of this law imposing any liability applies to any act done or omitted in good faith in conformity with any rule, form or order of the bureau chief, notwithstanding that the rule, form or order may later be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

C. 49:3-21. Bureau chief as attorney to receive process.

21. Appointment of bureau chief as attorney to receive process.

(a) Every applicant for registration under this law and every issuer which proposes to offer a security in this State through any person acting on an agency basis in the common-law sense shall file with the bureau, in such form as the bureau chief by rule prescribes, an irrevocable consent appointing the bureau chief or his successor in office to be his attorney to receive service of any lawful process in any noncriminal suit, action or proceeding against him or his successor, executor or administrator which arises under this law or any rule or order hereunder after the consent has been filed, with the same force and validity as if served personally on the person filing the consent. A person who has filed such a consent in connection with a

previous registration need not file another. Service may be made by leaving a copy of the process in the office of the bureau, but it is not effective unless the plaintiff, who may be the bureau chief, in a suit, action or proceeding instituted on his behalf by the Attorney General forthwith sends notice of the service and a copy of the process by certified or registered mail to the defendant or respondent at his last address on file with the bureau;

(b) When any person, including any nonresident of this State, engages in conduct prohibited or made actionable by this law or any rule or order authorized by this law, and he has not filed a consent to service of process under paragraph (a) and personal jurisdiction over him cannot otherwise be obtained in this State, that conduct shall be considered equivalent to his appointment of the bureau chief or his successor in office to be his attorney to receive service of any lawful process in any noncriminal suit, action or proceeding against him or his successor, executor or administrator which grows out of that conduct and which is brought under this law or any rule or order hereunder, with the same force and validity as if served on him personally. Service may be made by leaving a copy of the process in the office of the bureau, and it is not effective unless the plaintiff, who may be the bureau chief in any action instituted on his behalf by the Attorney General, forthwith sends notice of the service and a copy of the process by certified or registered mail to the defendant or respondent at his last known address.

ARTICLE V

MISCELLANEOUS PROVISIONS

C. 49:3-22. Security Advisory Committee; members; qualifications; terms.

22. Security Advisory Committee.

The Governor shall appoint a Security Advisory Committee which shall consist of 6 members. The members of the committee shall be residents of New Jersey, actively engaged in the securities

business or as investment advisors. The members shall be selected on the basis of their experience and qualifications and with a view to representing all phases of the securities business. The members shall be appointed for staggered terms of 3 years with 2 members being appointed each year, without compensation, and may be reappointed for additional terms. The members of the committee shall select a chairman. Meetings of the committee shall be held when called by the bureau chief. The committee shall serve in an advisory capacity to the bureau chief on all matters pertaining to this law.

23. Statutory policy. C. 49:3-23. Statutory policy.

This law shall be so construed as to effectuate its general purpose to make uniform the law of those States which enact similar laws and to co-ordinate the interpretation and administration of this law with related Federal regulation.

24. Severability of provisions. C. 49:3-24. Provisions severable.

If any provision of this law or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the law which can be given effect without the invalid provision or application, and to this end the provisions of this law are severable.

25. Repeal and saving provisions. C. 49:3-25. Repeal and saving provisions.

(a) The New Jersey Securities Law, chapter 1 of Title 49 of the Revised Statutes, is repealed except as saved in this section;

(b) Prior law exclusively governs all suits, actions, prosecutions or proceedings which are pending or may be initiated on the basis of facts or circumstances occurring before the effective date of this law, except that no civil suit or action may be maintained to enforce any liability under prior law unless brought within any period of limitation which applied when the cause of action accrued and in any event, within 2 years after the effective date of this law.

26. Effective date. C. 49:3-26. Act effective.

This act shall take effect on January 1, 1961.

Approved June 23, 1960.

CHAPTER 76

A SUPPLEMENT to "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1960, and regulating the disbursement thereof," approved June 15, 1959 (P. L. 1959, c. 106).

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

1. There is hereby appropriated, in addition to the sums appropriated by the act hereby supplemented, the following:

Appropriation.

LEGISLATIVE COMMISSION TO MAKE A SURVEY OF THE OPERATION OF THE WELFARE AND RELIEF LAWS IN THE VARIOUS MUNICIPALITIES CONSTITUTED PURSUANT TO SENATE CONCURRENT RESOLUTION No. 25 OF THE 1959 SESSION OF THE LEGISLATURE

Personal Services:	
Services other than personal and expenses	$15,000 00

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 77

AN ACT to amend "An act concerning the use of the State Seal; authorizing the use of said seal by certain persons; providing that persons not authorized to use the said seal, who use said seal, shall be disorderly persons; providing fines upon convictions as such disorderly persons; providing for revocation of motor vehicle licenses in certain cases for unauthorized uses of said seal; terminating certain authorizations to use the said seal; and repealing section 2A:148–23 of the New Jersey Statutes," approved July 19, 1955 (P. L. 1955, c. 155).

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

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

1. The Governor of the State, the head of any principal executive department of the State, the members of the Legislature of the State, the Justices of the Supreme Court, the judges of the Superior Court, the county judges, the Secretary of the Senate and the Clerk of the General Assembly and each of them, are authorized to use, exhibit and display the Great Seal of the State of New Jersey, in whole or in part, including such use, exhibition and display on their motor vehicle license plates. C. 52:2-3. Authorizes display of Great Seal.

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 78

A SUPPLEMENT to "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1960, and regulating the disbursement thereof," approved June 15, 1959 (P. L. 1959, c. 106).

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

Appropriation.

1. There hereby is appropriated out of the General Treasury to the Legislative Commission to Investigate the administration and rate structure of the Hospital Service Plan of New Jersey, for the purpose of said commission, the sum of $15,000.00.

2. This act shall take effect immediately.

Approved June 23, 1960.

CHAPTER 79

AN ACT to amend the title of "An act to authorize and permit the Board of Trustees of the Public Employees' Retirement System to purchase group life insurance from 1 or more life insurance companies to provide members of the Public Employees' Retirement System with death benefits, and supplementing the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved September 22, 1955 (P. L. 1955, c. 214), so that the same shall read "An act to authorize and permit the purchase of group life insurance from 1 or more life insurance companies to provide members of the Public Employees' Retirement System with death benefits, and supplementing the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," and to amend the body of said act.

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

Title amended.

1. The title of "An act to authorize and permit the Board of Trustees of the Public Employees' Retirement System to purchase group life insurance from 1 or more life insurance companies to provide members of the Public Employees' Retirement System with death benefits, and supplementing the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved September 22, 1955, is amended to read "An act to authorize and permit the purchase of group life insurance from 1 or more life insurance companies to provide mem-

New title.

bers of the Public Employees' Retirement System with death benefits, and supplementing the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)."

Section amended.

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

C. 43:15A-88. Authorized to purchase group life insurance.

1. The State Treasurer is hereby authorized and permitted to purchase from 1 or more life insurance companies, as determined by him, a policy or policies of group life insurance to provide for the benefits specified in sections 41, 45, 46 and 48 of chapter 84 of the laws of 1954. The Board of Trustees of the Public Employees' Retirement System is hereby authorized and permitted to purchase from 1 or more life insurance companies, as determined by it, a policy or policies of group life insurance to provide for the benefits specified in section 57 of chapter 84 of the laws of 1954. Whenever such policy or policies of group insurance shall be in effect, the benefits payable thereunder shall be in lieu of the above mentioned death benefits provided by said sections.

Section amended.

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

C. 43:15A-90. Discretion in purchase of coverage.

3. The State Treasurer may, in his discretion, determine to purchase group insurance coverage for the noncontributory death benefit provisions as provided in chapter 84 of the laws of 1954, or may determine not to purchase any group insurance coverage for the death benefit provisions heretofore mentioned. The Board of Trustees of the Public Employees' Retirement System may, in its discretion, determine to purchase group insurance coverage for additional death benefit coverage as provided for in section 57 of chapter 84 of the laws of 1954 or may also, in its discretion, determine not to purchase any contributory group insurance coverage for the additional death benefit provisions provided in section 57 of chapter 84 of the laws of 1954.

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

Section amended.

4. In the event the State Treasurer shall determine to purchase group insurance coverage for the noncontributory death benefits, premiums for the same shall be paid from a special fund, hereby created, called the "Group Insurance Premium Fund." The State Treasurer shall estimate annually the amount of premiums which will be required for such benefits for the ensuing fiscal year and shall certify such amounts to the State and other participating employers as due and owing from them. The State and other participating employers shall pay over to the State Treasurer the amount for premiums so certified and the State Treasurer shall deposit these amounts in the Group Insurance Premium Fund. During the period such group insurance policy or policies are in effect the State Treasurer shall in no way commingle moneys in this fund with any pension fund established in the Public Employees' Retirement-Social Security Integration Act.

C. 43:15A-91. Premiums paid from special funds.

In the event that the Board of Trustees of the Public Employees' Retirement System shall determine to purchase group coverage for the optional contributory death benefits, premiums for same shall be paid from a special fund hereby created called the "Contributory Group Insurance Premium Fund." While such group coverage shall be in force, the contributions from the compensation of members to provide such optional contributory death benefits shall be accumulated in said Contributory Group Insurance Premium Fund. Any dividend or retrospective rate credit allowed by an insurance company shall be credited to the aforesaid funds in an equitable manner.

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

Section amended.

5. In the event that the Board of Trustees of the Public Employees' Retirement System shall determine to purchase group insurance coverage for the additional death benefit coverage, each member

C. 43:15A-92. Additional death benefits; contributions; adjustment.

selecting the additional death benefit coverage shall agree to the deduction of a percentage of his compensation determined from a schedule of contributions to be established by the Board of Trustees of the Public Employees' Retirement System. The schedule of contributions shall be established by said board of trustees on a basis it deems appropriate and shall be subject to adjustment by said board of trustees from time to time for the purpose of maintaining the Contributory Group Insurance Premium Fund at a level sufficient to meet the obligations of the fund for the cost of the insurance.

Section amended.

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

C. 43:15A-94. Payment of benefits.

7. Benefits under such group policy or policies shall be paid by the company to such person, if living, as the member shall have nominated by written designation duly executed and filed with the insurance company through the policyholder, otherwise to the executors or administrators of the member's estate, except that if a member dies in active service as a result of accident and claim is made and allowed under section 49 of chapter 84 of the laws of 1954, the death benefit payable under the policy in such case, exclusive of any additional death benefit provided by section 57 of said chapter, shall, in lieu of being paid as aforesaid be paid to the State Treasurer. A member may file with the insurance company through the policyholder and alter from time to time during his lifetime, as desired, a duly attested written nomination of his payee for the death benefit.

Section amended.

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

C. 43:15A-95. Arrangements for payment of benefit.

8. Any such group policy or policies shall provide that payment of any death benefits which are payable by the insurance company may be made in 1 sum directly to the beneficiary as hereinafter provided, in equal annual installments over a period of years or as a life annuity or in such other manner as may be made available by the insurance company. A member may make such

arrangements for settlement, and may alter from time to time during his lifetime any arrangement previously made, by making written request to the insurance company through the policyholder. Upon the death of a member, a beneficiary to whom a benefit is payable in 1 sum by the insurance company may likewise arrange for a settlement as described above. If a member's or beneficiary's request for settlement of any death benefit in equal annual installments over a period of years or as a life annuity pursuant to the foregoing is approved by the policyholder, the amount of such annual installments or such life annuity, as the case may be, shall be determined on the basis of such applicable mortality tables and rates of interest as shall have been adopted by the retirement system and are in effect at the member's death. Any arrangement for payment under the group policy to a beneficiary shall be in lieu of that provided by sections 41, 45, 46, 48 and 57 of chapter 84 of the laws of 1954.

Section amended.

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

C. 43:15A-96. Policyholder credited in form of reduced premiums.

9. Notwithstanding any other provision of law, any insurance company or companies issuing such policy or policies may credit the policyholder, in the form of reduced premiums, with savings by said company or companies in the event that no brokerage commission or commissions are paid by said company or companies on the issuance of such policy or policies.

NOTE: Act effective.

9. This act shall take effect on July 1, 1960.

Approved July 1, 1960.

CHAPTER 80

AN ACT to amend the title of "An act to authorize and permit the Board of Trustees of the Teachers' Pension and Annuity Fund to purchase group life insurance from 1 or more life insurance companies to provide members of the Teachers' Pension and Annuity Fund with death benefits, and supplementing the 'Teachers' Pension and Annuity Fund-Social Security Integration Act,' approved June 1, 1955 (P. L. 1955, c. 37)," approved July 12, 1957 (P. L. 1957, c. 142), so that the same shall read "An act to authorize and permit the purchase of group life insurance from 1 or more life insurance companies to provide members of the Teachers' Pension and Annuity Fund with death benefits, and supplementing the 'Teachers' Pension and Annuity Fund-Social Security Integration Act,' approved June 1, 1955 (P. L. 1955, c. 37)," and to amend the body of said act.

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

Title amended.

1. The title of "An act to authorize and permit the Board of Trustees of the Teachers' Pension and Annuity Fund to purchase group life insurance from 1 or more life insurance companies to provide members of the Teachers' Pension and Annuity Fund with death benefits, and supplementing the 'Teachers' Pension and Annuity Fund-Social Security Integration Act,' approved June 1, 1955 (P. L. 1955, c. 37)," approved July 12, 1957, is

New title.

amended to read "An act to authorize and permit the purchase of group life insurance from 1 or more life insurance companies to provide members

of the Teachers' Pension and Annuity Fund with death benefits, and supplementing the 'Teachers' Pension and Annuity Fund-Social Security Integration Act,' approved June 1, 1955 (P. L. 1955, c. 37)."

Section amended.

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

C. 18:13-112.76. Authorization to purchase group life insurance.

1. The State Treasurer is hereby authorized and permitted to purchase from 1 or more life insurance companies, as determined by him, a policy or policies of group life insurance to provide for the benefits specified in sections 37, 38, 41, 42 and 44 of chapter 37 of the laws of 1955. The Board of Trustees of the Teachers' Pension and Annuity Fund is hereby authorized and permitted to purchase from 1 or more life insurance companies, as determined by it, a policy or policies of group life insurance to provide for the benefits specified in section 53 of chapter 37 of the laws of 1955. Whenever such policy or policies of group insurance shall be in effect, the benefits payable thereunder shall be in lieu of the above mentioned death benefits provided by said sections.

Section amended.

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

C. 18:13-112.78. Discretion in purchase of coverage.

3. The State Treasurer may, in his discretion, determine to purchase group insurance coverage for the noncontributory death benefit provisions as provided in chapter 37 of the laws of 1955, or may determine not to purchase any group insurance coverage for the death benefit provisions heretofore mentioned. The Board of Trustees of the Teachers' Pension and Annuity Fund may, in its discretion, determine to purchase group insurance coverage for additional death benefit coverage as provided for in section 53 of chapter 37 of the laws of 1955 or may also, in its discretion, determine not to purchase any contributory group insurance coverage for the additional death benefit provisions provided in section 53 of chapter 37 of the laws of 1955.

Section amended.

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

C. 18:13-112.79. Premiums paid from special funds.

4. In the event the State Treasurer shall determine to purchase group insurance coverage for the noncontributory death benefits, premiums for the same shall be paid from a special fund, hereby created, called the "Group Insurance Premium Fund." The State Treasurer shall estimate annually the amount of premiums which will be required for such benefits for the ensuing fiscal year and shall certify such amounts to the State and other participating employers as due and owing from them. The State and other participating employers shall pay over to the State Treasurer the amount for premiums so certified and the State Treasurer shall deposit these amounts in the Group Insurance Premium Fund. During the period such group insurance policy or policies are in effect the State Treasurer shall in no way commingle moneys in this fund with any pension fund established in the Teachers' Pension and Annuity Fund-Social Security Integration Act.

In the event that the Board of Trustees of the Teachers' Pension and Annuity Fund shall determine to purchase group coverage for the additional death benefits, premiums for same shall be paid from a special fund hereby created called the "Contributory Group Insurance Premium Fund." While such group coverage shall be in force, the contributions from the compensation of members to provide such additional death benefits shall be accumulated in said Contributory Group Insurance Premium Fund. Any dividend or retrospective rate credit allowed by an insurance company shall be credited to the aforesaid funds in an equitable manner.

Section amended.

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

C. 18:13-112.80. Additional death benefits; contributions; adjustment.

5. In the event that the Board of Trustees of the Teachers' Pension and Annuity Fund shall determine to purchase group insurance coverage for the additional death benefit coverage, each member

selecting the additional death benefit coverage shall agree to the deduction of a percentage of his compensation determined from a schedule of contributions to be established by the Board of Trustees of the Teachers' Pension and Annuity Fund. The schedule of contributions shall be established by said board of trustees on a basis it deems appropriate and shall be subject to adjustment by said board of trustees from time to time for the purpose of maintaining the Contributory Group Insurance Premium Fund at a level sufficient to meet the obligations of the fund for the cost of the insurance.

Section amended.

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

C. 18:13-112.82. Payment of benefits.

7. Benefits under such group policy or policies shall be paid by the company to such person, if living, as the member shall have nominated by written designation duly executed and filed with the insurance company through the policyholder, otherwise to the executors or administrators of the member's estate, except that if a member dies in active service as a result of accident and claim is made and allowed under section 46 of chapter 37 of the laws of 1955, the death benefit payable under the policy in such case, exclusive of any additional death benefit provided by section 53 of said chapter, shall, in lieu of being paid as aforesaid be paid to the State Treasurer. A member may file with the insurance company through the policyholder and alter from time to time during his lifetime, as desired, a duly attested written nomination of his payee for the death benefit.

Section amended.

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

C. 18:13-112.83. Arrangements for payment of benefits.

8. Any such group policy or policies shall provide that payment of any death benefits which are payable by the insurance company may be made in 1 sum directly to the beneficiary as hereinafter provided, in equal annual installments over a period of years or as a life annuity or in such other manner as may be made available by the insurance company. A member may make such arrange-

ments for settlement, and may alter from time to time during his lifetime any arrangement previously made, by making written request to the insurance company through the policyholder. Upon the death of a member, a beneficiary to whom a benefit is payable in 1 sum by the insurance company may likewise arrange for a settlement as described above. If a member's or beneficiary's request for settlement of any death benefit in equal annual installments over a period of years or as a life annuity pursuant to the foregoing is approved by the policyholder, the amount of such annual installments or such life annuity, as the case may be, shall be determined on the basis of such applicable mortality tables and rates of interest as shall have been adopted by the retirement system and are in effect at the member's death. Any arrangement for payment under the group policy to a beneficiary shall be in lieu of that provided by sections 37, 38, 41, 42, 44 and 53 of chapter 37 of the laws of 1955.

Section amended.

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

C. 18:13-112.84. Policyholder credited in form of reduced premiums.

9. Notwithstanding any other provision of law, any insurance company or companies issuing such policy or policies may credit the policyholder, in the form of reduced premiums, with savings by said company or companies in the event that no brokerage commission or commissions are paid by said company or companies on the issuance of such policy or policies.

NOTE: Act effective.

9. This act shall take effect on July 1, 1960.

Approved July 1, 1960.

CHAPTER 81

AN ACT fixing the term of office of certain municipal engineers.

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

C. 40:46-6.23. Term of municipal engineer.

1. In any municipality, not governed by the municipal manager form of government, in which the municipal engineer is appointed by the mayor or other chief executive officer or a member of the governing body, the municipal engineer shall serve for a term, coextensive with the term of office of the appointing officer, and until the appointment and qualification of his successor.

C. 40:46-6.24. Application of act.

2. This act shall not affect the term of office of any municipal engineer now in office under appointment for a fixed term, the continuance in office of any municipal engineer who has or shall be granted tenure of office, or the term of any municipal engineer who was or shall be appointed to serve during good behavior.

C. 40:46-6.25. Repealer.

3. All acts or parts of acts inconsistent herewith are repealed.

4. This act shall take effect immediately.

Approved July 1, 1960.

CHAPTER 82

AN ACT concerning elections and supplementing chapter 7 of Title 19 of the Revised Statutes.

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

C. 19:7-6.1. Limits number of challengers.

1. Unless express permission be given by the district board, not more than 1 challenger appointed for a party, candidate, or on a public question,

shall be present at any one time in any polling place while serving and exercising the powers of a challenger and during the hours when the polls are open for voting. If the district board shall in any case give permission for more than 1 challenger so appointed to be present at any one time in any polling place, it shall on the same grounds and on request permit a like number to be present on behalf of any opposing party, or on behalf of any other candidate for the same office, or on the other side of any public question.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 83

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

Section amended.

1. Section 17–4 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-153. Names of candidates filed; form and contents of petition.

17–4. At least 45 days prior to a regular municipal election, and at least 45 days prior to the first election for municipal officers in municipalities which have adopted articles 3 through 6, inclusive, or 9, 10, 11, 12, 13 or 14, of this act, the names of candidates for all offices shall be filed with the municipal clerk in the manner and form and under the conditions hereinafter set forth:

(a) The petition of nomination shall consist of individual certificates, equal in number to at least 1%, but in no event less than 10, of the registered voters of the municipality or the ward, as the case may be, and shall read substantially as follows:

"I, the undersigned, a registered voter of the municipality of ..... residing at

..... certify that I do hereby join in a petition of the nomination of ..... whose residence is at ..... for the office of mayor (or councilman-at-large, or ward councilman of the ..... ward, as the case may be) to be voted for at the election to be held in such municipality on the .... 19...., and I further certify that I know this candidate to be a registered voter, for the period required by law, of said municipality (and said ward in the case of ward councilman) and a man of good moral character, and qualified, in my judgment, to perform the duties of said office and I further certify that I have not signed more petitions or certificates of nominations than there are places to be filled for the above office.

Signed ....."

(b) Each petition signature shall be on a separate sheet of paper and shall bear the name and address of the petitioner. The candidate for office and his campaign manager shall make an oath before an officer competent to administer oaths that the statements made therein are true and that each signature to the papers appended thereto is the genuine signature of the person whose name it purports to be to their best knowledge and belief. Such oath, signed by the candidate, shall constitute his acceptance of such nomination and shall be annexed to the petition, together with the oath of his campaign manager, at the time the petition is submitted.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 84

A SUPPLEMENT to article 17 of the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

C. 40:69A-167.1. Voter registration and residence requirements.

1. In any city of the first class, elected officers, including members of a charter commission, shall, for at last 2 years before election, be registered voters and residents of the municipality; and ward officers shall also be residents of the respective wards for which elected for a period of 8 months before election.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 85

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

Section amended.

1. Section 17–5 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-154. Certificates furnished; examination of petition; amendment.

17–5. (a) The municipal clerk shall furnish, upon application, a reasonable number of forms of individual certificate of the above character.

(b) Each certificate shall contain the name of 1 candidate, and no more. Each signer must not, at the time of signing the certificate, have signed more certificates for candidates for that office than there are places to be filled for such office; provided, how-

ever, that where ward councilmen are to be elected, no petitioner shall sign more than 1 certificate for ward councilman; and further provided, that the candidate named in the petition must reside in the same ward as the signer. All certificates of an elector whose certificate or certificates have not complied substantially with the foregoing provisions shall be rejected.

(c) When such a petition of nomination is presented for filing to the municipal clerk, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this article and the applicable sections of the general election laws, and if not found in conformity thereto, he shall retain the petition, designate the defect and notify the person nominated thereof, by written notice delivered to him personally or by certified mail to his place of residence stated in the petition.

(d) Where the nominating petition, or any affidavit or affidavits thereto may be found defective, the candidate named therein may file such amendment or amendments thereto as may be necessary to eliminate the defect, whether in matters of substance or form, and when so amended the effect shall be as if the petition had been originally filed in the amended form; provided, however, that after the last day for the filing of the original petition, no amendment may be made for the purpose of adding the name of any person who did not sign the original petition, nor shall any amendment be made at any time for the purpose of changing the name of the candidate or the office for which he was to be nominated; and every amendment to a nominating petition shall be made and filed in any case not less than 34 days before the election.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 86

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

Section amended.

1. Section 17–12 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-161. Runoff election.

17–12. In any regular municipal election referred to in section 17–11, if a sufficient number of candidates do not receive a majority of the votes cast to elect the required number of councilmen at large, or no candidate for mayor or no candidate for ward councilman receives a majority of the votes cast for his respective office, a runoff election in the municipality or ward, as the case may be, shall be held on the fifth Tuesday next following such municipal election. The candidates for councilmen at large not elected at such municipal election, equal in number to twice the number of councilmen at large remaining to be elected, who received the greatest number of votes at such municipal election and the 2 candidates for mayor or for ward councilmen who received the greatest number of votes at such election, shall be the candidates for the office for which they were nominated, at such runoff election. Military service ballots shall forthwith be printed and distributed for the runoff election in the same manner, so far as possible, as for other municipal elections.

The candidate or candidates who receive the greatest number of votes at such runoff election shall be elected to the office or offices to be filled. If 2 or more candidates shall be equal and greatest in votes, for any of the purposes of this section, they shall draw lots to determine which one shall enter

the runoff election or be elected therein, as the case may be.

If any candidate to be voted for at the runoff election dies 7 or more days prior to the runoff election, the candidate for said office not theretofore included in the runoff election but next in highest number of votes for that purpose, shall be substituted at such election in the place and stead of the deceased candidate and his name shall be substituted on the ballots for that of the deceased candidate.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 87

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

1. Section 17–11 of the act of which this act is amendatory is amended to read as follows: Section amended.

17–11. At the regular municipal election in any municipality which has adopted articles 4 or 5, or 9 through 12, inclusive, of this act, the candidates receiving the greatest number and a majority of votes cast shall be elected to the respective offices; provided, however, that if: C. 40:69A-160. Elected candidates in municipalities adopting articles 4 or 5 or 9-12; majority; using voting machines.

(a) five councilmen at large are to be elected and 2 or more candidates for said office receive a majority of the votes cast, the 5 candidates receiving the greatest number of votes shall be elected; or

(b) four councilmen at large are to be elected and 2 or more candidates for said office receive a majority of the votes cast, the 4 candidates receiving the greatest number of votes shall be elected; or

(c) three councilmen at large are to be elected and 1 or more candidates for said office receive a majority of the votes cast, the 3 candidates receiving the greatest number of votes shall be elected; or

(d) two councilmen at large are to be elected and 1 or more candidates for said office receive a majority of the votes cast, the 2 candidates receiving the greatest number of votes shall be elected.

As used in this section, the number constituting a majority of the votes cast shall be computed by dividing by 2 the number of voters who cast a vote for at least 1 candidate for councilman at large, and then adding 1. Voting machines to be used in such election shall be equipped, as soon as practicable, with 1 or more counters so connected as to keep a tally of the number of voters who cast votes for 1 or more of the candidates for councilman at large. Until such time as suitable counters have been so provided, or whenever the tally of the number of voters cannot be determined for any reason, then the number constituting said majority of the votes cast shall be computed by adding all the votes cast for each candidate for said office, dividing that total by twice the number of councilmen at large to be elected and then adding 1.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 88

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

1. Section 1–10 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 40:69A-10. Report of charter commission; copies.

1–10. The charter commission shall report its findings and recommendations to the citizens of the municipality in accordance with section 1–7 within 9 calendar months from the date of its election. For this purpose it shall file with the municipal clerk an original signed copy of any final report containing said findings and recommendations made by any member of the commission. It shall also deliver to the municipal clerk sufficient copies of any such report to permit distribution to any interested citizen. The municipal clerk shall deliver a copy of any such report to each member of the governing body. If the charter commission, or any member or members thereof shall recommend the adoption of any of the optional plans of government as authorized in section 1–12 (a) or 1–13, such report shall contain the complete plan as recommended.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 89

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210).

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

Section amended.

1. Section 5–6 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-60. Vacancies in elective offices

5–6. Vacancies in any elective office occurring prior to the ninth Friday before general election day of any year shall be filled by election for the unexpired term at the next general election except as hereinafter otherwise provided. Such election to fill a vacancy shall be upon direct nomination by petition in the manner provided by law for the filling of vacancies in municipal offices where candidates are nominated by direct petition for a general election. Council shall fill such vacancies temporarily by appointment to serve until the qualification of a person so elected.

When any such vacancy occurs on or after the ninth Friday before general election day, it shall be filled by election for the unexpired term at the general election to be held in the following year, but if it occurs on or after such Friday in the third year of the term of such office, the council shall fill such vacancy by appointment to serve for the remainder of the term.

2. This act shall take effect immediately.

Approved July 5, 1960.

CHAPTER 90

AN ACT concerning unemployment compensation, and amending section 43:21–21 of the Revised Statutes.

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

1. Section 43:21–21 of the Revised Statutes is amended to read as follows: Section amended.

43:21–21. (a) The commissioner is hereby authorized to enter into arrangements with the appropriate agencies of other States or the Federal Government whereby potential rights to benefits accumulated under the unemployment compensation laws of several States or under such a law of the Federal Government, or both, may constitute the basis for the payment of benefits through a single appropriate agency under terms which the commissioner finds will be fair and reasonable as to all affected interests and will not result in any loss to the fund. Reciprocal benefit arrangements.

(b) The commissioner is authorized to enter into arrangements with the appropriate agencies of other States or of the Federal Government, or both, (1) whereby remuneration, upon the basis of which an individual may become entitled to benefits under the unemployment compensation law of another State or of the Federal Government, shall be deemed to be wages for the purposes of this chapter (R. S. 43:21–1 et seq.), and (2) whereby wages, on the basis of which an individual may become entitled to benefits under this chapter (R. S. 43:21–1 et seq.) shall be deemed to be remuneration on the basis of which benefits are payable under the unemployment compensation law of another State or of the Federal Government. No such arrangement shall be entered into unless (1) it is applicable solely to individuals who are not eligible for bene-

fits under this chapter (R. S. 43:21–1 et seq.) or under the unemployment compensation law of another State or of the Federal Government, and (2) it contains provision for reimbursement to the fund for such portion of benefits paid under this chapter (R. S. 43:21–1 et seq.) on the basis of such remuneration, and provision for reimbursement from the fund for that portion of benefits paid under such other law on the basis of such wages, as the commissioner finds will be fair and reasonable as to all affected interests. Subsection (f) of 43:21–5 of this chapter (R. S. 43:21–1 et seq.) shall be inapplicable to an individual who files a claim for benefits under any such arrangement. Reimbursements paid from the fund pursuant to such arrangements shall be deemed to be benefits for the purposes of this chapter (R. S. 43:21–1 et seq.). The commissioner is hereby authorized to make to other State or Federal agencies, and to receive from such other State or Federal agencies, reimbursements from or to the fund in accordance with arrangements pursuant to this section.

(c) The commissioner is authorized to enter into reciprocal agreements with the appropriate agencies of other States covering services on vessels engaged in interstate or foreign commerce whereby such services performed for a single employer, under any contract of hire, partly within and partly without this State, shall be deemed to be performed in their entirety either within or without this State.

(d) The commissioner is authorized to enter into reciprocal arrangements with the appropriate and duly authorized agency of any other State or of the United States whereby (i) moneys due the commissioner for contributions, interest and penalties and paid to such agency shall be deemed to have been paid into the unemployment compensation fund of this State as of the date of payment to such agency and (ii) vice versa; provided, that such arrangements contain provisions for the reciprocal transfers of such moneys.

(e) The commissioner is authorized to enter into reciprocal arrangements with appropriate and duly authorized agencies of other States or of the Federal Government, or both, whereby services performed by an individual for a single employing unit for which services are customarily performed by such individual in more than 1 State shall be deemed to be services performed entirely within any 1 of the States (i) in which any part of such individual's services is performed or (ii) in which such individual has his residence or (iii) in which the employing unit maintains a place of busness; provided, there is in effect, as to such services, an election, approved by the agency charged with the administration of such State's unemployment compensation law, pursuant to which all the services performed by such individual for such employing unit are deemed to be performed entirely within such State.

(f) To the extent permissible under the laws, treaties and Constitution of the United States, the commissioner is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this chapter (R. S. 43:21–1 et seq.), and facilities and services provided under the employment security law of any foreign government may be utilized for the taking of claims and payment of benefits under the employment security law of this State or under a similar law of such foreign government.

2. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 91

AN ACT concerning the practice of optometry and amending section 45:12–9 of the Revised Statutes.

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

Section amended.

1. Section 45:12–9 of the Revised Statutes is amended to read as follows:

Annual registration fee; nonactive renewal certificate; renewal certificate after 5 years; branch offices.

45:12–9. Every registered optometrist who practices in the State of New Jersey shall, on such date as the board may determine, annually pay to the secretary-treasurer of the board a registration renewal fee of $15.00 for which he shall receive a renewal of his registration.

A nonactive registration renewal certificate shall be issued to those not practicing within the State upon payment of a $10.00 annual renewal fee, payable to the secretary-treasurer of the board on such date as the board may determine. Should a nonactive registrant desire to practice in New Jersey during the registration year, he shall notify the board in writing of his office location, shall pay the required $2.00 fee for a change of address and an additional $5.00 fee to activate his license. He must return his nonactive registration renewal certificate for cancellation. The board shall thereupon issue an active registration certificate to said registrant for his office location.

Every person having an active or nonactive license to practice optometry in New Jersey shall notify the board in writing of any change of address and pay a fee of $2.00 and return therewith his registration renewal certificate and the board shall issue a new registration renewal certificate.

Every registered optometrist having a nonactive registration renewal certificate for a period of 5 years or more who desires an active registration

certificate shall be required to submit to a practical examination, conducted by the board, and if the results of the examination are satisfactory to the majority of the board, he shall then be issued an active certificate of registration authorizing him to practice in this State.

The board shall have the power to issue, upon proper application and payment of the prescribed fees, branch office registration certificates to active licensees when, in its discretion, and after a proper investigation, it determines that the new branch office complies with the provisions of this chapter and the rules and regulations of the board and that such action serves the public interest; provided, that nothing herein contained shall permit the board to deny branch office registration certificates to active licensees who have conducted branch offices prior to September 1, 1947; and provided, that the board shall not issue more than 2 branch office registration certificates to any 1 licensee after January 1, 1948.

Every licensee holding an active registration renewal certificate who may practice at any place other than the address for which his active registration renewal certificate is issued shall be required to obtain from the secretary-treasurer for a fee of $25.00 a branch office registration certificate for each and every location wherein he practices; provided, that nothing herein contained shall be construed to require an active licensee to obtain a branch office certificate for the purpose of serving on the staff of a hospital or institution which receives no fees (other than entrance registration fees) for the services rendered by the optometrist and that the optometrist receives no fees or compensation directly or indirectly for such services rendered; and further provided, that nothing herein contained shall be construed to require an active licensee to obtain a branch office certificate for the purpose of rendering necessary optometric services for his patients confined to their homes, hospitals or institutions.

Every licensee holding a branch office registration certificate or certificates shall, on such date as the board may determine, annually pay to the secretary-treasurer a registration renewal fee of $15.00 for each branch office registration certificate he holds, for which he shall receive a branch office registration renewal certificate or certificates.

In case of default in payment of registration renewal fees by any registered optometrist, his certificate or certificates to practice may be revoked by the board upon 20 days' notice to said optometrist of the time and place of considering such revocation; but the certificate or certificates shall not be revoked if the person so in default pays such fees before or at such time of consideration named by the board.

Branch office registration certificates and branch office registration renewal certificates shall be displayed in the offices for which they are issued as provided for in section 45:12–8 of this Title.

2. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 92

AN ACT concerning certain temporary permits issuable under the Alcoholic Beverage Law and amending section 33:1–74 of the Revised Statutes.

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

Section amended.

1. Section 33:1–74 of the Revised Statutes is amended to read as follows:

Temporary permits; fee; limitation.

33:1–74. To provide for contingencies where it would be appropriate and consonant with the spirit of this chapter to issue a license but the contingency has not been expressly provided for, the Di-

rector of the Division may for special cause shown, subject to rules and regulations, issue temporary permits the fee for which shall be determined in each case by the Director of the Division and shall not be less than $5.00 nor more than $500.00, payable to the Director of the Division and to be accounted for by him as are license fees.

As to any designated premises such temporary permits shall not exceed in the aggregate 25 in any 1 calendar year, but the Director of the Division may by said rules and regulations provide for a lesser number in the aggregate for any such designated premises in any 1 calendar year.

2. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 93

AN ACT concerning education in relation to the qualifications of board members in certain cases, amending section 18:7–11, and supplementing chapter 8 of Title 18, of the Revised Statutes.

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

1. Section 18:7–11 of the Revised Statutes is amended to read as follows: Section amended.

18:7–11. A member of a board shall be a citizen and resident of the territory contained in the district, and shall have been such for at least 2 years immediately preceding his becoming a member of the board. He shall be able to read and write. He shall not be interested directly or indirectly in any contract with or claim against the board. Qualification of board members.

Whenever a member shall cease to be a bona fide resident in the district, a vacancy in such office shall immediately exist and he shall not exercise any of the duties thereof.

C. 18:8-7.1. Two year residence regional board members.

2. A member of a regional board of education shall be for at least 2 years a resident of the municipality to be represented by the member in the regional board of education.

C. 18:8-7.2. Effect of act.

3. This amendatory and supplementary act shall not operate to terminate the membership of any member of a regional board of education who shall be in such office on the effective date of this act.

4. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 94

AN ACT relating to expenditures for water works and water supply in certain municipalities and amending section 40:62–136 of the Revised Statutes.

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

Section amended.

1. Section 40:62–136 of the Revised Statutes is amended to read as follows:

Contracts in excess of $2,500; advertising; exceptions.

40:62–136. Whenever any work to be performed or materials to be furnished may involve an expenditure of a sum exceeding $2,500.00, the commission shall designate the time when it will meet at its usual place of meeting to receive proposals in writing for doing such work or furnishing such materials, as the case may be, and shall thereupon order that notice shall be given by advertisement in 1 or more newspapers circulating in 1 or more of the municipalities represented by the commission, at least 10 days before the time of the meeting. The advertisement shall specify the dimensions and quality of the work to be done or materials to be furnished. All the proposals shall be publicly opened in the presence of those who choose to at-

tend, and the commission may reject any or all proposals, and advertise for new proposals, and the contract for the work and materials, when awarded, shall be awarded to the lowest responsible bidder.

This section shall not be construed to apply to the compensation of specially retained advisers, and when the exigency of the service of an emergency threatening the continuity of the water supply shall be declared by resolution passed by the unanimous vote of the members of the commission, which resolution shall set forth the nature of the exigency or emergency, and shall state the approximate cost of the work in excess of $2,500.00 necessary to be done to meet the exigency or emergency, the necessity for advertising and receiving proposals provided for in this section shall not apply.

2. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 95

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

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

1. Section 25 of the act of which this act is amendatory is amended to read as follows: Section amended.

C. 40:36A-25. Contracts in excess of $2,500; advertising; bond.

25. Whenever any work or labor to be done or materials or supplies to be purchased for the construction or operation of a district sewer system or any part thereof of an authority under this act shall involve the expenditure of a sum of money exceeding $2,500.00, the authority shall prepare and file in its office particular and detailed specifications of and a form of contract for such work, labor, materials or supplies, and shall cause notice thereof and of the time when the authority will meet at its office or designated place of business to receive and consider proposals in writing to enter into a contract with the authority for the performance of such work and labor or the furnishing of such materials and supplies, to be given by advertisement inserted and published at least 10 days before the time of such meeting in at least 2 newspapers, 1 of which shall be published and printed in the county seat of the county. All proposals so received shall be publicly opened by the authority at the time and place designated in such notice, and the contract shall be awarded to the lowest responsible bidder. All persons or corporations entering into a contract with an authority, as provided in this section, may, in the discretion of the authority, be required to give bond to the authority for the full and faithful performance of such contracts, in such penal sum and with such good and sufficient surety or sureties as the authority may approve.

2. This act shall take effect immediately.

Approved July 7, 1960.

CHAPTER 96

AN ACT concerning motor vehicles, and amending section 39:3–27 of the Revised Statutes.

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

Section amended.

1. Section 39:3–27 of the Revised Statutes is amended to read as follows:

Free registration of certain vehicles; expiration; transfer to another vehicle.

39:3–27. No fee shall be charged for the registration of motor vehicles not used for pleasure or hire, owned by the United States, the State of New Jersey, a municipality, county, Passaic Valley Sewerage Commissioners, North Jersey District Water Supply Commission, duly authorized volunteer fire department, any duly recognized auxiliary or reserve police organization of any municipality, hospital, humane society, and anticruelty society in this State, New Jersey wing of the Civil Air Patrol incorporated by the Act of July 1, 1946 (Public Law 476—79th Congress), the American Red Cross, chartered local councils in New Jersey of the Boy Scouts of America or the Girl Scouts of the United States of America or ambulances owned by nationally organized recognized veterans' organizations. These vehicles shall be registered and display number plates as provided in this subtitle or the director may, in his discretion, issue special registration certificates and special number plates for any of these motor vehicles which shall be valid for such motor vehicles until the transfer of ownership or the destruction of such motor vehicles at which time the special registration shall expire. Upon the expiration of any special registration the registration certificate and special number marker shall be returned to the director; provided, however, upon proper application to the director the special registration and special number marker may be transferred to another motor vehicle ac-

quired by the owner to whom the special registration and marker were issued.

2. This act shall take effect immediately.

Approved July 11, 1960.

CHAPTER 97

AN ACT concerning crimes, and amending section 2A:135–3 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:135–3 of the New Jersey Statutes is amended to read as follows:

Unlawfully obtaining State, county, municipality, etc., funds a high misdemeanor.

2A:135–3. Any person holding a public office, position or employment of this State or of a county, municipality, or school district, who willfully and knowingly obtains, or counsels, aids, assists, or procures in obtaining for any other person from the State, or from any such county, municipality, or school district, any money, notes, bonds, scrip, securities or other thing of value not lawfully and justly due to such person holding a public office, position or employment of this State or of a county, municipality, or school district or such other person at the time of obtaining the same, is guilty of a high misdemeanor.

2. This act shall take effect immediately.

Approved July 11, 1960.

CHAPTER 98

AN ACT relating to taxation of motor fuels and amending section 54:39–66 of the Revised Statutes.

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

Section amended.

1. Section 54:39–66 of the Revised Statutes is amended to read as follows:

Exemptions; payment of tax; refund verified application.

54:39–66. Any person:

(1) who shall use any fuels as herein defined for any of the following purposes:

(a) operating or propelling motor vehicles, motor boats or other implements owned or leased by the State and all the political subdivisions thereof,

(b) autobusses while being operated over the highways of this State in those municipalities to which the operator has paid a monthly franchise tax for the use of the streets therein under the provisions of sections 48:4–14, 48:4–15 and 48:4–16 or 48:16–25 of the Title Public Utilities,

(c) agricultural tractors not operated on a public highway,

(d) farm machinery,

(e) aircraft,

(f) ambulances,

(g) rural free delivery carriers in the dispatch of their official business,

(h) such vehicles as run only on rails or tracks, and such vehicles as run in substitution thereof,

(i) such highway motor vehicles as are operated exclusively on private property,

(j) motor boats or motor vessels used exclusively for or in the propagation, planting,

preservation and gathering of oysters and clams in the tidal waters of this State,

(k) motor boats or motor vessels used exclusively for commercial fishing,

(l) motor boats or motor vessels while being used for hire for fishing parties or being used for sightseeing or excursion parties,

(m) cleaning,

(n) fire engines and fire-fighting apparatus,

(o) stationary machinery and vehicles or implements not designed for the use of transporting persons or property on the public highway,

(p) heating and lighting devices,

(q) fuels previously taxed under this chapter and later exported or sold for exportation from the State of New Jersey to any other State or country provided, proof satisfactory to the commissioner of such exportations is submitted,

(r) motor boats or motor vessels used exclusively for Sea Scout training by a duly chartered unit of the Boy Scouts of America,

(s) emergency vehicles used exclusively by volunteer first-aid or rescue squads, and

(2) who shall have paid the tax for such fuels hereby required to be paid, shall be reimbursed and repaid the amount of tax so paid upon presenting to the commissioner an application for such reimbursement or repayment, in form prescribed by the commissioner, which application shall be verified by a declaration of the applicant that the statements contained therein are true. Such application for reimbursement or repayment shall be supported by an invoice, or invoices, showing the name and address of the person from whom purchased, the name of the purchaser, the date of purchase, the number of gallons purchased, the price paid per gallon, and an acknowledgment by the seller that payment of the cost of the fuel, including the tax thereon, has been made. Such invoice, or

invoices, shall be legibly written and shall be void if any corrections or erasures shall appear on the face thereof.

The commissioner may, in his discretion, permit a distributor entitled to a refund under the provisions of this section to take credit therefor, in lieu of such refund, in such manner as the commissioner may require, on a report filed pursuant to section 54:39–27 of the Revised Statutes.

2. This act shall take effect immediately.

Approved July 11, 1960.

CHAPTER 99

AN ACT providing a method for the selection by a board of education of 1 of 2 or more equal proposals or bids, and supplementing Title 18 of the Revised Statutes.

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

C. 18:11-10.1. Award of contracts when bids, etc., are equal.

1. Whenever a board of education is required by law to advertise for proposals or bids for the furnishing of any supplies or for the doing of any work or for the furnishing of any materials and 2 or more proposals or bids of equal amounts are the lowest proposals or bids submitted by responsible bidders pursuant to such an advertisement, the board of education may award the contract to any one of such bidders as, in its discretion, it may determine.

2. This act shall take effect immediately.

Approved July 11, 1960.

CHAPTER 100

AN ACT concerning traffic regulation and supplementing article 12 of chapter 4 of Title 39 of the Revised Statutes.

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

C. 39:4-98.1. May designate lower maximum speed for trucks.

1. In accordance with the provisions of section 39:4–98 of the Revised Statutes, the State Highway Commissioner may, by regulation and identification by appropriate signs, designate lower maximum speed limits for trucks of a registered gross weight of 10,000 pounds and over, at a differential of 5 miles per hour, on State highways, or appropriate portions thereof, having 4 or more traffic lanes, where the legal speed limit is 50 miles per hour or greater.

2. This act shall take effect immediately.

Approved July 11, 1960.

CHAPTER 101

AN ACT to amend "An act to authorize any municipality to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land imposed in sales and conveyances of lands by said municipality, and supplementing article 2 of chapter 60 of Title 40 of the Revised Statutes," approved March 27, 1943 (P. L. 1943, c. 33).

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

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

1. Any municipality is authorized and empowered, by resolution of the governing body thereof, to waive, release or modify any covenants, conditions or limitations as to the erection of buildings or any other use to be made of land heretofore imposed by said municipality in sales and conveyances of land by such municipality at public or private sale made prior to March 1, 1959, but only after public hearing held before such governing body, of the holding of which notice describing the lands in question and the covenants, conditions or limitations to be waived, released or modified, and, if to be modified, describing the manner in which the same shall be modified, shall first have been given by advertisement published once each week for 2 weeks in a newspaper published in said municipality or, if no newspaper be published therein, then in a newspaper circulating in such municipality; provided, however, that the power herein granted shall not be exercised to impair any vested or contractual rights of third parties. C. 40:60-51.2. Authorized to release and waive land use restrictions; hearing.

2. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 102

AN ACT to validate certain sales of land by municipalities in certain cases.

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

Validates sale of land.

1. Every sale of lands made, prior to January 1, 1960, by any municipality, by virtue of subsection (c) of section 40:60–26 of the Revised Statutes, is hereby validated and confirmed, and any conveyances made by any municipality of lands so sold to the purchasers thereof, upon payment of the purchase money therefor, shall be construed in all courts of this State to convey or have conveyed all of the right, title and interest of such municipality of, in and to the lands and premises so sold and conveyed, notwithstanding that the notice prescribed to be published by said subsection was published more than 10 days before the further meeting of the governing body of such municipality described in said section; provided however, that said notice was published not more than 20 days prior to said further meeting, that such sale has been authorized or confirmed by resolution of the governing body of the municipality, that no proceedings have been instituted, or shall within 30 days from the effective date of this act be instituted, in any court, in respect to the validity of such sale or conveyance, and that this act shall not be deemed to validate or cure any infirmity in any defective or invalid assignment of any certificate of tax sale.

2. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 103

A SUPPLEMENT to "An act authorizing the condemnation of certain burial grounds by municipalities for parks or other public purposes and the removal and reinterment of the bodies interred therein and supplementing chapter 3 of Title 8 of the Revised Statutes," approved September 8, 1959 (P. L. 1959, c. 157).

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

C. 8:3-17.3. Cost to be a first lien on amount awarded.

1. When land is condemned under the act hereby supplemented, the cost of disinterring and removing the bodies therefrom and of reinterring them in some other suitable burial ground or cemetery shall be a first lien upon the amount awarded and upon proper proof thereof shall be paid to the municipality from the fund resulting from said award.

2. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 104

AN ACT concerning commerce and navigation and supplementing chapter 6 of Title 12 of the Revised Statutes.

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

C. 12:6A-4. Authorized to construct, etc., jetties, etc.

1. The State Department of Conservation and Economic Development is authorized and empowered to repair, reconstruct, or construct bulkheads, seawalls, breakwaters, groins or jetties along the

New Jersey shores and estuaries of Upper New York bay, Lower New York bay and Newark bay to repair damage caused by erosion and storm, to prevent erosion and to stabilize the estuaries.

C. 12:6A-5. Separate appropriations.

2. All appropriations for the purposes of this act shall be separately made for such purposes and shall not form part of, or be included in, any appropriation heretofore or hereafter made for the purposes of "An act concerning the Board of Commerce and Navigation, and supplementing Title 12, chapter 6, of the Revised Statutes," approved May 1, 1940 (P. L. 1940, c. 52).

3. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 105

AN ACT concerning school elections and supplementing Title 18 of the Revised Statutes.

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

C. 18:7-35.5. Voter to sign poll list before receiving ballot.

1. Every voter at any school election shall, previous to the receipt of an official ballot, sign his name without assistance and state his address, in an appropriate column of the poll list and the election officer in charge of the poll list shall record therein opposite the voter's name, the number of the official ballot furnished to the voter for voting

C. 18:7-35.6. Comparison of signatures.

2. After the voter shall have so signed and before an official ballot shall be given to him, 1 of the election officers shall compare the signature made in the poll list with the signature theretofore made by the voter in the signature copy register, and if the signature thus written in the poll list is the same or sufficiently similar to the signature in the signature copy register, the voter shall be eligible to receive a ballot.

3. The comparison of the signatures of a voter, and if the voter alleges his inability to write, the comparison of the answers made by such voter, upon registration and upon election day, shall be had in full view of the challengers. C. 18:7-35.7. Procedure when voter unable to write.

4. Upon any question or challenge of a voter duly registered, it shall be the duty of the board and the privilege of all of its members to put such questions as are proper to determine the right of the voter to vote. C. 18:7-35.8. Challenge of voter.

5. In event that the right of any voter to vote shall be challenged, his right to vote shall be determined in accordance with the provisions of Title 19, Elections, of the Revised Statutes. C. 18:7-35.9. Right to vote after challenge determined under provisions of Title 19.

6. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 106

AN ACT concerning school elections and supplementing Title 18 of the Revised Statutes.

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

1. In event that any public question is to be submitted at any school election, a challenger may be appointed to act for each polling place within the district for the voters favoring the adoption of such question and a challenger may be appointed to act for each such polling place for the voters opposing the adoption of such question. C. 18:7-35.1. Appointment of challengers.

2. Each such challenger shall be appointed by the filing with the secretary of the board of education of the district, not later than 5 days preceding such election, of a petition naming the person or persons so appointed and designating the polling place for which each is appointed and stating that they are C. 18:7-35.2. Appointment filed with the secretary.

appointed to act for those favoring or for those opposed to the adoption of the question, which petition shall be signed by at least 10 qualified voters of the district. Not more than 1 such petition on behalf of those favoring the adoption of the question and 1 such petition on behalf of those opposed to the adoption of such question, appointing challengers for each polling place, shall be filed with the secretary of the board and in event that more than 1 such petition is offered, the first offered shall be filed by the secretary.

C. 18:7-35.3. Certification by secretary.

3. The secretary of the board shall certify each such appointed challenger designating in the certificate the polling place at which he is to serve, which certificate shall be presented to the election officials of the polling place for which he is appointed.

C. 18:7-35.4. Challengers to wear identification markers.

4. Each such challenger shall wear a mark of identification as a challenger which shall be furnished him by the secretary of the board and he shall have all the powers of other challengers appointed for annual school elections.

5. This act shall take effect immediately.

Approved August 1, 1960.

CHAPTER 107

AN ACT providing for an increase in hunting and fishing license fees and amending sections 23:3–4, 23:3–9 and 23:3–11 of the Revised Statutes.

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

1. Section 23:3–4 of the Revised Statutes is amended to read as follows: Section amended.

23:3–4. The licenses issued under this article shall be as follows: Licenses; types; fees; term.

a. A license issued to citizens of the United States above 14 years of age, who have an actual and bona fide domicile in this State at the time of the application for the license and who have had an actual and bona fide domicile in the State for at least 1 year immediately prior thereto. These licenses shall be of 3 kinds and designated as the residents' firearm hunting and trapping license, the residents' bow and arrow license, and the residents' fishing license.

The residents' firearm hunting and trapping license shall authorize its holder to trap and to hunt with hounds and firearms only, and a fee of $5.00 and an issuance fee of $0.15 shall be charged therefor. The residents' bow and arrow license shall authorize its holder to hunt with bow and arrow only, and a fee of $5.00 and an issuance fee of $0.15 shall be charged therefor. The residents' fishing license shall authorize its holder to fish only, and a fee of $4.00 and an issuance fee of $0.15 shall be charged therefor. The license shall be invalid from the date of its issuance when issued to a person not entitled thereto hereunder. Any person, a resident of this State, who is afflicted with total blindness, upon application to the Division of Fish and Game

shall be entitled to a residents' fishing license without fee or charge.

b. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to trap and to hunt. These licenses shall be designated as the nonresidents' and aliens' firearm hunting and trapping license, and the nonresidents' and aliens' bow and arrow license. The fee for each of these licenses shall be $15.00, and an issuance fee of $0.15.

c. A license issued to a person above 14 years of age not entitled to a residents' license, authorizing him to fish only. These licenses shall be designated as the nonresidents' and aliens' fishing license and the nonresidents' and aliens' 3-day vacation fishing license valid for a period of 3 consecutive days and only obtainable after June 1 of each year. The fee for these licenses shall be $7.00 for the annual fishing license, together with an issuance fee of $0.15, and $3.50 and an issuance fee of $0.15 for the 3-day vacation fishing license.

Every license issued hereunder shall be void after December 31 next succeeding its issuance excepting the nonresidents' 1-day hunting license which shall expire on the date of issuance, and the nonresidents' and aliens' 3-day vacation fishing license which is valid only for 3 consecutive days after date of issuance.

Section amended.

2. Section 23:3–9 of the Revised Statutes is amended to read as follows:

Monthly returns to division; retention of issuance fees.

23:3–9. On or before the tenth day of each month the clerk of every county and every municipality, and every designated agent of the division, shall send the fees collected for all licenses issued during the preceding month, except the issuance fees, which may be retained by them and every license blank and button or tag that has been spoiled during the preceding month, to the division, together with a list showing the serial number of each license issued and paid for, and the number of spoiled license blanks returned. The issuance fees may be

retained by the clerks of every county and of every municipality, but in the case of the agents designated by the division to issue licenses the retention of the issuance fees shall be at the discretion of the division.

Section amended.

3. Section 23:3–11 of the Revised Statutes is amended to read as follows:

Disposition of fees.

23:3–11. One dollar and sixty cents of every resident and nonresident firearm hunting and trapping license fee, and every resident and nonresident bow and arrow license fee, and $0.55 of every resident and nonresident fishing license fee, including the 3-day vacation fishing license fee, remitted to the State Treasurer shall be placed to the credit of a fund to be known as the "public shooting and fishing grounds fund," which fund shall be used exclusively for the acquisition by purchase, lease or otherwise, and the development, maintenance and stocking of game, birds, animals and fish of areas of land, water, or land and water for use as public hunting and fishing grounds and game refuges; and the acquisition by lease or otherwise of areas of land or water for such other activities as the Division of Fish and Game shall deem to be in the interest of the hunters and fishermen of the State. This fund shall be kept separate and apart from the receipts of the division and all other State moneys and shall be disbursed by the State Treasurer on vouchers certified to by the division. The balance of the fee remitted shall be placed to the credit of the "hunters' and anglers' license fund." One dollar of every resident firearm hunting and trapping license fee, and $1.00 of every resident bow and arrow license fee shall be spent for the management of the State's deer herd.

Note: Act effective.

4. This act shall take effect January 1, 1961.

Approved August 1, 1960.

CHAPTER 108

AN ACT concerning the pension fund of police and firemen, amending section 43:16–4 and supplementing chapter 16 of Title 43, of the Revised Statutes.

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

Section amended.

1. Section 43:16–4 of the Revised Statutes is amended to read as follows:

Pension for dependents on loss of life.

43:16–4. The widow of any member of such police or paid or part-paid fire department, who shall have paid into the fund the full amount of his annual assessment or contributions and shall have lost his life while on duty, shall, if she married her husband before he reached 50 years of age, receive an annual pension, for so long as she remains unmarried, equal to ½ of the member's average salary. If there be a widow and children of the member, the pension shall be paid to the widow for the use of herself and such children. If there be such children and no widow, or if the widow dies, the pension which the widow would have received had she survived, shall be paid to those children who have not reached 18 years of age, in equal shares, if there be 3 or more children; if there be 2 children, they shall be paid $40.00 each monthly; if there be but 1 child, he shall be paid $50.00 monthly; but in no event shall the pensions paid to the children exceed in the aggregate, the sum of $1,500.00 annually. If there be no widow and no such children under 18 years of age, the pension shall be paid to the dependent parent or parents of the deceased member; but in no event shall any pension paid to a dependent parent exceed $500.00 per annum if there be 1, or exceed $375.00 per annum each if there be 2. No widow shall be entitled to a pension who shall have married the

member after he shall have reached 50 years of age, or after the date of his retirement, or while he was suffering from the last illness which resulted in his death, and no children of both such widow and member, whether natural or adopted, shall be entitled to a pension. If a widow entitled to a pension remarries, the pension shall cease and shall not be paid to the widow or her children.

The increased pension benefits payable under this act shall apply only to cases where such policeman or fireman lost his life while on duty on or after June 1, 1948, and shall not affect pensions paid or to be paid as a result of deaths occurring prior to said date.

C. 43:16-4a. Application of act.

2. The increases under this amendatory act shall apply only to pensions payable on account of deaths occurring after January 11, 1956; provided, however, that such increases shall be applicable only to payments becoming due after the month in which this act becomes effective.

3. This act shall take effect immediately.

Approved August 10, 1960.

CHAPTER 109

AN ACT to amend and supplement "An act for the establishment of a police and firemen's retirement system for police and firemen of a municipality, county, or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

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

Section amended.

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

C. 43:16A-10. Accidental death benefit.

10. (1) Upon the accidental death of a member before retirement; provided, that evidence shall be submitted to the board of trustees justifying the

determination that the natural and proximate cause of such death was an accident met in the actual performance of duty, within 5 years preceding the date of such death, and that such death was not the result of the member's willful negligence, an accidental death benefit shall be payable.

(2) The accidental death benefit shall consist of:

(a) The amount of the member's aggregate contributions which shall be paid as an annuity to his designated beneficiary if living, otherwise in 1 sum to the executor or administrator of the member's estate; and

(b) An annual pension equal to ½ the average final compensation of the member to the widow of the member if he leaves a widow to whom he was married before he attained 50 years of age, to continue until her death or remarriage. If there be a widow and children of the member, the pension shall be paid to the widow for the use of herself and such children. If there be such children and no widow, or if the widow dies, the pension which the widow would have received had she survived, shall be paid to those children who have not reached 18 years of age, in equal shares, if there be 3 or more children; if there be 2 children, they shall be paid $40.00 each, monthly; if there be but 1 child, he shall be paid $50.00 monthly; but in no event shall the pension paid to the children exceed, in the aggregate, the sum of $1,500.00 annually.

The increased pension benefits payable under this act shall apply only to cases where such policeman or fireman lost his life while on duty on or after June 1, 1948 and shall not affect pensions paid or to be paid as result of deaths occurring prior to said date.

C. 43:16A-10.1. Application of act.

2. The increases under this amendatory act shall apply only to retirement allowances payable on account of deaths occurring after January 11, 1956; provided, however, that such increases shall be applicable only to payments becoming due after the month in which this act becomes effective.

3. This act shall take effect immediately.

Approved August 10, 1960.

CHAPTER 110

AN ACT making an appropriation to the State Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Disabled American Veterans at Atlantic City in 1961.

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

Appropriation.

1. There is hereby appropriated from the general funds of the State in the State Treasury the sum of $25,000.00 to the Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Disabled American Veterans in Atlantic City in 1961.

Additional appropriation.

2. There is hereby additionally appropriated to the Department of Conservation and Economic Development for the purposes set forth in section 1 of this act, all moneys which have been or hereafter may be contributed or donated to the State of New Jersey for such purposes by any person, corporation, partnership or other entity.

3. This act shall take effect immediately.

Approved August 11, 1960.

CHAPTER 111

AN ACT making an appropriation to the State Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Catholic War Veterans at Atlantic City in 1961.

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

Appropriation.

1. There is hereby appropriated from the general funds of the State in the State Treasury the sum of $20,000.00 to the Department of Conservation and Economic Development to defray the expenses of the State in connection with the holding of the National Convention of the Catholic War Veterans in Atlantic City in 1961.

Additional appropriation.

2. There is hereby additionally appropriated to the Department of Conservation and Economic Development for the purposes set forth in section 1 of this act, all moneys which have been or hereafter may be contributed or donated to the State of New Jersey for such purposes by any person, corporation, partnership or other entity.

3. This act shall take effect immediately.

Approved August 11, 1960.

CHAPTER 112

A SUPPLEMENT to the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

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

Entitled to purchase retirement credits for period of leave.

1. Any teacher who, prior to July 26, 1956, had been granted a leave of absence for the purpose of accepting an exchange teaching assignment, had returned to service and has continued as a member of the Teachers' Pension and Annuity Fund shall be entitled to credit for retirement purposes for the time of such leave of absence, to the same extent as if said leave had been granted on or after July 26, 1956, provided such teacher applies to the board of trustees therefor within 3 months of the effective date of this act.

Any such member shall be required to make the contributions to the pension and annuity fund for the period of such leave of absence as provided in section 8 of the act to which this act is a supplement.

2. This act shall take effect immediately.

Approved August 11, 1960.

CHAPTER 113

AN ACT concerning the carrying of concealed weapons and amending section 2A:151–43 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:151–43 of the New Jersey Statutes is amended to read as follows:

Carrying concealed weapons; persons excepted from provisions of section 2A:151-41.

2A:151–43. Section 2A:151–41 of this Title does not apply to:

a. The United States Marshal or his deputies;

b. Members of the Armed Forces of the United States or of the national guard when on duty;

c. Any sheriff, undersheriff, deputy sheriff, county prosecutor, assistant prosecutor or prosecutor's detective;

d. The regularly employed members, including detectives, of the police department of any county or municipality or of any State, interstate, municipal or county park police force or of any county boulevard police force at all times, while within the State of New Jersey, or any special policeman appointed by the governing body of any county or municipality or by the commission or other board or body having control of any county park police force or any county boulevard police force while engaged in the actual performance of his official duties;

e. Any member of the State Police, or any motor vehicle inspector or State detective;

f. Any jailer, constable, railway police, canal or steamboat police, or any other peace officer, when in discharge of his duties;

g. The fish and game commissioners, or the regular fish and game wardens, or full-time employees of the Division of Shell Fisheries having the power of arrest and authorized to carry weapons;

h. Any prison or jail wardens or their deputies, or any guard or keeper of any penal institution in this State, while engaged in the actual performance of the duties of their positions and when so required by their superior officers to carry firearms;

i. Any court attendant serving as such under appointment by the sheriff of the county or by the judge of or magistrate of any court of this State;

j. Any member of a legally organized detective agency;

k. Any guard in the employ of any railway express company, banking or building and loan or savings and loan institution of this State;

l. Any officer of the society for the prevention of cruelty to animals;

m. Any duly authorized military organization when under orders, or any member thereof when going to or from the place of meeting of the organization, carrying the weapons prescribed for drill, exercise or parade;

n. Persons having a hunter's license in going to or from places of hunting;

o. Members of government civilian rifle clubs duly organized in accordance with the rules prescribed by the national board for the promotion of rifle practice, in going to or from their several places of target practice and carrying weapons necessary for such practice;

p. The director, deputy directors, inspectors and investigators of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety;

q. Public utility corporations in the transportation of explosives; or

r. Any civil employee of the United States Government under the supervision of the commanding officer of any post, camp, station, base or other military or naval installation located within this State who is required, in the performance of his official duties, to carry firearms, and who is author-

ized to carry such firearms by said commanding officer, while such civil employee is engaged in the actual performance of his official duties.

2. This act shall take effect immediately.

Approved August 11, 1960.

CHAPTER 114

AN ACT to amend the "Local Housing Authorities Law," approved March 8, 1938 (P. L. 1938, c. 19).

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

Section amended.

1. Section 55:14A–3, added to the Revised Statutes, is amended to read as follows:

Terms defined.

55:14A–3. The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Authority" or "housing authority" or "authorities" or "housing authorities" shall mean any of the public corporations created by this chapter.

(b) "Municipality" shall mean any city of any class, any town, township, village, borough or any municipal subdivision of this State. "County" shall mean any county in the State. "The municipality" shall mean the particular municipality or municipalities for which a particular housing authority is created. "The county" shall mean the particular county for which a particular housing authority is created.

(c) "Governing body" shall mean in the case of a municipality the common council or the board of commissioners or the body managing its affairs, and in the case of a county the board of chosen

freeholders; provided, however, that in the case of cities of the second class having a population of not less than 133,000 nor more than 200,000 inhabitants, the board of finance of such city shall be the "governing body" for the purpose of this act.

(d) "Clerk" shall mean the clerk of the municipality or the clerk of the county, as the case may be, or the officer charged with the duties customarily imposed on such clerk.

(e) "Area of operation:" (1) in the case of a housing authority of a municipality shall include the area of such municipality provided, however, with respect to any municipality which has not created or joined in the creation of an authority, the area of operation of a housing authority of a municipality shall, upon approval of any contiguous municipality (such approval to be evidenced by a resolution adopted by the governing body of the municipality), include the entire area of such contiguous municipality; (2) in the case of a regional housing authority of a group of 2 or more municipalities, shall include such municipalities; (3) in the case of a housing authority of a county, shall include all of the county except that portion which lies within the territorial limits of a municipality or group of municipalities for which a housing authority has been created; with respect to any municipality which has not created or joined in the creation of an authority, a housing authority of a county shall not include such municipality within its area of operation, unless it has first secured the approval of such action by said municipality (such approval to be evidenced by an ordinance adopted by the governing body of the municipality).

(f) "Federal Government" shall include the United States of America, the United States Housing Authority, the Public Housing Administration, or any other agency or instrumentality, corporate or otherwise, of the United States of America.

(g) "Public body" shall mean the State, or any county, city, town, township, borough, village,

school district, authority or any other political subdivision of the State.

(h) "Slum" shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health or morals.

(i) "Housing project" shall mean any work or undertaking; (1) to demolish, clear or remove buildings from any slum area; such work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; (2) to provide decent, safe and sanitary urban or rural dwellings; apartments or other living accommodations for persons of low income; such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare or other purposes; or (3) to accomplish a combination of the foregoing. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith; provided, nothing in this chapter shall authorize the construction of any public utility service or facility which would be competitive with any existing public utility as the same is defined by section 48:2-13 of the Title Public Utilities.

(j) "Persons of low income" shall mean persons or families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality to build or furnish an adequate supply of decent, safe and sanitary dwellings so as to enable them, without financial assist-

ance, to live in such dwellings, without overcrowding.

(k) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other obligations issued by an authority pursuant to this chapter.

(l) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and indebtedness secured by such liens.

(m) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the Federal Government when it is a party to any contract with the authority.

(n) "Director" shall mean the executive officer of the Public Housing and Development Authority in the State Department of Conservation and Economic Development.

2. This act shall take effect immediately.

Approved August 11, 1960.

CHAPTER 115

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

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

Authorized to lease certain lands; description.

1. The mayor and council of the city of Asbury Park may lease the lands located therein bordering upon the ocean and acquired by it, pursuant to the provisions of "An act to authorize cities bordering on the Atlantic ocean to purchase the lands in any such city bordering on the ocean, and adjacent lands thereto in such city, for public purposes, and to improve the same, and to issue bonds for such purposes," approved March 23, 1900, and any amendment thereof, and more particularly described as follows:

All that certain tract, &c., in the City of Asbury Park in the County of Monmouth and State of New Jersey, more particularly described as follows:
Beginning at an iron pipe set in the easterly line of Ocean Avenue, which point is distant 205.14′ on a course of North 36° 36′ 30″ East from a point marking the point of intersection of the Southerly line of Deal Lake Drive with the Westerly line of Ocean Avenue as now laid out; running thence (1) North 10° 25′ West along the Easterly line of Ocean

Avenue as now laid out 76.12′ to a stake; thence (2) Still along the Easterly line of Ocean Avenue as now laid out along the arc of a curve whose radius is 288.30′, a distance of 141.64′ to a stake; thence (3) Still along the Easterly line of Ocean Avenue North 17° 44′ East 120.29′ to an iron pipe; thence (4) Still along the Easterly line of Ocean Avenue along the arc of a curve whose radius is 223.64′, a distance of 78.05′ to a stake; thence (5) South 71° 46′ 45″ East 201.44′ to a stake; thence (6) South 21° 38′ 45″ West 405.32′ to an iron pipe; thence (7) North 68° 21′ 15″ West 90.49′ to the point or place of Beginning.

The above description is in accordance with a Survey made by Wm. M. Birtwell, Inc., Consulting Engineers & Land Surveyors, dated January 29, 1957, revised February 23, 1960.

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

Resolution declaring lands not needed for public use; advertising.

2. Before leasing said lands or any part thereof, said mayor and council shall by resolution duly adopted declare said lands to be no longer needed for public use and shall advertise for proposals and bids for the leasing of said lands, in which advertisement there shall be briefly described said lands and the improvements and type of construction to be made thereon, and the other terms and conditions upon which such lease will be made, and in which advertisement shall be fixed an annual rental to be paid for the use of such lands for said purposes, as a minimum for the bids, and the time within which such proposals and bids shall be furnished, which advertisement shall be published once a week for 4 weeks in a newspaper of general circulation published in said city, and also in a

newspaper of general circulation published without said city, and circulating in said city.

Bids filed; resolution awarding bid; ordinance authorizing lease.

3. Every bidder shall be required to file his bid and proposals within the time so fixed, describing the terms and conditions upon which the same are made, and said mayor and council may by resolution accept the proposal and bid of the highest bidder, submitting a proposal satisfactory to it which complies with the provisions of this act, and may by ordinance authorize the leasing of said lands on the terms set forth in such proposal and bid.

Special law.

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

Act effective.

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

Approved August 23, 1960.

CHAPTER 116

AN ACT to authorize the conveyance of certain land of the State of New Jersey situate in the borough of Morris Plains, in the county of Morris, to the Rector, Wardens and Vestrymen of St. Paul's Episcopal Church, in Morris Plains, county of Morris.

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

Authorized to make conveyance of certain State-owned land; description; restriction.

1. The Commissioner of Institutions and Agencies, with the approval of the State House Commission, is hereby authorized to grant and convey by good and sufficient deed, in the name of and in behalf of the State of New Jersey, to the Rector,

Wardens and Vestrymen of St. Paul's Episcopal Church, in Morris Plains, county of Morris, a religious corporation of the State of New Jersey, its successors and assigns, upon payment of the consideration of $3,300.00 to said Commissioner of Institutions and Agencies upon delivery of a proper deed of conveyance, to be paid by him into the general funds of the State Treasury,

All those tracts or parcels of land hereinafter described, situate, lying and being in the borough of Morris Plains, county of Morris and State of New Jersey, specifically described as follows:

Beginning at a point in the center of Mountain Way (formerly the Union Turnpike) which is the 8th corner of the tract of land acquired by the State of New Jersey from Altha Hatch Cutler, widow, by a certain deed dated June 25, 1927, and recorded in the Morris County Clerk's Office on June 28, 1927, in Book 0-30 of Deeds at page 419 &c.; and from thence running (1) along the seventh (7th) line of the premises described in said deed, reverse bearing North 64 degrees 10 minutes west 322.82 feet to the seventh (7th) corner of the premises described in said deed; thence (2) along the sixth (6th) line of the premises described in said deed, reverse bearing, south 22 degrees 57 minutes west 106.25 feet to a new point in said line; thence (3) parallel with the first course herein south 64 degrees 10 minutes east 331.25 feet, or whatever the distance may be, to a point in the center of Mountain Way and in the eighth (8th) line of the premises described in the deed first above mentioned; thence (4) along the eighth (8th) line of said deed, reverse bearing, north 15 degrees 25 minutes west 130 feet to the point and place of beginning.

Said conveyance shall be made subject to the following express restrictions and conditions:

"The grantee herein, for itself, its successors and assigns, covenants that the within described premises shall be used and occupied solely as a parking lot, and that no building of any kind or character shall ever be permitted or erected thereon."

2. This act shall take effect immediately.

Approved August 23, 1960.

CHAPTER 117

AN ACT concerning alcoholic beverages, and amending section 33:1–25 of the Revised Statutes.

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

Section amended.

1. Section 33:1–25 of the Revised Statutes is amended to read as follows:

Qualifications of licensees; corporations; partnerships and clubs; application; deposit of fees; notice of application; false statements.

33:1–25. No retail license shall be issued to a natural person unless he is a citizen of the United States and a resident of the State of New Jersey at the time of the submission of the application. No license of any class shall be issued to any individual who is an alien; to any person under the age of 21 years; to any person who has been convicted of a crime involving moral turpitude. Cessation of United States citizenship or New Jersey residence shall be cause for the suspension or revocation of the license.

No retail license shall be issued to any corporation, except for premises operated as a bona fide hotel, or for a business conducted or to be conducted by the corporation, as a tenant, at any airport owned or operated by the Federal, State, county or municipal government, unless each owner, directly or indirectly, of more than 10% of its stock qualifies in all respects as an individual applicant; provided, however, that retail licenses in effect on July 4, 1935, and since renewed each year, issued to corporations comprising stockholders who would have failed to qualify as individual applicants, may be renewed as heretofore.

In applications by corporations, except for club licenses, the names and addresses of, and the amount of stock held by, all stockholders holding 1% or more of any of the stock thereof, and the names and addresses of all officers and of all members of the board of directors must be stated in the

application, and if 1 or more of such officers or members of the board of directors would fail to qualify as an individual applicant in all respects, except as to citizenship, residence or age, no license of any class shall be granted.

In applications for club licenses, the names and addresses of all officers, trustees, directors, or other governing officials, together with the names and addresses of all members of the corporation, association or organization must be stated in the application.

In applications by partnerships, the application shall contain the names and addresses of all of the partners. No license shall be issued unless all of the partners would qualify as individual applicants.

A photostatic copy of all Federal permits necessary to the lawful conduct of the business for which a State license is sought and which relate to alcoholic beverages, or other evidence in lieu thereof satisfactory to the commissioner, must accompany the license application, together with a deposit of the full amount of the required license fee, which deposit to the extent of 90% thereof shall be returned to the applicant by the commissioner or other issuing authority if the application is denied, and the remaining 10% shall constitute an investigation fee and be accounted for as other license fees.

Every applicant for a license shall cause a notice of the making of such application to be published in a form prescribed by rules and regulations, once a week for 2 weeks successively in a newspaper, printed in the English language, published and circulated in the municipality in which the licensed premises are located; but if there shall be no such newspaper, then such notice shall be published in a newspaper, printed in the English language, published and circulated in the county in which the licensed premises are located. No publication shall be required with respect to applications for transportation or public warehouse licenses.

Applicants for licenses shall answer such questions as may be asked and make such declarations as shall be required by the form of application for license as may be promulgated by the commissioner from time to time. All applications shall be duly sworn to by each of the applicants, except in the case of applicants in the military service of the United States whose applications may be signed in their behalf by an attorney-in-fact holding a power of attorney in form approved by the commissioner, and except in cases of applications by corporations which shall be duly sworn to by the president or vice-president. All statements in said applications required to be made by law or by rules and regulations shall be deemed material, and any person who shall knowingly misstate any material fact, under oath, in said application shall be guilty of a misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions or suppression of material facts in the securing of a license are grounds for suspension or revocation of the license.

2. This act shall take effect immediately.

Approved August 23, 1960.

CHAPTER 118

AN ACT concerning education and amending section 18:7–94 of the Revised Statutes.

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

Section amended.

1. Section 18:7–94 of the Revised Statutes is amended to read as follows:

Disbursement of proceeds of bonds; new purpose, vote on use for; transfer of unused balance.

18:7–94. (1) The proceeds of any bond issued under this article shall be paid to the custodian of school moneys of the district, who shall in no event disburse them except to pay the expenses of issuing and selling the bonds and for the purpose or pur-

poses for which the bonds were issued or except for temporary investment in bonds or notes issued by the United States of America pending the carrying out of the purpose or purposes for which the bonds were issued.

(2) Notwithstanding the provisions of paragraph (1) of this section, the legal voters of the district may, at any time after the time of issuance or sale of such bonds, either at the annual meeting of the district or at a special meeting thereof called for that purpose, by the vote of a majority of the legal ballots cast, authorize the board and custodian of school moneys to expend all or any part of such proceeds which may be on hand after the sale of such bonds for a purpose (herein called "new purpose") other than the purpose or purposes for which the bonds were issued; provided, that such new purpose is one described in section 18:7–85 of this Title. The board shall frame the proposal to be submitted to the voters, which shall state the new purpose, the amount of such proceeds to be expended for such new purpose and the source of such proceeds, and such meeting or election shall be called and held and the result thereof ascertained, recorded and made known in substantially the manner or mode of procedure provided in this Title with respect to authorization of the issuance of bonds of the district; provided, however, that if any of such bonds mature beyond the period prescribed by section 18:7–91 of this Title with respect to such new purpose (computed from the date of such annual or special meeting), such proposal shall not be adopted by the legal voters unless the State Commissioner of Education shall have sooner endorsed upon a certified copy thereof his consent to the adoption thereof. The State Commissioner of Education shall endorse such consent on such certified copy if he shall be satisfied and shall record in writing his estimate (a) either that application of such proceeds to the purpose or purposes for which the bonds were issued will not satisfactorily carry out said purpose or purposes

or that such purpose or purposes have been carried out, and, if such bonds were issued pursuant to a proposal a copy of which was endorsed prior to its adoption with the consent of the State Commissioner of Education provided for in section 18:5–86 of this Title, (b) that the carrying out of such new purpose is necessary in order to provide educational facilities in the district which are or within 5 years will be needed in the district. If the State Commissioner of Education shall not be so satisfied prior to the date of such annual or special meeting, he shall endorse his disapproval on such certified copy.

(3) If any part of such proceeds is not applied to or necessary for carrying out the purpose or purposes for which the bonds were issued or any new purpose authorized pursuant to paragraph (2) of this section, the board may transfer the balance remaining unapplied to the capital outlay account of the district, or to the debt service account.

2. This act shall take effect immediately.

Approved September 7, 1960.

CHAPTER 119

AN ACT concerning exemptions from taxation, and amending section 54:4–3.6 of the Revised Statutes.

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

Section amended.

1. Section 54:4–3.6 of the Revised Statutes is amended to read as follows:

Property that is exempt from taxation.

54:4–3.6. The following property shall be exempt from taxation under this chapter: All buildings actually used for colleges, schools, academies or seminaries; all buildings actually used for his-

torical societies, associations or exhibitions, when owned by the State, county or any political subdivision thereof; all buildings actually and exclusively used for public libraries, religious worship or asylum or schools for feeble-minded or idiotic persons and children; all buildings used exclusively by any association or corporation formed for the purpose and actually engaged in the work of preventing cruelty to animals; all buildings actually and exclusively used and owned by volunteer first-aid squads, which squads are or shall be incorporated as associations not for pecuniary profit; all buildings actually and exclusively used in the work of associations and corporations organized exclusively for the moral and mental improvement of men, women and children, or for religious, charitable or hospital purposes, or for one or more such purposes; all buildings owned or held by an association or corporation created for the purpose of holding the title to such buildings as are actually and exclusively used in the work of 2 or more associations or corporations organized exclusively for the moral and mental improvement of men, women and children; all buildings owned by a corporation created under or otherwise subject to the provisions of Title 15 of the Revised Statutes and actually and exclusively used in the work of one or more associations or corporations organized exclusively for charitable or religious purposes, which associations or corporations may or may not pay rent for the use of the premises or the portions of the premises used by them; the building actually occupied as a parsonage by the officiating clergymen of any religious corporation of this State, to an amount not exceeding $5,000.00; the land whereon any of the buildings hereinbefore mentioned are erected, and which may be necessary for the fair enjoyment thereof, and which is devoted to the purposes above mentioned and to no other purpose and does not exceed 5 acres in extent; the furniture and personal property in said buildings if used in and devoted to the purposes above mentioned; all

property owned and used by any non-profit corporation in connection with its curriculum, work, care, treatment and study of feeble-minded, mentally retarded, or idiotic men, women, or children shall also be exempt from taxation, provided that such corporation conducts and maintains research or professional training facilities for the care and training of feeble-minded, mentally retarded, or idiotic men, women, or children; provided, in case of all the foregoing, the buildings, or the lands on which they stand, or the associations, corporations or institutions using and occupying them as aforesaid, are not conducted for profit, except that the exemption of the buildings and lands used for charitable, benevolent or religious purposes shall extend to cases where the charitable, benevolent or religious work therein carried on is supported partly by fees and charges received from or on behalf of beneficiaries using or occupying the buildings; provided, the building is wholly controlled by and the entire income therefrom is used for said charitable, benevolent or religious purposes. The foregoing exemptions shall apply only where the association, corporation or institution claiming the exemption owns the property in question and is incorporated or organized under the laws of this State and authorized to carry out the purposes on account of which the exemption is claimed.

2. This act shall take effect immediately.

Approved September 7, 1960.

CHAPTER 120

AN ACT concerning municipalities and supplementing chapter 47 of Title 40 of the Revised Statutes.

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

C. 40:47-47.5. May adopt schedule of actual duty; construing.

1. The governing body of any municipality other than municipalities which are located in counties of the fifth or sixth class, may, by ordinance, adopt a schedule of actual duty so that each paid member of a fire department shall be on actual duty for an average of 42 hours per week in any 8-week cycle; provided that nothing in this act shall be construed to mean that in times of emergency the officer, board or official, having charge or control of the fire department in any such municipality, shall be prohibited from summoning to and keeping on duty as many such firemen as shall be necessary within the sole discretion of such officer, board or official, to cope with such emergency; provided further that any member of such fire department so kept on duty during such emergency shall receive, during the next 12 months thereafter, a number of hours free from actual duty, deducted from such 42 average hours, equal to the number of hours in excess of an average of 42 hours per week in any 8-week cycle in which he shall have served during such emergency.

2. This act shall take effect immediately.

Approved September 13, 1960.

CHAPTER 121

AN ACT to amend the title and body of "An act authorizing municipalities to provide a pension to the widow or minor children of a volunteer fireman who died as the result of injuries sustained in the performance of duty," approved August 2, 1957 (P. L. 1957, c. 168).

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

Title amended.

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

New title.

An act authorizing municipalities to provide a pension to the widow or minor children of a volunteer fireman who has died or shall have died as the result of injuries sustained in the performance of duty.

Section amended.

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

C. 43:12-28.1. Pension for dependents authorized.

1. The governing body of any municipality served by a volunteer fire company may, by ordinance or resolution, provide for the payment of a pension to the widow or minor children of a volunteer fireman who has died or shall have died as the result of injuries sustained in the course of performance of duty as a member of the volunteer fire company.

3. This act shall take effect immediately.

Approved September 13, 1960.

CHAPTER 122

AN ACT concerning education, authorizing the creation of certain regional school districts and supplementing chapter 8 of Title 18 of the Revised Statutes.

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

C. 18:8-26. Creation of regional school district; procedure.

1. Whenever the board of education of a consolidated school district or of a school district comprising 2 or more municipalities and the State Commissioner of Education, after study and investigation, shall deem it advisable for such school district to become a regional school district for all school purposes of the district, and shall determine whether the amounts to be raised for annual or special appropriations for such regional school district are to be apportioned upon the basis of apportionment valuations as defined in section 54:4-49 of the Revised Statutes, or of average daily enrollment of pupils from the constituent municipalities in such school district during the preceding year, the board of education shall call and conduct a special election which shall be held in the manner provided for the conduct of special school district elections in chapter 7 of Title 18 of the Revised Statutes and shall submit a proposal for creation of a regional school district to become effective on July 1 next ensuing such election. The proposal so submitted shall state whether the amounts to be raised for annual or special appropriations for such regional school district are to be apportioned upon the basis of such apportionment valuations or of average daily enrollment of pupils from the constituent municipalities in the school district during the preceding school year.

C. 18:8-27. Secretary to transmit results of election; determination by superintendent.

2. The secretary of the school district shall transmit to the county superintendent of schools of the county in which said school district is situate a certificate of the results of the election in each of the municipalities in such school district. In the event that the municipalities of the school district are situated in different counties, the secretary of the school district shall transmit a certificate of the results of the election to the county superintendent of schools of each county in which such constituent municipalities are situated. If the county superintendent or each such county superintendent of schools, as the case may be, shall determine from such certificate that the total number of votes cast in each municipality in the district in favor of the proposal for creating a regional school district exceeds the total number of votes cast in each such municipality against the same, he shall immediately notify the board of education of the school district of his determination, and of the fact that the regional school district shall be created on the succeeding July 1 on which date the existing school district shall be dissolved.

C. 18:8-28. Board to function until succeeding July 1.

3. The board of education of the district to be dissolved upon the creation of the regional school district shall continue to conduct the schools of the district until the suceeding July 1 on which date the terms of office of all the members of the board shall terminate.

C. 18:8-29. Election of members to board; term of dissolving board extended.

4. If the results of the special election held pursuant to this act approving the creation of a regional school district are certified after July 1 and before December 15 in any year, the 9 members of the regional board, to take office on the succeeding July 1 shall be chosen at the annual election of the school district to be held on the first Tuesday in February next following such special election and no election shall be held at that time for members of the board of the district to be dissolved. The terms of office of the members of the dissolving board shall be extended and they

shall remain in office to the July 1 on which the regional school district is to be created.

C. 18:8-30. Ad interim appointments by superintendent to board.

5. If the results of the special election held pursuant to this act approving the creation of a regional school district are certified between December 16 and the succeeding June 30, the 9 members of the first board of the regional school district shall be appointed by the county superintendent, or the county superintendents of schools where the regional district is located in more than 1 county, as is provided for first boards in other regional school districts and such appointees shall serve as the regional school board until their successors are chosen at the first annual election of the regional school district to be held in February following the effective date of its creation. Such election shall be held as is provided for other regional school district elections.

C. 18:8-31. Apportionment of membership.

6. The county superintendent or county superintendents of schools shall calculate and apportion the membership of the regional board of education among the component municipalities according to the number of their inhabitants, as apportionment is made among component districts forming a regional school district, and members shall be elected or appointed in accordance with such apportionment.

C. 18:8-32. Funds and records transferred.

7. Upon the effective date of the creation of the regional school district the officer having custody of the funds of the district to be dissolved shall deliver all of the funds in his possession to the secretary of the regional board of education who shall give his receipt therefor and shall immediately turn the same over to the custodian of school moneys of the regional school district. All personal property, books, papers, vouchers and other documents belonging to the district being dissolved shall be transferred to the said secretary who shall cause a complete inventory to be made of all assets, real and personal, received by the regional school district. Upon the effective date of the creation of the regional school district all

the property and assets of the dissolving district shall vest in the regional district and the regional district shall be subject to all the contracts, debts and other obligations of the dissolving district.

C. 18:8-33. Body corporate; organization.

8. The board of education of the regional school district shall be a body corporate. The board shall organize forthwith upon election or appointment of its members and on and after the effective date of the creation of the regional school district the affairs of the district shall be conducted and governed in accordance with the provisions of chapter 8 of Title 18 of the Revised Statutes, as amended and supplemented.

C. 18:8-34. Principals, teachers and employees transferred.

9. All principals, teachers and employees in the employ of the dissolving district shall be transferred to and continue in their respective employments in the employ of the regional school district and their rights to tenure, pension and accumulated leave of absence accorded under the laws of the State shall not be affected by their transfer to the employ of the regional school district.

10. This act shall take effect immediately.

Approved September 27, 1960.

CHAPTER 123

AN ACT to supplement the "Teachers' Pension and Annuity Fund-Social Security Integration Act," approved June 1, 1955 (P. L. 1955, c. 37).

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

C. 18:13-112.70b. Reduction not to apply.

1. The reduction provided in section 68 of the act to which this act is a supplement shall not be made in the case of retired members who retired after August 1, 1956, and on or before October 1, 1960, and who at the time of their retirement had

not attained a fully insured status under the provisions of the Social Security Act as those provisions obtained on December 31, 1959, provided such retired members had filed their applications for retirement prior to September 1, 1960, and further provided such retired members do not earn additional quarters of social security coverage from public employment in New Jersey after the date of retirement and before reaching age 65. Whenever a reduction in retirement allowance has been made prior to the effective date of this act and with respect to any retired member covered by this act, an amount equal to the total of all such reductions shall be paid to such retired member.

2. This act shall take effect immediately.

Approved September 27, 1960.

CHAPTER 124

AN ACT suplementing the "Public Employees' Retirement-Social Security Integration Act," approved June 28, 1954 (P. L. 1954, c. 84).

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

C. 43:15A-59.2. Reduction not to apply.

1. The reduction provided in section 59 of the act to which this act is a supplement shall not be made in the case of retired members who retired after August 1, 1956 and prior to October 1, 1960 and who at the time of their retirement had not attained a fully insured status under the provisions of the Social Security Act as those provisions obtained on December 31, 1959, provided such retired members had filed their applications for retirement prior to September 1, 1960 and further provided such retired members do not earn addi-

tional quarters of social security coverage from public employment in New Jersey after the date of retirement and before reaching age 65. Whenever a reduction in retirement allowance has been made prior to the effective date of this act and with respect to any retired member covered by this act, an amount equal to the total of all such monthly reductions shall be paid to such retired member.

2. This act shall take effect immediately.

Approved September 27, 1960.

CHAPTER 125

AN ACT to authorize the governing body of the borough of Essex Fells, in the county of Essex, to waive, in certain cases, the provisions of the general statutes which require that members of its police force must reside within the borough.

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

Authorized to waive certain provisions of the statutes relative to employment.

1. The borough of Essex Fells, in the county of Essex, is hereby authorized and empowered to appoint, and to keep in its employ present and future officers or members of its police force notwithstanding that the same do not meet the residence requirements specified by P. L. 1946, chapter 25 and P. L. 1953, chapter 107 (both as amended or supplemented), or by any other applicable law, provided, however, that:

(a) The mayor and council of said borough shall find as a fact that adherence to said residence requirements in each particular case would seriously impede its ability to establish and maintain competent personnel for its police force, and that the appointment or continued employment of

a named officer or member of its police force is deemed necessary to the proper establishment and operation of said police force; and

(b) That the place of residence of such member or officer is within the county of Essex, or, if not, is within a distance of not over 10 miles from the border of said borough of Essex Fells, and in either case, is at a distance which, in the light of the functions, duties and assignments of such officer or member, will not adversely affect the efficient operation of said police force; and

(c) A resolution embodying the foregoing findings shall be adopted authorizing the appointment or continued employment of such named officer or member of said police force notwithstanding that he is not a resident of said borough and fixing the maximum distance, within the limits above provided, at which he may reside.

2. This act shall take effect upon the due adoption and publication of an ordinance of said borough for the purpose of adopting the same.

Approved September 29, 1960.

CHAPTER 126

A SUPPLEMENT to "An act concerning cities, providing for the officers, government and powers of cities adopting the same," approved April 14, 1908 (P. L. 1908, c. 250), and saved from repeal by section 40:103–5 of the Revised Statutes.

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

C. 40:103-5(22.1). Single tax assessor.

1. The governing body of any city in which the act to which this act is a supplement is or shall become operative, may, by ordinance, provide for the appointment of a single tax assessor, in lieu of

the board of assessors, and such assistants to the tax assessor as may be required or determined by the governing body.

C. 40:103-5(22.2). Director of property taxation; term.

2. The single tax assessor, who may be designated as Director of Property Taxation, shall hold office for the term and perform such duties as are or shall be prescribed by law. He and each assistant to the tax assessor, if any, shall be appointed by the mayor subject to confirmation by the city council.

C. 40:103-5(22.3). Ordinance to fix number of assistants and terms.

3. If any such ordinance shall provide for said assistants, it shall fix their number and their duties and terms of office which shall be not less than 2 nor more than 4 years, except that if more than 1 such assistant shall be provided for, then such ordinance may further provide that the initial term of 1 or more of the first appointees shall be less than the term prescribed therein to allow for staggering of terms and continuity in the functions of the several assistants to the tax assessor.

C. 40:103-5(22.4). Beginning and ending of term.

4. Every such ordinance shall provide a date for the commencement of the term of office of the single tax assessor and assistants to the tax assessor on which date the term of office of each member of the existing board of assessors shall terminate and such board shall be abolished.

C. 40:103-5(22.5). Civil Service for assistants.

5. The governing body of any such city which has adopted or shall adopt the provisions of Title 11 (Civil Service) of the Revised Statutes may by ordinance provide for the appointment and classification of assistants to the tax assessor pursuant to said Title 11 (Civil Service) and upon such appointment the term of office of the existing assistants to the tax assessor shall cease notwithstanding that they were appointed for a designated term.

C. 40:103-5(22.6). Act effective.

6. This act and any ordinances enacted pursuant thereto shall be effective without approval of the voters in public referendum.

7. This act shall take effect immediately.

Approved September 29, 1960.

CHAPTER 127

AN ACT vesting in Charles Stutesman the title to real estate of which Clyde Stutesman died seized and which is alleged to have escheated to the State of New Jersey.

WHEREAS, Clyde Stutesman was the owner of the following described real estate: Preamble.

ALL of the following tract or parcel of land situate, lying and being in the Township of Brick, County of Ocean and State of New Jersey and known and designated as:

Lot No. 32, 33, 34, 35 and 36, Block No. 20, in Subdivision "C" Annex, as laid down on a certain map entitled Cedarwood Park, and filed in the Office of the Clerk of the County of Ocean, at Toms River, New Jersey.

Being the same premises conveyed to Clyde Stutesman by William Rubel of Weehawken, Hudson County, N. J., by deed dated the 14th day of September in the year 1943, and recorded in the Ocean County Clerk's Office on October 7, 1943, in Book of Deeds, 1139, page 393.

WHEREAS, Clyde Stutesman died intestate on September 12, 1955; and Preamble.

WHEREAS, The mother of Charles Stutesman married Clyde Stutesman in or about 1920, it being Clyde Stutesman's first marriage and Charles Stutesman's mother's second marriage; and Preamble.

WHEREAS, Although Charles Stutesman was Clyde Stutesman's stepson, Clyde Stutesman considered Charles Stutesman as though he were his son and he provided for the care, support and education of Charles Stutesman, and their relationship was so close as to result in a legal change of name of Charles John Funk to Charles John Stutesman, the proceedings having been Preamble.

in the Hudson County Court of Common Pleas and a formal order entered April 14, 1944; and

Preamble. WHEREAS, Charles Stutesman lived with his mother and his stepfather until he became of age and married; and

Preamble. WHEREAS, Charles Stutesman's mother predeceased her second husband and, thereafter, although Clyde Stutesman lived alone at Osbornville, New Jersey, Charles Stutesman took care of his stepfather and it was agreed between them that Clyde Stutesman would leave all of his property to Charles Stutesman in consideration of the latter's promise to take care of him for the rest of his life and as long as Clyde Stutesman lived his stepson, Charles Stutesman did care for him and carried out the said promise; and

Preamble. WHEREAS, Since his stepfather's death Charles Stutesman has been unable to locate his will; and

Preamble. WHEREAS, Charles Stutesman was appointed administrator and has paid all of the decedent's debts, and after thorough investigation, no heirs of Clyde Stutesman have been located; and

Preamble. WHEREAS, Notice of intention to apply for the passage of this act has been given and duly published; now, therefore,

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

Title vested in Charles Stutesman. 1. All the estate, right, title and interest of every kind and character of which it is alleged that the State of New Jersey is seized in and to certain real estate heretofore belonging to Clyde Stutesman, more particularly described in the preamble of this act, is hereby vested in Charles Stutesman and such title as aforesaid vested under the provisions of this act is hereby validated and confirmed.

2. This act shall take effect immediately.

Approved September 29, 1960.

CHAPTER 128

AN ACT concerning elections, and amending section 19:45–6 of the Revised Statutes.

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

Section amended.

1. Section 19:45–6 of the Revised Statutes is amended to read as follows:

Compensation of members of district boards.

19:45–6. The compensation of each member of the district boards for all services performed by them under the provisions of this Title shall be as follows:

In all counties, for all services rendered including the counting of the votes, and in counties wherein voting machines are used, the tabulation of the votes registered on the voting machines, and the delivery of the returns, registry binders, ballot boxes and keys for the voting machines to the proper election officials, $30.00 each time the primary election, the general election or any special election is held under this Title;

Provided, however, that in counties wherein voting machines are used no compensation shall be paid for any services rendered at any special election held at the same time as any primary or general election and, provided, further, that in the other counties the compensation for services rendered at any special election held at the same time as any primary or general election shall be $5.00;

In counties where the county board of elections does not mail out the sample ballots to each registered voter in the county, $7.50 shall be paid each time the members of the district board shall address and mail such sample ballots.

Such compensation shall be in lieu of all other fees and payments.

Compensation due each member shall be paid within 30 days but not within 20 days after each

election; provided, however, that no compensation shall be paid to any such member until 10 days after final order has been entered on any recount which may have been allowed affecting such district; and provided further, that no compensation shall be paid to any member of any such district board who may have been removed from office or application for the removal of whom is pending under the provisions of section 19:6–4 of this Title.

2. This act shall take effect immediately.

Approved September 29, 1960.

CHAPTER 129

AN ACT concerning boards of chosen freeholders, and amending section 40:23–6 of the Revised Statutes.

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

Section amended.

1. Section 40:23–6 of the Revised Statutes is amended to read as follows:

Membership in association.

40:23–6. The board of chosen freeholders may expend a sum not in excess of $2,500.00 in any 1 year for membership in any association composed exclusively of boards of chosen freeholders.

2. This act shall take effect immediately.

Approved September 29, 1960.

CHAPTER 130

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

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

Validates proceedings, elections, bonds and obligations.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election for the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district issued or to be issued in pursuance of a proposal adopted by the legal voters at such meeting or election, are hereby ratified, validated and confirmed, notwithstanding that (1) the adoption of such proposal authorized the board of education to issue bonds the principal amount of which, added to the amount of all the bonds and notes of the school district then issued and outstanding or authorized but unissued less the amount of any sinking funds held for payment of the same, exceeded any limitation or other restriction prescribed by section 18:5–84 of the Revised Statutes, or that (2) such proposal did not disclose or correctly disclose the effect thereof on the borrowing margin of any municipality comprised within the school district in compliance with the provisions of section 18:5–86 of the Revised Statutes, or that (3) the consents of the State Commissioner of Education and of the Local Government Board provided for in section 18:5–86 of the Revised Statutes were not endorsed upon a copy of such proposal prior to the date of such school district meeting or election, or that

(4) no supplemental debt statement was prepared, made, sworn to or filed as required by the provisions of section 18:5–87 of the Revised Statutes, or that (5) notices relating to such meeting or election were not published prior thereto as required by the provisions of the Absentee Voting Law (1953) (P. L. 1953, c. 211), provided, however, that the consents of the State Commissioner of Education and of the Local Government Board provided for in said section 18:5–86, prior to the issuance of any such bonds or other obligations, shall have been endorsed upon a copy of such proposal; and provided further, that supplemental debt statements, prepared as of a date not more than 30 days prior to such meeting or election, shall prior to the issuance of such bonds, have been made, sworn to and filed in the places required by said section 18:5–87; and provided further, that any applications received by the secretary of the board of education of such school district for military service ballots or civilian absentee ballots for such meeting or election were forwarded to the clerk of the county in which such school district is located; and provided further, that no action, suit or other proceedings of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therfor by or pursuant to law or rule of court, or, when such time has not theretofore expired, is instituted within 30 days after the effective date of this act.

Validates proceedings, etc., notwithstanding notice to absentee voters not given.

2. All proceedings heretofore had or taken in any school district or at any school district meeting or election for or with respect to (a) the creation of a regional school district pursuant to the provisions of chapter 8, Title 18, Education, of the Revised Statutes, (b) any regional school district created pursuant to a proposition or proposal adopted by the legal voters at such meeting or election and (c) any bonds or other obligations of such regional school district issued or to be

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

3. This act shall take effect immediately.

Approved October 4, 1960.

CHAPTER 131

AN ACT concerning the judges of certain county district courts, and supplementing chapter 6 of Title 2A of the New Jersey Statutes.

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

C. 2A:6-3.8. Number of judges.

1. Notwithstanding the provisions of any other law to the contrary, the county district court in any county of the fifth class having a population exceeding 220,000 inhabitants shall be held by 2 county district court judges.

C. 2A:6-3.9. Entire time to judicial duties.

2. Each judge of a county district court in a county of the fifth class having a population exceeding 220,000 inhabitants, hereafter appointed,

shall devote his entire time to his judicial duties and shall not while in office engage in the practice of law.

C. 2A:6-3.10. Assignment to county court.

3. In any county of the fifth class having a population exceeding 220,000 inhabitants, each judge of a county district court in said county who is required to devote his full time to his judicial duties, may be asigned by the assignment judge of the Superior Court of the county to hold temporarily the County Court of said county and, upon any such assignment, the judge of the county district court shall have all the power, authority and jurisdiction of a county judge of the County Court of said county.

4. This act shall take effect immediately.

Approved October 4, 1960.

CHAPTER 132

AN ACT concerning engineers' and firemen's licenses and amending sections 34:7–1, 34:7–2, 34:7–3 and 34:7–5 of the Revised Statutes.

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

Section amended.

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

License required; emergencies; exceptions.

34:7–1. No unlicensed person shall operate a steam generator, similar equipment potentially capable of generating steam or a steam power generator, if over 6 horsepower; an internal combustion power generator of over 149 horsepower in a building or stationary power plant; a hoisting machine regardless of motive power, whenever the boom length exceeds 99 feet; a refrigerating plant of over 24 tons of refrigerating capacity, utilizing refrigerants of an inflammable or toxic

nature; or a steam or hot water heating plant of over 499 square feet of heating surface, serving a building of public assembly and no owner, agent, superintendent, manager or other person having charge of any building or work in which such equipment is located, or used, shall use, or cause or allow to be used, any such equipment described in this section unless the same is in charge of a properly licensed person, except in emergency, and then for no longer than 15 days unless the commissioner in writing extends such time, of which emergency the owner of such equipment, or the agent, superintendent, manager or other person in charge thereof shall promptly notify the mechanical inspection bureau in writing, stating fully the circumstances.

The provisions of this chapter shall not require a license of any person in charge of or operating the following:

(1) any equipment installed for emergency purposes only, or

(2) any equipment under the jurisdiction and control of the United States Government, the operation of which is actively regulated by a Federal agency, or

(3) any railroad locomotive boiler or any type locomotive used in the service of a common carrier, or

(4) any equipment in a location other than a building of public assembly, provided such equipment has relief devices set at or under 15 pounds per square inch gage or does not operate at a temperature of over 200 degrees Fahrenheit, regardless of the number of square feet of heating surface.

(5) Any refrigerating plant utilizing refrigerants classified as being in Group 1 in the Safety Code for Mechanical Refrigeration of the American Society of Refrigerating Engineers approved by the American Standards Association, Inc.

The provisions of this article shall be administered by the commissioner through the mechani-

cal inspection bureau. Examinations for license under this article shall be conducted by the examining board or by any member of said board.

Section amended.

2. Section 34:7–2 of the Revised Statutes is amended to read as follows:

Application.

34:7–2. Application for license shall be made on forms to be provided for that purpose by the mechanical inspection bureau and shall state clearly the name, residence, age and qualifying experience of the applicant. An applicant must be a citizen of the United States.

Section amended.

3. Section 34:7–3 of the Revised Statutes is amended to read as follows:

License fee; no refund; failure to renew; revocation of license.

34:7–3. Each application for examination for any license issued by the bureau shall be accompanied by fees as set forth in this section. Such fees shall be made payable to the Commissioner of Labor and Industry. There shall be no other charge for the initial examination or for 1 re-examination taken within 6 months of the original examination. Failure to appear for examination or to obtain a passing grade shall not entitle the applicant to a refund of any fee.

Original application	$10 00
Raise of grade or additional classification application	7 00
Additional examinations, in excess of 2, on any application	5 00
Annual license renewal if requested no later than expiration date	3 00
Application for renewal, if made not more than 3 years after expiration and if all penalties lawfully imposed upon the applicant by the Mechanical Inspection Bureau have been paid	5 00

Upon failure to so renew a license for a period of 3 years and 1 day all records pertaining to such license may be destroyed pursuant to the "Destruction of Public Records Law of 1953" and any application for renewal of the license will be treated as an original application for examination. All fees collected under this article shall be paid by

the commissioner into the State Treasury and shall become a part of the State General Fund.

Any license may be revoked or suspended by the commissioner upon receiving evidence of incompetence, negligence, intoxication while on duty or other reason establishing that the licensee is unfit to hold a license, after notice is given to the licensee and a hearing afforded him before 1 or more members of the examining board. In case revocation or suspension is recommended by the member or members conducting the hearing, it shall not be acted upon by the commissioner until at least 15 days' notice of the recommendation shall be given to the licensee and an opportunity afforded him within that time period to ask for a rehearing before the commissioner. After rehearing, if requested, the commissioner may affirm, modify or dismiss such recommendation. Pending a hearing or rehearing as provided in this paragraph, the commissioner may authorize the suspension of a license in the interest of health and safety.

Section amended.

4. Section 34:7–5 of the Revised Statutes is amended to read as follows:

License and record displayed.

34:7–5. Every engineer and fireman licensed under this chapter shall, while in charge of or operating any equipment described in section 34:7–1, produce all licenses and equipment inspection certificates required under this chapter upon demand by the commissioner or any employee of the Department of Labor and Industry.

5. This act shall take effect immediately.

Approved October 4, 1960.

CHAPTER 133

AN ACT concerning steam boilers, pressure vessels and refrigeration systems, repealing section 34:7–23.1 and amending sections 34:7–14, 34:7–15, 34:7–23, 34:7–25, and 34:7–26 of the Revised Statutes.

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

Section amended.

1. Section 34:7–14 of the Revised Statutes is amended to read as follows:

Boilers subject to test and inspection

34:7–14. All steam or hot water boilers or similar equipment having relief devices set over 15 pounds per square inch gage and having 10 or more square feet of heating surface and such equipment, regardless of pressure, having over 300 square feet of heating surface and serving buildings of public assembly shall be inspected internally and externally and be subject to a hydrostatic test, if necessary, at least once in each year by an inspector of the Mechanical Inspection Bureau, excepting, however, such as may be insured after having been regularly inspected in accordance with the terms of this article by insurance companies, whose inspectors shall have satisfactorily passed an examination or received certificates of competency approved by the commissioner. The inspection of any equipment described in this chapter by a certified inspector of an insurance company shall be acceptable in lieu of State inspection. This article shall not apply to equipment under the jurisdiction and control of the United States Government, the inspection of which is actively regulated by a Federal agency, or to equipment used solely for the propulsion of motor vehicles regulated by the Motor Vehicle Act, Title 39, of the Revised Statutes.

2. Section 34:7–15 of the Revised Statutes is amended to read as follows:

Section amended.

34:7–15. For each annual internal and external inspection of vessels specified in section 34:7–14 of this Title, which shall include hydrostatic test if found necessary, the owner, lessee or operator of the vessel shall pay to the inspector a fee of $5.00 for vessels having 10 and not over 60 square feet of heating surface, $10.00 for vessels over 60 and not over 1,000 square feet of heating surface and $20.00 for vessels over 1,000 square feet of heating surface; plus the actual travel expense of the inspector. The money so collected shall be paid to the Commissioner of Labor and Industry or his duly authorized representative.

Fee for inspecting and testing; inspection service maintained; fees.

The Mechanical Inspection Bureau shall maintain an inspection service for the purpose of providing shop inspection of those vessels regulated by chapter 7 of Title 34, which are under construction or new or which have never been subjected to a previous inspection in New Jersey. This service shall be provided for the builders, owners or users of such vessels upon their request only. The fees for this service, exclusive of the actual travel expense of the inspector, which also shall be paid, shall be set by the commissioner and shall be: (1) Not more than $10.00 for each vessel inspected, provided that he may establish a charge for each visit, for the purpose of inspection, of not less than $25.00 nor more than $50.00; (2) For construction review of vessel not designed in accordance with standards set by the Board of Boiler, Pressure Vessel and Refrigeration Rules, $200.00.

3. Section 34:7–23 of the Revised Statutes is amended to read as follows:

Section amended.

34:7–23. No steam boiler, pressure vessel or refrigeration system shall be installed or used in this State unless it conforms to such rules, regulations and standards as are from time to time adopted by the Board of Boiler, Pressure Vessel and Refrigeration Rules and approval by the

Boiler, pressure vessel or refrigeration system to conform to rules, regulations and standards.

New Jersey State Library

commissioner under authority of section 34:1–47 of this Title.

Section amended.

4. Section 34:7–25 of the Revised Statutes is amended to read as follows:

Refrigeration systems inspected annually; fee.

34:7–25. All refrigeration systems using flammable or toxic refrigerants of over 3 tons of refrigerating capacity or requiring over 6 driving horsepower, and all refrigeration systems using nonflammable and nontoxic refrigerants of over 18 tons of refrigerating capacity or requiring over 36 driving horsepower, operating at a pressure greater than 15 pounds per square inch gage and at a temperature of over 200 degrees Fahrenheit and used in a plant of any size or storage capacity, shall be inspected annually by an inspector of the Mechanical Inspection Bureau or of an insurance company, as provided in section 34:7–14 of this Title; and the owner, lessee or operator shall comply with the recommendations of the inspector in conformity with the rules and regulations adopted by the Board of Boiler, Pressure Vessel and Refrigeration Rules of the Mechanical Inspection Bureau and approved by the commissioner.

The fee for such inspection shall be as follows:

a. Refrigeration systems of 25 tons of refrigerating capacity and over, the sum of $12.00 for each inspection plus the actual travel expense of the inspector;

b. Refrigeration systems under 25 tons and over 3 tons of refrigerating capacity, the sum of $8.00 for each inspection, plus the actual travel expense of the inspector.

The fees and travel expenses shall be paid to the Commissioner of Labor and Industry or his duly authorized representative by the owner, lessee or operator of the refrigerating system. The annual inspection and inspection reports of refrigeration systems by insurance companies licensed to do business within this State and otherwise complying with this chapter shall be accepted in lieu of other inspections. Each insurance company shall

file with the commissioner a report of each inspection and shall pay to him a fee of $2.00 for each annual refrigeration system inspection, to be collected by the insurer from the owner or lessee of the plant inspected. After the owner, lessee or operator has complied with the rules or regulations, a certificate shall be issued by the Mechanical Inspection Bureau, which certificate shall be valid for 1 year and be the authority for the operation of the refrigeration system during such time. Upon expiration the certificate shall be renewed by the Mechanical Inspection Bureau if the refrigeration system is found to be in proper condition for operation within the prescribed rules of the Mechanical Inspection Bureau. All fees collected under this act shall be paid by the commissioner or his duly authorized representative into the State Treasury and shall become a part of the State General Fund.

Section amended.

5. Section 34:7–26 of the Revised Statutes is amended to read as follows:

Penalties.

34:7–26. Any owner, lessee or operator of any steam or hot water boiler or similar equipment specified in section 34:7–14 of this Title, pressure vessel or refrigeration system who shall use, cause or allow to be used such steam or hot water boiler or similar equipment specified in section 34:7–14 of this Title, pressure vessel or refrigeration system in violation of any provision of this article shall be liable to a penalty of not less than $50.00 nor more than $100.00 for each first offense and not less than $100.00 nor more than $500.00 for each subsequent offense, to be collected by a civil action or, in the commissioner's discretion, to be imposed by the commissioner as a compromise. All civil actions shall be brought by the Department of Labor and Industry as plaintiff, and may be brought in any county district court of the county, or municipal court of the municipality, wherein such violation shall occur.

Section repealed.

6. Section 34:7–23.1 of the Revised Statutes is repealed.

7. This act shall take effect immediately.

Approved October 4, 1960.

CHAPTER 134

AN ACT to define the mechanical inspection bureau in the Division of Labor, Department of Labor and Industry, repealing sections 34:1–38, 34:1–39, 34:1–42, 34:1–43 and 34:1–46; amending sections 34:1–40, 34:1–41, 34:1–44, 34:1–45 and 34:1–47 inclusive; and supplementing article 2, chapter 1, of Title 34 of the Revised Statutes.

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

C. 34:1-38.1. Mechanical inspection bureau created; personnel qualifications; duties.

1. There shall be within the Division of Labor, Department of Labor and Industry, a mechanical inspection bureau which shall administer engineers' and firemen's licensing and boiler, pressure vessel and refrigeration plant inspection, and shall contain an examining board and a board of boiler, pressure vessel and refrigeration rules. There shall be within the mechanical inspection bureau a deputy director of the Division of Labor in charge of the bureau, an assistant chief of said bureau and an examining board composed of the deputy director, the assistant chief and not less than 2 nor more than 4 additional examiners. They shall be appointed by the Commissioner of Labor and Industry in accordance with Title 11, Civil Service, of the Revised Statutes. The members of the board shall: (1) be citizens of the State of New Jersey; (2) have held, for at least 1 year, a Class I, Grade A operating engineer's license issued by the Department of Labor and Industry; and (3) either (a)

have had experience for at least 10 years as a Grade A or Grade B New Jersey licensed engineer, or (b) have held a position of equal responsibility and duration or (c) have been engaged for at least 5 years as an inspector pursuant to sections 34:1–34 through 34:1–45 of the Revised Statutes.

The members of the mechanical inspection bureau shall perform such duties as the commissioner shall prescribe and from time to time, report to the commissioner in such form as he shall approve.

C. 34:1-38.2. Board to administer licensing and supervise inspections.

2. The examining board of the mechanical inspection bureau shall administer the licensing of engineers and firemen and the inspection of boilers, pressure vessels and refrigeration plants. The examining board shall exercise supervision over all inspections of boilers, pressure vessels and refrigeration plants required by law, in addition to those actually performed by the Mechanical Inspection Bureau.

Section amended.

3. Section 34:1–40 of the Revised Statutes is amended to read as follows:

Rules, regulations and by-laws; terms and condition of licenses; conducting examinations; signing licenses.

34:1–40. The commissioner shall prescribe the duties of and adopt all necessary rules, regulations and by-laws for the operation of the mechanical inspection bureau not inconsistent with law, and shall prescribe rules for the enforcement of chapter 7 of this Title (34:7–1 et seq.) and for the examination and licensing of persons required to be licensed by the provisions of said chapter. Such regulations shall specify the terms and conditions under which licenses shall be issued or renewed; and provide for revocation of license for proper cause. The license examinations shall be conducted by 1 or more members of the examining board.

All licenses recommended by the examining board shall issue under the hand and seal of the commissioner whose office shall preserve a record thereof. Such licenses shall also be signed by the member or members of the examining board conducting the examination therefor.

Section amended.

4. Section 34:1–41 of the Revised Statutes is amended to read as follows:

Expenses paid.

34:1–41. Each member of the mechanical inspection bureau shall be paid his necessary expenses incurred in the performance of duty.

Section amended.

5. Section 34:1–44 of the Revised Statutes is amended to read as follows:

Inspectors; eligibility and qualifications; certificate.

34:1–44. Any citizen of the State having had at least 5 years' experience as engineer in the maintenance and operation of steam boilers, or as boiler maker, or as inspector for an insurance company specializing in the inspection and insurance of boilers and licensed to do business within the State, who shall satisfactorily pass the examination held by the examining board as required by section 34:1–45 of this Title, and who shall meet the requirements of the Civil Service Commission with regards to character, fitness and physical condition, shall receive from the commissioner a certificate of competency which shall authorize him to inspect boilers, pressure vessels and refrigeration plants within the State and which shall make him eligible for examination by the Civil Service Commission for the position of boiler, pressure vessel and refrigeration plant inspector in the department.

Section amended.

6. Section 34:1–45 of the Revised Statutes is amended to read as follows:

Examinations.

34:1–45. The commissioner shall from time to time direct the examining board of the mechanical inspection bureau to hold examinations for inspectors and shall prescribe the rules for and scope of such examination.

Section amended.

7. Section 34:1–47 of the Revised Statutes is amended to read as follows:

Board of boiler, pressure vessel and refrigeration rules; meetings; organization; rules and regulations.

34:1–47. The Governor shall appoint 2 citizens of this State, 1 of whom shall be a professional engineer licensed by this State, both of whom shall serve at the pleasure of the Governor, who, together with the commissioner and the examining board in the mechanical inspection bureau shall constitute a board of boiler, pressure vessel and

refrigeration rules. This board shall meet at the call of the commissioner, or his designee, who shall be chairman, and it shall formulate rules and regulations for the safe and proper construction and installation and use of steam boilers, pressure vessels and refrigeration plants which are subject to the provisions of article 2, chapter 7 of this Title.

8. Sections 34:1–38, 34:1–39, 34:1–42, 34:1–43 and 34:1–46 of the Revised Statutes are repealed. Sections repealed.

9. This act shall take effect immediately.

Approved October 4, 1960.

CHAPTER 135

AN ACT authorizing the establishment of a county park police system, providing for the appointment, and prescribing the powers, of members of such police system, in counties operating a public park or public recreation place pursuant to article 6 of chapter 37 of Title 40 of the Revised Statutes.

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

1. The board of chosen freeholders of any county having control of a public park or public recreation place which is governed by the provisions of article 6 of chapter 37 of Title 40 of the Revised Statutes, may appoint and establish a constabulary to preserve order in the parks and parkways under its control, and to secure the enforcement of the rules and regulations adopted by it, and may organize the constabulary into a police system to be known as "the park police of the county of....." C. 40:37-261. May establish county park police; organization; rules and regulations.

The police system shall consist of a chief and such subordinate officers as may be deemed neces-

sary and proper for the enforcement of the rules and regulations of the board of freeholders within the parks and parkways, and the proper protection of public property therein.

The board of freeholders may establish proper rules and regulations for the appointment, control and management of the members of the constabulary, and for the securing of proper discipline and efficiency among the members thereof.

C. 40:37-262. Powers of police officers.

2. The members and officers of the park police may arrest on view and without warrant, and conduct before the municipal court of the municipality in which the arrest is made, or the municipal court of a neighboring municipality, any persons found violating the rules and regulations adopted by the board of chosen freeholders for the protection, preservation, regulation and control of the parks and parkways, and all property and other things therein, and in addition shall have all the powers conferred by law on police officers or constables in the enforcement of the laws of this State and the apprehension of violators thereof.

3. This act shall take effect immediately.

Approved October 5, 1960.

CHAPTER 136

AN ACT concerning education, relating to tenure of school employees and supplementing Title 18 of the Revised Statutes.

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

C. 18:3-23. Short title.

1. This act shall be known as the "Tenure Employees Hearing Act."

C. 18:3-24. Hearings conducted in accordance with terms of act.

2. All hearings on charges preferred against any employee of a board of education in this State who is under tenure in any office, position or em-

ployment covered by Title 18, Education, of the Revised Statutes, shall be conducted in accordance with the terms hereof.

C. 18:3-25. Written charges; certificate of determination and charges filed; service upon employee.

3. If a written charge is made in accordance with any provision of Title 18 of the Revised Statutes or chapter 181, P. L. 1957 against any employee under tenure, the board of education, by a majority vote of all of its members, may determine that such charge and the evidence in support of such charge would be sufficient, if true in fact, to warrant dismissal or a reduction in salary, in which event it shall forward such written charge to the Commissioner of Education, together with a certificate of such determination. The board of education forthwith shall serve a copy of the written charge and its certification upon the employee against whom said charge has been made, personally or by certified mail direct to his last known address.

C. 18:3-26. Notice given to employee of inefficiency.

4. The board of education shall not forward any charge of inefficiency to the Commissioner of Education, unless at least 90 days prior thereto and within the current or the preceding school year, the board of education or the superintendent of schools has given to the employee, against whom such charge is made, written notice of the alleged inefficiency, specifying the nature thereof with such particulars as to furnish the employee an opportunity to correct and overcome the same.

C. 18:3-27. Charge to be dismissed.

5. If the board of education does not make such a determination within 45 days after receipt of the written charge, or within 45 days after the expiration of the time for correction of the inefficiency as provided in section 4 of this act, the charges shall be deemed dismissed and no proceeding or action shall be taken thereon.

C. 18:3-28. Procedure upon certification of charge.

6. Upon certification of the charge to the commissioner, the board of education may suspend the person against whom such charge is made, with or without pay, pending determination of the same. If the charge is dismissed, such person

shall be reinstated immediately with full pay as of the time of such suspension.

C. 18:3-29. Hearing.

7. Upon receipt of such a charge and certification, the commissioner or person appointed to act in his behalf shall conduct a hearing thereon within a 60-day period upon reasonable notice to all parties in interest, who may be represented by counsel. Such hearing shall be conducted in accordance with rules and regulations adopted by the Commissioner of Education and approved by the State Board of Education. Before conducting such hearing, the commissioner or person appointed to conduct the same may dismiss the charges on the grounds that they are not sufficient to warrant dismissal or reduction in salary. The commissioner shall render a decision within 60 days after the close of the hearing on the charge against the employee.

C. 18:3-30. Application of act.

8. This act shall not apply to any person holding any office, position or employment which is in the classified service of the civil service, pursuant to Title 11, Civil Service, of the Revised Statutes.

9. This act shall take effect immediately.

Approved October 5, 1960.

CHAPTER 137

AN ACT concerning education, relating to tenure of school employees, repealing section 18:13–18 of the Revised Statutes, amending sections 18:5–51, 18:5–67, 18:6–27, 18:7–56, 18:13–17, 18:14–44, of the Revised Statutes and "An act concerning education, relating to tenure and seniority of school nurses, and repealing section 18:14–64.1 of the Revised Statutes," approved August 15, 1957 (P. L. 1957, c. 181).

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

1. Section 18:5–51 of the Revised Statutes is amended to read as follows: Section amended.

18:5–51. No secretary, assistant secretary, or business manager of any board of education in any municipality devoting his full time to the duties of his office, after 3 years' service, shall be discharged, dismissed, or suspended from office, nor shall his compensation be decreased, except for neglect, misbehavior, or other offense and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the secretary of the board of education having control of the school in which the service is being rendered, and after the charge has been examined into and found true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not. Tenure for secretary, assistant secretary or business manager after 3 years' service; charges in writing; hearing; who may file charges.

2. Section 18:5–67 of the Revised Statutes is amended to read as follows: Section amended.

18:5–67. Except as provided by section 18:5–66.1 of this Title, no public school janitor in any school district shall be discharged, dismissed or suspended, nor shall his pay or compensation be Removal of janitors for cause; charges in writing; hearing; who may file charges.

decreased, except for neglect, misbehavior, or other offense and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the secretary of the board of education having control of the school in which the service is being rendered, and after the charge has been examined into and found true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section amended.

3. Section 18:6–27 of the Revised Statutes is amended to read as follows:

Officers and employees; appointment and term; compensation; tenure and dismissal; charges in writing; hearing.

18:6–27. The board shall appoint a person to be its secretary, and may appoint a superintendent of schools, a business manager, and other officers, agents, and employees as may be needed, and may fix their compensation and terms of employment, but no such appointee, officer, agent or employee, other than the secretary, shall be a member of the board.

All persons holding any secretarial or clerical position under any board of education, or under any officer thereof, in the school system in this State, shall enjoy tenure of office or position during good behavior and efficiency, after the expiration of a period of employment of 3 consecutive calendar years in that district, unless a shorter period be fixed by the employing board, body or person; or after employment for 3 consecutive academic years together with employment at the beginning of the next succeeding academic year; provided, however, that the time any such full-time employee has served in the district in which he or she is employed at the time this act shall become operative shall be counted in determining such period of employment. An academic year shall be interpreted to mean the period between the time school opens in the district after the general summer vacation and the next succeeding summer vacation. No such employee shall be dismissed or subjected to reduction in salary except for inefficiency, in-

capacity, unbecoming conduct or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary of the board of education, and after the charge shall have been examined into and found to be true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section amended.

4. Section 18:7–56 of the Revised Statutes is amended to read as follows:

Rule, regulations and by-laws; tenure of persons holding clerical or secretarial positions; charges in writing; hearing.

18:7–56. The board may make, amend and repeal rules, regulations and by-laws, not inconsistent with this Title or with the rules and regulations of the State Board of Education, for its own government, the transaction of business, the government and management of the public schools and the public school property in the district, and for the employment and discharge of principals and teachers.

All persons holding any secretarial or clerical position under any board of education, or under any officer thereof, in the school system in this State, shall enjoy tenure of office or position during good behavior and efficiency, after the expiration of a period of employment of 3 consecutive calendar years in that district, unless a shorter period be fixed by the employing board, body or person; or after employment for three consecutive academic years together with employment at the beginning of the next succeeding academic year; provided, however, that the time any such full-time employee has served in the district in which he or she is employed at the time this act shall become operative shall be counted in determining such period of employment. An academic year shall be interpreted to mean the period between the time school opens in the district after the general summer vacation and the next succeeding summer vacation. No such employee shall be

dismissed or subjected to reduction in salary except for inefficiency, incapacity, unbecoming conduct or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary of the board of education, and after the charge shall have been examined into and found to be true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section amended.

5. Section 18:13–17 of the Revised Statutes is amended to read as follows:

Dismissal or reduction of salary of teachers, principals, superintendents and assistants; hearing.

18:13–17. No teacher, principal, superintendent or assistant superintendent under the tenure referred to in section 18:13–16 of this Title shall be dismissed or subjected to a reduction of salary in the school district except for inefficiency, incapacity, conduct unbecoming a teacher or other just cause and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the secretary of the board of education having control of the school in which the service is being rendered, and after the charge has been examined into and found true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section amended.

6. Section 18:14–44 of the Revised Statutes is amended to read as follows:

Dismissal or reduction of salary of attendance officers in city districts; hearing.

18:14–44. No attendance officer under the tenure referred to in section 18:14–43 of this Title shall be dismissed or subjected to reduction of salary except for inefficiency, conduct unbecoming an officer, or other just cause, and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the secretary of the board of education of the school district in which he is employed, and after the charge has been

examined into and found true in part after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section amended.

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

C. 18:14-64.1b. Grounds for dismissal or reduction in salary school nurse, etc., hearing.

2. No school nurse, school nurse supervisor, head school nurse, chief school nurse, school nurse coordinator or any other nurse performing school nursing services in the public schools under the tenure referred to in this act shall be dismissed or subjected to a reduction of salary in the school district except for inefficiency, incapacity, conduct unbecoming a school nurse or other just cause and after a written charge of the cause or causes has been preferred against him, signed by the person or persons making the same, and filed with the secretary of the board of education having control of the school in which the service is being rendered, and after the charge has been examined into and found true in fact after a hearing conducted in accordance with the Tenure Employees Hearing Act. Charges may be filed by any person, whether a member of the school board or not.

Section repealed.

8. Section 18:13–18 of the Revised Statutes is repealed.

Note: Act effective.

9. This act shall take effect immediately but shall be inoperative unless and until the bill having the short title the "Tenure Employees Hearing Act" pending in the current session of the Legislature, shall be enacted.

Approved October 5, 1960.

CHAPTER 138

AN ACT to validate sales of lands, or rights or interest therein, not needed for public use by municipalities, in certain cases.

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

Validates certain land sales.

1. No sale of any land or any right or interest therein, not needed for public use, which was made prior to September 1, 1960, and after April 15, 1956, by the governing body of any municipality, by virtue of paragraph (a) of section 40:60–26 of the Revised Statutes, shall be invalid solely because said sale, having been advertised in a newspaper circulating in the municipality by 2 publications, upon the Sundays of 2 consecutive weeks, was made more than 7 days after the last publication, said seventh day falling upon a Sunday, if said sale was advertised to be made and was made upon the eighth day following said last publication, and any such sale is hereby validated and confirmed and any conveyance made or hereafter to be made by such municipality of said lands, or right or interest therein, to the highest bidder at such sale upon payment to such municipality of the full purchase price therfor, shall be construed in all courts of this State to convey or have conveyed all of the right, title and interest of such municipality of, in and to said lands, or right or interest therein; provided that the governing body of said municipality has confirmed, or shall confirm, said sale and provided that no action to contest the validity of said sale has heretofore been instituted, or shall be instituted within 30 days after the effective date of this act, in any court of competent jurisdiction of this State.

2. This act shall take effect immediately.

Approved October 5, 1960.

CHAPTER 139

AN ACT concerning elections and amending section 19:31–13 of the Revised Statutes.

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

1. Section 19:31–13 of the Revised Statutes is amended to read as follows:

Section amended.

Change in registration on marriage, divorce or court order; re-registration; procedure for voting by wife who is with husband in armed services outside of State.

19:31–13. Whenever the registrant after his or her original registration shall change his or her name due to marriage, divorce, or by judgment of court, the registrant shall be required to re-register and the commissioner upon receipt of information or notice of such change, shall transfer the permanent registration forms of such persons to the inactive file, subject to the provisions of this section.

When notice or information of such change in name has not been received by or filed with the commissioner prior to the fortieth day preceding any election, such person may be permitted to vote under his or her original registration at the next election following such change in name, after signing the signature copy register with both the registered name and his or her new name. Such person shall be required to reregister before being permitted to vote at any subsequent election. The commissioner shall then transfer the former permanent registration form to the inactive file and notify the registrant by regular mail of such transfer and the requirement to reregister before being permitted to vote at any election.

If a registrant shall, upon receipt of notice of transfer of her registration to the inactive file, or otherwise, notify the commissioner of her inability to appear and reregister due to continued absence from the State with her husband while he is serving in the Armed Forces of the United

States and shall support such statement under oath, the commissioner shall restore the registration form to the active file, with appropriate notations and dates thereon, and notify the registrant that she may continue to vote during such absence from the State, by civilian absentee ballot, by signing both her registered name and her new name on applications for and certificates pertinent to, civilian absentee ballots. The right to continue to so vote without reregistration shall continue until the registrant's return to the State or 6 years from date of marriage, whichever shall occur first at which time the commissioner shall transfer the permanent registration form to the inactive file.

2. This act shall take effect immediately.

Approved October 6, 1960.

CHAPTER 140

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

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

Section amended.

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

C. 19:57-2. Terms defined.

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

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

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

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

"Civilian absentee voter" means any qualified

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

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

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

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

"Military service ballot" means a ballot for use

by a military service voter as prescribed by this act.

2. This act shall take effect immediately.

Approved October 6, 1960.

CHAPTER 141

AN ACT concerning the approval and filing of maps, providing a short title for the act and repealing sections 1 to 6, both inclusive, of chapter 358 of the laws of 1953.

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

C. 46:23-9.9. Short title.

1. This act shall be known and may be cited as "the map filing law."

C. 46:23-9.10 Terms defined.

2. Definitions. As used in this act:

a. "Map" means a map, plat, chart, or survey of lands presented for approval to the proper authority as hereinafter defined or presented for filing in accordance with the provisions of this act, but does not mean a map, plat or sketch required to be filed or recorded under the provisions of chapter 130 of the laws of 1957.

b. "Municipal Engineer" means the official licensed professional engineer appointed by the proper authority of the municipality wherein the territory shown on a map is situate.

c. The term "Professional Engineer" within the intent of this act shall mean a person, who, as a result of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and technical experience, is qualified to practice professional engineering and as attested by his license as a professional engineer.

d. The term "Land Surveyor" as used in this act shall mean a person who by reason of his special knowledge of the mathematical sciences, the principles of determining and establishing accurate field measurements by means of land surveying procedures, the law pertaining to land; and the methods whereby land boundaries are so marked defined and described, that they remain forever fixed, all acquired by professional training and experience, is qualified to practice land surveying, and as attested by his license as a land surveyor.

e. "Proper authority" means the chief legislative body of a municipality or any other agencies to whom the authority for the approval of maps may be duly designated by ordinance.

3. Requirements for Approval.

C. 46:23-9.11. Requirements for approval.

No map requiring approval by law or that is to be approved for filing with a county recording officer, shall be approved by the proper authority unless it shall conform to the following requirements.

a. It shall be clearly and legibly drawn, and where required endorsed and presented either as an original drawing in black ink on translucent tracing cloth or its equivalent, of good quality, with signatures in ink, or as an equivalent reproduction on translucent cloth, or its equivalent and shall be accompanied by a cloth print duplicate thereof.

b. It shall be 1 of 4 standard sizes namely, 8½" x 13", 30" x 42", 24" x 36" or 15" x 21" as measured from cutting edges. If 1 sheet is not of sufficient size to contain the entire territory, the map may be divided into sections to be shown on separate sheets of equal sizes, with references on each sheet to the adjoining sheets.

c. It shall show the scale, which shall be inches to feet and be large enough to contain legibly written data on the dimensions, bearings and all other details of the boundaries, and it shall also show the graphic scale.

d. It shall show the dimensions, bearings and curve data sufficient to enable the definite location of all lines and boundaries shown thereon, including public easements and areas dedicated for public use.

e. Where lots are shown thereon, those in each block shall be numbered consecutively. In municipalities where tax maps exist, block and lot designations shall conform therewith, if the municipal regulations so require. In counties which have adopted or shall adopt the local or block system of indices pursuant to sections 46:24–1 to 46:24–22 of the Revised Statutes, it shall have delineated and shown thereon the block boundary or boundaries and designations established by the board of commissioners of land records of such counties respecting the territory intended to be shown on such map.

f. The reference meridian used for bearings on the map shall be shown graphically.

g. All municipal boundary lines crossing or adjacent to the territory intended to be shown shall be shown and designated.

h. All natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines shall be shown.

i. The map shall clearly show all monumentation as required by this act, including monuments found, monuments set, and monuments to be set. An indication shall be made where monumentation found has been reset.

j. It shall conform to such other technical design controls as may be required by the provisions of local ordinances, including minimum width of streets and minimum area and lot dimensions.

k. The name of the map, municipality and county shall be shown.

l. The date of the survey shall be shown.

m. There shall be endorsed thereon a certificate of a land surveyor, as follows:

I hereby certify that this map and survey has been made under my supervision, and complies with the provisions of "the map filing law."

(Include the following, if applicable)

I do further certify that the monuments as designated and shown hereon have been set.

.....
Licensed Land Surveyor and No.
(Affix Seal)

If monuments are to be set at a later date, the following endorsement shall be shown on the map.

I certify that a bond has been given to the municipality, guaranteeing the future setting of the monuments shown on this map and so designated.

.....
Municipal Clerk

n. There shall be endorsed thereon a certificate of the municipal engineer as follows:

I have carefully examined this map and find it conforms with the provisions of "the map filing law" and the municipal ordinances and requirements applicable thereto.

.....
Municipal Engineer
(Affix Seal)

o. There shall be submitted to the proper authority an affidavit setting forth the names and addresses of all the record title owners of the lands subdivided by said map and the consent in writing of all such owners to the approval of such map shall be required.

p. If the map shows streets, avenues, roads, lanes or alleys, there shall be endorsed thereon a certificate by the municipal clerk that the municipal body has approved such streets, avenues, roads, lanes or alleys, except where such map is prepared and presented for filing by the State of New Jersey or any of its agencies.

q. Monuments shall be of hard durable material at least 30 inches long. The top and bottom shall be a minimum of 4 inches square. They shall be firmly set in the ground so as to be visible at the following control points; provided that in lieu of installation of the monuments, the municipality may accept bond with sufficient surety in form and amount to be determined by the governing body, conditioned upon the proper installation of said monuments upon the completion of the grading of the streets and roads shown on the map.

(1) At each intersection of the outside boundary of the whole tract, with the right-of-way line of any side of an existing street.

(2) At the intersection of the outside boundary of the whole tract with the right-of-way line on 1 side of a street being established by the map under consideration.

(3) At 1 corner formed by the intersection of the right-of-way lines of any 2 streets at a T-type intersection.

(4) At any 2 corners formed by the right-of-way lines of any 2 streets in an "X" or "Y" type intersection.

(5) If the right-of-way lines of 2 streets are connected by a curve at an intersection, monuments shall be as stipulated in (3) and (4) above at 1 of the following control points:

(a) The point of intersection of the prolongation of said lines.

(b) The point of curvature of the connecting curve or,

(c) The point of tangency of the connecting curve.

(6) At the beginning and ending of all tangents on 1 side of any street.

(7) At the point of compound curvature or point of reversed curvature where either curve has a radius equal to or greater than 100 feet. This requirement shall be applied to only 1 side of a street and complete curve data shall be shown on both sides; namely, radius, length of curve and subtended angle.

(8) At intermediate points in the sidelines of a street between 2 adjacent street intersections in cases where the street deflects from a straight line or the line of sight between the adjacent intersections is obscured by a summit or other obstructions which are impractical to remove.

(9) In cases where it is impossible to set a monument at any of the above designated points, a nearby reference monument shall be set and its relation to the designated point shall be clearly designated on the map.

(10) In areas where permanency of monuments may be better insured by off-setting the monuments from the property line, the municipal engineer may authorize such procedure; provided, that proper instrument sights may be obtained and complete off-set data is recorded on the map.

4. Time for Approval.

C. 46:23-9.12. Time for approval.

The proper authority shall approve or disapprove such map within 45 days from the receipt thereof.

5. Approval of maps by municipality not acceptance of roads, streets or highways. The approval of any map under this law by the proper authority shall in no way be construed as acceptance of any road, street or highway indicated thereon; nor shall any such approval in any way obligate the State of New Jersey or any county or municipality therein, to maintain or exercise jurisdiction over such roads, streets or highways.

C. 46:23-9.13. Approval by municipality not acceptance of road, etc.

6. Prerequisites to Filing.

C. 46:23-9.14. Prerequisites to filing.

The county recording officer shall not accept for filing any map unless it has endorsed thereon a

certificate signed and sealed with the municipal seal by the municipal clerk or secretary of the planning board as the case may be, stating that the proper authority has approved the map or stating its exemption from approval which certificate shall state that said map complies with the provisions of this law and shall designate the day on or before which said map is required to be filed by the provisions of the applicable law and provided that said map is filed on or before said designated day.

Said map shall also comply with the provisions of section 3, paragraphs a. and b. of this act in order to be accepted for filing.

C. 46:23-9.15. Filing and indexing of maps; fee.

7. Filing and Indexing of Maps, Fee.

The county recording officer of each county shall, when received by him for that purpose in accordance with the provisions of this law file in folios, slides, cabinets or other receptacles, maps of land lying in whole or in part in the county where the same are offered to be filed; provided that he shall retain the original tracing on translucent tracing cloth or its equivalent unmounted in an appropriate file or container, for preservation and use for reproduction purposes only, prints of which may be made available to the public at a reasonable cost. He shall endorse on the tracing and cloth print duplicate the date of the filing thereof in his office, and he shall provide and keep a proper index of all maps on file in his office. The county recording officer shall, for filing and indexing each map receive such fee as may be provided by law, except that when any map shall be presented for filing by the State of New Jersey, or any of its agencies no fee shall be charged for the filing thereof.

C. 46:23-9.16. Repealer.

8. Sections 1 to 6, both inclusive, of chapter 358 of the laws of 1953 entitled "An act concerning the approval and filing of maps, supplementing chapter 23 of Title 46, and repealing sections 46:23–1, 46:23–2, 46:23–3, 46:23–4, 46:23–5, 46:23–6, 46:23–7, 46:23–8 and 46:23–9, of the Re-

vised Statutes'' (approved August 10, 1953, P. L. 1953, c. 358) are hereby repealed.

9. This act shall take effect January 1, 1961. Note: Act effective.

Approved October 10, 1960.

CHAPTER 142

AN ACT providing for the change of names of certain children and the amendment or correction of their birth records.

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

1. Whenever the mother of a child born out of wedlock marries a person who is not the father of said child, the surname of said child may be changed to the surname of the husband of the mother by submitting proof of such marriage to the State Registrar of Vital Statistics or to any local registrar of vital statistics accompanied by a declaration, signed by said mother and her husband and acknowledged or proved in the manner required by law for deeds to real estate, setting forth that they desire the surname of said child to be changed to that of the husband of said mother. Upon the receipt of such proof and declaration the surname of said child shall be so changed and the State Registrar and any local registrar of vital statistics is authorized to accept from the said mother and her husband a correction or amendment to the original birth record giving the child the said husband's surname. Any declaration submitted to the State Registrar or to any local registrar pursuant to this section shall be filed with the original birth record of said child. C. 26:8-40.11. Change of surname of certain children; procedure; filing.

2. This act shall take effect immediately.

Approved October 24, 1960.

CHAPTER 143

AN ACT validating certain tax certificate foreclosure proceedings and titles to real property derived therefrom.

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

Validates tax certificate foreclosure proceedings and titles to real property.

1. All tax sale certificate foreclosures heretofore brought by any municipality pursuant to the "In Rem Tax Foreclosure Act (1948)," being chapter 96 of the laws of 1948, and the judgments therein barring the right of redemption from the tax sales represented by said certificates of tax sale and the proceedings thereafter taken as a result of the said judgments and the titles to real property derived therefrom are hereby validated, notwithstanding that the certificates of tax sale so foreclosed were not recorded prior to the commencement of the action to foreclose the said tax sale certificates and the entry of final judgment therein, provided all such certificates of tax sale shall have been recorded at any time prior to the effective date of this act, and provided the said foreclosure action and the proceedings otherwise complied with the said "In Rem Tax Foreclosure Act (1948)." The provisions of this act shall be inapplicable to any action or proceeding contesting the validity of the said foreclosures or proceedings thereon pending on the effective date of this act or instituted within 30 days after said date.

2. This act shall take effect immediately.

Approved October 24, 1960.

CHAPTER 144

AN ACT concerning moneys for the maintenance of park systems in certain counties, and supplementing article 2 of chapter 37 of Title 40 of the Revised Statutes, and repealing chapter 191, of the laws of 1951.

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

C. 40:37-15.2. Amount to be raised for maintenance of county parks.

1. The board of chosen freeholders in any county having a county park system established by referendum pursuant to the provisions of section 40:37–96 of Title 40 of the Revised Statutes, and in which, heretofore, the amount to be raised for the support and maintenance of the county parks shall have been fixed and determined pursuant to referendum in accordance with P. L. 1951, chapter 191, shall annually, in ordering the amount of money to be raised for county purposes, declare the amount necessary to be raised for the purpose of maintaining the public parks and roads or parkways, built in connection with the public park system of such county, which amount shall not be less than ¼ of 1 mill on the dollar, nor more than 3/5 of 1 mill on the dollar of the aggregate true or full value of all property in the several taxing districts of the county, as determined by the county board of taxation.

If in any year the park commission shall certify to the board of chosen freeholders that an amount less than the minimum hereinbefore prescribed is needed for the maintenance of the park system during that year, and shall also certify the exact amount necessary to maintain the parks during that year, the board shall raise for that year the sum so certified by the park commission instead of the minimum hereinbefore prescribed.

C. 40:37-15.1. Repealer.

2. P. L. 1951, c. 191, as amended by P. L. 1952, c. 193, be and the same is hereby repealed.

3. This act shall take effect immediately.

Approved November 2, 1960.

CHAPTER 145

AN ACT to amend the "Municipal Planning Act (1953)," approved September 18, 1953 (P. L. 1953, c. 433).

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

Section amended.

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

C. 40:55-1.18. Approval or recommendation of approval of plat; submission to governing body for approval; tentative approval; final approval.

18. The planning board, after hearing, may approve the plat, if so authorized, or may recommend approval by giving favorable referral to the governing body or may disapprove such plat. If the planning board disapproves any plat, the findings and reasons for such disapproval shall be stated upon the records of the planning board and the applicant shall be given a copy. If the planning board requires any substantial amendment in the layout of improvements proposed by the subdivider that have been the subject of a hearing, an amended plat must be submitted, and proceeded upon as in the case of the original plat.

The planning board shall take action under this section within 45 days after the submission of the final plat for approval, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been given favorable approval or referral to the governing body, and the certificate of the municipal clerk as to the date of the submission of the plat for approval or referral and as to the failure of the planning board

to report action thereon within the aforesaid 45 days or such further time as agreed to by the applying party shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written endorsement or other evidence of favorable approval or referral herein required.

Following favorable referral by the planning board where referral is required, the plat shall be submitted to the governing body for approval. The governing body shall take action under this section not later than the second regular meeting after the planning board submits the plat to the municipal clerk for transmission to the governing body, or within such further time as the applying party may agree to. Otherwise such plat shall be deemed to have been approved, and the certificate of the municipal clerk as to the date of the submission of the plat for approval by the governing body, and as to the failure of the governing body to act thereon not later than the second regular meeting or such further time as agreed to by the applying party, shall be issued on request of the owner or his agent and shall be sufficient, in lieu of the written endorsement or other evidence of approval herein required. If the governing body disapproves any plat, the findings and reasons for such action shall be stated upon the records of the governing body, and the applicant shall be given a copy.

The governing body or the planning board, as the case may be, may tentatively approve a plat showing new streets or roads or the resubdivision of land along a mapped street. This tentative approval shall confer upon the applicant the following rights for a 3-year period from the date of the tentative approval:

(1) that the general terms and conditions upon which the tentative approval was granted will not be changed.

(2) that the said applicant may submit on or before the expiration date the whole or part or parts of said plat for final approval.

The final approval by the governing body or the planning board, as the case may be, of a plat showing a new street or the resubdivision of land along a mapped street shall expire 90 days from the date of such approval, unless within the period such plat shall have been duly filed by the owner or his agent with the county recording officer. The governing body for good cause shown may extend the time for plat filing for a period not to exceed 90 days.

Note: Act effective.

2. This act shall take effect January 1, 1961.

Approved November 2, 1960.

CHAPTER 146

AN ACT to re-establish part of the boundary line between the city of Englewood and the boroughs of Englewood Cliffs in the county of Bergen.

Preamble.

WHEREAS, The portion of the boundary line between the City of Englewood and the Borough of Englewood Cliffs running southwesterly on a course of S. 41° 23′ 17″ W. from the northerly line of Middlesex Road, a distance of 2032.86 feet, on an oblique course intersection various lots in both municipalities and thereby creating undersized lots in each municipality; and

Preamble.

WHEREAS, The governing bodies of both municipalities have determined by resolution that it is advisable and to the best interests of both of said municipalities to create a new boundary line running through the center line of Summit Street upon which the various lots front and have requested the Legislature to enact a statute creating such new boundary line by annexing to the City of Englewood the parcel or tract of land

hereinafter described as Tract No. 1 and by annexing to the Borough of Englewood Cliffs a parcel or tract of land hereinafter described as Tract No. 2; and

Preamble.

WHEREAS, Proper Notice of Intention to apply for the passage of this act has been given by publication as required by law; now, therefore,

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

Certain lands annexed to City of Englewood; description.

1. The following described area of land situate in the borough of Englewood Cliffs in the county of Bergen is hereby annexed to and made a part of the city of Englewood.

Tract No. 1. All that parcel or tract of land situate, lying and being in said borough of Englewood Cliffs in the county of Bergen and State of New Jersey bounded and decribed as follows:

Beginning at a point formed by the intersection of the center line of Summit Street with the Northerly line of Middlesex Avenue both streets as shown on a map entitled "Map of Property of Paterno Construction Co. (A New York Corporation) situated in the City of Englewood and Borough of Englewood Cliffs, Bergen County, N. J." Filed in the Bergen County Clerk's Office on May 6, 1927 as Map No. 2259; running thence (1) N. 44° 03′ 20″ W. along the Northerly line of Middlesex Avenue a distance of 64.71 feet to a point in the original boundary line between the Borough of Englewood Cliffs and the City of Englewood; thence (2) S. 41° 23′ 17″ W. along said original boundary line a distance of 877.82 feet to a point in the center line of Summit Street; thence (3) N. 45° 36′ 55″ E. along the above mentioned center line of Summit Street a distance of 875.06 feet to the point or place of beginning.

Certain lands annexed to borough of Englewood Cliffs; description.

2. The following described area of land situate in the city of Englewood in the county of Bergen is hereby annexed to and made a part of the borough of Englewood Cliffs in said county, that is to say:

Tract No. 2. All of that parcel or tract of land situate, lying and being in the city of Englewood in the county of Bergen and State of New Jersey, bounded and described as follows:

Beginning at a point formed by the intersection of the center line of Summit Street with the Southwesterly line of a Map entitled "Map of Property of Paterno Construction Co. (A New York Corporation) situated in the City of Englewood and Borough of Englewood Cliffs, Bergen County, N. J." Filed in the Bergen County Clerk's Office on May 6, 1927 as Map No. 2259, running thence (1) S. 44° 23′ 05″ E. along the above mentioned Southwesterly line a distance of 85.14 feet to a point in the original boundary line between the Borough of Englewood Cliffs and the City of Englewood; thence (2) N. 41° 23′ 17″ E. along said original boundary line a distance of 1155.04 feet to a point in the center line of Summit Street; thence (3) S. 45° 36′ 55″ W. along the above mentioned center line of Summit Street a distance of 1151.90 feet to the point or place of beginning.

3. This act shall take effect immediately.

Approved December 1, 1960.

CHAPTER 147

AN ACT to amend "An act concerning juvenile and domestic relations courts in certain counties and supplementing chapter 4 of Title 2A of the New Jersey Statutes," approved July 22, 1958 (P. L. 1958, c. 129).

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

Section amended.

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

C. 2A:4-4.3 Juvenile and domestic relations courts; appointment of judges; application of act.

1. The Governor, with the advice and consent of the Senate, may appoint in each county of the second class having a population of less than 325,000 according to the 1950 census an attorney at law to be a judge of the juvenile and domestic relations court of the county. The judge's salary shall be paid by the board of chosen freeholders of the county in such amount as the board shall determine. The provisions of the chapter to which this act is a supplement in respect to a referendum on appointing a special juvenile court judge shall be inapplicable to any such county. Except as otherwise provided herein, the provisions of the chapter to which this act is a supplement shall be applicable to the judge of the juvenile and domestic relations court of the county appointed pursuant to this supplementary act.

2. This act shall take effect January 1, 1961.

Approved December 5, 1960.

CHAPTER 148

AN ACT authorizing the State Highway Commissioner to sell and convey to municipalities estates in real estate, owned and occupied for public highway purposes in areas above the surface of the ground and authorizing such municipalities to lease the same for other than municipal purposes.

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

C. 27:12-7. Authorized to convey estates in real estate.

1. The State Highway Commissioner may sell at private sale and convey to any municipality an estate in any real estate, which is owned and occupied by the State for public highway purposes, in an area above the surface of the ground, at such

height or level as is not required for the use of the State, upon such terms and conditions as shall not be inconsistent with the use of such real estate at any lower level by the State and said municipality is authorized to lease the same upon such terms as it shall determine upon, for other than municipal use, in order that the same may become part of the ratables of the municipality.

2. This act shall take effect immediately.

Approved December 19, 1960.

CHAPTER 149

AN ACT concerning the Fish and Game Council and amending an act entitled "Department of Conservation and Economic Development Act of 1948" (P. L. 1948, c. 448), approved October 25, 1948.

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

Section amended.

1. Section 36 of the act of which this act is amendatory is amended to read as follows:

C. 13:1B-34. Adoption of regulations, amendments or repealers; publication; copies as evidence; extension, etc., of season without public hearing.

36. If after such hearing the council is satisfied that the proposed regulation, amendment or repealer, or any part of such regulation, amendment or repealer, is advisable, it may adopt the same, and if so, it shall state the date on which it takes effect and the council shall cause a true copy of the same to be filed with the Secretary of State.

Every regulation, amendment or repealer adopted by the council pursuant to the provisions of this article shall become effective at the time specified therein but not sooner than 5 days after its publication in the New Jersey Register following such filing, if such register be then required to be published by the Secretary of State; or if such register

is not then required to be published by the Secretary of State, then not sooner than 10 days after such filing.

The council may publish and distribute summaries of such regulations, amendments, and repealers in such manner as it may from time to time determine.

Copies of the State Fish and Game Code, and its amendments, duly certified by the chairman of the council shall be received in evidence in all court or other judicial proceedings in the State.

If the Governor shall find that an emergency exists by reason of unusual snow, flood or other natural disaster, the council may amend any regulation establishing open and closed seasons, to extend, shorten or abolish such season, without public hearings, and such amendment may become effective immediately.

2. This act shall take effect immediately.

Approved December 19, 1960.

CHAPTER 150

AN ACT to amend an act entitled, "An act concerning the compensation of members of the State Board of Registration and Examination in Dentistry and supplementing chapter 6 of Title 45 of the Revised Statutes," approved August 24, 1959 (P. L. 1959, c. 152).

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

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

1. In addition to traveling and other expenses incurred in the performance of his duties by a member of the State Board of Registration and C. 45:6-1.1. Compensation of members; maximum.

Examination in Dentistry to which said member is entitled pursuant to the provisions of section 45:1–3 of the Revised Statutes, each such member shall be entitled to $225.00 for each of the examination parts of 2 clinical practical tests each, conducted outside the city of Trenton, in which he participates, but to no more than $1,125.00 in any 1 year, which sum shall be paid from the license fees and other sources of income of the said board.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 151

AN ACT to amend the "railroad tax law of 1948," approved July 22, 1941 (P. L. 1941, c. 291) as said title was amended by chapter 40 of the laws of 1948.

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

Section amended.

1. Section 10 of chapter 291 of the laws of 1941 is amended to read as follows:

C. 54:29A-10. Grade crossing improvements tax exempt.

10. The value of the main stem of each railroad and the other real estate thereof used for railroad purposes shall be ascertained without including:

(a) Any part of the cost of improvement, relocation, reconstruction, elimination or avoidance of highway grade crossings, including State highways, made pursuant to Title 48 of the Revised Statutes, or pursuant to the provision of an agreement for any of such purposes with a municipality made after April 27, 1931, but such exemptions shall apply only to main lines and branches existing on April 27, 1931;

(b) The cost essential to the improvement, relocation or reconstruction of existing grade separa-

tion structures made after January 1, 1960, pursuant to said Title 48 or pursuant to a said agreement;

(c) Any part of the cost of installing or replacing protective devices for the protection of the traveling public at grade crossings, such devices to be exempt from and after the assessing date of January 1, 1960.

The exemptions specified in subparagraphs (a) and (b) above shall not apply to any additions and betterments voluntarily made by a railroad in connection with grade crossing projects.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 152

AN ACT concerning railroads in relation to the division of certain expenses and supplementing chapter 12 of Title 48 of the Revised Statutes.

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

C. 48:12-49.1. Expenses of changing installations.

1. The railroad company or companies involved shall pay 15% and the board, out of funds to be provided for that purpose, shall pay 85% of the entire expense of: (a) enlarging, changing, reconstructing, relocating or modifying any bridge or passage pursuant to order of the board under section 48:12–49 of the Revised Statutes; or (b) the installation of protective devices or other provision for the protection of the traveling public at grade crossings of a railroad which operates passenger service within this State, pursuant to order of the board under sections 48:2–29, 48:12–54 or 48:12–55 of the Revised Statutes, provided, however, that if the board orders the installation of protective devices or other

provision for the protection of the traveling public at grade crossings of any other railroad under said sections 48:2–29, 48:12–54 or 48:12–55 and finds that such installation is necessary due to increased vehicular or pedestrian traffic it may pay, out of such funds, a percentage of the entire expense, not to exceed 85%, and the railroad company or companies involved shall pay the remaining percentage of the entire expense. Such expense shall include, without limitation thereto, damages to adjacent property and the cost of removing, relaying or relocating any municipal pipes, conduits or subways.

The protective devices or other provision for the protection of the traveling public at grade crossings installed under (b) above shall be maintained by the railroad at its own cost and expense.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 153

AN ACT concerning the distribution of moneys received from the tax upon sale of motor fuels, and amending section 54:39–72 of the Revised Statutes.

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

Section amended.

1. Section 54:39–72 of the Revised Statutes is amended to read as follows:

Funds for grade crossing elimination.

54:39–72. There shall be paid to the board of public utility commissioners, $2,000,000.00 per annum, to be used by it to defray the public share of the cost of eliminating grade crossings under the provisions of sections 48:12–61 to 48:12–67 of the Revised Statutes and the public share of the ex-

pense of (a) the installation of protective devices or other provision for the protection of the traveling public at grade crossings or (b) enlarging, changing, reconstructing, relocating or modifying any bridge or passage, pursuant to order of the board, under the provisions of chapter 12 of Title 48 of the Revised Statutes, and any moneys so appropriated shall not lapse into the treasury at the end of the fiscal year, but shall be available for the purposes for which they were appropriated until expended.

The board, where it has directed a railroad to perform acts pursuant to R. S. 48:12–61 to 48:12–67 or any of the acts enumerated above and the amount of money remaining in the grade crossing fund is inadequate, may request the Legislature to appropriate up to $2 million for the purposes set forth above.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 154

AN ACT to amend the "Railroad Tax Law of 1948" (P. L. 1941, c. 291), as the short title thereof was amended by chapter 40 of the laws of 1948.

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

1. Section 14 of the act of which this act is amendatory is amended to read as follows: Section amended.

14. Measure of franchise tax. For the purpose of this article, net railway operating income shall be computed as total railway operating revenues from all sources, including any revenue whatever derived directly or indirectly from property which is used for railroad purposes, less costs of railroad maintenance, operation, depreciation and C. 54:29A-14. Measure of franchise tax.

amortization, railway tax accruals, uncollectible railway revenues, rentals (both debits and credits) for equipment leased for less than 1 year or interchanged, and joint facility rents (both debits and credits); provided, however, that amounts paid by the State of New Jersey or any county or municipality, or any agency, authority or subdivision thereof, pursuant to contracts for passenger service, shall not be included as such operating revenues. Deductions from operating revenues for depreciation, additions and betterments, and compensation for personal services shall be subject to regulation by the commissioner, as to reasonableness of amount and appropriateness of accounting distribution.

Depreciation and amortization charges shall in no instance, however, exceed the amounts permitted by the Interstate Commerce Commission in determining the net railway operating income of the railroad for the year under consideration.

For the purpose of determining the measure of the tax imposed by this act, net railway operating income of each system, and of each railroad not part of a system, shall be allocated to this State in the proportion that the number of miles of all track over which the railroad or system operates in this State bears to the total number of miles of all track over which it operates.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 155

AN ACT concerning railroads, and amending section 48:12–75 of the Revised Statutes.

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

1. Section 48:12–75 of the Revised Statutes is amended to read as follows: Section amended.

48:12–75. Completed work under sections 48:12–68 to 48:12–78 of this Title shall be maintained, repaired and renewed as follows: Maintenance and repair of completed works.

a. The municipality or public utility involved shall at its own expense, maintain, repair and renew its public utility rails, pipes and lines;

b. Each railroad company shall own and maintain, repair and renew structures within its right of way carrying the railroad over the highway, except as otherwise provided herein;

c. (1) The State shall own and maintain, repair and renew structures within the rights of way of railroad companies carrying highways over railroads, and (2) the State shall bear the cost of maintenance, repair and renewal of structures constructed after the effective date of this act within the rights of way of railroad companies carrying railroads over highways constructed after the effective date of this act and after the acquisition by the railroad of such right of way, and (3) where the State is not liable for cost under (2), above, and the railroad structure is enlarged or replaced by reason of improvements made in a highway after the effective date of this act, the State shall bear the cost of maintenance, repair and renewal of the new or enlarged structure other than such proportion of that cost as the length of the span of the pre-existing railroad structure bears to the length of the span of the enlarged or new railroad structure. For the purpose of the foregoing provisions

of this subsection, a structure shall be deemed constructed on the date the contract therefor is awarded by the commissioner, and a highway shall be deemed constructed or improved on the date the contract is awarded by the commissioner for the construction of the section of the highway or improvement, as the case may be, passing under the railroad structure in question. None of the foregoing provisions of this subsection shall relieve any railroad company from responsibility for damage caused to any highway or railroad structure by the operation of its railroad. Such approaches, curbing, sidewalk paving, guard rails on approaches and surface paving on roadways as shall be within the rights of way of a railroad company or companies shall be owned and maintained, repaired and renewed by the State.

2. This act shall take effect immediately.

Approved December 27, 1960.

CHAPTER 156

AN ACT authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of $30,000,000.00 for State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, their construction, reconstruction, development, extension, improvement, equipment, and facilities, for health and welfare uses; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election.

Preamble. WHEREAS, The State Board of Control of the Department of Institutions and Agencies has deter-

mined among other things, that there exists in this State an acute shortage of necessary and proper State institutional buildings, equipment, and facilities for the maintenance, care and treatment of our disabled veterans, aged, infirm, mentally ill, mentally retarded, and inmate residents responsive to rehabilitation, and that such situation is detrimental to the health, and welfare of a large number of our citizens; and

Preamble.

WHEREAS, A waiting list of more than 900 has been developed because of this acute shortage of buildings to care for the mentally retarded; and

WHEREAS, The shortage of these facilities has made it impossible to adequately classify and segregate delinquent defectives; and

Preamble.

WHEREAS, The construction of a new medium security prison will effectively release needed space in our institutions for correction; and

Preamble.

WHEREAS, It is the declared public policy of this State that whatever the circumstance, adequate facilities must be provided and maintained for the maintenance, welfare, care and treatment of our disabled veterans, infirm, mentally retarded, mentally sick, and inmate residents; therefore

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

Legislative findings.

1. The Legislature hereby finds and determines as a fact: (a) that there exists in this State shortage of necessary and proper State institutional buildings, equipment and facilities for mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional requirements; and (b) that this situation is detrimental to the health and welfare of a large number of citizens of this State and that the correction thereof necessitates the authorization of the bond issue provided for herein.

Bonds authorized.

2. Bonds of the State of New Jersey in the sum of $30,000,000.00 are hereby authorized for State

institutional buildings, their construction, reconstruction, development, extension, improvement, equipment and facilities; for health and welfare uses, as follows: for the construction, reconstruction, development, extension, improvement and equipment of State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutions and the appurtenances thereto, and for acquisition of land for said purposes, if necessary.

Such construction, reconstruction, development, extension and improvement, and such acquisition of equipment and facilities, shall proceed pursuant to appropriations provided by law.

State Institution Construction Bonds.

3. Said bonds shall be serial bonds and known as "State Institution Construction Bonds" and, as to each series, the last installment thereof (subject to redemption prior to maturity) shall mature and be paid not later than 30 years from the date of issuance of such series, but may be issued in whole or in part for a shorter term.

Issuing bonds.

4. Said bonds shall be issued from time to time as money is required for the purpose aforesaid, as the issuing officials herein named shall determine.

Issuing officials; duties.

5. The Governor, State Treasurer and Comptroller of the Treasury or any 2 of such officials (hereinafter referred to as "the issuing officials") are hereby authorized to carry out the provisions of this act relating to the issuance of said bonds, and shall determine all matters in connection therewith subject to provisions hereof. In case any of said officials shall be absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by such person as shall be authorized by law to act in his place as a State official.

Bonds a State obligation; tax exempt.

6. Bonds, issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey and the faith and credit of the State are pledged for the payment of the interest thereon as same shall become due and the payment of the principal at maturity. The principal and interest of such bonds shall be exempt from taxa-

tion by the State or by any county, municipality or other taxing district of the State.

Signatures required.

7. Said bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the great seal of the State, and attested by the Secretary of State, or an assistant Secretary of State, and shall be countersigned by the facsimile signature of the Comptroller of the Treasury. Interest coupons attached to said bonds shall be signed by the facsimile signature of the Comptroller of the Treasury. Such bonds may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on the bonds or coupons shall cease to hold office at the time of such issue or at the time of the delivery of such bonds to the purchaser.

Bond recital.

8. (a) Such bonds shall recite that they are issued for the purpose set forth in section 2 of this act and that they are issued in pursuance of this act and that this act was submitted to the people of the State at the general election held in the month of November, 1961, and that it was approved by a majority of the legally qualified voters of the State voting thereon at such election. Such recital in said bonds shall be conclusive evidence of the authority of the State to issue said bonds and of their validity. Any bonds containing such recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of statutes applicable thereto, and shall be incontestable for any cause.

(b) Such bonds shall be issued in such denominations and in such form or forms, whether coupon or registered as to both principal and interest and with or without such provisions for interchangeability thereof as may be determined by the issuing officials.

Each issue a separate series rate of interest.

9. When the bonds are issued from time to time, the bonds, of each issue shall constitute a separate series to be designated by the issuing officials. Each

series of bonds shall bear such rate or rates of interest, that the aggregate amount of interest payable over the life of such series, less the premium, if any, received upon the sale thereof, shall not exceed an amount equal to 4% per annum computed over the life of such series, as may be determined by the issuing officials, which interest shall be payable semiannually; provided, that the first and last interest periods may be longer or shorter, in order that intervening semiannual payments may be at convenient dates.

Sale.

10. Said bonds shall be issued and sold at such price not less than the par value thereof and accrued interest thereon, and under such terms, conditions, and regulations as the issuing officials may prescribe, after notice of said sale, published at least 3 times in at least 3 newspapers published in the State of New Jersey, and at least once in a publication carrying municipal bond notices and devoted primarily to financial news, published in the city of New York or in New Jersey, the first notice to be at least 7 days prior to the day of bidding. The said notice of sale may contain a provision to the effect that any or all bids made in pursuance thereof may be rejected. In the event of such rejection or of failure to receive any acceptable bid, the issuing at any time within 60 days from the date of such advertised sale, upon terms not less favorable to the State than the terms offered by any rejected bid. The issuing officials may sell all or part of the bonds of any series as issued to any State fund or to the Federal Government or any agency thereof, at private sale, without advertisement.

Temporary bonds.

11. Until permanent bonds can be prepared, the issuing officials may, in their discretion, issue in lieu of such permanent bonds temporary bonds in such form and with such privileges as to registration and exchange for permanent bonds as may be determined by the issuing officials.

State 1960 Institution Construction Fund.

12. The proceeds from the sale of the bonds shall be paid to the State Treasurer and be held by him in a separate fund, and be deposited in such depositories as may be selected by him to the credit of the fund, which fund shall be known as the "State 1960 Institution Construction Fund."

Moneys dedicated.

13. The moneys in the said State 1960 Institution Construction Fund are hereby specifically dedicated to providing for State Institutional buildings, their construction, reconstruction, development, extension, improvement, equipment and facilities, for health and welfare uses, as follows: for the construction, reconstruction, development, extension, improvement and equipment of State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutions, and the appurtenances thereto, and for the acquisition of land, and no moneys from the said State 1960 Institution Construction Fund shall be expended except in accordance with appropriations from said fund, made by law.

At any time prior to the issuance and sale of bonds under this act the State Treasurer is hereby authorized to transfer from any available money in the treasury of the State to the credit of the State 1960 Institution Construction Fund such sum as may be deemed necessary for the purposes of this act by the State House Commission, which said sum so transferred shall be returned to the treasury of this State by the treasurer thereof from the proceeds of the sale of the first issue of bonds.

Pending their application to the purposes provided in this act, moneys in the State 1960 Institution Construction Fund may be invested and reinvested as other trust funds in the custody of the State Treasurer in the manner provided by law. All earnings received from the investment or deposit of such funds shall be paid into the General Treasury and become a part of the General State Fund.

Replacing lost, etc., bonds and coupons.

14. In case any coupon bonds and coupons thereunto apertaining or any registered bond shall become lost, mutilated or destroyed, a new bond shall be executed and delivered of like tenor, in substitution for the lost, mutilated or destroyed bonds or coupons, upon the owner furnishing to the issuing officials evidence satisfactory to them of such loss, mutilation or destruction and also such security and indemnity as the issuing officials may require.

Use of accrued interest; issuing expenses.

15. Accrued interest received upon the sale of said bonds shall be applied to the discharge of a like amount of interest upon said bonds when due. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from the proceeds of the sale of said bonds, by the State Treasurer upon warrant of the Comptroller of the Treasury, in the same manner as other obligations of the State are paid.

Maturities.

16. Bonds of each series issued hereunder shall mature in installments commencing not later than the fifth year and ending not later than the thirtieth year from the date of issue of such series, and in such amounts as shall be determined by the issuing officials, but the issuing officials may reserve to the State by appropriate provision in the bonds of any series the power to redeem all or any of such bonds prior to maturity at such price or prices and upon such terms and conditions as may be provided in such bonds.

Refunding bonds.

17. The issuing officials may at any time and from time to time issue refunding bonds for the purpose of refunding in whole or in part an equal principal amount of the bonds of any series issued and outstanding hereunder, which by their terms are subject to redemption prior to maturity, provided such refunding bonds shall mature at any time or times not later than the latest maturity date of such series, and the aggregate amount of interest to be paid on the refunding bonds, plus the pre-

mium, if any, to be paid on the bonds refunded, shall not exceed the aggregate amount of interest that would be paid on the bonds refunded if such bonds were not so refunded. Refunding bonds shall constitute direct obligations of the State of New Jersey, and the faith and credit of the State are pledged for the payment of the principal thereof and the interest thereon. The proceeds received from the sale of refunding bonds shall be held in trust and applied to the payment of the bonds refunded thereby. Refunding bonds shall be entitled to all the benefits of this act and subject to all its limitations except as to the maturities thereof and to the extent herein otherwise expressly provided.

Provisions for payment of principal and interest.

18. To provide funds to meet the interest and principal payment requirements for the bonds issued under this act and outstanding, there is hereby appropriated in the order following:

(a) Revenue derived from the tax collected under and by virtue of the provisions of the Cigarette Tax Act (P. L. 1948, c. 65, as amended and supplemented), or so much thereof as may be required.

(b) If in any year or at any time funds, as hereinabove appropriated, necessary to meet interest and principal payments upon outstanding bonds issued under this act, be insufficient or not available, then and in that case there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State a tax on real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds issued hereunder and on such bonds as it is proposed to issue under this act in the calendar year in which such tax is to be raised and for the payment of bonds falling due in the year following the year for which the tax is levied. The tax thus imposed shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property are assessed, levied and collected. The governing body

of each municipality shall cause to be paid to the county treasurer of the county in which such municipality is located, on or before December 15 in each year, the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of said tax to the State Treasurer on or before December 20 in each year.

If on or before December 31 in any year the issuing officials shall determine that there are moneys in the General State Fund beyond the needs of the State, sufficient to meet the principal of bonds falling due and all interest payable in the ensuing calendar year, then and in that event such issuing officials shall by resolution so find and shall file the same in the office of the State Treasurer, whereupon the State Treasurer shall transfer such moneys to a separate fund to be designated by him, and shall pay the principal and interest out of said fund as the same shall become due and payable, and the other sources of payment of said principal and interest provided for in this section shall not then be available, and the receipts for said year from cigarette taxes above referred to shall thereupon be considered as part of the General State Fund, available for general purposes.

Provisions for payment by tax assessment.

19. Should the State Treasurer by December 31 of any year deem it necessary, because of insufficiency of funds to be collected from the sources of revenues as hereinabove provided, to meet the interest and principal payments for the year after the ensuing year, then the treasurer shall certify to the Comptroller of the Treasury the amount necessary to be raised by taxation for such purposes, the same to be assessed, levied and collected for and in the ensuing calendar year. In such case the Comptroller of the Treasury shall, on or before March 1 following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. Such calculation shall be based upon the corrected assessed valuation of such county for the year preceding the year in which such tax is to be assessed, but such tax shall

be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The Comptroller of the Treasury shall certify said amount to the county board of taxation and the county treasurer of each county. The said county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

Referendum; notice; voting instructions; canvass; certification of result.

20. For the purpose of complying with the provisions of the State Constitution this act shall, at the general election to be held in the month of November, 1961, be submitted to the people. In order to inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section shall take effect, and at least 15 days prior to the said election, to cause this act to be published in at least 10 newspapers published in the State and shall notify the clerk of each county of this State of the passage of this act, and the said clerks respectively shall cause to be printed on each of the said ballots, the following:

If you approve the act entitled below, make a cross ×, plus +, or check√ in the square opposite the word "Yes."

If you disapprove the act entitled below, make a cross ×, plus +, or √ mark in the square opposite the word "No."

If voting machines are used, a vote of "Yes" or "No" shall be equivalent to such markings respectively.

	Yes.	INSTITUTIONAL BOND ISSUE Shall the act entitled "An act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of $30,000,000.00 for State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, their construction, reconstruction, development, extension, improvement, equipment, and facilities, for health and welfare uses; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election," be approved?
	No.	

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in said ballot. No other requirements of law of any kind or character as to notice or procedure except as herein provided need be adhered to.

The said votes so cast for and against the approval of this act, by ballot or voting machine, shall be counted and the result thereof returned by the election officer, and a canvass of such election had in the same manner as is now provided for by law in the case of the election of a Governor, and the approval or disapproval of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there shall be a majority of all the votes cast for and against it at such an election in favor of the ap-

proval of this act, then all the provisions of this act shall take effect forthwith.

21. This section and section 20 of this act shall take effect immediately and the remainder of the act shall take effect as and when provided in the preceding section. Act effective.

Approved December 28, 1960.

CHAPTER 157

AN ACT making an appropriation for the support of the State Government.

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

1. One-sixth of the amounts received in the General State Treasury from the tax imposed on the sale, use or possession for sale or use within this State of all cigarettes under the Cigarette Tax Act (P. L. 1948, c. 65), approved April 29, 1948, as the same shall be imposed by said act as amended and supplemented by "An act to amend and supplement the 'Cigarette Tax Act,' approved April 29, 1948 (P. L. 1948, c. 65)," now pending in the Legislature as Assembly Bill No. 79 of the 1960 session, if said Assembly Bill No. 79 shall be enacted and become operative, is hereby appropriated to the Department of Institutions and Agencies to provide for institutional buildings, their construction, reconstruction, development, extension, improvement, equipment and facilities, as determined by the State Board of Control of said department. Appropriation.

2. The funds hereby appropriated shall not be appropriated for any other purpose so long as this act is operative. Bars other appropriation.

Act inoperative.

3. This act shall take effect immediately but shall be inoperative after June 30, 1962, if "An act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of $30,000,000.00 for State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, their construction, reconstruction, development, extension, improvement, equipment, and facilities, for health and welfare uses; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election," now pending in the Legislature, as Senate Bill No. 290 of the 1960 session, is enacted and is approved by the people at the general election to be held in the month of November, 1961.

Approved December 28, 1960.

CHAPTER 158

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

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

Section amended.

1. Section 301 of the act of which this act is amendatory is amended to read as follows:

C. 54:40A-8. Tax imposed; rate.

301. Tax imposed; rate.

A tax is hereby imposed on the sale, use or possession for sale or use within this State of all cigarettes at the rate of $0.03 for each 10 cigarettes or fraction thereof.

2. Section 401 of the act of which this act is amendatory is amended to read as follows:

401. Director to provide revenue stamps. C. 54:40A-11. Revenue stamps provided.

The taxes imposed and levied by this act shall be paid through the use of stamps, except as provided in section 205 (Consumers) of this act. The director shall secure stamps of such designs and denominations as he shall prescribe, suitable to be affixed to packages, and provide for the sale thereof to licensed distributors. Only licensed distributors shall affix and cancel stamps; except that on the effective date of a tax rate increase, licensed wholesale dealers and retail dealers shall affix to all packages of cigarettes in their possession stamps in a denomination equal to the amount of the tax rate increase and no cigarettes shall be sold on or after such effective date by such licensed dealers which do not bear said stamps. The director shall not authorize any person to sell revenue stamps except his duly constituted agents and assistants. On sales of revenue stamps the director shall allow, as compensation for the services and expenses of the distributor in affixing and handling of such stamps, a discount of 3¼% of the face amount of any sale of $100.00 or more; provided, that the distributor has complied with all of the provisions of this act. No discount shall be allowed on any sale of less than $100.00 and stamps shall not be sold in blocks of less than 100 stamps.

3. There is hereby appropriated to the Division of Taxation in the Department of the Treasury for the expense of administering this act during the fiscal year ending June 30, 1961 the sum of $25,000.00 in addition to other sums appropriated to said division for such fiscal year. Appropriation.

4. This act shall take effect January 6, 1961, but it shall be inoperative unless and until (a) "An act authorizing the creation of a debt of the State of New Jersey by issuance of bonds of the State in the sum of $30,000,000.00 for State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, their construction, reconstruction, development, exten- Note: Act effective.

sion, improvement, equipment, and facilities, for health and welfare uses; providing the ways and means to pay the interest of said debt and also to pay and discharge the principal thereof, and providing for the submission of this act to the people at a general election," now pending in the Legislature, as Senate Bill No. 290 of the 1960 session, is enacted and (b) "An act making an appropriation for the support of the State Government," now pending in the Legislature, as Senate Bill No. 291 of the 1960 session, is enacted, and if this act shall become so operative, sections 1 and 2 of this act shall become inoperative after June 30, 1962, if said act now pending in the Legislature, as Senate Bill No. 290 of the 1960 session, is approved by the people at the general election to be held in the month of November, 1961.

Approved December 28, 1960.

CHAPTER 159

AN ACT concerning notices of lis pendens, and amending section 2A:15–6 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:15–6 of the New Jersey Statutes is amended to read as follows:

Written notice of pendency of action; contents.

2A:15–6. In every action, instituted in any court of this State having civil jurisdiction or in the United States District Court for the District of New Jersey, the object of which is to enforce a lien, other than a mechanic's lien, upon real estate or to affect the title to real estate or a lien or encumbrance thereon, plaintiff or his attorney shall, after the filing of the complaint, file in the office

of the county clerk or register of deeds and mortgages, as the case may be, of the county in which the affected real estate is situate, a written notice of the pendency of the action, which shall set forth the title and the general object thereof, with a description of the affected real estate.

No notice of lis pendens shall be filed under this article in an action to recover a judgment for money or damages only.

2. This act shall take effect immediately.

Approved December 28, 1960.

CHAPTER 160

AN ACT to amend the title and body of "An act concerning the sale and distribution of goods, wares, publications or other articles in certain cases, and supplementing chapter 170 of Title 2A of the New Jersey Statutes," approved September 14, 1953 (P. L. 1953, c. 392).

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

1. The title of chapter 392 of the laws of 1953 is amended to read as follows: Title amended.

An act concerning the sale and distribution of goods, wares, publications or other articles in certain cases, and supplementing chapter 115 of Title 2A of the New Jersey Statutes. New title.

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

1. Any person, firm or corporation, or any agent, officer or employee thereof, engaged in the business of distributing goods, wares, publications or other articles of any kind whatsoever to retail dealers, who shall refuse to furnish to any retail dealer C. 2A:115-3.1. Refusal to furnish goods, etc., a misdemeanor.

such quantity of goods, wares, publications or other articles sought to be purchased by said retail dealer, because said retail dealer refuses to purchase or accept delivery of lewd, lascivious or obscene publications or material is guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved December 28, 1960.

CHAPTER 161

AN ACT concerning the Veteran's Loan Guarantee and Insurance Fund and directing a transfer of funds therefrom.

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

Funds to be transferred.

1. The State Treasurer is hereby directed to transfer $2,000,000.00 from the Veteran's Loan Guarantee and Insurance Fund established pursuant to chapter 126 of the laws of 1944, to the General State Fund.

Transfer in cash, etc.

2. The transfer directed in section 1 hereof shall be in cash, book value of investments or both.

3. This act shall take effect immediately.

Approved December 28, 1960.

CHAPTER 162

AN ACT to amend "An act to ammend and supplement the 'Teachers' Pension and Annuity Fund-Social Security Integration Act,' approved June 1, 1955 (P. L. 1955, c. 37),'' approved February 15, 1960 (P. L. 1960, c. 6).

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

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

2. Any investment authorized pursuant to this act shall not exceed 2½% of the book value of the total investments of such fund at the time of the making of the investment or $10,000,000.00, whichever is the smaller amount. C. 18:13-112.86. Limit on investment.

2. This act shall take effect immediately.

Approved December 29, 1960.

CHAPTER 163

AN ACT concerning the Superior Court and amending section 2A:2–1 of the New Jersey Statutes.

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

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

2A:2–1. The Superior Court shall consist of 44 judges. Each judge shall receive an annual salary of $20,000.00. Number of judges; compensation.

2. This act shall take effect immediately.

Approved December 29, 1960.

CHAPTER 164

AN ACT concerning elections, and amending section 19:6–17 of the Revised Statutes.

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

Section amended.

1. Section 19:6–17 of the Revised Statutes is amended to read as follows:

Membership; political affiliations; vacancies; eligibility; clerk; other employees; civil service.

19:6–17. The county board shall consist of 4 persons, who shall be legal voters of the counties for which they are respectively appointed. Two members of such county board shall be members of the political party which at the last preceding general election, held for the election of all of the members of the General Assembly, cast the largest number of votes in this State for members of the General Assembly, and the remaining 2 members of such board shall be members of the political party which at such election cast the next largest number of votes in the State for members of the General Assembly. No person who holds elective public office shall be eligible to serve as a member of the county board during the term of such elective office. The office of member of the county board shall be deemed vacant upon such member becoming a candidate for an office to be voted upon at any primary, general election or special election, except for nomination for or election to membership in any county committee or State committee or for nomination for or election as a delegate at large or alternate delegate at large, or district delegate or alternate district delegate to any national political convention, such candidacy to be determined by the filing of a petition of nomination duly accepted by such member in the manner provided by law.

In all counties of the first class the county board shall appoint some suitable person clerk of such

board, and may also appoint not more than 4 additional office employees, all of whom shall be appointed from the competitive class of civil service. The compensation of the clerk of the county board of elections in counties of the first class shall be not less than $5,000.00 per annum, nor more than $8,500.00 per annum; provided, that any increase between the said minimum and maximum shall be effective only upon recommendation of the county board of elections and the approval of the board of chosen freeholders of the county affected. The compensation of such office employees shall be recommended by the county board and approved by the board of chosen freeholders. All persons now employed by the board in the competitive class of civil service shall continue to hold such employment in the competitive class of civil service.

2. This act shall take effect immediately.

Approved December 29, 1960.

CHAPTER 165

AN ACT validating municipal ordinances establishing municipal planning boards and prescribing their powers and duties in certain cases.

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

Validates certain ordinances.

1. No municipal ordinance enacted prior to the effective date of this act for the purpose of establishing a municipal planning board and prescribing its powers and duties shall be held to be invalid because it recites or refers to the provisions of any statute authorizing the establishment of such a board, which was repealed prior to the enactment of such ordinance, and any action of any municipal planning board taken prior to the effective date of

this act under any such ordinance is validated and confirmed; provided the enactment of such an ordinance, and the taking of such action under such an ordinance, was authorized by law at the time said ordinance was enacted and said action was taken. This act shall not apply to any ordinance the validity of which, is or shall be the subject matter of any action or proceeding in any court heretofore instituted or which shall be instituted within 30 days from the effective date of this act.

2. This act shall take effect immediately.

Approved December 29, 1960.

CHAPTER 166

AN ACT to amend "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes," approved May 3, 1946 (P. L. 1946, c. 276), and chapter 246 of the laws of 1954 supplementary thereto.

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

Section amended.

1. Section 9 of chapter 276 of the laws of 1946 is amended to read as follows:

C. 40:37-95.9. Office provided; expenditures authorized.

9. The board of chosen freeholders shall provide the commission with a suitable office and upon the establishment of the commission may make available for expenditures by the commission such sums as the board of chosen freeholders may by a majority vote approve. Except as provided in section 10 of this act, the amount so made available in any calendar year for the expenses of the commission shall not be greater than the excess, if any, of a sum equal to one-half of a mill on each dollar of the aggregate true or full value of all property in the

several taxing districts of the county, as determined by the county board of taxation, over the amount to be paid by the county in such year for debt service on bonds or other obligations for park purposes issued by the county pursuant to said section 10. The board of chosen freeholders shall also have power to appropriate to the use of the commission, in addition to the sums appropriated for expenses as aforesaid, such moneys as may arise from revenue-producing facilities operated by the commission.

2. Section 1 of chapter 246 of the laws of 1954 is amended to read as follows: Section amended.

1. The board of chosen freeholders shall provide the commission, established pursuant to the act to which this act is a supplement, with a suitable office and upon the establishment of the commission may make available for expenditures by the commission such sums as the board of chosen freeholders may by a majority vote approve. The board of chosen freeholders may make available for expenditures authorized by the commission such sums as the board of chosen freeholders may by a majority vote approve. Except as funds are otherwise provided by law for land and improvements, the amount so made available in any calendar year for the expenses of the commission shall not be greater than the excess, if any, of a sum equal to ¾ of a mill on each dollar of the aggregate true or full value of all property in the several taxing districts of the county, as determined by the county board of taxation, over the amount to be paid by the county in such year for debt service on bonds or other obligations for park purposes issued by the county pursuant to law. The board of chosen freeholders shall also have power to appropriate to the use of the commission, in addition to the sums appropriated for expenses as aforesaid, such moneys as may arise from revenue-producing facilities operated by the commission. The commission may draw the moneys provided and made available by the board of chosen free- C. 40:37-95.26. Office provided; expenditures; maximum.

holders for the purposes of this act on requisition duly signed and approved by its president and secretary.

3. This act shall take effect immediately.

Approved January 3, 1961.

CHAPTER 167

AN ACT to prohibit residence requirements by boards of education of school districts and supplementing Title 18 of the Revised Statutes.

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

C. 18:5-49.3. Prohibits residence requirements.

1. No board of education of any school district shall require any member of its professional staff, the qualifications for whose office, position or employment are such as to require him to hold an appropriate certificate issued by the State Board of Examiners, to reside within the school district within which he is employed.

2. This act shall take effect immediately.

Approved January 4, 1961.

CHAPTER 168

AN ACT relating to county bridge commissions and providing for the appointment of policemen and prescribing the powers of such policemen, and supplementing article 2 of chapter 19 of Title 27 of the Revised Statutes.

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

C. 27:19-36.3. Appointment of policemen; powers.

1. Notwithstanding any of the provisions of the article of which this act is a supplement, any county bridge commission created pursuant to said article may appoint policemen and all policemen so appointed are hereby authorized and empowered to make arrests on view and without warrant on Sunday or any other day for crimes, misdemeanors and offenses of any character, or for disorder or breach of the peace or violations of any rules and regulations adopted by such county bridge commissions, committed within the jurisdiction of this State on any bridge owned by or under the control of such county bridge commission, or at the approaches thereof, or on any other property owned by or under the control of such commission. In addition, such policemen shall have all the powers conferred by law on police officers or constables in the enforcement of laws in this State and the apprehension of violators.

Any person so arrested shall be conducted by the officer to a municipal magistrate of the political subdivision in which the arrest is made or, if there is no such available magistrate, to the nearest available magistrate in any other political subdivision.

Any policeman may, instead of arresting an offender as herein provided, serve upon him a summons.

C. 27:19-36.4. Rules and regulations.

2. Any county bridge commission may adopt such rules and regulations as it may deem expedient for the proper government of the bridge or bridges and for the preservation of good order, safe traffic and proper conduct thereon and on the approaches thereto.

C. 27:19-36.5. Penalties.

3. For any violation of this chapter or of any rule or regulation of any county bridge commission, the offender shall be subject to a penalty of not less than $10.00 nor more than $25.00, together with costs, and on default of payment of the penalty, to imprisonment of not less than 10 days nor more than 30 days in the county jail. Upon conviction of any subsequent offense, the offender shall be subject to a penalty of not less than $25.00 nor more than $50.00, together with costs, or to imprisonment of not less than 30 days nor more than 60 days, or both.

4. This act shall take effect immediately.

Approved January 4, 1961.

CHAPTER 169

AN ACT concerning counties and municipalities and revising parts of the statutory law to be known as Chapter 1, General Provisions; Chapter 2, Local Bond Law; Chapter 4, Local Budget Law, and Chapter 5, Local Fiscal Affairs Law, Title 40A, Municipalities and Counties, and repealing certain sections of Title 40 of the Revised Statutes as amended and supplemented.

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

Section 1.

TITLE 40A

MUNICIPALITIES AND COUNTIES

Chapter 1. General Provisions * * * *
Chapter 2. Local Bond Law * * * *
Chapter 4. Local Budget Law * * * *
Chapter 5. Fiscal Affairs Law * * * *

Section 2. Repealer * * * *

Section 3. Act effective * * * *

Section 4. The said revision, constituting Title 40A, supplemental to the Revised Statutes, shall not be printed in the pamphlet laws of this session.

Approved January 5, 1961.

CHAPTER 170

AN ACT repealing certain county park acts contained in Title 40 of the Revised Statutes.

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

Sections repealed.

1. The following sections of the Revised Statutes are hereby repealed:

40:37–24 to 40:37–95, inclusive;
40:37–175 to 40:37–194, inclusive.

2. This act shall become effective immediately.

Approved January 5, 1961.

CHAPTER 171

AN ACT repealing certain sections of the Village Law, Title 40 of the Revised Statutes.

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

Sections repealed.

1. The following sections of Title 40 of the Revised Statutes are hereby repealed:

40:157–1 to 40:157–15, inclusive;
40:157–17;
40:159–3 to 40:159–5, inclusive;
40:160–1;
40:162–1 to 40:162–5, inclusive;
40:164–1;
40:164–2;
40:166–1 to 40:166–4, inclusive.

2. This act shall become effective immediately.

Approved January 5, 1961.

CHAPTER 172

AN ACT concerning municipalities in relation to water supplies and amending section 40:62–127 of the Revised Statutes.

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

1. Section 40:62–127 of the Revised Statutes is amended to read as follows: Section amended.

40:62–127. Such commission may prescribe and change from time to time rates to be charged for water supplied by the waterworks so acquired, and by any extension or enlargement thereof, but rates for the same kind or class of service shall be uniform in all the municipalities supplied by the waterworks. The supplying of water to locations beyond the boundaries of the municipalities owning the waterworks shall be basis for separate classification of service to permit reasonable differentiation of rates. As soon as practicable after acquiring the waterworks rates shall be prescribed, and shall be revised from time to time whenever necessary, so that the waterworks shall be self-supporting, the earnings to be sufficient to provide for all expenses of operation and maintenance and such charges as interest, sinking fund and amortization, so as to prevent any deficit to be paid by taxation from accruing. The interest, sinking fund and amortization shall be construed to include: Water rates and regulations.

a. All service on debt heretofore or hereafter incurred by any municipality represented by the commission in connection with the acquisition of such privately-owned waterworks, and any extensions thereto and enlargements thereof, heretofore or hereafter formally assumed by the commission or its successors, and

b. All service on debt heretofore or hereafter incurred by a municipality represented by the com-

mission, or its successors, and heretofore or hereafter formally assumed by the commission, or its successors, as part of any agreement with the municipality relative to the acquisition, by the commission, or its successors, of the ownership of or the management and control of or the right to use any water supply or part thereof or interest therein or any distribution system of water mains and connections, or any part thereof, which any such municipality may own or control.

The provisions of this section shall be deemed a contract with the holders of all obligations which shall be or may have been issued for the purpose of financing such acquisitions or which heretofore have been or may hereafter be issued to refund temporary bonds or obligations issued for such purposes, the payment of any of which obligations, and interest thereon, the commission, or its successors, has heretofore or may hereafter formally assume as aforesaid.

The commission and any succeeding commission may prescribe, and alter and enforce all reasonable rules and regulations for the maintenance and operation of the waterworks and the collection of rates.

2. This act shall take effect immediately.

Approved January 5, 1961.

CHAPTER 173

AN ACT concerning the right of citizens to attend meetings of public bodies.

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

C. 10:4-1. Public policy.

1. The Legislature finds and declares it to be the public policy of this State to insure the right of the citizens of this State to attend meetings of public

bodies, with certain exceptions, for the protection of the public interest.

C. 10:4-2. Terms defined.

2. "Public body" and "body" mean a commission, authority, board, council, committee and every other group of 2 or more persons organized under the law of this State to perform a public governmental function by official action. "Official action" means a determination made by vote.

C. 10:4-3. Admission of public.

3. The public shall be admitted to any meeting of a public body at which official action is taken.

C. 10:4-4. Actions, meetings unaffected.

4. The foregoing shall not apply (a) where contrary provision is made by law, (b) where its application would impair a right to receive funds from the national government, (c) where the law provides that a record or report of official action of the type in question is or may be rendered confidential (d) in the case of official action relating only to the procedure to be followed in the conduct of a meeting, (e) to the office of the Governor or the Judicial or Legislative branches of State Government, (f) to the State Parole Board in any capacity or to any other public body to the extent that it acts in a parole capacity, (g) in the case of official action authorizing the investment of public funds, investigations or other activities where, and only where the accomplishment of the object of the official action is likely to be materially prejudiced if the official action is made publicly known in full prior to the accomplishment of its object, and provided that, prior to taking any such official action the public body shall have adopted a resolution of the body at a meeting of the body to which the public is admitted, (1) stating the general nature of the contemplated action, (2) determining that accomplishment of the object of the contemplated action is likely to be materially prejudiced if that action is made publicly known prior to the accomplishment of its object, and (3) stating in general terms the reasons why material prejudice would be likely to result if the contemplated action were made publicly known in full prior to the accomplishment of its object.

C.10:4-5. Actions voidable.

5. Official action taken in violation of the requirements of this act shall be voidable in a proceeding in the Superior Court.

Note: Act effective.

6. This act takes effect on the ninetieth day following its enactment.

Approved January 9, 1961.

CHAPTER 174

AN ACT concerning taxation and amending the "Corporation Business Tax Act (1945)," approved April 13, 1945 (P. L. 1945, c. 162.)

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

Section amended.

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

C. 54:10A-3. Exempt corporations.

3. The following corporations shall be exempt from the tax imposed by this act:

(a) corporations subject to a tax under the provisions of article 2 of chapter 13 of Title 54 of the Revised Statutes, or to a tax assessed upon the basis of gross receipts, other than the tax levied by the veterans bonus tax law, or insurance premiums collected;

(b) railroad, canal or banking corporations, savings banks, production credit associations organized under the Farm Credit Act of 1933, agricultural co-operative associations incorporated or domesticated under or subject to chapter 13 of Title 4 of the Revised Statutes and exempt under Subtitle A, Chapter 1 F Part III Section 521 of the Federal Internal Revenue Code, or building and loan or savings and loan associations;

(c) cemetery corporations not conducted for pecuniary profit of any private shareholder or individual;

(d) nonprofit corporations, associations or organizations established, organized or chartered, without capital stock, under the provisions of Titles 15, 16 or 17 of the Revised Statutes, or under a special charter or under any similar general or special law of this or any other State, and not conducted for pecuniary profit of any private shareholder or individual;

(e) corporations subject to a tax under the provisions of chapter 4 of the laws of 1940, or chapter 5 of the laws of 1940, or any statute or law imposing a similar tax or taxes.

Note: Act effective.

2. This act shall take effect immediately and no agricultural co-operative association granted an exemption hereby shall be liable for the payment of the tax imposed by the act of which this act is amendatory with respect to any fiscal or calendar year commencing after the effective date of this act.

Approved January 10, 1961.

CHAPTER 175

AN ACT concerning taxation and supplementing Title 54 of the Revised Statutes.

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

C. 54:4B-1. Payment not suspended by proceedings.

1. No proceeding before any administrative tribunal or before any court of this State or of the United States shall suspend the apportionment, collection or payment of county taxes, nor shall any official of any taxing district charged by law with such duty, fail to collect, or having collected, fail to transmit such county taxes to the county treasurer or other county official authorized by law to receive them, by reason of the pendency of any such proceeding.

C. 54:4B-2. Credit on debit on taxes next due.

2. Whenever in any proceeding before any administrative tribunal or any court of this State or of the United States it shall be determined that any county tax assessed or allocated to any taxing district is unconstitutional or illegal, in whole or in part, or is excessive or inadequate for other reasons, such local taxing district shall be debited or credited as the case may be, on the county taxes next due, with the difference between the amount which it has paid and the amount ultimately determined as said taxing district's lawful share of county taxes.

C. 54:4B-3. No right of suit.

3. In no case shall any taxing district entitled to credit on county taxes as provided in section 2 hereof, have the right to sue for or obtain a judgment directing the repayment of such excess taxes by the county treasurer or by any other county official.

C. 54:4B-4. Sole and exclusive remedy; applicability.

4. The remedy provided herein relating to excess county tax payments made by taxing districts shall be sole and exclusive and shall apply to excess taxes whether paid heretofore or hereafter and shall also apply where any such taxing district has heretofore obtained or may hereafter obtain a judgment for the repayment of such excess taxes.

5. This act shall take effect immediately.

Approved January 10, 1961.

CHAPTER 176

AN ACT relating to the annual salaries of the mayor and members of the council of certain cities of the third class.

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

C. 40:171-190.2. Annual salaries.

1. The council of any city of the third class located in a county of the first or second class, may

by ordinance fix the annual salary of the mayor at not in excess of $1,000.00 and of the members of the council at not in excess of $700.00.

C. 40:171-190.3. Ordinance operative; ratification.

2. Any such ordinance shall become operative in 10 days after the publication thereof after its final passage, unless within said 10 days, a petition, signed by the electors of such city equal in number to at least 10% of the entire vote in the last preceding general election, protesting against the passage of such ordinance, be presented to the council, in which case such ordinance shall remain inoperative unless and until a proposition for the ratification thereof shall be adopted at the next general election by a majority of the qualified voters voting on said proposition.

3. This act shall take effect immediately.

Approved January 11, 1961.

CHAPTER 177

AN ACT relating to those who act or offer to act for a consideration as intermediaries between debtors and their creditors, and prescribing the consequences for the violation thereof.

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

C. 2A:99A-1. Terms defined.

1. As used in this act

(a) "person" means an individual, partnership, corporation and association;

(b) "debt adjuster" means a person who acts or offers to act for a consideration as an intermediary between a debtor and his creditors for the purpose of settling, compounding, or in anywise altering the terms of payment of any debts of the debtor; and, to that end, receives money or other property from the debtor, or on behalf of

the debtor, for payment to, or distribution among, the creditors of the debtor,

(c) "debtor" means an individual, and includes 2 or more individuals who are jointly and severally, or jointly or severally indebted.

C. 2A:99A-2. Misdemeanor.

2. Any person who shall hereafter act or offer to act as a debt adjuster in this State shall be guilty of a misdemeanor.

C. 2A:99A-3. Injunction; appointment of receiver.

3. The Superior Court shall have power, in an action brought in the name of the State by the Attorney General, to enjoin any person from acting or offering to act as a debt adjuster; and, in such action, may appoint a receiver for the property and money employed in the transaction of business by such person as a debt adjuster, to insure, so far as may be possible, the return to debtors of so much of their money and property as has been received by the debt adjuster, and has not been paid to the creditors of the debtors.

C. 2A:99A-4. Persons not deemed debt adjustors.

4. The following persons shall not be deemed debt adjusters for the purposes of this act: any attorney-at-law of this State; any person who is a regular, full-time employee of a debtor, and who acts as an adjuster of his employer's debts; any person acting pursuant to any order or judgment of court, or pursuant to authority conferred by any law of this State or of the United States; any person who is a creditor of the debtor, or an agent of 1 or more creditors of the debtor, and whose services in adjusting the debtor's debts are rendered without cost to the debtor; and any person who, at the request of a debtor, arranges for or makes a loan to the debtor, and who, at the authorization of the debtor, acts as an adjuster of the debtor's debts in the disbursement of the proceeds of the loan, without compensation for the services rendered in adjusting such debts.

5. This act shall take effect immediately.

Approved January 11, 1961.

CHAPTER 178

AN ACT to amend "An act to empower the Commissioner of the Department of Conservation and Economic Development to sell, lease or exchange for other lands State-owned lands acquired for the use of the Division of Fish and Game as public hunting and fishing grounds and to provide for the disposition of any lands or moneys received upon such sale, lease or exchange," approved June 30, 1958 (P. L. 1958, c. 93).

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

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

C. 23:8A-1. Sale, lease or exchange by commissioner; terms and conditions.

1. In any case where the Commissioner of the Department of Conservation and Economic Development finds that the best interests of the State will be served thereby, he shall have the power and authority to sell, lease or exchange for other lands or property, any areas of land, water, or land and water, or any interest therein, belonging to the State, acquired exclusively for public hunting and fishing grounds and game refuges, and assigned to the Division of Fish and Game, provided, however, that the Fish and Game Council shall be given an opportunity to review any proposed sale, lease or exchange and to make recommendations thereon to the Commissioner of the Department of Conservation and Economic Development before such sale, lease, or exchange is executed. Such sales, leases or exchanges shall be made in the name of the State of New Jersey and executed by the Commissioner of Conservation and Economic Development at such price and upon such terms and

New Jersey State Library

conditions as shall be fixed by the State House Commission.

2. This act shall take effect immediately.

Approved January 11, 1961.

CHAPTER 179

AN ACT regulating the demanding or exacting of sums of money, or of valuable things, for the making or obtaining of any mortgage loan upon real estate in certain cases, and providing penalties for the violation thereof.

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

C. 46:10A-1. Obtaining additional sum of money; service of notice.

1. Whenever any agreement for the sale of real estate is conditioned upon any person named therein obtaining a mortgage loan upon such real estate in order that he may perform such agreement on his part, it shall be unlawful for any person to demand or exact for himself, or for any other person, from any party named in said agreement, any sum of money, or other valuable thing, for the making or obtaining of such loan, or in connection with the closing or final settlement pursuant to said agreement other than is provided in said agreement, unless written notice of the sum or thing which will be exacted or demanded, and the person from whom it will be exacted and demanded, shall be served upon each party to said agreement not less than 12 days before said closing or final settlement provided, however, that where final settlement or closing is to take place at a time less than 12 days after the date of said agreement, the written notice required by this act shall be served upon each party immediately upon the signing of said agreement. The provisions of this act

shall apply to premiums, discounts, commissions and other such charges exacted from any party to the agreement, as a consideration for making a loan, but shall not apply to reasonable and customary fees for title examination, and all necessary documents in connection therewith, legal fees, survey, appraisal fees and pro rata portion of the ground rents, hazard insurance premiums, current year's taxes and other prepaid items normally involved in financing such transactions.

C. 46:10A-2. Violation a disorderly person; treble damages.

2. Any person who violates any provision of this act shall be a disorderly person, and any payment or thing paid or exacted in violation of this act may be recovered from the person receiving the same, in a civil action, with treble damages measured by the amount or value thereof.

3. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 180

AN ACT concerning counties, municipalities, school districts, or agencies thereof in relation to certain group insurance programs, and repealing sections 40:11–15 and 40:11–16 of the Revised Statutes.

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

C. 40:11-15.1. Deductions from salaries for group insurance; petitions; authorizations.

1. In any county, municipality, school district, or agency thereof where the employees of the county, municipality, or agency thereof, or the employees of the school district who are in the classified service of civil service, have or shall have formed themselves into groups for the purpose of obtaining the advantages of a group plan of life insurance, a group plan of health and accident

insurance, a group plan for any hospital service or a group plan for medical and surgical insurance, or 1 or more of them, for themselves, or for themselves and their husbands or wives and dependent children under 19 years of age, the governing body of the county, municipality, school district, or agency thereof, when written petitions and authorizations signed by the employees as individuals, are filed with the receiving and disbursing officer of the county, municipality, school district, or agency thereof, may authorize, by resolution, the deductions specified in the written petitions and authorizations, and the payment of them to the designated fiscal agent of the group. Nothing herein contained shall be deemed to authorize coverage of dependents of an employee under a group life insurance policy or to allow the issuance of a group life insurance policy on which the entire premium is to be derived from funds contributed by the insured employees.

C. 40:11-16.1. Payment of premiums by county, municipality or school district; construing.

2. Whenever a group has or shall have been established in accordance with the provisions of section 1 of this act, the governing body of the county, municipality, school district, or agency thereof in which the group or groups are formed, may pay, as additional compensation to the individual members of the group or groups, a part or all of the premium on the group policy or policies covering themselves, or themselves and their husbands or wives and dependent children under 19 years of age.

Nothing herein contained shall be construed as compelling the governing body of any county, municipality, school district, or agency thereof to pay any portion of the premium on such group or groups.

Repealer.

3. Sections 40:11–15 and 40:11–16 of the Revised Statutes are repealed.

4. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 181

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)" approved April 29, 1948 (P. L. 1948, c. 67).

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

1. Section 62 of the act of which this act is amendatory is amended to read as follows: Section amended.

62. Limited liability. C. 17:9A-62. Limited liability.

A. Except as provided in this article, the total liabilities of any person shall not exceed 10% of the aggregate of the unimpaired capital stock and the surplus of the bank.

B. The total liabilities of any person may exceed 10% but may not exceed 25% of the aggregate of the unimpaired capital stock and the surplus of the bank if the amount of such total liabilities which is in excess of 10% of the aggregate of the unimpaired capital stock and the surplus of the bank consists of

(1) obligations as endorser or guarantor of notes, other than commercial or business paper excepted from the application of this article under paragraph (5) of section 61, having a maturity of not more than 6 months, and owned by the person endorsing and negotiating the same; or

(2) obligations secured by security having a value, as of each date on which liability is incurred, equal to 110% of the obligations secured thereby. Such security shall be of the following character:

(a) stocks, bonds or other securities having an ascertainable market value, other than mortgages on real property or on the lease of the fee of real property, and other than contracts for the sale or purchase of real property;

(b) policies of insurance having a cash value;

(c) interests in tangible personal property evidenced by bills of lading, shipping documents, warehouse receipts, trust receipts, contracts of conditional sale, chattel mortgages or other instruments;

(d) accounts receivable;

(e) other security as defined from time to time by the commissioner with the concurrence of the banking advisory board;

(3) mortgage loans, as defined in section 64, to the extent that they are unconditionally insured or guaranteed by the Federal Housing Commissioner, or by the United States, or by this State; or

(4) loans by banks which are members of the Federal Reserve System to banks which are members of the Federal Reserve System, or to banks or trust companies incorporated under the laws of any other State or territory of the United States or the District of Columbia and which are members of the Federal Reserve System, or to national banking associations having their principal offices in this State or in any other State or territory of the United States or the District of Columbia, which loans are evidenced on the books of Federal Reserve Banks by authorization by the lending banks to charge the amounts of the loans against reserve balances maintained by the lending banks pursuant to the Federal Reserve Act as amended or supplemented from time to time, and by crediting the amounts of the loans to the reserve balances of such borrowers required to be maintained by them pursuant to said Federal Reserve Act, and which loans, by the terms of the loans, are required to be repaid by the borrowers on the next banking day following the date of the loans by charge of the amounts of the loans against the reserve balances so required to be maintained by the borrowers with Federal Reserve Banks and by credit of the amounts of the loans to the reserve

balances maintained by the lending banks with Federal Reserve Banks.

C. The total liabilities of any person may exceed 10% but may not exceed 100% of the aggregate of the unimpaired capital stock and the surplus of the bank if the amount of such total liabilities which is in excess of 10% but not in excess of 25% of the aggregate of the unimpaired capital stock and the surplus of the bank is secured as provided in paragraph (2) of subsection B of this section or by obligations of the United States having a face value equal to 100% of such excess, and if the amount of such total liabilities which is in excess of 25% of the aggregate of the unimpaired capital stock and the surplus of the bank is secured by obligations of the United States having a face value equal to 100% of such excess; except that the commissioner may make, alter and repeal regulations respecting the total liabilities of any person in cases where such liabilities are secured by direct obligations of the United States which have a face value at least equal to the amount of such liabilities and which have a maturity of not more than 18 months from the date when such liabilities were incurred. Such regulations may waive or alter the percentage limitation imposed by this section with respect to liabilities so secured but shall in no event lower said percentage limitation. In the exercise of this regulatory power the commissioner shall give consideration to the relative stability of the economy and the government bond market, the condition of the banks and the public importance of the purposes to be served by waiver or alteration of said percentage limitation. If, in the judgment of the commissioner, it would be consistent with such considerations, he shall endeavor to promulgate said regulations in substantial conformity with similar regulations promulgated by duly constituted agencies or officers of the government of the United States.

D. Loans to, and investments in the obligations of any municipality or school district of this State

may equal but not exceed 100% of the aggregate of the unimpaired capital stock and the surplus of a bank.

E. The commissioner and the banking advisory board may, from time to time, approve the obligations of any other State of the United States, or of any political or municipal subdivision or instrumentality thereof, or of the Port of New York Authority or other instrumentality of 2 or more States or of the United States, or loans to any such State, subdivision, or instrumentality, and, so long as such approval shall continue in effect, loans may be made to, and investments may be made in the obligations of any such State, subdivision or instrumentality in excess of 10% but not in excess of 25% of the aggregate of the unimpaired capital stock and the surplus of a bank.

F. The total amount of investment securities of any 1 person held by a bank for its own account, other than investments specified in paragraph (1) of section 61 and subsections D and E of this section, shall not exceed 10% of the aggregate of it unimpaired capital stock and surplus.

G. In determining whether the total liabilities of any person are within the limitations imposed by this article, a bank and its directors, officers and employees may rely upon, and be protected in relying upon, the written statements or representations of such person, made to induce such bank to permit such liabilities to be incurred.

2. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 182

AN ACT concerning certain duties of assessors and amending chapter 63 of the laws of 1959.

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

Section amended.

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

Immunity of assessors; exception.

1. Notwithstanding the provisions of any other law, no assessor shall be subject to removal from office or to any civil or criminal penalty in any administrative or judicial proceeding where the proceeding is based on the claim that the valuations shown on the assessment roll prepared by such assessor for the year 1959, 1960 or 1961 are not at the true value, or at the full and fair value, of the property so assessed for local tax purposes; provided, however, that this act shall not relieve any assessor from the duty of making such assessments in a uniform and impartial manner, nor from the duty of complying with the order or judgment, heretofore or hereafter made, of any court having jurisdiction in a cause to which he is a party, according to the terms thereof.

2. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 183

AN ACT relating to the authorization, acquisition, financing and operation, by or on behalf of any county, of lands, structures, and other property and facilities for certain public purposes, and providing for the creation of authorities as public bodies corporate and politic to undertake the same, establishing the powers of such authorities and of other public bodies with respect thereto, and providing for the issuance of bonds and other obligations therefor and for rents, charges and other means to meet the expense thereof, and supplementing Title 40 of the Revised Statutes.

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

C. 40:37A-44. Short title.

1. This act shall be known and may be cited as the "county improvement authorities law."

C. 40:37A-45. Terms defined.

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

(a) "Authority" shall mean a public body created pursuant to this act;

(b) "Bond resolution" shall have the meaning ascribed thereto in section 16 of this act;

(c) "Bonds" shall mean bonds, notes or other obligations issued pursuant to this act;

(d) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment;

(e) "Cost" shall mean, in addition to the usual connotations thereof, the cost of planning, acquisition or construction of all or any part of any public facility or facilities of an authority and of all or any property, rights, easements, privileges,

agreements and franchises deemed by the authority to be necessary or useful and convenient therefor or in connection therewith, including interest or discount on bonds, cost of issuance of bonds, architectural, engineering and inspection costs and legal expenses, cost of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the authority prior to and during such acquisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion of such public facility or facilities or part thereof and the placing of the same fully in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal of or interest on bonds during or after such acquisition or construction as the authority may determine, and also reimbursements to the authority or any governmental unit or person of any moneys theretofore expended for the purposes of the authority;

(f) The term "county" shall mean any county of any class of the State, and the term "the county" shall mean the county which created an authority pursuant to this act;

(g) "Facility charges" shall have the meaning ascribed to said term in section 14 of this act;

(h) "Facility revenues" shall have the meaning ascribed to said term in section 20 (e) of this act;

(i) "Governing body" shall mean, in the case of a county, the board of chosen freeholders, and, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(j) "Governmental unit" shall mean the United States of America or the State or any county or municipality or any subdivision, department, agency, or instrumentality heretofore or hereafter created, designated or established by or for the United States of America or the State or any county or municipality;

(k) "Local bond law" shall mean article 1 of chapter 1 of Title 40, Municipalities and Counties, of the Revised Statutes as amended and supplemented;

(l) "Municipality" shall mean any city, borough, village, town, or township of the State but not a county or a school district;

(m) "Person" shall mean any person, partnership, association, corporation or entity other than a nation, State, county or municipality or any subdivision, department, agency or instrumentality thereof;

(n) "Project" shall have the meaning ascribed to said term in section 16 of this act;

(o) "Public facility" shall mean any lands, structures, or other property or facilities acquired or constructed or to be acquired or constructed by an authority for its purposes and operated or to be operated by an authority or by any governmental unit or person under a lease or other agreement by or with the authority; and

(p) "Real property" shall mean lands within or without the State, above or below water, and improvements thereof or thereon, or any riparian or other rights or interests therein.

C. 40:37A-46. Creation of authority; members; filing and publication of resolution.

3. The governing body of a county may by resolution create a public body corporate and politic under and pursuant to this act, under the name and style of "the ..... county improvement authority," with all or any significant part of the name of said county inserted. Said body shall consist of the 5 members thereof, who shall be residents of the county and be appointed by resolution of said governing body as hereinafter provided, and it shall constitute the authority contemplated and provided for in this act and an agency or instrumentality of said county. Copies of said resolution for the creation of the authority, certified by the clerk of said governing body, shall be filed in the office of the Secretary of State and in the office of the Division of Local Government in the Department of the Treasury. A copy of any

such certified resolution, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any action or proceeding and shall be conclusive evidence of due and proper adoption and filing thereof as aforesaid. After such filing in the office of the Secretary of State, a copy of said resolution shall be published at least once in a newspaper published or circulating in the county, together with a notice stating the fact and date of its adoption and the date of the first publication of such notice. If no action questioning the validity of the creation or establishment of the authority shall be commenced within 45 days after the first publication of such notice, then said authority shall be conclusively deemed to have been validly created and established and authorized to transact business and exercise powers as a public body created pursuant to this act.

C. 40:37A-47. Dissolution, procedure; copy of resolution filed.

4. The governing body of any county which has created an authority pursuant to this act may by resolution dissolve such authority if either (1) such authority has no debts or obligations outstanding, or (2) all creditors or other obligees of the authority have consented to said resolution. A copy of said resolution, certified by the clerk of said governing body, shall be filed in the office of the Secretary of State and in the office of the Division of Local Government in the Department of the Treasury. Upon proof of such filing and upon proof either that said authority had no debts or obligations outstanding at the time of the adoption of such resolution or that all creditors or other obligees of the authority have consented to such resolution, the authority shall be conclusively deemed to have been lawfully and properly dissolved. Thereupon, all right, title and interest in and to the property of the authority shall be vested in the county, except that any particular property shall vest in any other governmental unit or person if the terms of any lease or other agreement of the authority with respect thereto shall so provide. A copy of any such certified resolution, duly certi-

fied by or on behalf of the Secretary of State, shall be admissible in evidence in any action or proceeding and shall be conclusive evidence of due and proper adoption and filing thereof as aforesaid.

C. 40:37A-48. Appointment of members; terms; vacancies; filing.

5. After expiration of the period of 45 days following the first publication as provided in section 3 hereof of a notice regarding creation of an authority, 5 persons shall be appointed as the members of the authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after January 1 in each year after such first appointments, 1 person shall be appointed as a member of the authority for a term commencing on or after February 1 in such year and expiring on February 1 in the fifth year after such year. Each member shall hold office for the term of appointment and until his successor shall have been appointed and qualified. Any vacancy in the membership of the authority during an unexpired term shall be filled by appointment of a person as member for the unexpired term. A copy of any resolution appointing any such members, certified by the clerk of the governing body, may be filed in the office of the Secretary of State. A copy of any such certified resolution, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any action or proceeding and shall be conclusive evidence of due and proper adoption and filing thereof as aforesaid and, except in an action or proceeding seeking only exclusion of the appointee from office, shall be conclusive evidence of the due and proper appointment of the members named therein.

C. 40:37A-49. Organization; employees.

6. Every authority, upon the first appointment of its members and thereafter on or after February 1 in each year, shall annually elect from among its members a chairman and a vice chairman who shall hold office until February 1 next ensuing and

until their respective successors shall have been appointed and qualified. Every authority may also appoint and employ, without regard to the provisions of Title 11, Civil Service, of the Revised Statutes, a secretary, a treasurer, an executive director and a chief engineer and such other agents and employees as it may require, and it shall determine their qualifications, terms of office, duties and compensation.

C. 40:37A-50. Powers vested in members; quorum.

7. The powers of an authority shall be vested in the members thereof in office from time to time and 3 members shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the authority at any meeting of the members thereof by the affirmative vote of 3 members, unless in any case the by-laws of the authority shall require a larger number.

C. 40:37A-51. Expenses.

8. The members of an authority shall serve without compensation, but the authority may reimburse its members for necessary expenses incurred in the discharge of their duties.

C. 40:37A-52. Members of governing body ineligible.

9. No member of the governing body of the county shall be appointed as a member of, or employed by, an authority.

C. 40:37A-53. Removal of authority member; causes.

10. A member of an authority may be removed by the governing body of the county for incapacity, inefficiency or neglect of duty or misconduct in office or other disqualifying cause and after he shall have been given a copy of the charges against him and, not sooner than 10 days thereafter, been afforded opportunity for a hearing, in person or by counsel, by such governing body with respect to such charges.

C. 40:37A-54. Purposes.

11. The purposes of every authority shall be provision within the county (a) of public buildings for use by the State, the county, or any municipality in the county, or any 2 or more or any subdivisions, departments, agencies or instrumentalities of any of the foregoing, (b) of structures and facilities for public transportation or terminal purposes, and (c) of structures or other facilities used or operated by the authority or any govern-

mental unit in connection with, or relative to development and improvement of, aviation for military or civilian purposes, including research in connection therewith.

C. 40:37A-55. Authority a body politic and corporate; powers.

12. Every authority shall be a public body politic and corporate constituting a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public convenience, benefit and welfare and shall have perpetual succession and, for the effectuation of its purposes, have the following additional powers:

(a) To adopt and have a common seal and to alter the same at pleasure;

(b) To sue and be sued;

(c) To acquire, hold, use and dispose of its facility charges and other revenues and other moneys;

(d) To acquire, rent, hold, use and dispose of other personal property for the purposes of the authority;

(e) Subject to the provisions of section 26 of this act, to acquire by purchase, gift, condemnation or otherwise, or lease as lessee, real property and easements or interests therein necessary or useful and convenient for the purposes of the authority, whether subject to mortgages, deeds of trust or other liens or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the authority;

(f) Subject to the provisions of section 13 of this act, to lease to any governmental unit or person, all or any part of any public facility for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon;

(g) Subject to the provisions of section 13 of this act, to make agreements of any kind with any governmental unit or person for the use or operation of all or any part of any public facility for such consideration and for such period or periods

of time and upon such other terms and conditions as it may fix and agree upon;

(h) To borrow money and issue negotiable bonds or notes or other obligations and provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds;

(i) To apply for and to accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the authority from any governmental unit or person, and to make and perform agreements and contracts and to do any and all things necessary or useful and convenient in connection with the procuring, acceptance or disposition of such gifts or grants;

(j) To determine the location, type and character of any public facility and all other matters in connection with all or any part of any public facility which it is authorized to own, construct, establish, effectuate or control;

(k) To make and enforce by-laws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of any public facility, and to amend the same;

(l) To do and perform any acts and things authorized by this act under, through or by means of its own officers, agents and employees, or by contracts with any governmental unit or person;

(m) To acquire, purchase, construct, lease, operate, maintain and undertake any project and to fix and collect facility charges for the use thereof; and

(n) To enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the authority or to carry out any power expressly given in this act.

C. 40:37A-56. Report to governing body; powers limited.

13. Whenever an authority after investigation and study shall plan to undertake any public facility or facilities for the purposes of the author-

ity, the authority shall make to the governing body of the county a detailed report dealing with the proposed public facility or facilities. Notwithstanding any other provision of this act, the authority shall not construct or acquire such public facility or facilities, or make any lease or other agreement relating to use by any governmental unit or person of all or any part of any public facility for a term in excess of five years, until there has been filed with the authority a copy of a resolution adopted by the governing body of the county, certified by its clerk, describing such public facility or facilities in terms sufficient for reasonable identification and consenting to the construction or acquisition thereof by the authority or the making of such lease or other agreement.

C. 40:37A-57. Facility charges authorized.

14. Every authority is hereby authorized to charge and collect tolls, rents, rates, fees or other charges (in this act sometimes referred to as "facility charges") in connection with, or for the use or services of, or otherwise relating to, any public facility or other property owned or controlled by the authority. Such facility charges may be charged to and collected from any governmental unit or person and such governmental unit or person shall be liable for and shall pay such facility charges to the authority at the time when and place where such charges are due and payable.

C. 40:37A-58. Compliance with terms of lease or agreement; adjustment of charges.

15. The facility charges fixed, charged and collected by an authority with respect to any public facility shall comply with the terms of any lease or other agreement of the authority with regard to such public facility, and the facility charges fixed, charged and collected by an authority may be so adjusted that the revenues of the authority will at all times be adequate to pay all expenses of the authority, including the expenses of operation and maintenance of any public facility or other property owned or controlled by the authority, including insurance, improvements, replacements, reconstruction and any other required payments, and to pay the principal of and interest on any bonds, and

to maintain such reserves or sinking funds for any of the foregoing purposes as may be required by the terms of any lease or other agreement of the authority or as may be deemed necessary or convenient and desirable by the authority.

C. 40:37A-59. Issuance of bonds.

16. (1) For the purpose of raising funds to pay the cost of any public facility or facilities or for the purpose of funding or refunding any bonds, an authority shall have power to authorize or provide for the issuance of bonds pursuant to this act, by a resolution (in this act sometimes referred to as "bond resolution") which shall:

(a) describe in brief and general terms sufficient for reasonable identification the public facility or facilities or part thereof, (in this act sometimes called "project") to be constructed or acquired, or describe the bonds which are to be funded or refunded (if any);

(b) state the cost or estimated cost of the project (if any); and

(c) provide for the issuance of the bonds in accordance with section 17 of this act.

(2) Notwithstanding the foregoing provisions of this section, an authority shall not authorize or provide for the issuance of bonds for the purpose of raising funds to pay the cost of any public facility except upon findings by the authority, which may be expressed in the bond resolution providing for the issuance of such bonds, that there has been filed with the authority (a) a copy of a resolution adopted by the governing body of the county, certified by its clerk, either (i) requesting the acquisition or construction and operation by the authority of said public facility, or (ii) requesting the acquisition or construction by the authority of said public facility for operation by the county or by any other governmental unit or any person under leases or other agreements upon terms and conditions satisfactory to the authority, and (b) proof satisfactory to the authority that the acquisition or construction of said public facility and operation thereof as so requested is

economically feasible and is in furtherance of the purposes of the authority.

C. 40:37A-60. Bond security; additional security.

17. Upon adoption of a bond resolution, an authority shall have power to issue its bonds for the purpose of financing the project or of funding or refunding the bonds described therein. Such bonds shall be authorized by the bond resolution and may be issued in 1 or more series and shall bear such date or dates, mature at such time or times not exceeding 40 years from the date thereof, bear interest at a rate or rates within such maximum rate (not exceeding 6% per annum), be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, and be subject to such terms of redemption (with or without premium) as the bond resolution may provide. The authority may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable (a) exclusively from the income and revenues of the project financed with the proceeds of such bonds; (b) exclusively from the income and revenues of certain designated projects whether or not they are financed in whole or in part with the proceeds of such bonds; or (c) from its revenues generally. Any such bonds may be additionally secured by a pledge of any grant or contributions from any governmental unit or person or a pledge of any income or revenues of the authority from any source whatsoever.

C. 40:37A-61. Sale of bonds; maximum interest.

18. Bonds of an authority may be sold at public or private sale at such price or prices as the authority shall determine; provided, however, that the interest cost to their average maturity of the money received for any group of bonds sold in a single transaction (computed according to

standard tables of bond values) shall not exceed 6% per annum.

C. 40:37A-62. Filing copy of bond resolution; publication; effect.

19. An authority shall cause a copy of any bond resolution adopted by it to be filed for public inspection in its office and in the office of the clerk of the governing body of the county and may thereupon cause to be published at least once in a newspaper published or circulating in the county a notice stating the fact and date of such adoption and the places where such bond resolution has been so filed for public inspection and also the date of the first publication of such notice and also stating that any action or proceeding of any kind or nature in any court questioning the validity or proper authorization of bonds provided for by the bond resolution, or the validity of any covenants, agreements or contracts provided for by the bond resolution shall be commenced within 20 days after the first publication of such notice. If any such notice shall at any time be published and if no action or proceeding questioning the validity or proper authorization of bonds provided for by the bond resolution referred to in said notice, or the validity of any covenants, agreements or contracts provided for by said bond resolution shall be commenced or instituted within 20 days after the first publication of said notice, then all residents and taxpayers and owners of property in the county and all other persons shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, or from pleading any defense to any action or proceeding, questioning the validity or proper authorization of such bonds, or the validity of such covenants, agreements or contracts, and said bonds, covenants, agreements and contracts shall be conclusively deemed to be valid and binding obligations in accordance with their terms and tenor.

C. 40:37A-63. Bond resolution, additional provisions; bond covenants.

20. Any bond resolution of an authority providing for or authorizing the issuance of any bonds may contain provisions, and such authority, in order to secure the payment of such bonds and in

addition to its other powers, shall have power by provision in such bond resolution to covenant and agree with the several holders of such bonds, as to:

(a) the custody, security, use, expenditure or application of the proceeds of the bonds;

(b) the construction and completion, or replacement, of any public facility or facilities;

(c) the use, regulation, operation, maintenance, insurance or disposition of any public facility or facilities, or restrictions on the exercise of the powers of the authority to dispose, or to limit or regulate the use, of any public facility or facilities;

(d) payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any such bonds or obligations as to any lien or security, or the acceleration of the maturity of any such bonds or obligations;

(e) the use and disposition of any moneys of the authority, including revenues (in this act sometimes called "facility revenues") derived or to be derived from the operation of any public facility or facilities, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

(f) pledging, setting aside, depositing or trusteeing all or any part of the facility revenues or other moneys of the authority to secure the payment of the principal of or interest on the bonds or any other obligations or the payment of expenses of operation or maintenance of any public facility or facilities, and the powers and duties of any trustee with regard thereto;

(g) the setting aside out of the facility revenues or other moneys of the authority of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(h) determination or definition of the facility revenues or of the expenses of operation and maintenance of a public facility or facilities;

(i) the rents, rates, fees, or other charges in connection with, or for the use or services of, or otherwise relating to any public facility or facilities, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of facility revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

(j) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of any public facility or facilities or any obligations having or which may have a lien on any part of the facility revenues;

(k) limitations on the issuance of additional bonds or any other obligations or on the incurrence of indebtedness of the authority;

(l) limitations on the powers of the authority to construct, acquire or operate any structures, facilites or properties which may compete or tend to compete with any of its public facilities;

(m) vesting in a trustee or trustees within or without the State such property, rights, powers and duties in trust as the authority may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to section 21 of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section 21 of this act or limiting the rights, duties and powers of such trustee;

(n) payment of the costs or expenses incident to the enforcement of the bonds or of the provisions of the bond resolution or of any covenant or agreement of the authority with the holders of bonds;

(o) the procedure, if any, by which the terms of any covenant or agreement with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds the holders of which must consent

thereto, and the manner in which such consent may be given or evidenced; or

(p) any other matter or course of conduct which, by recital in the bond resolution, is declared to further secure the payment of the principal of or interest on bonds and to be part of any covenant or agreement with the holders of bonds.

All such provisions of said bond resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the authority and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action or proceeding in any court of competent jurisdiction, including a proceeding in lieu of prerogative writ.

C. 40:37A-64. Rights upon default; appointment of trustee.

21. (1) If the bond resolution of an authority authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of this section, then if there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of 30 days, or if the authority shall fail or refuse to comply with any of the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any such bonds and such failure or refusal shall continue for a period of 30 days after written notice to the authority of its existence and nature, the holders of 25% in aggregate principal amount of the bonds of such series then outstanding by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

(2) Such trustee may, and upon written request of the holders of 25% in aggregate principal

amount of the bonds of such series then outstanding shall, in his or its own name:

(a) By any action or proceeding, enforce all rights of the holders of such bonds, including the right to require the authority to charge and collect facility charges adequate to carry out any contract as to, or pledge of, facility revenues, and to require the authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(b) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(c) By action, require the authority to account as if it were the trustee of an express trust for the holders of such bonds;

(d) By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(e) Declare all such bonds due and payable, whether or not in advance of maturity, upon 30 days' prior notice in writing to the authority and, if all defaults shall be made good, then with the consent of the holders of 25% of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(3) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(4) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee and of the receiver, if any, appointed pursuant to this act, shall, if allowed by the court, constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any facility charges and facility revenues of the authority pledged for the payment or security of bonds of such series.

C. 40:37A-65. Appointment of receiver; powers.

22. If the bond resolution of an authority authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of section 21 of this act and shall further provide in substance that any trustee appointed pursuant to said section or having the powers of such a trustee shall have the powers provided by this section, then such trustee, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled to the appointment of a receiver of the public facility or facilities of the authority, and such receiver may enter upon and take possession of such public facility or facilities and, subject to any pledge or contract with the holders of bonds of the authority, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance or reconstruction of such public facility or facilities and proceed with such acquisition, construction, operation, maintenance or reconstruction which the authority is under any obligation to do, and operate, maintain and reconstruct such public facility or facilities and fix, charge, collect, enforce and receive the facility charges and all facility revenues thereafter arising subject to any pledge thereof or contract with the holders of bonds relating thereto and perform the public duties and carry out the contracts and obligations of the authority in the same manner as the authority itself might do and under the direction of the court.

C. 40:37A-66. No personal liability nor State obligation.

23. Neither the members of an authority nor any person executing bonds issued pursuant to this act shall be liable personally on the bonds by reason of the issuance thereof. Bonds or other obligations issued by an authority pursuant to this act shall not be in any way a debt or liability of the State or any subdivision thereof and shall not create or constitute any indebtedness, liability or obligation of the State or any such subdivision, except the authority and any county which in accordance with

this act shall have guaranteed payment of the principal of and interest on such bonds.

C. 40:37A-67. Bonds and coupons negotiable.

24. Any provision of any law to the contrary notwithstanding, any bond or other obligation issued pursuant to this act shall be fully negotiable within the meaning and for all purposes of the negotiable instruments law of the State, and each holder or owner of such a bond or other obligation, or of any coupon appurtenant thereto, by accepting such bond or coupon shall be conclusively deemed to have agreed that such bond, obligation or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

C. 40:37A-68. Authority for issuing bonds.

25. This act shall be complete authority for the issuance of bonds by an authority, and the provisions of any other law shall not apply to the issuance of such bonds.

C. 40:37A-69. Acquisition of property; condemnation.

26. Every authority is hereby empowered, in its own name but for the county, to acquire by purchase, gift, grant or devise and to take for public use real property, within or without the county, or any interest therein which may be deemed by the authority necessary for its purposes, including public lands owned by or in which any municipality within the county has a right, title or interest. Such authority is hereby empowered to acquire and take such real property including such public property or interests therein, by condemnation, in the manner provided by chapter 1 of Title 20, Eminent Domain, of the Revised Statutes (R. S. 20:1–1 et seq.) and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of the county, all of the powers of such county to acquire or take property for public use; provided, however, that, notwithstanding the foregoing or any other provision of this act, no authority shall take, by condemnation, any real property except upon consent thereto by the county which created the authority given by resolution adopted by its governing body.

C. 40:37A-70. Declaration of taking.

27. Upon the filing by an authority of a complaint in any action to fix the compensation to be paid for any property or at any time thereafter, the authority may file with the clerk of the county in which such property is located and also with the Clerk of the Superior Court a declaration of taking, signed by the authority, declaring that possession of 1 or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the authority. The said declaration of taking shall be sufficient if it sets forth (a) a description of each tract or parcel of land or property to be so taken sufficient for the identification thereof to which there may or may not be attached a plan or map thereof, (b) a statement of the estate or interest in the said land or property being taken, (c) a statement of the sum of money estimated by the authority by resolution to be just compensation for the taking of the estate or interest in each tract or parcel of land or property described in said declaration, and (d) an allegation that, in compliance with the provisions of this act, the authority has established and is maintaining a trust fund as hereinafter provided.

C. 40:37A-71. Deposit of estimated compensation; fund on deposit with bank.

28. Upon the filing by an authority of a declaration of taking of property as provided in this act, the authority shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration. In addition to the said deposits with the Clerk of the Superior Court, the authority at all times shall maintain a fund on deposit with a bank or trust company doing business in the State in an amount at least equal to the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court. Said fund shall consist of cash or securities readily convertible into cash constituting legal investments for trust funds under the laws of the State or may

consist of all or some part of the proceeds of bonds of the authority held by any trustee for the holders of such bonds and available for payment for the land or other property described in such declarations of taking. Said fund shall be held by or on behalf of the authority to secure and may be applied to the payment of just compensation for the land or other property described in such declarations of taking. The authority shall be entitled to withdraw from said fund from time to time so much as may then be in excess of the aggregate amount deposited with the Clerk of the Superior Court as estimated compensation for all land or other property described in declarations of taking with respect to which the compensation has not been finally determined and paid to the persons entitled thereto or into court.

C. 40:37A-72. Taking possession of property.

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

C. 40:37A-73. Service of notice of filing declaration of taking and making deposit; payment.

30. Each authority shall cause notice of the filing of a declaration of taking of property as provided in this act and of the making of the deposit required by this act with respect thereto to be served upon each party to the action to fix the compensation to be paid who resides in the State, either personally or by leaving a copy thereof at his resi-

dence if known, and upon each such party who resides out of the State, by mailing a copy thereof to him at his residence if known. In the event that the residence of any such party or the name of such party is unknown, such notice shall be published at least once in a newspaper published or circulating in the county or counties in which the property is located. Such service, mailing or publication shall be made within 30 days after filing such declaration. Upon the application of any party in interest and after notice to other parties in interest, including the authority, the Superior Court may direct that the money deposited with the Clerk of the Superior Court or any part thereof be paid forthwith to the person or persons entitled thereto for or on account of the just compensation to be awarded in said action, provided that each such person shall have filed with the Clerk of the Superior Court a consent in writnng that, in the event the award in the said action shall be less than the amount deposited, the court, after such notice as the court prescribes and hearing, may determine his liability, if any, for the return of the difference or any part thereof and enter judgment therefor. If the amount of the award as finally determined shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the authority the difference between the amount of the deposit and the amount of the award, with interest at the rate of 6% per annum thereon from the date of making the deposit. If the amount of the award as so determined shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the authority unless the deposit or any part thereof shall have theretofore been distributed, in which event the court, on application of the authority and notice to all persons interested in the award and affording them an opportunity to be heard, shall enter judgment in favor of the authority for the

difference against the party or parties liable for the return thereof.

C. 40:37A-74. Forbids abandonment of proceedings.

31. The authority shall not abandon any condemnation proceeding subsequent to the date upon which it has taken possession of the land or property as provided in this act.

C. 40:37A-75. Regulations concerning public utilities; relocation.

32. In addition to the other powers conferred upon it by this act or by any other law and not in limitation thereof, every authority, in connection with construction or operation of any public facility, shall have power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or any other equipment and appliances (in this section called "works") of any public utility as defined in section 48:2–13 of the Revised Statutes, in, on, along, over or under any real property, including public lands or waters. Whenever in connection with construction or operation of any public facility, any authority shall determine that it is necessary that any such works, which now are or hereafter may be located in, on, along, over or under any such real property, should be relocated in such real property or should be removed therefrom, the public utility owning or operating such works shall relocate or remove the same in accordance with the order of the authority, provided, however, that the cost and expenses of such relocation or removal, including the cost of installing such works in a new location or new locations, and the cost of any lands or any rights or interest in lands or any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights, or interests in lands or any other rights of the public utility paid to the public utility in connection with the relocation or removal of such works, shall be paid by the authority and may be included in the cost of such public facility. In case of any such relocation or removal of works as aforesaid, the public utility owning or operating the same, its successors or assigns, may

maintain and operate such works, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such works in their former location.

C. 40:37A-76. Actions by municipalities or county.

33. For the purpose of aiding an authority and co-operating in the planning, undertaking, acquisition, construction or operation of any public facility, the county or any municipality in the county may (a) acquire real property in its name for such public facility or for the widening of existing roads, streets, parkways, avenues or highways or for new roads, streets, parkways, avenues or highways to any such public facility, or partly for such purposes and partly for other county or municipal purposes, by purchase or condemnation in the manner provided by law for the acquisition of real property by such county or municipality, (b) furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan parks, streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake, and (c) do any and all things necessary or convenient to aid and co-operate in the planning, undertaking, construction or operation of any such public facility, and cause services to be furnished to the authority of any character which such county or municipality is otherwise empowered to furnish, and to incur the entire expense thereof.

C. 40:37A-77. Lease or conveyance to authority.

34. Any county by resolution of its governing body, municipality by ordinance of its governing body, governmental unit or person is hereby empowered, without any referendum or public or competitive bidding, to sell, lease, lend, grant or convey to an authority, or to permit an authority to use, maintain or operate as part of any public facility, any real or personal property which may be necessary or useful and convenient for the purposes of the authority and accepted by the authority. Any such sale, lease, loan, grant, conveyance or permit may be made or given with or without

consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such county, municipality, governmental unit or person and which may be agreed to by the authority in conformity with its contracts with the holders of any bonds. Subject to any such contracts with the holders of bonds, the authority may enter into and perform any and all agreements with respect to property so purchased, leased, borrowed, received or accepted by it, including agreements for the assumption of principal or interest or both of indebtedness of such county, municipality, governmental unit or person or of any mortgage or lien existing with respect to such property or for the operation and maintenance of such property as part of any public facility.

C. 40:37A-78. Lease or agreement authorized.

35. Any county, municipality, governmental unit or person is hereby empowered to enter into and perform any lease or other agreement with an authority for the lease to or use by such county, municipality, governmental unit or person of all or any part of any public facility or facilities. Any such lease or other agreement may provide for the payment to the authority by such county, municipality, governmental unit or persons annually or otherwise of such sum or sums of money, computed at fixed amounts or by any formula or in any other manner, as may be fixed in or pursuant thereto. Any such lease or other agreement may be made and entered into for a term beginning currently or at some future or contingent date and with or without consideration and for a specified or unlimited time and on any terms and conditions which may be approved by such county, municipality, governmental unit or person and which may be agreed to by the authority in conformity with its contracts with the holders of any bonds, and shall be valid and binding on such county, municipality, governmental unit or person whether or not an appropriation is made thereby prior to authorization or execution of such lease or other

agreement. Every such county, municipality, governmental unit or person is hereby authorized and directed to do and perform any and all acts and things necessary, convenient or desirable to carry out and perform any such lease or other agreement entered into by it and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations of such county, municipality, governmental unit or person.

C. 40:37A-79. Appropriations by county or municipality.

36. For the purpose of aiding an authority and co-operating in the planning, undertaking, acquisition, construction or operation of any public facility, the county by resolution of its governing body, or any municipality in the county by ordinance of its governing body, shall have power from time to time and for such period and upon such terms, with or without consideration, as may be provided by such resolution or ordinance and accepted by the authority (a) to appropriate moneys for the purposes of the authority, and to loan or donate such money to the authority in such installments and upon such terms as may be agreed upon with the authority, (b) to covenant and agree with the authority to pay to or on the order of the authority annually or at shorter intervals as a subsidy for the promotion of its purposes not exceeding such sums of money as may be stated in such resolution or ordinance or computed in accordance therewith, (c) upon authorization by it in accordance with law of the performance of any act or thing which it is empowered by law to authorize and perform and after appropriation of the moneys (if any) necessary for such performance, to covenant and agree with the authority to do and perform such act or thing and as to the time, manner and other details of its doing and performance, and (d) to appropriate money for all or any part of the cost of acquisition or construction of such public facility, and, in accordance with the limitations and any exceptions thereto and in the manner or mode of procedure prescribed by the local bond law to incur indebted-

ness, borrow money and issue its negotiable bonds for the purpose of financing such public facility and appropriation, and to pay the proceeds of such bonds to the authority.

C. 40:37A-80. Guaranty of bonds by county.

37. For the purpose of aiding an authority in the planning, undertaking, acquisition, construction or operation of any public facility, the county may, pursuant to resolution duly adopted by its governing body in the manner provided for adoption of a resolution authorizing bonds of such county as provided in the local bond law and with or without consideration and upon such terms and conditions as may be agreed to by and between the county and the authority, unconditionally guarantee the punctual payment of the principal of and interest on any bonds of the authority. Any guaranty of bonds of an authority made pursuant to this section shall be evidenced by endorsement thereof on such bonds, executed in the name of the county and on its behalf by such officer thereof as may be designated in the resolution authorizing such guaranty, and such county shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of an authority may be made, and any resolution authorizing such guaranty may be adopted, notwithstanding any statutory debt or other limitations, including particularly any limitation or requirement under or pursuant to the local bond law, but the principal amount of bonds so guaranteed, shall, after their issuance, be included in the gross debt of such county for the purpose of determining the indebtedness of such county under or pursuant to the local bond law. The principal amount of said bonds so guaranteed and included in gross debt shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of said local bond law (a) from and after the time of issuance of said bonds until the end of the fiscal year beginning

next after the completion of acquisition or construction of the public facility to be financed from the proceeds of such bonds and (b) in any annual debt statement filed pursuant to said local bond law as of the end of said fiscal year or any subsequent fiscal year if the revenues of the authority in such year are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account of the principal and interest on all such guaranteed bonds, all bonds of the county issued as provided in section 36 of this act, and all bonds of the authority issued under this act.

C. 40:37A-81. Pledge or assignment of agreement.

38. Any lease or other agreement, and any instruments making or evidencing the same, may be pledged or assigned by the authority to secure its bonds and thereafter may not be modified except as provided by the terms of such instrument or by the terms of such pledge or assignment.

C. 40:37A-82. Property exempt from levy or lien.

39. All property of an authority shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same nor shall any judgment against an authority be a charge or lien upon its property; provided, that nothing herein contained shall apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by an authority on its facility revenues or other moneys.

C. 40:37A-83. Payment in lieu of taxes.

40. Every authority and every municipality in which any property of the authority is located are hereby authorized and empowered to enter into agreements with respect to the payment by the authority to such municipality of annual sums of money in lieu of taxes on such property in such amounts as may be agreed upon between the authority and the municipality, and each such authority is empowered to make such payments and each such municipality is empowered to accept such payments and to apply them in the manner in which taxes may be applied in such municipality; provided, however, that no such annual payment

with respect to any parcel of such property shall exceed the amount of taxes paid thereon for the taxable year immediately prior to the time of its acquisition by the authority.

C. 40:37A-84. Bonds legal investments; security for public deposits.

41. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to this act, and such bonds shall be authorized security for any and all public deposits.

C. 40:37A-85. Tax exemption.

42. All public facilities and all other properties of an authority are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof. All bonds issued pursuant to this act are hereby declared to be issued by a political subdivision of this State and for an essential public and governmental purpose and to be a public instrumentality and such bonds, and the interest thereon and the income therefrom, and all facility charges, funds, revenues and other moneys pledged or available to pay or secure the payment of such bonds, or interest thereon, shall at all times be exempt from taxation except for transfer, inheritance and estate taxes.

C. 40:37A-86. Covenant of State with bondholders.

43. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds issued pursuant to a bond resolution of an authority adopted pursuant to this act that the

State will not limit or alter the rights hereby vested in the authority to acquire, construct, maintain, reconstruct and operate any public facility, or to fix, establish, charge and collect its facility charges and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, so as to in any way impair the rights or remedies of such holders, and will not modify in any way the exemptions from taxation provided for in this act, until the bonds, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged or provided for.

C. 40:37A-87. Undertaking by banks concerning deposit; depository collateral agreement.

44. All banks, trust companies, savings banks, investment companies and other persons carrying on a banking business are hereby authorized to give to any authority a good and sufficient undertaking with such sureties as shall be approved by the authority to the effect that such bank or banking institution as hereinbefore described shall faithfully keep and pay over to the order of or upon the warrant of the authority or its authorized agent all such funds as may be deposited with it by the authority and agreed interest thereon, at such times or upon such demands as may be agreed with the authority or in lieu of such sureties, deposit with the authority or its authorized agent or any trustee therefor or for the holders of any bonds, as collateral, such securities as the authority may approve. The deposits of the authority may be evidenced by a depository collateral agreement in such form and upon such terms and conditions as may be agreed upon by the authority and such bank or banking institution.

C. 40:37A-88. Annual audit; filing.

45. Each authority shall cause an annual audit of its accounts to be made, and for this purpose it shall employ a registered municipal accountant of New Jersey or a certified public accountant of New Jersey. The audit shall be completed and filed with the authority within 4 months after the close of the

fiscal year of the authority and a certified duplicate copy thereof shall be filed in the office of the Division of Local Government in the Department of the Treasury and in the office of the treasurer of the county within 5 days after the original report is filed with the authority.

C. 40:37A-89. Bond resolutions filed.

46. Each authority shall file a certified copy of each bond resolution adopted by it in the office of the Division of Local Government in the Department of the Treasury, together with a certified summary of the dates, amounts, maturities and interest rates of all bonds to be issued pursuant thereto prior to the issuance of any such bonds. Upon the adoption of each annual budget of an authority or amendment thereof, a certified copy thereof shall be filed forthwith in the office of said Division of Local Government.

C. 40:37A-90. Construing.

47. This act shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every act and thing herein authorized, and an authority shall not constitute or be deemed to be a county or municipality or agency or component of a municipality for the purposes of any other law, and shall not be subject to regulation as to its facility charges by any officer, board, agency, commission or other office of the State; provided, however, that no authority shall exercise the powers of a common carrier, and, except as hereinabove in this section set forth, nothing contained in this act shall in any way affect or limit the jurisdiction, rights, powers or duties of any State regulatory agencies.

C. 40:37A-91. Provisions severable.

48. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective, it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of this

act in any 1 or more instances or under any 1 or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

49. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 184

AN ACT to amend and supplement the "Mortuary Science Act," approved June 18, 1952 (P. L. 1952, c. 340), and to repeal sections 21, 26, 27 and 29 of said act.

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

Section amended.

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

C. 45:7-33. Practices declared occupations with public interest.

2. In the interest of, and to better secure, the public health, safety and welfare and for the more efficient administration and supervision of sanitary codes and health regulations, the practice of mortuary science and the practice of embalming and funeral directing are hereby declared to be occupations charged with a high degree of public interest and subject to strict regulation and control.

Section amended.

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

C. 45:7-34. Terms defined.

3. As used in this act:

(a) "Board" means the State Board of Mortuary Science of New Jersey.

(b) "Embalming" means the disinfecting or preservation of a dead human body, entirely or in part by the use of chemical substances, fluids or gases in the body, or by introduction of the same

into the body by vascular or hypodermic injection, or by direct application into the organs or cavities.

(c) "Funeral directing" means (1) the engaging in or conducting or holding one's self out as being engaged in or conducting the preparation (other than embalming) for burial or disposal and the direction or supervision of burial or disposal of dead human bodies; or (2) maintaining, using or operating a mortuary; or (3) in connection with one's name or mortuary using the words "mortician" or "funeral director" or "undertaker" or any other words or title of like import or signification.

(d) "Mortuary science" means embalming and funeral directing, as the same are herein defined.

(e) "Embalmer" means a qualified person who practices or engages in embalming, as the same is herein defined.

(f) "Funeral director" includes "undertaker" and "mortician" and means a qualified person who practices or engages in funeral directing, as the same is herein defined.

(g) "Practitioner of mortuary science" means a qualified person who practices or engages in mortuary science, as the same is herein defined and who (1) shall be licensed under the provisions of this act as a practitioner of mortuary science, or (2) holds a license as both an embalmer and a funeral director under the provisions of any prior law or laws of this State, or (3) holds a license as an embalmer under the provisions of any prior law or laws of this State and shall have been licensed under the provisions of section 21 of chapter 340, P. L. 1952 as a funeral director, or (4) holds a license as a funeral director under the provisions of any prior law or laws of this State and shall have been licensed under the provisions of section 21 of chapter 340, P. L. 1952 as an embalmer.

(h) "Mortuary" means any place or premises devoted to or used in the care and preparation for burial, disposition, or transportation of dead human bodies, or any specifically designated loca-

tion or address where any person or persons shall hold forth that he, she, or they are engaged in the practice of mortuary science, embalming or funeral directing, and shall mean and include any premises of any kind whatsoever in which mortuary science in any of its branches is practiced or in which more than 5 funerals may be conducted in any calendar year, except publicly owned buildings, places of worship and meeting places of fraternal organizations.

(i) "Registered trainee" means a person who is duly registered with the board and who is engaged in the State of New Jersey in learning to practice as a practitioner of mortuary science under the personal instruction and supervision of a person duly licensed as a practitioner of mortuary science and who has an annual case volume as hereinafter provided in section 18 of this act.

Section amended.

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

C. 45:7-35. Board created; members; qualifications; terms; limitation on number of terms; vacancies; board abolished.

4. There is hereby created in the Division of Professional Boards in the Department of Law and Public Safety a State Board of Mortuary Science of New Jersey, which board shall consist of 5 members, each of whom shall be a citizen of the United States and a resident of the State of New Jersey, duly licensed as a practitioner of mortuary science and shall have had a minimum of 5 consecutive years of experience and practice as a practitioner of mortuary science in this State immediately preceding his appointment. Subject to the provisions of section 45:1–2 of the Revised Statutes, members of the board shall be appointed annually by the Governor for a term of 3 years and shall not serve more than 2 successive terms. Each member shall hold office after the expiration of his term of office until his successor shall be duly appointed and qualified. Vacancies occurring by reason of the expiration of term of office shall be filled by the Governor in the calendar year in which any such vacancy occurs for a term of 3 years from July 1 of the year of appointment. Vacancies

occurring by reason of the failure or neglect of the Governor to make appointments upon the expiration of terms of office as hereinabove provided and vacancies occurring for any other reason whatsoever shall be filled by the Governor for the unexpired term only.

Any member of the State Board of Mortuary Science of New Jersey may be removed from office by the Governor, for cause, upon notice and opportunity to be heard.

The Board of Embalmers and Funeral Directors of the State of New Jersey is hereby abolished and all of its functions, powers and duties, except as may be inconsistent with the provisions of this act, are hereby transferred to and vested in the State Board of Mortuary Science of New Jersey established hereunder. The State Board of Mortuary Science of New Jersey established hereunder and its functions, powers and duties shall in all respects be subject to the provisions of sections 30, 32, 33, 35, 37, 39 and 40 of chapter 439 of the laws of 1948.

Section amended.

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

C. 45:7-38. Rules and Regulations.

7. The board is authorized and empowered to adopt such rules and regulations, not inconsistent with this entire act or any amendment or supplement which may hereafter be adopted, as shall be reasonably proper and advisable for the promotion or improvement of the standards of service, protection and practice to be followed in the practice of mortuary science, embalming and funeral directing by individuals, corporations, partnerships and associations in the State of New Jersey, and for and in the interest, preservation and improvement of the public health, morals, safety and welfare.

In addition to the powers otherwise herein granted to the board, the board is specifically empowered to adopt rules and regulations concerning the following:

(a) the manner in which a mortuary or funeral establishment is conducted,

(b) establish minimum requirements for a preparation room and as to the manner in which it shall be maintained,

(c) issuance of lists of licensees,

(d) trainees, apprentices and preceptors,

(e) unethical or unprofessional conduct,

(f) practice of mortuary science by individuals, corporations, partnerships and associations.

Section amended.

5. Section 12 of the act of which this act is amendatory is amended to read as follows:

C. 45:7-43. Assistants, employees; executive secretary; compensation, engaging in practice forbidden.

12. The board may, subject to the approval of the Attorney General, appoint, employ or remove such assistants and employees as may be necessary to carry out the provisions of this act. The board may, subject to the approval of the Attorney General, appoint and employ an executive secretary annually at its reorganization meeting whose duties shall be determined by the board and the board shall fix the compensation of its executive secretary, assistants and employees, subject to the approval of the Attorney General, within the limits of available appropriations therefor. Such executive secretary shall not be subject to the provisions of Title 11 of the Revised Statutes of this State. No such executive secretary, employee or assistant shall engage in the practice of mortuary science, embalming or funeral directing, nor shall he in any way be connected with the work of a practitioner of mortuary science, embalming or funeral directing.

Section amended.

6. Section 17 of the act of which this act is amendatory is amended to read as follows:

C. 45:7-48. Only a single license granted.

17. The board shall grant only a single license as a practitioner of mortuary science to any applicant, and any person shall hold a license as a practitioner of mortuary science issued under the provisions of this act before being permitted to practice mortuary science or embalming or funeral directing in this State.

Section amended.

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

C. 45:7-49. Qualifications for license.

18. (a) Every person desiring to enter into the practice of mortuary science, before being licensed by the board so to do:

(1) Shall have passed an examination to be conducted by the board to determine his qualifications and fitness therefor. Such examination, the scope, character and content of which shall be determined by the board, shall be the same for all candidates at each examination, and shall include the following subjects: anatomy; physiology; pathology; chemistry; disinfection; hygiene; sanitary science; bacteriology; dissection; the care, preservation, embalming, transportation, burial or disposal of dead human bodies, including those dead as a result of contagious and infectious diseases; the signs of death and the manner in which death may be determined; laws and rules governing vital statistics and the preparation and transportation for burial of dead human bodies; the provisions of this act and of the rules and regulations adopted by the board; professional ethics; mortuary accounting; and such other subjects as the board may determine, by rule or regulation, to be necessary, proper or reasonably calculated to establish the qualifications and fitness of the applicant. Such examinations shall be in writing and shall be held at least once in each year, and oftener if the board shall so determine by rule or regulation, at such times and places as may be fixed by the board. In addition to the written examination herein provided for, the examination of each applicant shall include, whereever possible, an actual demonstration on a cadaver of the embalming proficiency and qualifications of the applicant.

(2) Shall have completed 2 years of practical training and experience as a registered trainee in regular, steady, bona fide full-time service of a grade and character satisfactory to the board, in the State of New Jersey, with a person duly licensed as a practitioner of mortuary science under this act or as both an embalmer and funeral director under any prior law of this State and whose

annual case volume shall be equal to at least 25 cases, and shall have assisted in embalming at least 75 bodies; and shall have satisfactorily completed a minimum of 2 academic years of instruction in a college or university approved by the State Department of Education and 1 year of instruction in a school of mortuary science approved by the State Board of Mortuary Science; except that a person who has satisfactorily completed 3 academic years of instruction in such a college or university and 1 year of instruction in such an approved school of mortuary science need only have completed 1 year of practical training and experience as a registered trainee. Provided, however, that the requirement for 2 years' academic instruction in a college or university shall not apply to a trainee registered prior to the effective date of this act and serving 3 years as a registered trainee. Not more than 1 trainee shall be registered at 1 time in 1 establishment, except that 2 trainees may be permitted if there are 2 or more licensees in the same establishment. The board is authorized and empowered to prescribe rules and regulations establishing minimum courses of college or university instruction; to insure that each trainee receives satisfactory and efficient training and experience which may provide for the periods that may be credited toward the required year of training and experience, the nature, character and extent of the services to be performed by the trainee, for such practical and actual experience in mortuary science and assisting in the same as it shall determine and for the making of such reports by the trainee and by the licensee with whom he is registered as may be advisable and for such other qualifications in the applicant as may be reasonably calculated to insure and protect the public health, morals, safety and welfare;

(3) Shall have, upon commencing his period of training and experience as provided in subdivision (a) (2) of this section registered as a trainee with the board, upon a form to be provided by the board,

and has paid to the board a registration fee of $50.00, and has received from the board a certificate as a registered trainee;

(4) Shall have been a resident of the State of New Jersey continuously during the period of his training and experience; and

(5) Shall have passed his twenty-first birthday.

(b) An applicant who meets the requirements of section 19 of this act shall be admitted to the examinations prescribed in subdivision (a) (1) of this section but a license to enter into the practice of mortuary science shall not be issued or granted to any such applicant by the board unless and until such applicant has completed the period of practical training and experience as a registered trainee required by subdivision (a) (2) of this section.

Section amended.

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

C. 45:7-50. Fee for examination; qualifications.

19. No person shall be examined by the board except upon payment of a fee of $50.00 for the initial examination and a fee of $25.00 for each re-examination. Each applicant, before being admitted to an examination, shall first submit to the board

(1) evidence verified by oath and satisfactory to the board that:

(a) He is a citizen of the United States and has been a resident of the State of New Jersey for a period of at least 6 months prior to the date of the examination;

(b) He is of good moral character and at least 21 years of age;

(2) a certificate from the Commissioner of Education of this State showing that before entering an embalming college or college of mortuary science he had obtained an academic education consisting of a 4 years' course of study in an approved public or private high school or the equivalent thereof, he has (a) satisfactorily completed a minimum of 2 years of academic instruction in a college or university approved by the New Jersey De-

partment of Education, satisfactorily completed a minimum of 1 year of academic instruction in a school of mortuary science approved by the State Board of Mortuary Science; or (b) satisfactorily completed a minimum of 3 years of academic instruction in such a college or university, satisfactorily completed a minimum of 1 year of academic instruction in such a school of mortuary science; and

(3) a certificate from a licensed practitioner of mortuary science in the State of New Jersey that he has served a 1-year or 2-year period of practical training as a registered trainee under such practitioner, whichever is applicable; such period of practical training as a registered trainee may be served either concurrently with the college or university courses, during summer vacations, or subsequent to the completion of the college or academic course, at the option of the registrant.

Section amended.

9. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 45:7-51. Limit on examinations.

20. If an applicant fails on the first examination, he may have 1 or more but not exceeding 3 additional examinations, which shall be taken within a period of 5 years immediately following the completion of his instruction in a school of mortuary science but not thereafter. If an applicant fails to pass 4 examinations, he shall not thereafter be permitted to apply for a license under this act unless he shall repeat the full course of instruction in an approved school of mortuary science. The board may, by rule or regulation, extend the period of time within which an applicant to examination shall take his examination as provided in this section; provided, however, that such extension of time may be granted only to applicants whose period of training and experience as registered trainees or whose period of college or university instruction or whose period of instruction in an approved school of mortuary science is interrupted by active duty in the military service of the United States.

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

Section amended.

23. Any person holding a license or licenses under this act or under any prior law of this State shall have the same renewed upon making and filing with the board an application therefor upon forms provided by the board and upon payment of a renewal fee of $10.00; provided, that any person neglecting or failing to have his license renewed, as above, shall have the same renewed by making application therefor during the 6 months following the expiration date upon payment of a revival and renewal fee of $50.00.

C. 45:7-54. Renewal; application.

11. Section 28 of the act of which this act is amendatory is amended to read as follows:

Section amended.

28. The license of any practitioner of mortuary science or of any embalmer and funeral director, or either, shall terminate upon his decease.

C. 45:7-59. Death of practitioner to terminate license.

12. Section 31 of the act of which this act is amendatory is amended to read as follows:

Section amended.

31. After notice and hearing as hereinafter provided, the board may refuse to grant, or may suspend or revoke any license to practice mortuary science or to practice embalming and funeral directing, or either of them, in this State, if it determines that the holder of any such license has been guilty of any of the following acts or omissions:

C. 45:7-62. Refusal to grant, suspension or revocation of license; grounds.

(a) The employment of fraud and deception in applying for a license or a renewal of a license or in the passing of an examination provided for in this act or in any rule or regulation of the board;

(b) (Deleted by amendment.)

(c) (Deleted by amendment.)

(d) Violation of any State law or regulation affecting the handling, custody, care or transportation of dead human bodies;

(e) Assigning, loaning, selling or fraudulently obtaining any license, record, or certificate for funeral directing, or aiding or abetting therein;

(f) Gross incompetence;

(g) Chronic and persistent inebriety, or the habitual use of narcotics;

(h) Conviction of a crime involving moral turpitude; or where any licensee or applicant for a license has pleaded nolo contendere or non vult to any indictment, allegation or complaint, alleging the commission of a crime involving moral turpitude. The record of conviction or the entry of such a plea in any court of this State or any other State, or in any of the courts of the United States shall be sufficient warrant for the revocation or suspension of a license;

(i) Conviction in a court of competent jurisdiction of a high misdemeanor;

(j) Unethical or unprofessional conduct or engaging in the practice of mortuary science or the practice of embalming and funeral directing, or either of them, in a manner which is prejudicial to the public health, safety, morals and welfare;

(k) False or fraudulent advertising or willfully advertising in any manner which is deceptive, misleading, improbable or unethical or which is calculated to deceive the public with respect to either merchandise or services, including the offering of free services;

(l) Any conduct which is of a character likely to deceive or defraud the public;

(m) The performance of any fraudulent act in the conduct of his practice.

Any person who commits any of these acts shall in addition be subject to a penalty of no more than $1,000.00 to be enforced by the board pursuant to section 45:7–22 of this chapter.

The board is hereby empowered to promulgate rules and regulations for the enforcement of the aforesaid acts or omissions.

Section amended.

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

C. 45:7-66. Investigation of violations; time and place of hearing.

35. Whenever the board shall have reason to believe that any person to whom a license has been issued is guilty of any of the acts or omissions specified in sections 31 to 34, inclusive, of this act, or whenever written complaint is filed with the board charging a person licensed as an embalmer,

funeral director, or practitioner of mortuary science with any of said acts or omissions, it shall be the duty of the said board to conduct an investigation and if from such investigation it shall appear to the board that there is reasonable ground for belief that the accused may be guilty of the violations charged, a time and place shall be set by the board for a hearing to determine whether or not the accused is guilty as charged. Complaints may be preferred by any person or the board may on its own motion direct its secretary to prefer a complaint.

Section amended.

14. Section 36 of the act of which this act is amendatory is amended to read as follows:

C. 45:7-67. Investigation of complaint; notice to accused; hearing.

36. No hearing shall be held by the board until there has been an investigation of the complaint and charges nor until the accused has been furnished with a copy of the complaint and charges against him and a notice of the time and place of hearing thereof, the furnishing of said notice and the charges to be given said accused at least 15 days prior to the date of hearing. The accused shall be entitled to be present at such hearing, shall be entitled to be represented by counsel and shall be entitled to cross-examine the witnesses testifying against him. A stenographic record or a sound recording of each proceeding shall be made at the expense of the board.

Section amended.

15. Section 42 of the act of which this act is amendatory is amended to read as follows:

C. 45:7-73. Report; identification card issued.

42. The board shall report to the State Department of Health the name and residence of every person to whom it may issue a license. The board shall issue to each person granted a license an identification card stating that the holder thereof has received a license and is carrying on the practice of mortuary science, or of funeral directing or embalming. The proper holder of such a card shall have the same right to carry on the practice of mortuary science, or of funeral directing or embalming as those whose names appear on

file in the office of the registrar of vital statistics in each municipality.

C. 45:7-65.1. Service of food or refreshments forbidden.

16. In the interests of safeguarding public health, no person who operates, maintains, or uses a mortuary within this State shall serve, or permit or suffer to be served on or about the mortuary premises any food or refreshments in conjunction with any funeral or in conjunction with any service offered or provided for the preparation and disposal of dead human bodies.

C. 45:7-65.2. Personal supervision of licensee required.

17. No person shall operate, maintain, or use a branch mortuary within this State unless it is under the actual personal supervision, direction, management and actual control of a person who is duly licensed as a practitioner of mortuary science or as a funeral director.

C. 45:7-65.3 Solicitation forbidden.

18. No person, firm or corporation shall solicit in person or through solicitors, agents or canvassers for the purpose of selling or contracting to sell or provide any service or services commonly furnished or performed by an embalmer or funeral director.

Repealer.

19. Sections 21, 26, 27 and 29 of chapter 340 of the laws of 1952 are repealed.

Note: Act effective.

20. Sections 1 through 6 and 10 through 20 of this act shall take effect immediately and sections 7, 8 and 9 shall take effect July 1, 1961.

Approved January 18, 1961.

CHAPTER 185

AN ACT to amend the title of "An act concerning counties and authorizing the board of chosen freeholders of any county to permit the use of space or rooms, together with furniture and equipment, in buildings owned or maintained by the county, by a county mental health association incorporated under the laws of this State, with or without the payment of rent, supplementing Title 40 of the Revised Statutes," approved June 26, 1958 (P. L. 1958, c. 87), so that the same shall read "An act concerning counties and authorizing the board of chosen freeholders of any county to permit the use of space or rooms, together with furniture and equipment, in buildings owned or maintained by the county, by a county mental health association incorporated under the laws of this State, or by any private charity or organization in the county providing aid and assistance for the mentally retarded, with or without the payment of rent and to supply them with the services of county employees, supplementing Title 40 of the Revised Statutes," and to amend the body of said act.

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

1. The title of "An act concerning counties and authorizing the board of chosen freeholders of any county to permit the use of space or rooms, together with furniture and equipment, in buildings owned or maintained by the county, by a county mental health association incorporated under the Title amended.

laws of this State, with or without the payment of rent, supplementing Title 40 of the Revised Statutes," approved June 26, 1958, is amended to read "An act concerning counties and authorizing the board of chosen freeholders of any county to permit the use of space or rooms, together with furniture and equipment, in buildings owned or maintained by the county, by a county mental health association incorporated under the laws of this State, or by any private charity or organization in the county providing aid and assistance for the mentally retarded, with or without the payment of rent and to supply them with the services of county employees, supplementing Title 40 of the Revised Statutes."

New title.

Section amended.

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

C. 40:32-20. Freeholders may grant space for county mental health association or organization for mentally retarded.

1. The board of chosen freeholders of any county may grant to any county mental health association incorporated under the laws of this State, for the purpose of conducting a day-care center and school for severely disturbed children or to any private charity or organization in the county providing aid and assistance for the mentally retarded, use of space, rooms or offices in any building owned, maintained or acquired by such county, with or without the payment of rent, during any time when not then needed for public use by such board, under such conditions and regulations as such board shall determine, and may also grant to such incorporated association, charity or organization, as an incident to use of such space or rooms, the right to use furniture and equipment of the county and the right to use all services and utilities available in such building and may furnish them with the services of county employees.

3. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 186

AN ACT authorizing boards of chosen freeholders to make appropriations for the benefit of mentally retarded persons resident in the county and supplementing Title 40 of the Revised Statutes.

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

C. 40:23-8.10. Appropriation for benefit of mentally retarded persons.

1. The board of chosen freeholders of any county may appropriate annually to any unit of the New Jersey Association for Retarded Children, which operates in the county, funds for the purpose of defraying the necessary expense incident to the diagnosis, treatment and training of mentally retarded persons resident in the county at suitable homes, hospitals, schools or shelter workshops in the State supported by public funds or private charity or by any chartered unit of said association, including the cost of transporting such persons to and from, and their support and maintenance at, such homes, hospitals, schools or shelter workshops for the purpose of, or while undergoing, diagnosis, treatment and training.

2. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 187

AN ACT concerning acts, laws and statutes, enacting a revision of part of the statute law, amending sections 1:1–2, 1:1–2.4, 1:1–4, 1:1–5.1, 1:1–6, 1:1–7, 1:1–8, 1:1–9, 1:1–10, 1:1–11, 1:1–18, and 1:1–21, and supplementing chapter 1 of Title 1, of the Revised Statutes.

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

Section amended.

1. Section 1:1–2 of the Revised Statutes is amended to read as follows:

Terms defined.

1:1–2. Unless it be otherwise expressly provided or there is something in the subject or context repugnant to such construction, the following words and phrases, when used in any statute and in the Revised Statutes, shall have the meaning herein given to them.

Affirmation; affirmed. See "Oath; sworn," infra, this section.

Assessor. The word "assessor," when used in relation to the assessment of taxes or water rents or other public assessments, includes all officers, boards or commissions charged with the duty of making such assessments, unless a particular officer, board or commission is specified.

Census. When used with reference to the population of this State, or of any subdivision thereof, the word "census" means the latest Federal census effective within this State.

Collector. The word "collector," when used in relation to the collection of taxes or water rents or other public assessments, includes all officers charged with the duty of collecting such taxes, water rents or assessments, unless a particular officer is specified.

Folio; sheet. A sheet or folio shall consist of 100 words, and in all cases where an entry of any writing or copy is to be paid for, the sheet or folio shall consist of 100 words.

Gender. See "Number; gender," infra, this section.

General election. The words "general election" shall be taken to mean the annual election to be held on the first Tuesday after the first Monday in November and in any statute in which it is provided that any public officer shall be elected, or any public question shall be voted upon, at an election at which members of the General Assembly are to be voted for or elected, or words to that effect, shall be taken to mean, and shall be construed to be the equivalent of a provision, that said public officers shall be elected, or that said public question shall be voted upon, "at a general election."

He. "Number; gender, " infra, this section.

Inhabitants. See "Population; inhabitants," infra, this section.

It. See "Number; gender," infra, this section.

Magistrate. The word "magistrate" includes any judge, municipal magistrate or officer or other person having the powers of a committing magistrate.

Masculine. See "Number; gender," infra, this section.

Month; year. The word "month" means a calendar month, and the word "year" means a calendar year.

Municipality; municipal corporation. The words "municipality" and "municipal corporation" include cities, towns, townships, villages and boroughs, and any municipality governed by a board of commissioners or an improvement commission.

Neuter. See "Number; gender," infra, this section.

Number; gender. Whenever, in describing or referring to any person, party, matter or thing, any word importing the singular number or mas-

culine gender is used, the same shall be understood to include and to apply to several persons or parties as well as to 1 person or party and to females as well as males, and to bodies corporate as well as individuals, and to several matters and things as well as 1 matter or thing.

Oath; sworn. The word "oath" includes "affirmation"; and the word "sworn" includes "affirmed."

Other property. See "Property; other property," infra, this section.

Person. The word "person" includes corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals, unless restricted by the context to an individual as distinguished from a corporate entity or specifically restricted to 1 or some of the above enumerated synonyms and, when used to designate the owner of property which may be the subject of an offense, includes this State, the United States, any other State of the United States as defined infra and any foreign country or government lawfully owning or possessing property within this State.

Personal property. "Personal property" includes goods and chattels, rights and credits, moneys and effects, evidences of debt, choses in action and all written instruments by which any right to, interest in, or lien or encumbrance upon, property or any debt or financial obligation is created, acknowledged, evidenced, transferred, discharged or defeated, in whole or in part, and everything except real property as herein defined which may be the subject of ownership.

Plural. See "Number; gender," supra, this section.

Population; inhabitants. The word "population," when used in any statute, shall be taken to mean the population as shown by the latest Federal census effective within this State, and shall be construed as synonymous with "inhabitants."

Property; other property. The words "property" and "other property," unless restricted or limited by the context to either real or personal property, includes both real and personal property.

Real estate; real property. The words "real estate" and "real property," include lands, tenements and hereditaments and all rights thereto and interests therein.

Registered mail. The words "registered mail" include "certified mail."

Revised Statutes. The words "Revised Statutes" mean the Revised Statutes of 1937, unless some other revision is expressly indicated or referred to.

Revision law. The words "Revision law" means any statute which is expressed in its title or body to be a revision of any part of the statutory law.

She. See "Number; gender," supra, this section.

Sheet. See "Folio," supra, this section.

Ship. The word "Ship" includes vessels, steamers, canal boats and every boat or structure adapted to navigation or movement from place to place, upon the ocean, lakes, rivers or artificial waterways, either by its own power or otherwise.

Singular. See "Number; gender," supra, this section.

State. The word "State" extends to and includes any State, territory or possession of the United States, the District of Columbia and the Canal Zone.

Sworn. See "Oath; sworn," supra, this section.

Taxing district. The words "taxing district," when used in a law relating to the assessment or collection of taxes, assessments or water rates or water rents, include every political division of the State, less than a county, whose inhabitants, governing body or officers have the power to levy taxes, assessments or rates.

Territory. The word "territory" extends to and includes any territory or possession of the United States, the District of Columbia and the Canal Zone.

United States. The words "United States" extend to and include every State, territory and possession of the United States, the District of Columbia and the Canal Zone.

C. 1:1-3.1. Definitions applicable to amendments and supplements.

Year. See "Month; year," supra, this section.

2. Any definition contained in any statute shall be applicable to any amendment of, or supplement to, such statute.

Section amended.

3. Section 1:1–2.4 of the Revised Statutes is amended to read as follows:

"Writing" defined.

1:1–2.4. Except as to signatures, "writing" includes typewriting and the product of any other method of duplication or reproduction and "written instruments" includes typewritten instruments and instruments so duplicated or reproduced.

Section amended.

4. Section 1:1–4 of the Revised Statutes is amended to read as follows:

Construing as to prior laws.

1:1–4. The provisions of the Revised Statutes, not inconsistent with those of prior laws, and the provisions of any revision law not inconsistent with those of any of the laws revised therein, shall be construed as a continuation of such prior laws.

Section amended.

5. Section 1:1–5.1 of the Revised Statutes is amended to read as follows:

Citing legislation contained in Revised Statutes or New Jersey Statutes.

1:1–5.1. The legislation contained within any title, subtitle, part, chapter, article, section or group of sections of these Revised Statutes or of the New Jersey Statutes may be cited, pleaded or otherwise referred to by reference to such title, subtitle, part, chapter, article, section or group of sections of the "Revised Statutes" or the "New Jersey Statutes" containing such legislation, as the case may be; and the use of the words "Revised Statutes" or "New Jersey Statutes" shall have the same effect as if the legislative title, under which these Revised Statutes or the New Jersey Statutes were adopted and the approval date thereof had been used.

In any citation the abbreviation "R.S." shall be equivalent to "Revised Statutes," and "N.J.S." shall be equivalent to "New Jersey Statutes" and

sections of these Revised Statutes or the New Jersey Statutes may be cited by section number only preceded by the appropriate abbreviation.

In any citation of legislation contained in the New Jersey Statutes which has been printed in the Pamphlet Laws, there shall be superadded the chapter number and year of the Pamphlet Laws in which the same was published (P. L. 19 , c.).

Section amended.

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

Outline analysis, etc. not part of statute.

1:1–6. In the construction of the Revised Statutes, or of any statute or any part thereof, no outline or analysis of the contents of any title, subtitle, chapter, article or other part thereof, no cross reference or cross reference note and no headnote or source note to any section thereof shall be deemed to be a part of the Revised Statutes or such statute.

Section amended.

7. Section 1:1–7 of the Revised Statutes is amended to read as follows:

References to titles, subtitles, chapters, articles or sections.

1:1–7. All references in the Revised Statutes or in any other statute to titles, subtitles, chapters, articles or sections are to the titles, subtitles, chapters, articles or sections of the Revised Statutes, or of such other statutes, as the case may be, unless they are otherwise designated in such statute and such references to titles, subtitles, chapters or articles, without further description or limitation as to sections, shall be construed to refer to all the sections contained within the titles, subtitles, chapters or articles or statute to which such references are made.

Section amended.

8. Section 1:1–8 of the Revised Statutes is amended to read as follows:

References to be inclusive.

1:1–8. References in the Revised Statutes or in any statute to more than 1 title, subtitle, chapter, article, section or other division of the Revised Statutes or of any other statute, in series, shall be taken to include both the first and last numbers referred to.

Section amended.

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

References to repealed or superseded laws.

1:1–9. If any statute or part of any statute, which is repealed or superseded by the enactment of any statute or of the Revised Statutes or of the New Jersey Statutes, is in substance re-enacted therein, a reference in any other statute to such repealed or superseded statute or to any section or sections thereof shall be deemed to be a reference to such re-enacted statute, or to the section or sections thereof, which supersede or correspond in substance to the section or sections so referred to, as the case may be.

Section amended.

10. Section 1:1–10 of the Revised Statutes is amended to read as follows:

Partial unconstitutionality.

1:1–10. If any title, subtitle, chapter, article or section of the Revised Statutes, or of any statute or any provision thereof, shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such title, subtitle, chapter, article, section or provision shall, to the extent that it is not unconstitutional, invalid or inoperative, be enforced and effectuated, and no such determination shall be deemed to invalidate or make ineffectual the remaining titles, subtitles, chapters, articles, sections or provisions.

Section amended.

11. Section 1:1–11 of the Revised Statutes is amended to read as follows:

Acts done, rights acquired, etc., under repealed statute not affected by repeal.

1:1–11. The repeal, by the enactment of

a. the Revised Statutes,

b. the New Jersey Statutes, or

c. any other revision law,

of any statute or part of any statute, shall not in any way affect, impair or invalidate any act done or right or limitation vested or accrued, or any bonds issued, or taxes or assessments of any kind levied or imposed, or any tax sale had, or in any way annul, invalidate, take away, impair, limit, disturb or affect any right, title, estate, privilege, immunity or power or conveyance in, to or of either real or personal property, acquired, given, conferred, had or made under or by virtue of, or vali-

dated by, any statute or part of any statute so repealed.

Section amended.

12. Section 1:1–18 of the Revised Statutes is amended to read as follows:

Corporations, associations, etc., effect of repealer on existence.

1:1–18. The repeal by the enactment of the Revised Statutes or of any statute of any other statute or part thereof, under or by virtue of which any corporation, association or society, of whatsoever nature, was incorporated or formed and is in existence at the time when the Revised Statutes or such repealing statute, as the case may be, became or becomes effective, shall not be construed to work a dissolution of any such existing corporation, association or society; but the charter, certificate of incorporation or articles of association and the rights, powers, privileges, duties, obligations of and limitations upon any such existing corporation, association or society shall, unless otherwise provided in the Revised Statutes, or such repealing statute, continue as though the Revised Statutes, or such repealing statute, had not been enacted, and every such existing corporation, association or society shall remain and continue to be liable on its bonds and other obligations issued and outstanding on the date when the Revised Statutes became, or such repealing statute becomes effective.

Section amended.

13. Section 1:1–21 of the Revised Statutes is amended to read as follows:

Construction and effect of statutes compiled or saved from repeal.

1:1–21. Statutes and parts of statutes included in the Revised Statutes under the titles by which they were adopted by the Legislature and the statutes contained in Appendix A (App. A:1–1 et seq.), and statutes and parts of statutes included in the Revised Statutes or in any other statute by reference to their titles or in any other manner, and designated as "saved from repeal" shall have operative force and effect only to the extent that they were operative and effective at the time of the taking effect of the Revised Statutes or of such other statute, as the case may be. Such statutes or parts of statutes shall not be deemed repealed by

the enactment of the Revised Statutes or of such other statute, except so far as they are inconsistent with the provisions thereof but, in so far as they may have been so repealed or have been superseded or impliedly repealed by legislation subsequent to their enactment, they shall remain so superseded or repealed, and shall have no further or additional effect because of their inclusion in the Revised Statutes, or such other statute, as aforesaid.

C. 1:1-3.2. When statute or section not revived.

14. The repeal of any statute or section of any statute, which statute or section repealed another statute or section of a statute, shall not of itself revive such other statute or section.

C. 1:1-3.3. Construction of reference to statute.

15. Any reference in any statute to any other statute, which is revised by a revision law, shall, after the effective date of such revision law, be construed to be a reference to the section or sections, if any, of the revision law corresponding in substance to, or superseding, the section or sections of the statute so revised and so referred to.

16. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 188

AN ACT to amend "A supplement to the 'Public Employees' Retirement-Social Security Integration Act,' approved June 28, 1954 (P. L. 1954, c. 84)," approved January 21, 1960 (P. L. 1959, c. 196).

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

Section amended.

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

C. 43:15A-128. Entitled to purchase prior service credits.

1. Notwithstanding any other provision of law, a member of the Public Employees' Retirement System of New Jersey, who is in the State service and who, prior to entering the State service, was the holder of office, position or employment in the service of a county or of a municipality, or both, shall be entitled to purchase prior service credit for the years of such county and municipal service or either thereof; but the said county or municipality shall not be liable for any payment to the system by reason of the said member's purchase of benefits under this act and any and all contributions required hereunder shall be made by the member. Proof of such prior county and municipal service shall be furnished by the affidavit of the member, supported by other evidence if required by the board of trustees of the said retirement system, and the said board may prescribe rules and regulations to effectuate the purposes of this act. Any such member desiring to acquire such credits for prior service shall be required to contribute either in a lump sum or by installment payments an amount calculated in accordance with the rules and regulations of the board of trustees to cover the required contribution for his acquisition of such prior service credits.

2. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 189

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1961, and regulating the disbursement thereof," approved June 14, 1960 (P. L. 1960, c. 46).

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

Appropriations.

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

GENERAL STATE OPERATIONS

EXECUTIVE

DEPARTMENT OF BANKING AND INSURANCE

320–100. GENERAL

the unexpended balance of the appropriation made pursuant to chapter 32, P. L. 1960, not exceeding the sum of $30,000.00, to carry out the provisions thereof.

2. The following sum is hereby appropriated out of the General Treasury for the purposes hereinafter specified:

GENERAL STATE OPERATIONS

EXECUTIVE

DEPARTMENT OF BANKING AND INSURANCE

320–100. GENERAL

Receipts not exceeding $40,000.00 derived from the operation of chapters 40 and 41, P. L. 1960, to carry out the provisions thereof.

3. The following sum is hereby appropriated out of the General Treasury for the purposes hereinafter specified:

GENERAL STATE OPERATIONS

EXECUTIVE

DEPARTMENT OF LAW AND PUBLIC SAFETY

110–100. DIVISION OF LAW

Receipts derived from the operation of chapter 75, P. L. 1960 to carry out the provisions thereof.

4. This act shall take effect immediately.

Approved January 18, 1961.

CHAPTER 190

A SUPPLEMENT to "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding 800,000 inhabitants," approved April 8, 1943 (P. L. 1943, c. 160).

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

C. 43:10-18.15a. Entitled to added pension.

1. Any person receiving pension payments under the act to which this act is a supplement in an amount of less than $2,500.00 per year and payable as a result of such member's retirement on pension which occurred prior to January 1, 1952 shall be entitled to the added pension benefits in this act provided.

C. 43:10-18.15b. Formula for increases.

2. The retirement allowance being received by any retirant shall be increased in accordance with the following formula:

(a) The first $480.00 of the retirement allowance, or the full retirement allowance if such allowance is less than $480.00, shall be increased in accordance with the "ratio of increase" formula in this act if the retirant shall have had established 20 years of service credit prior to retirement, or shall have been retired for service-connected disability.

(b) If the retirant shall have established less than 20 years of service credit prior to retirement and shall not have been retired for service-connected disability, the first $480.00 of the retirement allowance, or the full retirement allowance if such allowance is less than $480.00 shall be increased in accordance with the "ratio of increase" formula, except that this increase shall be in the same proportion to the increase provided under the "ratio of increase" formula as to the number of years. However, no addition shall result in a total annual pension in excess of $2,500.00. Any person whose pension would exceed $2,500.00 by the addition thereto of the full amount of increase provided shall be entitled to that amount of the increase that shall raise his annual pension to $2,500.00.

C. 43:10-18.15c. Ratio of increase.

3. The "ratio of increase" which shall apply to the retirement allowance, or part thereof as specified in section 2 of this act being received by a retirant shall be calculated in accordance with the following percentages as determined by the calendar year in which the retirement became effective.

Year of Retirement	Ratio of Increase
1923	52%
1924	52%
1925	57%
1926	57%
1927	56%
1928	56%
1929	56%
1930	57%

1931	62%
1932	69%
1933	79%
1934	88%
1935	96%
1936	100%
1937	98%
1938	95%
1939	94%
1940	93%
1941	90%
1942	85%
1943	78%
1944	69%
1945	62%
1946	53%
1947	43%
1948	34%
1949	26%
1950	19%
1951	13%

C. 43:10-18.15d. Commission to certify amount.

4. The pension commission shall certify annually to the board of chosen freeholders the amount necessary to provide for the cost of the increases in retirement allowances and necessary administrative costs.

C. 43:10-18.15e. Payment.

5. The increase in retirement allowances provided for under this act shall commence with retirement allowance payments for the month of July 1, 1960 provided that there is appropriated the amount certified by the pension commission to the board of chosen freeholders as set forth in section 4 hereof. The increase in retirement allowance shall continue to be paid as long as there shall be appropriated the amounts so certified. In the event that the necessary funds are not so appropriated the increase in retirement allowances shall cease.

C. 43:10-18.15f. Waiver of increase.

6. Any person who is eligible to receive the increased retirement allowance under the provisions of this act may, at any time, waive his right thereto

by filing a written notice of waiver with the pension commission. Such waiver may be withdrawn at any time and upon such withdrawal the increase in the retirement allowance shall commence with the retirement allowance payment for the next following month.

7. This act shall take effect immediately.

Approved February 14, 1961.

CHAPTER 191

AN ACT to amend "An act to provide for the creation, setting apart, maintenance and administration of a county employees' pension fund in counties having a population exceeding 800,000 inhabitants," approved April 8, 1943 (P. L. 1943, c. 160) and supplementing the "Public Employees' Retirement-Social Security Integration Act," approved July 30, 1954 (P. L. 1954, c. 84).

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

Section amended.

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

C. 43:10-18.1. Terms defined.

1. As used in this act:

"Service" shall always, unless otherwise stated, be considered as continuous or in the aggregate.

"Salary" or "compensation" when used solely for the purpose of fixing benefits under this act means the average annual salary or compensation earned by a member during his or her 5 years of service, or during his or her entire length of service if such service totaled less than 5 years, as a county employee immediately preceding death or retirement provided, however, that no benefit paid upon the death of any member under this act shall

exceed $2,500.00 provided further however, that as to any employee who, at the time of the adoption of this act, is a member of any retirement system in operation in the county under and by virtue of articles 1, 2, 5, 6 and 7 of chapter 10 of Title 43 of the Revised Statutes and of sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes and of "An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397), the total annual salary received by such employee during the year immediately prior to his death or retirement shall be considered for pension or other purposes under this act.

"Pension fund" or "fund" means the fund referred to in section 16 of this act, and is the fund from which pensions provided for in this act shall be paid.

"State" shall, unless otherwise stated, mean the State of New Jersey.

"His" shall be construed to mean both sexes.

"County employee" or "employee" means and includes all employees and officers in service in any county of this State having a population of more than 800,000 inhabitants and shall mean and include all employees and officers of any county board, body or commission, maintained out of county funds in any such county, including the official stenographic reporter and proxies of such official stenographic reporter of such county, and shall also mean and include employees and officers appointed by such county to employment on intercounty bridges, but the same term "county employee" or "employee" does not include office holders elected by the voters of the county, or members of the judiciary, or any laborers, unless the labor work is paid on an hourly, daily, monthly, or annual salary basis for a continuous employment thereof and recognized as permanent appointees, it being the intent to exclude transient

labor from the operation of this act. The pension commission shall determine whether or not the employment of an employee is permanent within the meaning of this act. Notwithstanding the provisions of any other statute of this State, any person hereafter accepting any employment in the county under the age of 45 years shall be eligible to join as a "county employee" or "employee" as hereinabove defined, and except as herein otherwise provided, any such person of the age of 45 years or over shall be ineligible to join; provided, however, that any employee who, at the time of the adoption of this act, is a member of any retirement system in operation in such county under and by virtue of articles 1, 2, 5, 6 and 7 of chapter 10 of Title 43 of the Revised Statutes, and of sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes and of "An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397), or the official stenographic reporter and proxies of such official stenographic reporter of such county, shall be not barred from membership in this retirement system on account of age of any such employee.

"Population" of a county shall mean the population of a county according to the Federal census of 1940.

"Widow" or "widower" means the surviving spouse of a county employee who married such employee prior to the retirement of such employee and prior to the time when such employee reached the age of 50 years. No such surviving spouse shall be eligible for any benefit hereunder who was or shall be more than 15 years younger than the employee at the time of their marriage, if such marriage occurs hereafter while the employee is a member of this retirement system.

"Minor child" means a child under the age of 18 years born in lawful wedlock, and shall not in-

clude children adopted after the employee becomes a member of this retirement system or children born of marriages occurring outside the age limits prescribed under this act.

"Permanent and total disability" means physical or mental incapacity of an employee to any longer perform the duties of his position or office.

"Employees' retirement system of (name of county)" shall be the name of the retirement system provided under the provisions of this act. By that name all of its business shall be transacted, its funds invested, warrants for money drawn and payments made and all of its cash and securities and other property held.

Section amended

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

C. 43:10-18.3. Pension commission membership; vacancies; meeting; secretary; legal advisor; physician; powers; actuary.

3. There shall be authorized to carry out the provisions of this act and charged with the duty of administering the pension fund herein provided for, a pension commission composed of 5 members, consisting of the county supervisor or similar officer of the county, the treasurer of the county, 2 county employees, and a citizen of the county who is not a public office holder in the county or any municipality therein and who shall be selected by the other 4 members of the commission. The 2 county employee members of the pension commission shall be elected within 60 days after the passage of this act at a meeting held by the county employees affected by this act after 30 days' written notice of the time and place thereof has been given by the county supervisor or similar county officer to all such employees. Nominations shall be made only by written petitions filed with the secretary of the pension commission at least 15 days prior to such election and each containing at least 50 signatures of county employees. The county supervisor shall provide a suitable method of balloting whereby secrecy shall be assured. Ballots shall be distributed among the county employees affected by this act at least 7 days prior to the election and the voted ballot shall be returned

to the secretary of the pension commission at any time prior to 12 o'clock noon of the day fixed for the holding of the meeting and election. Employees who become members of the retirement system created by this act or who are members of any of the county employees' retirement systems referred to in section 7 of this act and merged thereunder shall be eligible to participate in such nomination and election of the 2 county employee members of the pension commission. The 2 county employees shall hold office until their successors are elected in the same manner as aforesaid at a meeting of the employees held on the third Wednesday of December of the second year following the adoption of this act. Thereafter 2 county employees shall be elected as members of the pension commission, in the same manner, on the third Wednesday of December every second year, for a term of 2 years commencing January 1 following their election.

In case of vacancy for any cause, the commission may fill it until the next election. Any member of said pension commission who shall leave the service of the county shall automatically cease to be a member of said commission.

The commission shall hold its annual meeting between January 1 and 15 in each year and elect its president and such other officers as it deems advisable. The commission shall serve without compensation, but shall be reimbursed for any necessary expenditures and shall suffer no loss of salary or other wages through service on such commission. The treasurer of the county, who shall be treasurer of the commission, shall appoint the secretary of this commission, who shall be some person chosen by him from among persons employed by such county who is versed in the affairs of the said treasurer's office and said treasurer shall fix the compensation of such appointee, subject to approval of the board of chosen freeholders. The commission shall secure the services of such

physicians as shall be necessary to make the medical examinations required by this act.

The chief legal officer of the county shall be the legal adviser of and attorney for the said pension commission.

The pension commission shall have control and management of the funds and of the retirement of the county employees. The commission shall, from time to time, subject to the limitations of this act, establish rules and regulations for the transaction of its business and the administration of this act. Under the direction of the pension commission, the head of each county department shall furnish such information and shall keep such records as the commission may require for the discharge of its duties.

The pension commission may require each employee of the county to file a statement or statements, in such form as the said commission shall direct, concerning his service or other matters covered by this act.

The pension commission shall appoint an actuary who shall be the technical advisor of the commission on matters regarding the operation of the funds created by the provisions of this act and shall perform such other duties as are required in connection therewith.

The commission shall have power to compel witnesses to attend and testify before it upon any matter concerning the retirement system and allow fees not in excess of $3.00 to any such witness for such attendance upon any 1 day. The president and other members of the said pension commission are empowered to administer oaths to such witnesses. All retirements shall be made and pensions allowed by the pension commission in accordance with the provisions of this act.

The pension commission shall be known as the "Pension Commission of the Employees' Retirement System of (name of county)."

Section amended.

3. Section 6 of the act of which this act is amendatory is amended to read as follows:

C. 43:10-18.6. Members; conditions of membership; prior service; deductions; transfer.

6. The members and certain conditions of membership in the retirement system created by this act shall be as follows:

(a) All persons who shall hereafter become employees before they become 45 years of age shall, after they complete 3 months of service, and be found physically and mentally fit to the satisfaction of the pension commission herein provided for, become members of the county employees' retirement system created under this act, and shall receive no pension or retirement allowance from any other pension or retirement system supported wholly or in part by the county, nor shall they be required to make contributions to any other pension or retirement system of said county.

Such persons shall not be given credit for pension purposes hereunder for any prior service; provided, however, that where any such employee has had prior service as an employee in any State, county or municipal position, such employee shall be given credit for pension purposes hereunder for such prior service upon written application therefor to the pension commission within 1 year after becoming a member of this retirement system and upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to the percentage of salary established by the commission, but not less than 5% being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in 1 lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employee's principal payment, or payments. All payments aforesaid by the employee shall be made together with interest

thereon at a rate to be determined by the pension commission.

(b) All employees at the time of the adoption of this act, who are under 45 years of age and are not members of any retirement system supported wholly or in part by the county; and any official stenographic reporter and proxies of such official stenographic reporter who are serving as such at the time of the adoption of this act; may become members of the retirement system created under this act upon written application made to the pension commission before July 1, 1943, under 1 of the following 2 plans (B1) and (B2):

(B1) To receive credit for service rendered to the county prior to joining this retirement system such employee shall pay into this retirement system a sum of money equal to 3% of salary received either since June 1, 1929, or since August 1, 1932, depending upon which of the said 2 dates such employee first became eligible to membership in the county employees' retirement system of such county established under "An act providing for the retirement of certain county employees in counties of the first class of this State and providing a pension for such retired county employees and their dependents," approved April 22, 1929 (P. L. 1929, c. 122), or article 1 of chapter 10 of Title 43 of the Revised Statutes; or since the date of his entrance into county service, if he became an employee after June 1, 1929; provided, however, that as to the official stenographic reporter and proxies of such official stenographic reporter such employee shall pay into this retirement system a sum of money equal to 3% of salary received from the county upon order of the justice of the Supreme Court since June 1, 1929, or since the date of his entrance into such county service, if he became an employee after June 1, 1929. Such payment may be made either (1) in 1 sum, or (2) by equal semimonthly installments to be deducted together with each regular deduction from his salary for the retirement system provided for under this act;

provided, however, that in case an employee chooses to pay for such prior county service by method (2), aforesaid, that is by equal semimonthly installments, such employee shall receive credit for so much of such prior county service as is thus paid for, and no more. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for a sum of money equal in amount to the employee's principal payment. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission. Any such employee who elects to become a member of this retirement system under the aforesaid plan shall, upon his application to the pension commission prior to July 1, 1943, be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State, and of any municipalities or other political subdivisions of the State, upon payment into the retirement system herein provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in 1 lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided for, a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(B2) The regular deductions from the salary of any employee electing to become a member under this plan (B2) shall commence upon the filing of such written application and such employee shall

not receive credit for any service rendered theretofore in any State, county, or municipal office or position.

(c) All employees who, at the time of the adoption and approval of this act, are members of any of the following retirement systems in effect in said county:

County employees in counties of the first class (article 1 of chapter 10 of Title 43 of the Revised Statutes);

County detectives in counties of the first, second, third, and fifth classes (article 2 of chapter 10 of Title 43, of the Revised Statutes);

Probation officers of counties of over 83,000 inhabitants (article 5 of chapter 10 of Title 43, of the Revised Statutes);

Sheriff's employees in counties of the first and second classes (article 6 of chapter 10 of Title 43, of the Revised Statutes);

Sergeants-at-arms and court criers in counties of the first class (article 7 of chapter 10 of Title 43, of the Revised Statutes);

County superintendents of weights and measures and assistant county superintendents of weights and measures ("An act providing for the retirement of persons employed in the department of weights and measures of any county in this State, and providing a pension for such persons so retired," filed June 21, 1938 (P. L. 1938, c. 397);

County park police in counties of more than 200,000 population (sections 40:37–157 to 40:37–174, inclusive, of the Revised Statutes);

shall on July 1, 1943, automatically become members of the county employees' retirement system provided for by this act and all such employees shall be deemed to agree and consent to the transfer of such membership unless they, or any 1 or

more of them shall, before July 1, 1943, by written notice to the pension commission of their respective retirement systems operating in such county, elect to withdraw therefrom their contributions theretofore made, without interest. Any such members electing to withdraw from such membership shall thereafter be ineligible for membership in any retirement system of such county, or for any pension payable, in whole or in part, by funds of such county under the provisions of any statute of this State except sections 43:4–1 to 43:4–5, inclusive, of the Revised Statutes.

All such employees who become members of the county employees' retirement system provided by this act shall be given credit for pension purposes hereunder for all services, including services performed in any elective office, rendered to the county prior to July 1, 1943; provided, however, that where any such employee had theretofore agreed, under the provisions of article 1 of chapter 10 of Title 43, of the Revised Statutes, to pay for any part or all of such service rendered to the county prior to July 1, 1943, the transfer of such employee's membership into this system shall include the transfer to this system of all the conditions and obligations of such prior agreement made by such employee and such employee shall be deemed to agree and consent to the transfer to this system of such conditions and obligations until the conditions of such agreement have been fully complied with.

Except as otherwise provided by section 8 of this act, where any such employee's membership shall be transferred to this retirement system on July 1, 1943, such employee shall be given credit for pension purposes hereunder for any prior service or services rendered as an employee of the State and of any municipalities or other political subdivisions of the State, upon application therefor to the pension commission within 1 year after the transfer of such membership, and upon payment into the retirement system herein

provided, for a period of time equal to the length of prior service for which credit is allowed, of a sum of money equal in amount to 3% of salary, said 3% of salary being based upon the salary received by such employee at the time of the making of said application. Said sum of money may be paid in 1 lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into the retirement system herein provided a sum of money equal in amount to the employee's principal payment or payments. All payments aforesaid by the employee shall be made together with interest thereon at a rate to be determined by the pension commission.

(d) Any person who at the time of the adoption of this act shall be a county employee and not a member of this retirement system and who became a county employee prior to such employee reaching the age of 45 years, may become a member of this retirement system upon written application made to the pension commission within 1 year after the adoption of this act upon such employee complying with all of the following conditions.

(D1) Submit to a medical examination and be found mentally and physically fit to the satisfaction of the pension commission.

(D2) Pay into this retirement system, in addition to the regular deductions provided by this act, a sum of money equal to 5% of salary received by such employee for the period of time elapsing since such employee became 45 years of age, said 5% of salary being based upon the salary received by such employee at the time of the making of application for membership in this system. Said sum of money must be paid in 1 lump sum, together with interest thereon at a rate to be determined by the pension commission, and upon the same being paid, the county shall, within a reasonable time thereafter,

pay into this retirement system a sum of money equal in amount to such employee's principal payment. Upon making the aforesaid payment, such employee shall be given credit for pension purposes for such period of prior service rendered to the county since he became 45 years of age.

3. Receive no credit for county service rendered prior to reaching the age of 45 years but be given the option of buying such prior service credits for pension purposes upon written application made therefor to the pension commission within 1 year after becoming a member of this retirement system and upon payment into this retirement system, of a sum of money equal in amount to 3% of the salary received by such employee during the period of time for which service credits for pension purposes is allowed. At the time such employee applies for service credits for pension purposes, such employee may elect to pay said sum of money in 1 lump sum or by semimonthly deductions from salary, together with the regular deductions provided by this act, until completed; provided, however, that such prior service shall be credited only as paid for. Upon such payment or payments being made, the county shall annually pay into this retirement system a sum of money equal in amount to the employee's principal payment, or payments. All payments aforesaid by the employee shall be made together with interest at a rate to be determined by the pension commission.

Section amended.

4. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 43:10-18.16. Funds, how created.

16. A fund to pay pensions under this act shall be created as follows:

(a) The county treasurer shall deduct from every payment of salary to any county employee who is or becomes a member of this retirement system and pay to the fund 5% of the amount of said salary; provided however, that any member who on the effective date of this act is receiving a salary in excess of $5,000.00 and any member who receives

an increase in salary after the effective date of this act, which increase would give him an annual salary in excess of $5,000.00, shall contribute 6% as of the effective date of this act or as of the effective date of such increase as the case may be; and provided further, however, that should any member receiving a salary in excess of $5,000.00 receive a decrease in salary which decrease reduces said member's salary to $5,000.00 or less, such member shall contribute 5% as of the effective date of said decrease.

Such deductions shall be continued to be made during the entire period of employment of the member and until the death or retirement of said member; provided, however, that such deductions shall be continued for a total period of at least 25 years, and in the event that such death or retirement occurs before the completion of the 25-year period, a 5% deduction shall thereafter be continued to be made upon the amount of pension payments resulting from such death or retirement until the end of such 25-year period shall have been reached. The period during which any employee contributed to any county retirement system which under this act is merged into the retirement system herein provided for or the period of prior service for which any employee contributes to this retirement system, shall be considered as part of the 25-year period herein referred to.

The deductions provided herein for pension purposes shall not be construed as reduction in the salary or compensation of any member of this retirement system.

Every employee to whom this act applies who shall continue in the service after the adoption and approval of this act, as well as every person to whom this act applies who may hereafter be appointed to a position or place, shall be deemed to consent and agree to the deductions made and provided for herein and payment with such deductions, for service, shall be a full and complete discharge and acquittance of all claims and demands whatso-

ever for all services rendered by such person during the period covered by such payment except his or her claim to the benefits to which he or she may be entitled under the provisions of this act.

(b) The board of chosen freeholders shall annually raise in the county budget and contribute annually to the fund an amount equal to 9% of all of such county employees' salaries or pension payments as the case may be. Such payment shall be continued to be made during the entire period of employment of each member and until the death or retirement of each member; provided, however, that such payments shall be continued in each case for a total period of at least 25 years and in the event that a member dies or retires before the completion of the 25-year period, the 9% payments shall thereafter be continued to be made upon the amount of pension payments resulting from such death or retirement until the end of such 25-year period shall have been reached.

All moneys donated for the purpose of the funds shall be deposited in the fund.

(c) All interest earned on investments of moneys of this retirement system shall be credited to this pension fund.

(d) All moneys required to meet the county contributions provided for in this and all other sections of this act shall be raised annually in the county budget by the board of chosen freeholders and if at any time there is not sufficient money to meet these requirements and pay the pensions, the board of chosen freeholders shall, from time to time, include in any tax levy a sum sufficient to meet the requirements of the retirement system.

(e) If in any 1 year the expenditures required to be made from the fund created under this act are in excess of the moneys received by said fund during that year under the provisions of subsections (a), (b) and (c) of this section, the board of chosen freeholders of the county shall appropriate, raise by taxation and pay over to said fund a sum or sums of money sufficient to wholly reimburse said

fund for the amount so expended in excess of moneys received for that year.

Section amended.

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

C. 43:10-18.18. Withdrawal from system; separation from service; death without surviving spouse or children; lump sum payments.

18. From and after July 1, 1943, any employee who is or becomes a member of this retirement system may not withdraw therefrom and shall not be entitled to a refund of any moneys theretofore and thereafter deducted from his salary hereunder; provided, however, that any employee who separates from the county service through his discharge, resignation, or for any other reasons other than retirement shall be entitled to a refund of 75% of all moneys theretofore deducted from his salary for the retirement system established hereunder; provided, however, that any member of the retirement system established hereunder who retires on pension under the provisions of any other act, shall be entitled, upon written application made therefor to the pension commission within 3 months after such retirement on pension, to a refund of the moneys theretofore deducted from his salary for the retirement system, less a sum equal to 2½% of the total of said deductions for each year for which said deductions were made; and provided, further, that where the service of an employee is terminated by death of the employee, if such employee leaves no widow, dependent widower, or children under 18 years of age, 75% of all moneys theretofore deducted from his salary for the retirement system established hereunder shall be paid to the person designated by said employee as his or her beneficiary and if no such designation has been made or if the beneficiary has predeceased said employee, 75% of all moneys deducted from his or her salary for the retirement system shall be paid to the estate of the deceased employee.

C. 43:10-18.17a. Actuarial valuation; action by commission.

6. The actuary appointed by the commission shall recommend and the board shall keep in convenient form, such data as shall be necessary for actuarial valuation of the fund within 1 year after

this act becomes effective and once in every 3-year period thereafter the actuary shall make an actuarial investigation into the mortality, service and compensation or salary experience of the members and beneficiaries of the fund and shall make a valuation of the assets and liabilities of the fund. Upon the basis of such investigation and valuation the commission shall:

a. Adopt for the fund such mortality, service and other tables as shall be deemed necessary; and

b. Recommend changes in the rates of contributions.

For the purpose of the valuation the commission shall classify the members in such group or groups as it deems necessary.

C. 43:10-18.6a. Membership compulsory.

7. Any person employed by a county of the first class after the effective date of this act having a population of over 800,000 shall become a member of the Public Employees' Retirement System of New Jersey as a condition of employment and shall be entitled to all the rights and benefits and subject to all obligations of other members of said system, provided that the board of chosen freeholders of such county has adopted and submitted to the Public Employees' Retirement System a resolution providing for such membership and agreeing that said county shall be subject to the same liabilities with respect to such members as all other counties participating in the Public Employees' Retirement System. Such employees shall not be eligible to be members of any pension fund maintained by said county for persons employed by the county prior to the effective date of the resolution adopted by said county.

Note: Act effective.

8. This act shall take effect immediately but shall not become operative in any county unless and until the board of chosen freeholders of the county shall adopt a resolution pursuant to section 7 of this act which resolution shall incorporate the requirements of said section.

Approved February 14, 1961.

CHAPTER 192

AN ACT relating to the authorization, acquisition, financing and operation of port facilities by or on behalf of municipalities in, along or through which a navigable river flows, providing for the creation and the establishment of the powers of authorities as public bodies corporate and politic to undertake the same, for the issuance of bonds and other obligations therefor, and for the charges and other means to meet the expense thereof, and supplementing Title 40 of the Revised Statutes.

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

C. 40:68A-29. Short title.

1. This act shall be known and may be cited as the "municipal port authorities law."

C. 40:68A-30. Public policy, implementing.

2. It is hereby found that there exists a lack of adequate port facilities available for public use in municipalities in, along or through the territory of which a navigable river flows and it is hereby declared to be in the public interest and to be the policy of the State to foster and promote by all reasonable means the establishment and development of port facilities in municipalities in, along or through the territory of which a navigable river flows and thereby bettering the public health, welfare and convenience and increasing the availability of proper port facilities which cannot be adequately secured except by exercise of the powers of government. It is the purpose and object of this act to further and implement such policy by

(1) Authorizing municipalities in, along or through the territory of which a navigable river flows by means and through the agency of a municipal port authority, to acquire, construct, maintain, operate, improve or lease public port facilities;

(2) Authorizing the making of charges for the use or the services of such facilities, and providing for the establishment, collection and enforcement of such charges;

(3) Creating as bodies corporate and politic municipal port authorities to have full responsibility and powers with respect to such facilities and the establishment, collection, enforcement, use and disposition of such charges for the use or services of such facilities;

(4) Providing for the financing of such facilities, for the issuance of bonds therefor, and for the payment and security of such bonds; and

(5) Granting to municipalities in, along or through the territory of which a navigable river flows and to such municipal port authorities discretionary powers to provide for public port facilities or a system thereof and obtaining funds to defray the cost thereof from the users of such facilities or from counties or municipalities or from other persons contracting for or with respect to the same.

C. 40:68A-31. Terms defined.

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

(1) "Municipality" shall mean any city, borough, village, town, township, or any other municipality or agency thereof other than a county or a school district;

(2) "Governing body" shall mean the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(3) "Municipal port authority" shall mean a public body created or organized pursuant to this act;

(4) "Person" shall mean any person, association, corporation, nation, State or agency or subdivision thereof, or other entity, real or artificial, public or private, other than a county or a municipality or a municipal port authority;

(5) "Port district" shall mean the area within the territorial boundaries of a municipality which creates a municipal port authority;

(6) "Port system" shall mean all real and personal property acquired, constructed or operated or to be acquired, constructed or operated by a municipal port authority for the purposes of the municipal port authority, including piers, wharves, docks, bulkheads, slips, basins, anchorage areas, jetties, breakwaters, harbor craft of any kind, buildings, structures, warehouses, terminals, loading areas, plants, vehicular roadways, railroad connections and tracks, yards, sheds and every kind of terminal, storage or supply facility now in use or hereafter designed for use to facilitate shipping, the handling, storage, loading or unloading of freight or cargo at marine terminals, and all other franchises, property and rights therein and appurtenances thereto necessary or useful and convenient in connection therewith;

(7) "Cost" shall mean, in addition to the usual connotations thereof, the cost of planning, acquisition or construction of all or any part of a port system, and of all or any lands, property, rights, rights-of-way, easements and franchises deemed by a municipal port authority to be necessary or useful and convenient therefor, including interest or discount on bonds, cost of issuance of bonds, architectural, engineering and inspection costs and legal expenses, cost of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the municipal port authority, prior to and during such acquisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion of said port system or part thereof and the placing of the same in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal of or interest on bonds during or after such acquisition or construction as the municipal port

authority may determine, and also reimbursements to the municipal port authority or any county, municipality or other person of any moneys theretofore expended for the purposes of the municipal port authority;

(8) "Real property" shall mean lands both within and without the State, above or below water, and improvements thereof or thereon, or any riparian or other rights or interests therein;

(9) "Construct" and "construction" shall include acts of construction, reconstruction, replacement, extension, improvement and betterment;

(10) "Bonds" shall mean bonds, notes or other obligations issued pursuant to this act;

(11) "Facility charges" shall have the meaning given to such term in this act; and

(12) "Local unit" shall mean any municipality which has created a municipal port authority.

C. 40:68A-32. Municipal port authority; members; filing; notice to other port bodies; terms; vacancies; filing.

4. The governing body of any municipality in, along or through the territory of which a navigable river flows, may by ordinance create a public body corporate and politic under and pursuant to this act, under the name and style of "the..... ..... municipal port authority," with the name of said municipality inserted. Said body shall consist of 5 members who shall be appointed by resolution of said governing body as hereinafter provided. A certified copy of each ordinance for the creation of a municipal port authority adopted pursuant to this section shall be filed in the office of the Secretary of State, in the office of the Division of Local Government in the Department of the Treasury and in the office of the clerk of the governing body of the municipality creating the municipal port authority. A certified copy of each ordinance for the creation of the municipal port authority adopted pursuant to this section shall be forwarded also to each authority, board, commission or other public body (herein called the "existing port body") existing or established to exercise powers for port purposes in a port district or other district or area, by or pur-

suant to act of Legislature of this State alone or in conjunction with the Legislature of another State, the district or area of operation of which includes in whole or in part the area of the port district created by virtue of adoption of such ordinance. After filing of the certified copies of each ordinance for the creation of a municipal port authority as aforesaid, such ordinance shall be published in a newspaper published or circulating in the port district together with a notice stating the fact and date of its adoption and the places where such ordinance has been so filed for public inspection and also the date of the first publication of such notice, and also that any action or proceeding of any kind or nature in any court questioning the validity of the creation or establishment of the municipal port authority shall be commenced within 20 days after the first publication of such notice. If no action or proceeding questioning the validity of the creation or establishment of the municipal port authority shall be commenced or instituted within 20 days after the first publication of such notice and if there shall not have been filed with the clerk of the governing body of the municipality creating the municipal port authority a certified copy of a resolution of any existing port body objecting to the creation or establishment of the municipal port authority within 20 days after the first publication of such notice then all residents and taxpayers and owners of property in the port district and each existing port body and all users of the port system and all other persons whatsoever shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, or from pleading any defense to any action or proceeding, questioning the validity of the creation or establishment of the municipal port authority and said municipal port authority shall be conclusively deemed to have been validly created and established and to be authorized to transact business and exercise powers as a municipal port authority pursuant to this act.

Thereafter, 5 persons shall be appointed by resolution of said governing body as the members of the municipal port authority. The members first appointed shall, by the resolution of appointment, be designated to serve for terms respectively expiring on the first days of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. Subsequent appointments shall be for a term of 5 years. Each member shall hold office for the term of appointment and until his successor shall have been appointed and qualified. Vacancies in the membership of the municipal port authority shall be filed by appointment by resolution of the governing body of the local unit for the unexpired term. A certified copy of each resolution appointing any member of a municipal port authority shall be filed in the office of the Secretary of State, but the failure to file any such resolution shall not invalidate any appointment. All members of a municipal port authority shall reside within the territorial area of the local unit.

C. 40:68A-33. Annual organization; other officers and employees.

5. Every municipal port authority, upon the first appointment of its members and thereafter on or after February 1 in each year, shall annually elect from among its members a chairman and a vice-chairman who shall hold office until February 1 next ensuing and until their respective successors shall have been appointed and qualified. Every municipal port authority may also appoint and employ a secretary and a treasurer and it shall determine their qualifications, terms of office, duties and compensation. Such municipal port authority may also appoint and employ such other agents and employees as it may require and it shall determine their duties and compensation.

C. 40:68A-34. Power vested in members; quorum.

6. The powers of the municipal port authority shall be vested in the members thereof in office from time to time and 3 members shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the municipal port authority at any meeting of the

members thereof by vote of 3 of the members, unless in any case the by-laws of the municipal port authority shall require a larger number.

C. 40:68A-35. Expenses and compensation of members.

7. A municipal port authority may reimburse its members for necessary expenses incurred in the discharge of their duties. The ordinance for the creation of a municipal port authority may authorize payment or compensation for services to members of the municipal port authority within such annual or other limitations as may be stated in such ordinance. Any such provision or limitation stated in any such ordinance, may be amended, supplemented, repealed or added by subsequent ordinance, but no reduction of any such limitation shall be effective during the remaining term of any member of the municipal port authority then in office except upon his written consent. No member of any municipal port authority shall receive any compensation of any kind from the municipal port authority except as authorized by this section.

C. 40:69A-36. Bars interest of officers and employers in port system construction.

8. No member, officer or employee of a municipal port authority shall have or acquire any interest, direct or indirect, in the port system or in any property included or planned to be included in the port system or in any contract or proposed contract for materials or services to be furnished to or used by the municipal port authority. Neither the holding of any office or employment in the government of any county or municipality or of the State nor the owning of any other property within the State shall be deemed a disqualification for membership in or employment by a municipal port authority, and members of the governing body of the municipality may be appointed by such governing body and may serve as members of a municipal port authority.

C. 40:68A-37. Removal of member; procedure.

9. A member of a municipal port authority may be removed by the governing body of the municipality for incapacity, inefficiency or neglect of duty or misconduct in office or other disqualifying cause and after he shall have been given a copy of the charges against him and afforded a hearing, in

person or by counsel, but not sooner than 10 days after receiving a copy of such charges.

C. 40:68A-38. Dissolution; procedure.

10. The governing body of any municipality which has created a municipal port authority pursuant to this act may, by ordinance, dissolve such municipal port authority on the condition that (1) either the members of such authority have not been appointed or such authority by resolution has consented to its dissolution, and (2) such authority has no debts or obligations outstanding. A copy of the ordinance for the dissolution of a municipal port authority pursuant to this section duly certified by the appropriate officer of the municipality which has adopted such ordinance shall be filed in the office of the Secretary of State. Upon proof of such filing of a certified copy of the ordinance for the dissolution of a municipal port authority as aforesaid and upon proof either that such municipal port authority had no debts or obligations outstanding at the time of the adoption of such ordinance, or that all creditors or other obligees of such municipal port authority have consented to such ordinance, the municipal port authority therein referred to shall be conclusively deemed to have been lawfully and properly dissolved and the property of such municipal port authority shall be vested in the municipality adopting such ordinance. A copy of any such certified ordinance, duly certified by or on behalf of the Secretary of State, shall be admissible in evidence in any such action, or proceeding, and shall be conclusive evidence of due and proper filing thereof as aforesaid.

C. 40:68A-39. Purpose.

11. The purpose of every municipal port authority shall be the improvement, establishment and development of facilities in its port district for port purposes by or through the acquisition, construction, improvement, maintenance or operation of any and all projects and facilities for the improvement and development of such port district for port purposes, or directly related thereto, either directly or by agreement with any county, municipality or person, or in any other manner, as in the

judgment of the municipal port authority will provide an effective and satisfactory method for promoting its purposes.

C. 40:68A-40. Instrumentality of State; powers.

12. Every municipal port authority shall be a public body politic and coroprate constituting a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public health and welfare and shall have perpetual succession and have the following additional powers:

(1) To adopt and have a common seal and to alter the same at pleasure;

(2) To sue and be sued;

(3) In its own name to acquire, hold, use and dispose of its charges and other revenues and other moneys;

(4) In its own name but for the local unit, to acquire, rent, hold, use and dispose of other personal property for the purposes of the municipal port authority, and to acquire by purchase, gift, condemnation or otherwise, or lease as lessee, real property and easements therein, necessary or useful and convenient for the purposes of the municipal port authority, whether subject to mortgages, deeds of trust or other liens, or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the municipal port authority;

(5) To grant by franchise, lease or otherwise, the use of any project, facilities or property owned and controlled by it to any person for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon. Any such grant may be upon condition that the user shall or may construct or provide any buildings or structures or improvements on such project, facilities or property, or portions thereof, all upon such terms and conditions as may be agreed upon;

(6) To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds;

(7) To apply for and to accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the municipal port authority, from any person, county or municipality, including the United States or any agency thereof, and to make and perform such agreements and contracts and to do any and all things necessary or desirable in connection with the procuring, acceptance or disposition of such gifts or grants;

(8) To determine the exact location, type and character of and all matters in connection with all or any part of the port system which it is authorized to own, construct, establish, effectuate or control and to enter on any lands, waters or premises for the purpose of making such surveys, diagrams, maps or plans or for the purpose of making such soundings or borings as it deems necessary or convenient;

(9) To make and enforce by-laws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of the port system and any other of its properties, and to amend the same;

(10) To do and perform any acts and things authorized by this act under, through or by means of its own officers, agents and employees, or by contracts with any person;

(11) To acquire, purchase, construct, lease, operate, maintain and undertake any project and to make service charges for the use thereof; and

(12) To enter into any and all contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the municipal port authority or to carry out any power expressly given in this act.

C. 40:68A-41. Facility charges authorized.

13. Every municipal port authority is hereby authorized to fix, charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "facility charges") in connection with, or for the use, or services of, the port system, and

for all services sold, furnished or supplied directly or indirectly through the port system.

C. 40:68A-42. Schedule of facility charges; adjustment; public record.

14. Every municipal port authority may prescribe and from time to time when necessary revise a schedule of all its facility charges. The facility charges fixed, charged and collected shall comply with the terms of any contract of the municipal port authority and may be so adjusted that the revenues of the municipal port authority will at all times be adequate to pay the expenses of operation and maintenance of the port system, including reserves, insurance, improvements, replacements, and other required payments, and to pay the principal of and interest on any bonds and to maintain such reserves or sinking funds therefor as may be required by the terms of any contract of the municipal port authority or as may be deemed necessary or desirable by the municipal port authority. A copy of such schedule of facility charges in effect shall be a public record.

C. 40:68A-43. Appropriations, loans, etc., by municipality.

15. Any municipality shall have power, in the discretion of its governing body, to appropriate moneys for the purposes of the municipal port authority, and to loan or donate such moneys to the municipal port authority in such installments and upon such terms as may be agreed upon with the municipal port authority.

C. 40:68A-44. Bond resolution; contents.

16. For the purpose of raising funds to pay the cost of any part of its port system or for the purpose of funding or refunding any bonds, a municipal port authority shall have power to authorize or provide for the issuance of bonds pursuant to this act, by a resolution (in this act sometimes referred to as "bond resolution") which shall:

(1) describe in brief and general terms sufficient for reasonable identification the port system or part thereof (in this act sometimes called "project") to be constructed or acquired, or describe the bonds which are to be funded or refunded (if any);

(2) state the cost or estimated cost of the project (if any); and

(3) provide for the issuance of the bonds in accordance with section 17 of this act.

C. 40:68A-45. Bond provisions.

17. Upon the adoption of a bond resolution, a municipal port authority shall have power to incur indebtedness, borrow money and issue its bonds for the purpose of financing the project or of funding or refunding the bonds described therein. Such bonds shall be authorized by the bond resolution and may be issued in 1 or more series and shall bear such date or dates, mature at such time or times not exceeding 40 years from the date thereof, bear interest at a rate or rates within such maximum rate (not exceeding 6% per annum), be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable from such sources in such medium of payment at such place or places within or without the State, and be subject to such terms of redemption (with or without premium) as the bond resolution may provide. The municipal port authority may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable (a) exclusively from the income and revenues of the project financed with the proceeds of such bonds; (b) exclusively from the income and revenues of certain designated projects whether or not they are financed in whole or in part with the proceeds of such bonds; or (c) from its revenues generally. Any such bonds may be additionally secured by a pledge of any grant or contributions from the Federal Government, the State or any municipality or a pledge of any income or revenues of the municipal port authority including income or revenues to be received pursuant to grant or lease by the municipal port authority of the use or services of any project owned or controlled by it. This act shall be complete authority for the issuance of bonds by a municipal port authority, and the provisions of

any other law shall not apply to the issuance of such bonds.

C. 40:68A-46. Bond sales; interest rate.

18. Bonds of a municipal port authority may be sold by the municipal port authority at public or private sale at such price or prices as the municipal port authority shall determine; provided, however, that the interest cost to maturity of the money received for any issue of bonds (computed according to standard tables of bond values) shall not exceed 6% per annum.

C. 40:68A-47. Filing, publishing bond resolution; contents of notice; effect.

19. The municipal port authority shall cause a copy of any bond resolution adopted by it to be filed for public inspection in its office and in the office of the clerk of the governing body of the local unit and shall thereupon cause to be published, at least once, in a newspaper published or circulating in the port district a notice stating the fact and date of such adoption and the places where such bond resolution has been so filed for public inspection and also the date of the first publication of such notice and also that any action or proceeding of any kind or nature in any court questioning the validity or proper authorization of bonds provided for by the bond resolution, or the validity of any covenants, agreements or contracts provided for by the bond resolution shall be commenced within 20 days after the first publication of such notice. If any such notice shall at any time be published and if no action or proceeding questioning the validity or proper authorization of bonds provided for by the bond resolution referred to in said notice, or the validity of any covenants, agreements or contracts provided for by said bond resolution shall be commenced or instituted within 20 days after the first publication of said notice, then all residents and taxpayers and owners of property in the port district and users of the port system and all other persons whatsoever shall be forever barred and foreclosed from instituting or commencing any action or proceeding in any court, or from pleading any defense to any action or proceedings, questioning the validity or proper authorization of such

bonds, or the validity of any such covenants, agreements or contracts, and said bonds, covenants, agreements and contracts shall be conclusively deemed to be valid and binding obligations in accordance with their terms and tenor.

C. 40:68A-48. Bond covenant.

20. Any bond resolution of a municipal port authority providing for or authorizing the issuance of any bonds may contain provisions and such municipal port authority, in order to secure the payment of such bonds and in addition to its other powers, shall have power by provision in such bond resolution to covenant and agree with the several holders of such bonds, as to:

(1) the custody, security, use, expenditure or application of the proceeds of the bonds;

(2) the construction and completion, or replacement, of all or any part of the port system;

(3) the use, regulation, operation, maintenance, insurance or disposition of all or any part of the port system, or restrictions on the exercise of the powers of the municipal port authority to dispose, or to limit or regulate the use of all or any part of the port system;

(4) payment of the principal of or interest on the bonds, or any other obligations, and the sources and methods thereof, the rank or priority of any such bonds or obligations as to any lien or security, or the acceleration of the maturity of any such bonds or obligations;

(5) the use and disposition of any moneys of the municipal port authority, including revenues (in this act sometimes called "system revenues") derived or to be derived from the operation of all or any part of the port system, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired;

(6) pledging, setting aside, depositing or trusteeing all or any part of the system revenues or other moneys of the municipal port authority to secure the payment of the principal of or interest on the bonds or any other obligations or the payment of

expenses of operation or maintenance of the port system, and the powers and duties of any trustee with regard thereto;

(7) the setting aside out of the system revenues or other moneys of the municipal port authority of reserves and sinking funds, and the source, custody, security, regulation, application and disposition thereof;

(8) determination or definition of the system revenues or of the expenses of operation and maintenance of the port system;

(9) the rents, rates, fees, or other charges in connection with or for the use of the port system, including any parts thereof theretofore constructed or acquired and any parts, extensions, replacements or improvements thereof thereafter constructed or acquired, and the fixing, establishment, collection and enforcement of the same, the amount or amounts of system revenues to be produced thereby, and the disposition and application of the amounts charged or collected;

(10) the assumption or payment or discharge of any indebtedness, liens or other claims relating to any part of the port system or any obligations having or which may have a lien on any part of the system revenues;

(11) limitations on the issuance of additional bonds or any other obligations or on the incurrence of indebtedness of the municipal port authority;

(12) limitations on the powers of the municipal port authority to construct, acquire or operate, or to consent to the construction, acquisition or operation of, any structures, facilities or properties which may compete or tend to compete with the port system;

(13) vesting in a trustee or trustees such property, rights, powers and duties in trust as the municipal port authority may determine which may include any or all of the rights, powers and duties of the trustee appointed by the holders of bonds pursuant to section 21 of this act, and limiting or abrogating the right of such holders to appoint a

trustee pursuant to section 21 of this act or limiting the rights, duties and powers of such trustee;

(14) the procedure, if any, by which the terms of any covenant or contract with, or duty to, the holders of bonds may be amended or abrogated, the amount of bonds of holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

(15) any other matter or course of conduct which, by recital in the bond resolution, is declared to further secure the payment of the principal of or interest on the bonds and to be part of any covenant or contract with the holders of the bonds.

All such provisions of the bond resolution and all such covenants and agreements shall constitute valid and legally binding contracts between the municipal port authority and the several holders of the bonds, regardless of the time of issuance of such bonds, and shall be enforceable by any such holder or holders by appropriate action, suit or proceeding in any court of competent jurisdiction.

C. 40:68A-49. Action upon default; trustee.

21. (a) If the bond resolution of a municipal port authority authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of this section, then if there shall be a default in the payment of principal of or interest on any bonds of such series after the same shall become due, whether at maturity or upon call for redemption, and if any such default shall continue for a period of 30 days, or if the municipal port authority shall fail or refuse to comply with any of the provisions of this act or shall fail or refuse to carry out and perform the terms of any contract with the holders of any such bonds, and if such failure or refusal shall continue for a period of 30 days after written notice to the municipal port authority of its existence and nature, the holders of 25% in aggregate principal amount of the bonds of such series then outstanding by instrument or instruments filed in the office of the Secretary of State and proved or acknowledged in the

same manner as a deed to be recorded, may appoint a trustee to represent the holders of the bonds of such series for the purposes provided in this section.

(b) Such trustee may and upon written request of the holders of 25% in aggregate principal amount of the bonds of such series then outstanding shall, in his or its own name:

(1) By any action, or other proceeding, enforce all rights of the holders of such bonds, including the right to require the municipal port authority to charge and collect facility charges adequate to carry out any contract as to, or pledge of, system revenues, and to require the municipal port authority to carry out and perform the terms of any contract with the holders of such bonds or its duties under this act;

(2) Bring an action upon all or any part of such bonds or interest coupons or claims appurtenant thereto;

(3) By action, require the municipal port authority to account as if it were the trustee of an express trust for the holders of such bonds;

(4) By action, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds; or

(5) Declare all such bonds due and payable, whether or not in advance of maturity, upon 30 days' prior notice in writing to the municipal port authority and, if all defaults shall be made good, then with the consent of the holders of 25% of the principal amount of such bonds then outstanding, annul such declaration and its consequences.

(c) Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of the functions specifically set forth herein or incident to the general representation of the holders of bonds of such series in the enforcement and protection of their rights.

(d) In any action or proceeding by such trustee, the fees, counsel fees and expenses of the trustee

and of the receiver, if any, appointed pursuant to this act, shall, if allowed by the court, constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any facility charges and system revenues of the municipal port authority pledged for the payment or security of bonds of such series.

C. 40:68A-50. Receiver; powers.

22. If the bond resolution of a municipal port authority authorizing or providing for the issuance of a series of its bonds shall provide in substance that the holders of the bonds of such series shall be entitled to the benefits of section 21 of this act and shall further provide in substance that any trustee appointed pursuant to said section or having the powers of such a trustee shall have the powers provided by this section, then such trustee, whether or not all of the bonds of such series shall have been declared due and payable, shall be entitled to the appointment of a receiver of the port system, and such receiver may enter upon and take possession of the port system and, subject to any pledge or contract with the holders of such bonds, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance or reconstruction of the port system and proceed with such acquisition, construction, operation, maintenance or reconstruction which the municipal port authority is under any obligation to do, and operate, maintain and reconstruct the port system and fix, charge, collect, enforce and receive the facility charges and all system revenues thereafter arising subject to any pledge thereof or contract with the holders of such bonds relating thereto and perform the public duties and carry out the contracts and obligations of the municipal port authority in the same manner as the municipal port authority itself might do and under the direction of the court.

C. 40:68A-51. Liabilty on bonds.

23. Neither the members of the municipal port authority nor any person executing bonds issued pursuant to this act shall be liable personally on the bonds by reason of the issuance thereof. Bonds

or other obligations issued pursuant to this act shall not be in any way a debt or liability of the State, and bonds or other obligations issued by a municipal port authority pursuant to this act shall not be in any way a debt or liability of the State or of any county or municipality and shall not create or constitute any indebtedness, liability or obligation of the State or of any county or municipality. Nothing in this act contained shall be construed to authorize any municipal port authority to incur any indebtedness on behalf of or in any way to obligate the State or any county or municipality.

C. 40:68A-52. Bonds negotiable.

24. Any provision of any law to the contrary notwithstanding, any bond or other obligation issued pursuant to this act shall be fully negotiable within the meaning and for all purposes of the negotiable instruments law of the State, and each holder or owner of such a bond or other obligation, or of any coupon appurtenant thereto, by accepting such bond or coupon shall be conclusively deemed to have agreed that such bond, obligation or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

C. 40:68A-53. Property acquisition; condemnation.

25. Every municipal port authority is hereby empowered, in its own name but for the local unit, to acquire by purchase, gift, grant or devise and to take for public use real property within the port district, which may be deemed by the municipal port authority to be necessary for its purposes, including public lands and property (hereinafter in this section called "public lands") in which any county, municipality or political subdivision of the State, or public body or agency of such political subdivision has any right, title or interest and to the acquisition of which it shall have consented. Whenever any municipal port authority has determined that it is necessary to take any such real property for port purposes by the exercise of the power of condemnation, as hereinafter provided, it shall prepare 2 copies of diagrams, maps or plans designating the general area in the local unit in which real property is to be acquired and file 1 copy

thereof in its office and the other copy thereof in the office of the clerk of the local unit. Such municipal port authority is hereby empowered to acquire and take such real property by condemnation, in the manner provided by chapter 1 of Title 20, Eminent Domain, of the Revised Statutes (R. S. 20:1–1 et seq.) and, to that end, may invoke and exercise in the manner or mode of procedure prescribed in said chapter, either in its own name or in the name of the local unit, all of the powers of such local unit to acquire or take property for public use; provided, however, that, notwithstanding the foregoing or any other provision of this act, no municipal port authority shall institute any proceeding to acquire or take, by condemnation, any real property within the designated area in the local unit referred to above in this section until after the date of filing in the office of the clerk of the local unit of a certified copy of a (a) resolution of the municipal port authority stating the finding of the municipal port authority that it is necessary or convenient to acquire real property in said designated area for port purposes, and (b) resolution of the governing body of the local unit expressing its consent to the acquisition of real property in said designated area.

C. 40:68A-54. Regulations concerning utility facilities.

26. In addition to other powers conferred by this act or by any other law, and not in limitation thereof, every municipal port authority, in connection with construction or operation of any part of a port system, shall have power to make reasonable regulations for the installation, construction, maintenance, repair, renewal, relocation and removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or any other equipment and appliances (herein called "facilities") of any public utility, as defined in section 48:2–13 of the Revised Statutes, in, on, along, over or under any real property of the municipal port authority. Whenever in connection with construction or operation of any part of a port system, any municipal port authority shall determine that it is necessary that any such facilities, which now are, or hereafter may be, located

in, on, along, over or under any such real property, should be relocated in such real property, or should be removed therefrom, the public utility owning or operating such facilities shall relocate or remove the same in accordance with the order of the municipal port authority, provided, however, that the cost and expenses of such relocation or removal, including the cost of installing such facilities in a new location, or new locations, and the cost of any lands or any rights or interest in lands, or any other rights acquired to accomplish such relocation or removal, less the cost of any lands or any rights or interests in lands or any other rights of the public utility paid to the public utility in connection with the relocation or removal of such property, shall be paid by the municipal port authority and may be included in the cost of such port system. In case of any such relocation or removal of facilities, as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such facilities, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such facilities in their former location.

C. 40:68A-55. Additional powers.

27. For the purpose of aiding and co-operating in the planning, undertaking, acquisition, construction or operation of any project of a municipal port authority, the local unit may: (a) acquire real property in its name for any project or for the widening of existing roads, streets, parkways, avenues or highways or for new roads, streets, parkways, avenues or highways to any such project, or partly for such purposes and partly for other municipal purposes, by purchase or condemnation in the manner provided by law for the acquisition of real property by such municipality; (b) furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake; and (c) do any and all things necessary or convenient to aid and co-operate in the planning,

undertaking, construction or operation of any such project, and cause services to be furnished to the municipal port authority of the character which such municipality is otherwise empowered to furnish, and to incur the entire expense thereof.

C. 40:68A-56. Sale, lease, grant, etc., of municipal property.

28. Any municipality, by ordinance of its governing body, or any other person is hereby empowered, without any referendum or public or competitive bidding to sell, lease, lend, grant or convey to a municipal port authority, or to permit a municipal port authority to use, maintain or operate as part of the port system, any real or personal property owned by it which may be necessary or useful and convenient for the purposes of the municipal port authority and accepted by the municipal port authority. Any such sale, lease, loan, grant, conveyance or permit may be made with or without consideration and for a specified or an unlimited period of time and under any agreement and on any terms and conditions which may be approved by such municipality or other person and which may be agreed to by the municipal port authority in conformity with its contracts with the holders of any bonds. Subject to any such contracts with holders of bonds, the municipal port authority may enter into and perform any and all agreements with respect to property so accepted by it, including agreements for the assumption of principal or interest or both of indebtedness of such municipality or other person or of any mortgage or lien existing with respect to such property or for the operation and maintenance of such property as part of the port system.

C. 40:68A-57. Appropriations by municipality.

29. The local unit shall have power from time to time, pursuant to ordinance of its governing body, and for such period and upon such terms, with or without consideration, as may be provided in such ordinance and accepted by the municipal port authority to appropriate money for all or any part of the cost of acquisition or construction of any project of the municipal port authority.

C. 40:68A-58. Contracts.

30. Any municipal port authority and any person, may enter into a contract or contracts provided for or relating to the use or lease of all or any part of the port system of the municipal port authority and the cost and expense of such use. Any such contract may provide for the payment to the municipal port authority annually or otherwise of such sum or sums of money for such use, computed at fixed amounts or by a formula or in any other manner. Any such contract may be made with or without consideration and for a specified or an unlimited time and on any terms and conditions which may be approved and agreed to by the municipal port authority in conformity with its contracts with the holders of any bonds. Subject to any such contracts with the holders of bonds, the municipal port authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract.

C. 40:68A-59. Sales forbidden; exceptions.

31. Except as otherwise expressly hereinabove provided with respect to the right of the municipal port authority to grant by franchise, lease or otherwise the use of any project owned or controlled by it, the municipal port authority shall not mortgage, pledge, encumber or otherwise dispose of any part of the port system, except that the municipal port authority may dispose of such part or parts thereof as may be no longer necessary for the purposes of the municipal port authority. The provisions of this section shall be deemed to constitute a part of the contract with the holder of any bonds.

C. 40:68A-60. Property, sale and levy exempt; judgment not a lien.

32. All property of a municipal port authority shall be exempt from levy and sale by virtue of an execution and no execution or other judicial process shall issue against the same nor shall any judgment against a municipal port authority be a charge or lien upon its property provided, that nothing herein contained shall apply to or limit the rights of the holder of any bonds to pursue any remedy for the enforcement of any pledge or lien given by a mu-

nicipal port authority on its system revenues or other moneys.

C. 40:68A-61. Payments in lieu of taxes.

33. Every municipal port authority and every municipality in which any property of the municipal port authority is located are hereby authorized and empowered to enter into agreements with respect to the payment by the municipal port authority to such municipality of annual sums of money in lieu of taxes on such property in amount not less than the amount of taxes last paid on such property prior to its acquisition by the municipal port authority, or such other agreed amount computed on the basis of the assessed value of real property without improvements, and each such municipal port authority is empowered to make such payments and each such municipality is empowered to accept such payments and to apply them in the manner in which taxes may be applied in such municipality.

C. 40:68A-62. Bonds legal investments; security for public deposits.

34. Notwithstanding any restriction contained in any other law, the State and all public officers, municipalities, counties, political subdivisions and public bodies, and agencies thereof, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries, may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to this act, and such bonds shall be authorized security for any and all public deposits.

C. 40:68A-63. Tax exempt.

35. Every port system and all other properties of a municipal port authority are hereby declared to be public property of a political subdivision of the State and devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or any subdivision thereof. All bonds issued pursuant to this act are hereby declared to

be issued by a political subdivision of this State and for an essential public and governmental purpose and to be a public instrumentality and such bonds, and the interest thereon and the income therefrom, and all facility charges, funds, revenues and other moneys pledged or available to pay or secure the payment of such bonds, or interest thereon, shall at all times be exempt from taxation except for transfer, inheritance and estate taxes and taxes on transfers by or in contemplation of death.

C. 40:68A-64. Covenant by State.

36. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds issued pursuant to a bond resolution of a municipal port authority adopted pursuant to this act that the State will not limit or alter the rights hereby vested in the municipal port authority to acquire, construct, maintain, reconstruct and operate its port system, or to fix, establish, charge and collect its facility charges and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, so as to in any way impair the rights or remedies of such holders, and will not modify in any way the exemptions from taxation provided for in this act, until the bonds, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.

C. 40:68A-65. Deposits with banks.

37. All banks, bankers, trust companies, savings banks, investment companies and other persons carrying on a banking business are hereby authorized to give to any municipal port authority a good and sufficient undertaking with such sureties as shall be approved by the municipal port authority to the effect that such bank or banking institution as hereinbefore described shall faithfully keep and pay over to the order of or upon the warrant of the municipal port authority or its authorized agent all such funds as may be deposited with it by the municipal port authority and agreed interest

thereon, at such times or upon such demands as may be agreed with the municipal port authority or in lieu of such sureties, deposit with the municipal port authority or its authorized agent or any trustee therefor or for the holders of any bonds, as collateral, such securities as the municipal port authority may approve. The deposits of the municipal port authority may be evidenced by a depository collateral agreement in such form and upon such terms and conditions as may be agreed upon by the municipal port authority and such bank or banking institution.

C. 40:68A-66. Annual audit; filing.

38. Each municipal port authority shall cause an annual audit of its accounts to be made, and for this purpose it shall employ a registered municipal accountant of New Jersey or a certified public accountant of New Jersey. The audit shall be completed and filed with the municipal port authority within 4 months after the close of the fiscal year of the municipal port authority and a certified duplicate copy thereof shall be filed in the office of the Division of Local Government in the Department of the Treasury and in the office of the chief financial officer of the local unit within 5 days after the original report is filed with the municipal port authority.

C. 40:68A-67. Filing with division of local government.

39. Each municipal port authority shall file a certified copy of each bond resolution adopted by it in the office of the Division of Local Government in the Department of the Treasury, together with a certified summary of the dates, amounts, maturities and interest rates of all bonds to be issued pursuant thereto prior to the issuance of any such bonds. Upon the adoption of each annual budget of a municipal port authority or amendment thereof, a certified copy thereof shall be filed forthwith in the office of said Division of Local Government.

C. 40:68A-68. Construing; exemption from regulation.

40. This act shall be construed liberally to effectuate the legislative intent and as complete and independent authority for the performance of each and every act and thing herein authorized, and a

municipal port authority shall not be subject to, or constitute a municipality or agency or component of a municipality subject to, the provisions of chapter 50 or any other provisions of Title 40 of the Revised Statutes, or be subject to regulation as to its facility charges by any officer, board, agency, commission or other office of the State.

C. 40:68A-69. Provisions severable.

41. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or to be ineffective in whole or in part, to the extent that it is not adjudged unconstitutional or is not ineffective, it shall be valid and effective and no other section, subsection, clause or provision of this act shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of this act in any 1 or more instances or under any 1 or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instance or under any other circumstance.

42. This act shall take effect immediately.

Approved February 15, 1961.

CHAPTER 193

AN ACT to prohibit the importation and transportation of strikebreakers and the recruitment, securing or offering of employment with relation to places of employment when a strike or lockout exists.

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

C. 34:13C-1. Acts declared unlawful.

1. It shall be unlawful for any person, firm, partnership or corporation to import from outside the boundaries of the State of New Jersey, or to transport with the State of New Jersey, or to

supply from without the State any person or persons for the purpose of being or becoming employed with an object of:

(a) interfering by force or violence or threats thereof, or coercing or intimidating persons lawfully picketing the premises of an employer or engaged in other lawful activities in support of a strike, during the existence of a labor dispute; or

(b) coercing or intimidating or interfering by force or violence or threats thereof with the right of employees to form, join or assist labor organizations or the rights of employees or their representatives to engage in collective bargaining with their employers.

(c) replacing in employment any employees of any employer who are lawfully on strike or who have been locked out.

C. 34:13C-2. Recruiting employees unlawful.

2. It shall be unlawful for any person, firm or corporation, not directly involved in a strike or lockout, to recruit any person or persons for employment, or to secure or offer to secure for any person or persons any employment, when the purpose of such recruiting, securing or offering to secure employment, is to have such persons take the place in employment of employees in an industry where a strike or a lockout exists.

C. 34:13C-3. Employment service and persons not affected.

3. Employment agents licensed as such under the laws of the State of New Jersey, and the New Jersey Employment Service shall not be affected by sections 1 or 2 of this act, but no such employment agent, and no person acting on behalf of the New Jersey Employment Service shall knowingly refer an applicant for employment to an employer any of whose employees are then engaged in a strike or have been locked out.

C. 34:13C-4. Importation of pickets covered.

4. This act shall apply to the importation of union pickets from without the State.

C. 34:13C-5. Misdemeanor.

5. Any person violating any of the provisions of this act shall be guilty of a misdemeanor.

C. 34:13C-6. Not applicable to common carriers.

6. This act shall not apply to common carriers.

7. This act shall take effect immediately.

Approved February 15, 1961.

CHAPTER 194

AN ACT concerning death by wrongful act and amending section 2A:31–4 of the New Jersey Statutes.

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

1. Section 2A:31–4 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:31–4. The amount recovered in proceedings under this chapter shall be for the exclusive benefit of the persons entitled to take any intestate personal property of the decedent, and in the proportions in which they are entitled to take the same. If any of the persons so entitled were dependent on the decedent at his death, they shall take the same as though they were sole persons so entitled, in such proportions, as shall be determined by the court without a jury, and as will result in a fair and equitable apportionment of the amount recovered, among them, taking into account in such determination, but not limited necessarily thereby, the age of the dependents, their physical and mental condition, the necessity or desirability of providing them with educational facilities, their financial condition and the availability to them of other means of support, present and future, and any other relevant factors which will contribute to a fair and equitable apportionment of the amount recovered. Persons entitled to amount recovered.

2. This act shall take effect immediately, provided, however, that this act shall not govern the distribution of amounts recovered under N. J. S. 2A:31–1 et seq. for injuries received prior to the effective date of this act. Note: Act effective.

Approved February 15, 1961.

New Jersey State Library

CHAPTER 195

AN ACT concerning elections in relation to voters having more than 1 residence, supplementing article 1 of chapter 4 of Title 19 of the Revised Statutes, and prescribing penalties for certain violations thereof.

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

C. 19:4-4.1. Statement of residence.

1. Any person entitled to vote in this State and who has more than 1 place of residence, may file a statement pursuant to this act.

C. 19:4-4.2. Form and contents of statement.

2. The statement shall be in writing, in such form as the Secretary of State may prescribe from time to time, and shall be sworn to under oath, or affirmed, by the person named therein. Every such statement shall set forth facts showing the affiant's qualifications as a voter, a description of the places where he previously resided and the dates thereof, a description of the places where he resides, the names and all residences of the members of his immediate family or household who are of voting age with indication of the residence at which each is domiciled for voting, and a statement of the place of residence where he intends his domicile to be.

C. 19:4-4.3. Statement filed.

3. The statement shall be furnished by and filed with the election official whose jurisdiction embraces the indicated domicile of the affiant and with whom voters are required to register or reregister.

C. 19:4-4.4. Filing subsequent statement of domicile.

4. Any person who files a statement under section 3 of this act shall be required, as a condition to any subsequent change of domicile within this State, to file a like statement with the election official who received the previous statement and with the election official whose jurisdiction embraces the newly designated domicile.

C. 19:4-4.5. Prima facie evidence of domicile; registering; additional data furnished.

5. A statement satisfying the requirements of sections 2 or 4 of this act shall be prima facie evidence that the place of residence in this State identified therein is the domicile of the affiant. In the absence of evidence contrary thereto appearing either in said statement or otherwise, the affiant shall be entitled to register or reregister within the voting district where such domicile is located, provided he possesses all other qualifications entitling him to do so. Any election official with whom such statement is filed is hereby empowered to conduct such investigation and to require the affiant to furnish additional data or information relating to his identified domicile, as he may consider necessary to discharge his duty pursuant to law.

C. 19:4-4.6. Construing.

6. This act shall be deemed remedial and shall be construed in such manner as to assist the affiant to establish his lawful right to vote in his voting district in advance of casting his vote and to enforce such right, pursuant to law.

C. 19:4-4.7. Penalty.

7. Any person who shall make false oath or affirmation to any statement under this act, or who shall make any false statement therein, shall be adjudged a disorderly person and shall be punishable by a fine not to exceed $1,000.00 or by imprisonment not to exceed 1 year, or both.

Note: Act effective.

8. This act shall take effect July 1, 1960.

Approved February 16, 1961.

CHAPTER 196

AN ACT concerning crimes and amending section 2A:116–3 of the New Jersey Statutes.

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

Section amended.

1. Section 2A:116–3 of the New Jersey Statutes is amended to read as follows:

Unlawful use of badge emblem, etc.

2A:116–3. Any person who:

a. Willfully wears the badge, emblem or insignia of:

1. The Grand Army of the Republic, or

2. The United Spanish War Veterans, or

3. The Military Order of the Loyal Legion, or

4. The Sons of Veterans, U. S. A., or

5. The Veterans of Foreign Wars of the United States, or

6. The American Legion, or of any women's auxiliary organization thereof, or

7. The Disabled American Veterans of the World War, or of any women's auxiliary organization thereof, or

8. The Italian-American War Veterans of the United States, Incorporated; or

b. Uses or wears such badge, emblem or insignia to obtain aid or assistance within this State—

Unless he is entitled to use or wear the same under the charter, constitution, by-laws, rules or regulations of the organization or of a duly and regularly organized post, camp, branch or chapter thereof, is guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved February 21, 1961.

CHAPTER 197

AN ACT validating certain deeds or conveyances of real estate made pursuant to powers of attorney.

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

Validates certain deeds and conveyances.

1. Any deed or conveyance of real estate in this State heretofore recorded which was executed in the name of a principal by his or her attorney-in-fact shall be valid in law and in equity, notwithstanding that there was not of record in the office of the proper recording officer any letter or power of attorney authorizing such conveyance; provided that there was in fact in existence at the time of the execution of said deed a valid letter or power of attorney, executed prior to the date of said deed, and which letter or power of attorney, or a certified or exemplified copy thereof, as provided by law, is now of record in the office of the proper county recording officer; and provided further that no action or proceeding shall have heretofore been, or shall within 30 days of the effective date of this act be, instituted in any court in respect to the validity of any such deed or conveyance.

2. This act shall take effect immediately.

Approved February 21, 1961.

CHAPTER 198

AN ACT to validate certain deeds heretofore made by corporations de facto.

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

Validates certain corporate deeds.

1. No deed of conveyance heretofore made or purporting to have been made by any corporation, purporting to be a corporation under the laws of this State, and not now in existence and no longer exercising the powers of a corporation, for or upon any lands, tenements or hereditaments situate in this State, which shall have been recorded prior to January 1, 1948, shall be invalid because of the fact that the certificate of incorporation of such corporation was not filed in the office of the Secretary of State of this State, provided such certificate of incorporation has been recorded in the office of the clerk of the county where the principal office of such corporation was located; but every such deed of conveyance shall be valid and effectual in law as if the certificate of incorporation of such corporation had been duly filed in the office of the Secretary of State of this State, provided that such deed shall have been taken in good faith and for a valuable consideration and provided, further, that the statutory fees and taxes required by law for the exercise of the corporate franchise for the period from the recording of said certificate of incorporation to the recording of said deed, or an approved readjustment of such fees and taxes, have been paid in the same manner as in the case of the restoration of corporate powers to corporations whose charter has been revoked.

2. This act shall take effect immediately.

Approved March 2, 1961.

CHAPTER 199

AN ACT to amend "An act to incorporate 'The Children's Seashore House at Atlantic City for Invalid Children,' " approved February 25, 1873 (P. L. 1873, c. 96).

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

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

5. That the general purposes of said corporation shall be to provide at Atlantic City facilities and medical treatment for invalid children, and those needing the benefit of sea air. Purpose of corporation.

2. This act shall take effect immediately.

Approved March 2, 1961.

JOINT RESOLUTIONS

Joint Resolutions

JOINT RESOLUTION No. 1

A JOINT RESOLUTION to declare the month of February as "American History Month" in the State of New Jersey and for a proclamation thereof by the Governor.

WHEREAS, Under our Federal Constitution liberty for the first time in history became an actuality—"Liberty is not a heritage but a conquest to be achieved by each generation"; and Preamble.

WHEREAS, The American Servicemen of World War I, World War II and the Korean War fought for and offered their lives to stop tyranny and totalitarianism and to preserve the American ideals of individual freedom as embodied in the most permanent Constitution in the history of government; and Preamble.

WHEREAS, Our country, born in the travail of tyranny, must remain under God's providence forever free and independent and alien ideologies must never be permitted to reach out and choke God-given liberty; and Preamble.

WHEREAS, The best protection of our American heritage must always be in the hearts and minds of our people; and Preamble.

WHEREAS, In February we observe the birthdays of 3 great Americans, George Washington, Abraham Lincoln and Thomas Edison, who symbolize in their divergent achievements America's immortal Preamble.

heritage, and are representative of the great men who toiled and died to develop our resources and to win and maintain the freedom necessary for the pursuit of happiness; now, therefore,

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

American History month.

1. That the month of February is directed to be known in New Jersey as "American History Month," and the citizens thereof are urged to formulate and sponsor appropriate programs in commemoration of the achievements of George Washington, Abraham Lincoln and Thomas Edison.

Proclamation.

2. That the Governor by appropriate proclamation set aside the said month of February as "American History Month" in New Jersey.

3. That this resolution shall take effect immediately.

Approved February 10, 1960.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION to declare the month of April as "Cancer Control Month" in the State of New Jersey and for a proclamation thereof by the Governor.

Preamble.

WHEREAS, The American Cancer Society reports encouraging progress in the fight against cancer, man's cruelest enemy, through the discoveries of scientists engaged in research under grants of the said society; and

Preamble.

WHEREAS, The New Jersey Division of the said society, and its 21 county chapters, is carrying on well-planned programs to alert the people of this State to the cancer problem and to assist those already stricken; and

WHEREAS, The said American Cancer Society is the only health agency fighting cancer through research, education and service and is entirely dependent on the contributions of the public, with 60% of all funds received remaining in the State to carry on these programs; therefore Preamble.

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

1. The month of April is directed to be known in New Jersey as "Cancer Control Month" and the residents thereof are urged to give their financial and moral support to the American Cancer Society, the New Jersey Division and its cancer control programs in the 21 counties of the State. Cancer Control Month.

2. The Governor, by appropriate proclamation, set aside the said month of April as "Cancer Control Month" in New Jersey. Proclamation.

3. This resolution shall take effect immediately.

Approved February 16, 1960.

JOINT RESOLUTION No. 3

A JOINT RESOLUTION to declare the week of March 6 through 12, 1960 as "Save Your Vision Week"; for its dedication to the theme, "Youth Needs Vision" and for a proclamation thereof by the Governor.

WHEREAS, The New Jersey Optometric Association and the American Optometric Association, which sponsors "SAVE YOUR VISION WEEK" for the purpose of reminding and informing the public concerning the conservation and improvement of vision, dedicate this year's observance to the theme, "Youth Needs Vision"; and Preamble.

Preamble. WHEREAS, It is widely recognized that young people need good vision to obtain education, for their physical safety, for efficient performance vocationally, for their full development as responsible citizens and for the enjoyment of healthy avocational pursuits; and

Preamble. WHEREAS, It is desirable that young people, their parents, teachers and employers be reminded of the importance of good vision and the professional care required for its conservation; therefore,

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

Save Your Vision Week. 1. The week of March 6 through 12, 1960 is declared to be "Save Your Vision Week" in the State of New Jersey and is dedicated to the theme "Youth Needs Vision"; and all young people, their parents, teachers and employers are urged to give particular attention to the care and conservation of vision.

Proclamation. 2. That the Governor, by appropriate proclamation, so proclaim the said week of March 6 through 12, 1960 and its dedication to the theme "Youth Needs Vision."

3. This joint resolution shall take effect immediately.

Approved February 19, 1960.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION reconstituting the commission created to study the administration of public medical care at various levels of government for the recipients of public assistance who are residents of the State of New Jersey and those residents, not requiring public assistance, but unable to finance medical care.

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

Commission reconstituted.

1. The commission created pursuant to Joint Resolution No. 4, approved May 8, 1956, and reconstituted pursuant to Joint Resolution No. 8, approved February 3, 1958, is hereby reconstituted, with the same membership, powers and duties as heretofore provided.

2. This joint resolution shall take effect immediately.

Approved February 19, 1960.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION memorializing the Governor and Legislature of the State of New York to increase to 21 years the minimum age for the purchase of alcoholic beverages in New York State.

Preamble.

WHEREAS, The law of the State of New York fixes the legal age limit for purchase of alcoholic beverages at 18 years of age; and

Preamble. WHEREAS, The laws of the State of New Jersey and of its other neighboring States of Pennsylvania and Delaware prohibit the sale of alcoholic beverages to persons under 21 years of age; and

Preamble. WHEREAS, Many of the problems connected with juvenile delinquency stem from the promiscuous consumption of alcoholic beverages by juveniles and the raising of the minimum legal age limit would help curb many crimes which juvenile delinquents are committing in increasing numbers; and

Preamble. WHEREAS, Law enforcement agencies in New Jersey are experiencing extreme difficulty in controlling intoxicated juveniles because their source of supply originates in New York and it is impossible to cope with the problem without the cooperation of both the State of New York and the State of New Jersey and a uniform rule of law; and

Preamble. WHEREAS, No such law enforcement problem exists with other neighboring States because of uniformity as to the minimum age for sale of alcoholic beverages; now, therefore,

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

Favorable consideration urged. 1. The Governor and Legislature of the State of New York are urged to give early favorable consideration to enactment of legislation to increase from 18 to 21 years the minimum age for the purchase in New York State of alcoholic beverages.

Conference. 2. The Governor of the State of New Jersey is requested to arrange for a conference on the subject matter of this resolution with the Governor and other representatives of the State of New York; and the Governor to invite representatives of the New Jersey Legislature and specialists in the field of juvenile delinquency to participate in such conference.

3. Copies of this resolution, officially authenticated, be forwarded to His Excellency, The Governor of the State of New York and the Clerks of the Senate and Assembly of the State of New York. Transmittal of copies.

4. This joint resolution shall take effect immediately.

Approved March 11, 1960.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION requesting the Governor to issue a proclamation designating Sunday, May 1, 1960, as "Law Day USA."

WHEREAS, May 1, 1960, has been designated by the President of the United States as "Law Day USA;" and Preamble.

WHEREAS, The purpose is to strengthen the Nation's dedication to the rules of law as the foundation of our free society and to freshen every citizen's awareness of the rights and privileges which he enjoys by reason of our system of law and our courts; and Preamble.

WHEREAS, The Legislature of the State of New Jersey is desirous that the State shall give proper recognition to these sentiments; now, therefore, Preamble.

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

1. The Governor of the State of New Jersey is hereby respectfully requested to promulgate a proclamation designating Sunday, May 1, 1960, as "Law Day USA" for the State of New Jersey. Proclamation Law Day USA.

2. This joint resolution shall take effect immediately.

Approved April 7, 1960.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION to declare a certain week as "Business Education Week" in the State of New Jersey and for a proclamation thereof by the Governor.

Preamble. WHEREAS, Business is an integral phase of the American way of life; and

Preamble. WHEREAS, Business activity in the State of New Jersey plays a vital and dynamic role in providing a livelihood and in satisfying the economic needs of our citizens; and

Preamble. WHEREAS, Education for business is essential in the preparation for earning a living as well as in selecting and utilizing the right kind of consumer goods and services; and

Preamble. WHEREAS, All of us live in a business world and must make it our business to become intelligent users of business opportunities and services; and

Preamble. WHEREAS, The business education programs in our schools have made an outstanding contribution to the education of American youth by preparing responsible young men and women for positions in business and industry as well as by contributing to the general education of all students; therefore,

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

Business Education Week. 1. That the week of April 30–May 7, 1960 be designated as Business Education Week, so that all the citizens of New Jersey can appreciate the contributions of business education in helping us to become better workers and better consumers of business goods and services.

2. That the Governor, by appropriate proclamation, set aside the said week of April 30–May 7, 1960 as "Business Education Week" in New Jersey. Proclamation.

3. This joint resolution shall take effect immediately.

Approved April 28, 1960.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION related to designation of the week of May 1 to 7 as "Good Posture Week."

WHEREAS, The Society of New Jersey Chiropractors as a affiliate of the National Chiropractic Association is sponsoring in New Jersey the national observance of Good Posture Week during the week of May to 7; and Preamble.

WHEREAS, During said week doctors of chiropractic will devote their efforts specially to calling public attention to the proposition that good posture and good health go together with the adverse effects on health of poor posture; now, therefore, Preamble.

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

1. The Legislature endorses the efforts of the Society of New Jersey Chiropractors in sponsoring Good Posture Week and requests the Governor, by appropriate proclamation, to designate the week of May 1 to 7 as Good Posture Week in New Jersey. Good Posture Week; proclamation.

2. This joint resolution shall take effect immediately.

Approved May 10, 1960.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION memorializing the Department of Interior of the Federal Government to establish a demonstration plant for the conversion of sea water to fresh water in the State of New Jersey.

Preamble. WHEREAS, The Department of Interior of the Federal Government is undertaking to establish a demonstration plant for the conversion of sea water to fresh water under the provisions of Public Law 85–883 of 1958, and

Preamble. WHEREAS, The State of New Jersey desires to promote research in all areas of water resources development which gives promise of satisfying present and future needs for new supplies of water in an economically feasible manner; and

Preamble. WHEREAS, Demonstration of the practicability of various processes for converting salt water to fresh water is an important step in the search for new sources of supply; and

Preamble. WHEREAS, Many water problem areas already exist in New Jersey where the application of salt and brackish water conversion processes may potentially provide practical solutions to water shortage problems; now therefore,

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

Desire to have plant locate in New Jersey. 1. That the Legislature joins with the Governor of the State of New Jersey in the desire to have a salt water conversion demonstration plant located in the State of New Jersey and offers to co-operate fully through the State Department of Conservation and Economic Development and its Division of

Water Policy and Supply in search of practical means to economically convert sea water or other saline waters to water suitable for consumptive use.

2. That the Legislature joins with the Governor of this State to memorialize the Department of Interior of the Federal Government to establish a demonstration plant for the conversion of sea water to fresh water in this State. Interior department memorialize.

3. Be it further resolved that the Secretary of State is directed to forward forthwith copies of this resolution to the Secretary of the Department of Interior. Copy forwarded.

4. This joint resolution shall take effect immediately.

Approved June 8, 1960.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION designating a portion of State Highway Route No. 29, commonly known as the Delaware River Drive, as the Daniel Bray Highway.

WHEREAS, Washington's crossing of the Delaware at McKonkey's Ferry (now Washington Crossing) on the night of December 25, 1776 and the Battle of Trenton a few hours thereafter, led to a victory recognized by historians as the Turning Point of the American Revolution; and Preamble.

WHEREAS, Captain Daniel Bray was assigned the special duty of collecting all suitable boats between the confluence of the Lehigh and the Delaware (Phillipsburg, N. J.-Easton, Pa.) and Coryell's Ferry (Lambertville, N. J.-New Hope, Pa.) and bringing these boats down the river, Preamble.

to await General Washington's further disposition; and

Preamble. WHEREAS, Captain Bray performed this duty with secrecy and efficiency so as to provide boats in ample number to transport Washington's men, horses and cannon across the Delaware; and

Preamble. WHEREAS, Captain Bray was born at Kingwood in Hunterdon county in 1751, a few miles from State Highway Route 29, and whereas this highway passes the point where Washington's little army crossed the Delaware in 1776, and whereas Captain Bray was buried in 1819 in the cemetery at Rosemont in Hunterdon county, 3 miles inland from Route 29; now, therefore,

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

Daniel Bray Highway. 1. That portion of State Highway Route No. 29, commonly known as the Delaware River Drive, running from the city line of the city of Trenton to the north, be designated as the Daniel Bray Highway.

Marking. 2. The State Highway Commissioner is authorized to erect appropriate route and directional signs bearing such name.

3. This joint resolution shall take effect immediately.

Approved June 23, 1960.

JOINT RESOLUTION No. 11

A JOINT RESOLUTION creating a commission to study the law of this State pertaining to riparian lands and rights and to prepare legislation to modernize the same.

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

1. There is hereby created a commission to consist of 2 members of the Senate to be appointed by the President thereof, 2 members of the General Assembly to be appointed by the Speaker thereof and 2 members to be appointed by the Governor. The foregoing 6 members shall select a seventh member who shall be a citizen of the State holding no office or position in public employment. All members shall be selected without regard to political affiliation. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made. Commission created; members; vacancies.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a secretary who need not be a member of the commission. Organization.

3. It shall be the duty of said commission to review the law of this State pertaining to riparian lands and rights with the end in view of modernizing the same by statutory enactment. In its study the commission shall give particular attention to the applicable provisions of Titles 12 and 13 of the Revised Statutes as amended and supplemented. Duty.

4. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ such stenographic and Assistance by other agencies.

clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

Hearing report.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Legislature, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature, on or before October 1, 1960.

6. This joint resolution shall take effect immediately.

Approved June 23, 1960.

JOINT RESOLUTION No. 12

A JOINT RESOLUTION creating a commission to be known as the Commission to Study Unfair Advertising to study advertising practices which are unfair to the buyer and to ethical business, providing for reports and recommendations by the said commission to the Governor and the Legislature.

Preamble.

WHEREAS, In recent years certain advertising practices have been used to victimize the public; and

Preamble.

WHEREAS, Such practices tend to place all advertising in bad light; and

Preamble.

WHEREAS, The deleterious effect upon ethical business should be of concern because of its effect upon the economy of the State; now, therefore,

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

Unfair Advertising Study Commission created; members.

1. There is hereby created the Unfair Advertising Study Commission. The commission shall consist of 10 members, 6 of whom shall be named by the Governor from the State at large, 2 of whom shall be Senators to be named by the President of the Senate, and 2 of whom shall be Assemblymen to be named by the Speaker of the General Assembly. Any vacancy in the membership of the commission shall be filled by appointment by the authority who named the person whose membership in the commission ceased and thereby created the vacancy.

Organization.

2. The commission shall select a chairman and a vice-chairman from among its members and a secretary who need not be a member of the commission.

Duty.

3. It shall be the duty of said commission to engage in a study of advertising practices in all media subject to the control of the State to formulate and prepare a legislative program to protect the public and ethical business from unfair and misleading advertising.

Assistance by other departments.

4. The commission may call upon any of the State departments for such assistance as may be required from such departments and may hold hearings in any part of the State and call for the attendance of witnesses and the production of books, papers and records.

Study to constitute a legislative inquiry.

5. The study by the commission shall constitute a legislative inquiry and, in the performance of its duties, the commission may proceed in the same manner as joint committees of the Legislature are authorized to proceed under the provisions of chapter 13 of Title 52 of the Revised Statutes.

6. This joint resolution shall take effect immediately.

Approved August 1, 1960.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION creating a commission to be known as the Legislation Study Commission on School Building Safety and prescribing its powers and duties.

Preamble. WHEREAS, In recent years there have been several disastrous school fires caused by inadequate fire prevention regulations;

Preamble. WHEREAS, The present laws affecting school construction and safety as to fire and storm damage are inadequate; and

Preamble. WHEREAS, A complete study of the present laws, together with a revision of same, for the purpose of creating an efficient method of protection for our school children against disastrous fires; now, therefore,

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

Commission created; members. 1. That the Legislation Study Commission for School Building Safety is created, which shall consist of 9 members, of whom 3 shall be members of the Senate, 3 members of the General Assembly, and 3 citizens of the State. The Governor shall appoint 1 Senator, 1 Assemblyman and 3 citizens. The President of the Senate shall appoint 2 Senators and the Speaker of the General Assembly shall appoint 2 Assemblymen.

Vacancies; no salary. 2. Any vacancy in the membership of the commission shall be filled by appointment by the authority who named the person whose membership in the commission ceased and thereby created the vacancy. Members shall serve without salary but shall be reimbursed for traveling and other expenses actually and necessarily incurred in the performance of their duties.

3. The commission as soon as practicable shall report the result of its study, together with its recommendations, including proposed legislation to the Governor and the Legislature. Report and recommendations.

4. An appropriation to defray its expenses shall be made from any fund available or by including an item therefor in any general or supplementary appropriation act. Appropriation.

5. This joint regulation shall take effect immediately.

Approved September 27, 1960.

JOINT RESOLUTION No. 14

A JOINT RESOLUTION to declare the month of January 1961 as "Cerebral Palsy Month" in the State of New Jersey, and for a proclamation thereof by the Governor.

WHEREAS, The multiple crippler known as cerebral palsy afflicts an estimated 17,000 residents of New Jersey; and Preamble.

WHEREAS, This number is increasing as cerebral palsy strikes once every 53 minutes somewhere in our great country; and Preamble.

WHEREAS, The several United Cerebral Palsy Associations are dedicated to a nation-wide crusade to combat this cruel affliction through medical research, training of professional workers, and the diagnosis, treatment, education, rehabilitation and recreation of the cerebral palsied; and Preamble.

WHEREAS, United Cerebral Palsy Associations of New Jersey and its county affiliates carry on a well-planned and co-ordinated crusade to provide Preamble.

the necessary medical, therapeutical and rehabilitation services to help enable the cerebral palsied become self-sufficient members of the community; and

Preamble.

WHEREAS, 75% of all moneys contributed by residents of this State are expended in New Jersey to provide facilities for diagnosis, treatment and educational centers, and for the direct services to the cerebral palsied and the public; therefore,

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

Cerebral Palsy Month.

1. That the month of January 1961 is directed to be known in New Jersey as "Cerebral Palsy Month" and the residents thereof are urged to give their support to the United Cerebral Palsy Associations and its cerebral palsy program.

Proclamation.

2. That the Governor, by appropriate proclamation, set aside the said month of January as "Cerebral Palsy Month" in New Jersey.

3. This joint resolution shall take effect immediately.

Approved December 1, 1960.

PROCLAMATIONS

Proclamations by the Governor

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The Deputy Director, Division of Taxation, Department of the Treasury, on the 20th day of January, 1960, under the provisions of R. S. 54:11–2, reported to the Governor a list of all corporations created under the laws of this State, which for two years next preceding the report have failed to pay to the State the taxes assessed against them under the Corporation Business Tax Act (1945) (Chapter 162, Laws of 1945, as amended and supplemented; N. J. S. A. 54:10A–1, et seq.) and which taxes are by law made payable into the State treasury; and

WHEREAS, Under the provisions of R. S. 54:11–1, the charters of said corporations shall be declared void unless the Governor shall give further time for the payment of such taxes assessed against said corporations; and

WHEREAS, The Governor has not given further time to corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to the provisions of R. S. 54:11–2, DO HEREBY ISSUE THIS PROCLAMATION declaring that the charters of the following named corporations, so reported and in default, to wit:

UNPAID TAXES FOR THE YEAR 1958

AAA Textile Corporation,
A & A Contracting Co.,
A. A. Daly & Son, Inc.,
A.A. Letter Service Inc.,
Aaron's Linen Supply Co.,
A & A Stamping Corp.,
Abbate-Manzo Holding Corp.,
Abbey Sales, Inc.,
Abbor Co., Inc.,
Abbott Floor Covering Co. Inc.,
Abco Lunch-O-Mat Corporation of New Jersey,
Abco Vending Service, Inc.,
Abel Holding Co., Inc.,
Abill Mfg. Co., Inc.,
Abkar Contracting, Inc.,
Able Land Company, Inc.,
A B M, Inc.,
A & B Plating and Polishing Co., Inc.,
Academy Aluminum Co. Inc.,
Academy Auto School, Inc.,
A. Cantor, Inc.,
Ace Beverage Store, Inc.,
Ace Chemical Co., Inc.,
Ace Cleaners and Dyers,
Ace Custom Builders Inc.,
Ace Custom Homes, Inc.,
Ace Excavating Co., Inc.,
Ace-Hercules Roofing and Siding, Inc.,
Ace Third Avenue Amusement Company, Inc.,
Ace Trucking Co.,
Ace Upholstering & Decorating Co., Inc.,
A. & C. Floor Waxing Service, Inc.,
Ackerman Fuel Oil Co.,
A. C. Machinery, Inc.,
Acme Builders, Inc.,
Acme Floor Service, Inc.,
Acme Garages, Inc.,
Acme Home Builders, Inc.,
Acme Loan Co.,
Acme Machinery Corporation,

Acme Screen & Supply Co.,
Acme Sporting Goods, Inc.,
Aco, Inc.,
Acorn Hardwood Flooring Co., Inc.,
Acorn Industries, Ltd.,
Acro-Form Corporation,
Acropolis Realty Co.,
A. C. S. Home Builders, Inc.,
Adair Realty Corp.,
Adams Service, Inc.,
A.D. Clothing Corp.,
Adcraft,
Adjusters Alliance, Inc.,
Adler Realty Company,
Adlow Holding Co.,
Admiration Products Co., Inc.,
Adolph-Frances Co. Inc.,
Advance Builders, Inc.,
Advance Corp.,
Advanced Plastics, Inc.,
Advanced Research and Manufacturing Corp.,
Advance Heating & Cooling Corporation,
Advance Holding Corporation,
Advance Novelty Manufacturing Co. Inc.,
A. E. Armstrong, Inc.,
Aero Mark, Inc.,
Aeronautical Service & Sales, Inc.,
Aetna Tool & Mfg. Co., Inc.,
African Triangle Securities, Ltd.,
A. G. Behn Shoe Co., Inc.,
A. G. S. Waste Company,
Air Communications, Inc.,
Aircraft Maintenance Engineering Corporation,
Air Development Corporation,
Airlines Services,
Air Research and Development Corp.,
Ajaxsen Co.,
A & J Contractors, Inc.,
A. & J. Cutrate Inc.,
A.J. Desimone Corporation,
A & J Heating Contractors,
A.J.Maddaluna & Son, Inc.,
A. J. M. Development Corporation,

Alamar Restaurants, Inc.,
Alan Coat Company,
Alan Concrete Co., Inc.,
Alan Design Inc.,
Alan Marc, Inc.,
Alan Porter Lee Associates,
A. Large Co., Inc.,
Albar Investment Company,
Albatex Finishing Company,
Albert Sheffield Co. Inc.,
Albert Vida Corporation,
Albin Sikorski Construction Co.,
Albuck Construction Co., Inc.,
A. L. Butler & Co., Inc.,
Alcaloy, Inc.,
Alcamo, Inc.,
Alco Machine & Tool Co., Inc.,
Al. Cook Inc.,
Aldab Realty Co. of New Jersey,
Alden Payne Services Inc.,
Aldor Realty Co.,
Aless & De Pietro, Inc.,
Alexander Gladstone, Inc.,
Alex. J. Stapkowitz, Inc.,
Al. Force Painting & Decorating Co.,
Alfred Vail Mutual Association,
Al-Jo Coats, Inc.,
All America Agency,
All Around Air Conditioning,
All Broad St. Corporation,
Alldex Corporation,
Alleghany Steel & Wire, Inc.,
Allen, Barker & Carr, Inc.,
Allen Bros. Division, Inc.,
Allen Coal Co.,
Allen Communications Inc.,
Allencrest, Inc.,
All Fresh Foods, Inc.,
Allied Aviation Corp.,
Allied Bronze & Aluminum Foundry Co.,
Allied Electronic Service, Inc,
Allied Weeklies, Inc.,
Alloy Plating Co., Inc.,

Al Marbob Corp.,
Aloca Housecraft Company,
The Aloha, Inc.,
Al Piscitelli, Inc.,
Alps Refrigeration Associates, Inc.,
Alrab Enterprises, Inc.,
Al. Sanguiliano, Inc.,
Alt Builders, Inc.,
Altony Corporation,
Alumarail Welding & Iron Works, Inc.,
Alumatic Corporation of America, New Jersey Division,
Aluminum Installation Guild,
Aluminum Products, Inc.,
Aluminum Products Installation Service Company, Inc.,
Alvin Building Corp.,
Alvin Movers Inc.,
Alvin Realty Co., Inc.,
Alvin Schwartz, Inc.,
Amalgamated Gasoline Dealers of America, Inc.,
Amana Food Plan Incorporated of South Jersey,
Ambas Construction Corp.,
A. M. B. Builder, Inc.,
Amboy Supply Corp.,
Ambrosio Trucking Co., Inc.,
Amcar, Inc.,
A & M Carpentry Trimmers,
Amel's Weaving Co., Inc.,
American Advertising Associates,
The American Booth Corporation of New Jersey,
American Camper, Inc.,
American Carpet Cleaning Co., Inc.,
American Cleaners, Tailors & Furriers, Inc.,
American Colorplate Corporation,
American Contracting Corporation,
American Dairy Supply Corporation,
American Discount Corporation,
American Enamel Spraying Corp.,
American Equipment Corporation,
American Fire Services, Inc.,
American Homecraft, Inc.,

American Home Furniture Manufacturing Corporation,
American House of Aluminum,
American Industrial Services, Inc.,
American Invention Development Corporation,
American Paper Company of New Jersey,
American Premiums, Inc.,
American Produce Packing Corp.,
American Safety Steel Corporation,
American Synthetics, Inc.,
American Textile Printers Co. Inc.,
American Tooling Corporation,
American Trimming Co., Inc.,
American Ultrasonics Company, Inc.,
American Wonder Pool Corp.,
A.M.H. Enterprises,
Ami, Inc.,
Ammaco, Inc.,
Amoroso Home Builders, Inc.,
Amperl Embroidery Co.,
Amro Corporation,
A & M Supply Co., Inc.,
Anald Realty Co., Inc.,
Anchorage Construction Co.,
Anchorage Point Lands,
Anderson Boats, Inc.,
Andnar Developing Co. Inc.,
Andrea Farms, Inc.,
Andre's Hair Stylist,
Andrew McLean Co.,
The Andrews Company, Inc.,
"Andy" J. McDermott, Inc.,
Angelo's Auto Repair, Inc.,
Angelo's Hideaway, Inc.,
Aniello Embroidery Co., Inc.,
Animodels, Inc.,
Anna and Lorraine Corporation,
Annco, Inc.,
Ann & Fan, Inc.,
Annirv Corporation,
Annmar Realty, Inc.,
Ansonia Associates,
Anthony & Anthony Estates, Inc.,

Anton Kmack Realty Co., Inc.,
A-1 Construction & Roofing Co, Inc.,
A-1 Novelty, Inc.,
Apco Manufacturing Corp.,
Apex Amusements, Inc.,
Apex Generator & Starters Exchange, Inc.,
Apex Stamping Company,
Apfelbaum's, Inc.,
Apple Tree Farms, Inc.,
Appliances, Inc.,
Applin's Body & Repair Shop, Inc,
Approved Construction Company,
Aratow Pharmacy, Inc.,
Ar-Bee Construction Co., Inc.,
Arbee Petroleum Transfer Company, Inc.,
Arbor Construction Co.,
Architects Display Buildings, Inc.,
Architectural Builders, Inc.,
Arcy Builders, Inc.,
Ardon Corporation,
Argus Manufacturing Co., Inc.,
Aristo Realty Corporation,
Arjoco-Corporation,
Arkwin Corporation Inc.,
Arlan Realty Co., Inc.,
Arlington Frames, Inc.,
Arlthe, Inc.,
Arnesdale Pharmaceutical Co., Inc.,
The Arnold B. Bailey Corporation,
Arnold Fabrics, Inc.,
Arnolds Apparel Shops of New Jersey, Inc.,
Arnold's Diner, Inc.,
Arnot Associates, Inc.,
Arrow Foods, Inc.,
Arrow Plating Company Inc.,
Arrow Weaving Co., Inc.,
A & R Stores, Inc.,
Artex Screen Printing Co.,
Arthur Associates, Section One,
Arthur Furs, Inc.,
Arthur W. Hampshire & Son, Inc.,
Artisan Frame Shop, Inc.,
Art-O-Gravure, Inc.,

Art Wood Products Inc.,
Aruta Sales & Service, Inc.,
Asbury Food Center, Inc.,
Asbury Park Enterprises,
Asbury Service Company,
Asbury Yacht Sales, Inc.,
A. Schneider Hardware Co.,
Ash Realty Co., Inc.,
Aslanian Bros. Inc.,
Aspen Fish and Products Co.,
Asphalt Paving Corporation,
Associated Builders Inc.,
Associated Mortgage Companies, Inc.,
Associated Printing Service, Inc,
Assured Realty Investors, Incorporated of New Jersey,
Aster Corporation,
Astro Inc.,
A & T Builders and Cabinet Shop, Incorporated,
Atco Construction Co., Inc.,
Athens Realty Corp.,
Athill Corporation,
Atirlrae, Inc.,
Atlantic Adjustable Cap Company, Inc.,
Atlantic Airpark Airways,
Atlantic Camera Centers, Inc.,
Atlantic City Industries,
Atlantic Coast Fish Co.,
Atlantic Fill Corp.,
Atlantic Hose & Rubber Co. Inc.,
Atlantic Parking, Inc.,
Atlantic Thread & Scallop Cutting Company Inc.,
Atlantic T V Stores Corporation,
Atlantic Welding & Pipe Line Construction Corp.,
Atlas Commerce Corporation,
Atlas Development Corp.,
Atlas Distributors and Manufacturers, Inc.,
Atlas Hardware Co.,
Atlas Land Company,
Atlas Lathing Corp.,
Atlas Oil Co. Inc.,
Atlas Products, Inc.,
Atlas Reproductions, Inc.,

Atlas Waterproofing and Constructing Co. Inc.,
Atomic Shooting Gallery,
Audio Enterprises Incorporated,
Aurora Hills Homes, Inc.,
Aurora, Inc.,
Aurora Realty Co.,
Australus Corporation of America,
Automatic Coffee Service, Inc.,
Automatic Food Service Company, Inc. of Trenton, New Jersey,
Automatic Loudspeaking Telephone Corporation,
Automatic Temperature Maintenance Corporation,
Automatic Vending Machines Co.,
Automotive Air-Conditioning Corp.,
Automotive Undercoating Co.,
Aviatronics, Inc.,
Avon Shoe Co. Inc.,
Aytee Corporation,
Azar and Band Detective Agency, Inc.,
A.Z.A. Realty Co.,
A. Z. Inc.,

Bach Trucking Incorporated,
Bacskay Realty Company,
Bader Co.,
Bake Master, Inc.,
Balaclin, Inc.,
Balbo Homes, Inc.,
Ball-Biddle Co.,
Baltes Manufacturing Company,
Banner Supply, Inc.,
The Barb-El Restaurant, Inc.,
Barco-Pennino, Inc.,
Bar-Lin, Inc.,
Barmad Realty Corp.,
Barmer Homes Corporation,
Barney's Bowling Academy, Inc.,
Barnhard Company,
Baron Food Market, Inc.,
Baron's Drug Store, Inc.,
Barpol Realty, Inc.,
Barrington Bottling Co., Inc.,
Barrington Housing Corporation,

Bartell's, Inc.,
Barton Wholesalers Supply Co. Inc.,
Barvo Corporation,
Basralian Contracting Corp.,
Bass River Anchorage, Inc.,
Batista Construction Co.,
Battifarano Trucking Co.,
Battin Amusement Company,
Bauers' Prescription Pharmacy Inc.,
Baurer Construction Corp.,
Bay Electronic Distributors Co. Inc.,
Bayles Electric Inc.,
Bay View Manor,
B & B Apparel Mfg., Inc.,
B. B. T. Realty Co.,
B and B Vending Company, Inc.,
B. C. A. Corp. of America,
BCCP Corporation,
B & C Distributors Co.,
B. & C. Sport Shop, Inc.,
Beach Cove Inn, Inc.,
Beach Enterprises Company, Inc.,
Beacon Fabrics, Inc.,
Beacon House, Inc.,
Beacon Lace Corp.,
Beacon Packing Corp. of New Jersey,
Beads, Inc.,
Bearfort Amusement Arcades Corp.,
Beaver Builders, Inc.,
Beaver House, Inc.,
Bebe Vendo Corp.,
Bedminster Motors, Inc.,
Beech Manor Homes,
Beers Press, Inc.,
Beggs and Grein, Inc.,
Belair Holding Corp.,
Belair Inn, Inc.,
B. & E. Landscape Co.,
The Belbey Corporation,
Bella Homes, Inc.,
Bellaire Corporation,
Bell Auto Sales, Inc.,
Bellevue Motors, Inc.,

Belltron Manufacturing Co., Inc.,
Belmar Automotive Inc.,
Belmar Hardware Co.,
Belmar Packing Co., Inc.,
Belmar Printers,
Belmont Bakery Inc.,
Belmont Caterers, Inc.,
Belmont Dye Works, Inc.,
Belshire Fashions Inc.,
Belvan Co., Inc.,
Belvedere Bar-Restaurant, Inc.,
Belvidere Estates,
Benbros Realty Corporation,
Benelon Construction,
Bengar Agency,
Bengar Construction Corporation,
Ben. H. Golob Distributing Co., Inc.,
Benmar of Hackensack,
Benmar of Union City,
Benmar of West New York,
Benmar of West New York Corp.,
Ben-Mor Homes, Inc.,
Bennett Sales Company, Inc.,
Benray Shoe Salon, Inc.,
Ben & Ray's Tavern,
Ben-San, Inc.,
Benshe Corp.,
Benton-Reed, Ltd.,
Bergen Avenue Realty Co.,
Bergen Carting Corp.,
Bergen County Carnival Publications, Inc.,
Bergenfield Newsprint & Paperboard, Inc.,
Bergen Ice Corp.,
Bergen Ladder & Pole Co., Inc.,
Bergen Manufacturing Co. Inc.,
Bergen Mortgage Associates,
Bergen-Passaic Investors, Inc,
Bergen-Passaic Realty Co.,
Bergen Suburban Homes, Inc.,
Bergen Union Realty Co.,
Bergen-Weiss, Inc.,
Berg, Ltd.,
Berg Realty Company,

Berkeley Arms, Inc.,
Berkley Food Plan,
Berkley Gardens, Inc.,
Berkley Realty Co.,
Berlin Builders,
Berlin Gardens, Inc.,
Berlin Mill & Lumber, Inc.,
Berman Fuel Oil Co.,
The Ber Mar Studio,
Berry Wood at Westfield,
Berstan Construction Company,
Bertel Realty Company,
Bert Kay Bus Company Inc.,
Bertmor Realty Co., Inc.,
Berton Corset Shops, Inc.,
Beta Home Products Co., Inc.,
Better Electric Supply Co. Inc.,
Better Homes Industries, Inc.,
Better Lawns, Inc.,
Betty Leach, Inc.,
Beverly Construction Corp.,
B & F Constr. Co.,
B.G. Cury Co. Inc.,
B & G Food Market, Inc.,
B.H. & K. Distributors,
Bi Bar Realty Co., Inc.,
Big A Trucking Co.,
Big Bill's Inn of Atco, N.J.,
Bigelow and Clifton Corporation,
Bilan Hosiery Co. Inc.,
Bilbro Promotions, Inc.,
Bilcar Corp.,
Bil-Don Contractors, Inc.,
Bilko Army & Navy Store,
Bill Reilly, Inc.,
Bill' B. Bar,
Bilt-Rite Corporation,
Binders State Street,
Birchwood Home Development Corp.,
Biru Products, Inc.,
B.J.L. Cabinet, Inc.,
B. J. M. Investment Co.,
Blackburne Realty Co.,

Black Diamond, Inc.,
Black Estates, Inc.,
Blackstone Construction Co. Inc.,
Blackwood-Seib, Inc.,
Blake and Hodes, Inc.,
The Blanchester Company,
Blancke Realty Co., Inc.,
B & L Manufacturing Co.,
Bloomfield Food Center,
Bloomsburg Motors, Inc.,
Blue Diamond, Inc.,
Blue Jay Food Company, Inc.,
Blue John Exploration and Mining Corporation,
Blue Star Corporation,
Blue-Star Drive-In,
Blumenthal Holding Corp.,
B. & M. Restaurant Corp.,
B.M.S. Sales Corp.,
B.N.C. Industrial, Inc.,
Boardwalk-Newton Corporation,
Boardwalk Pacific Corporation,
Boat Rentals Inc.,
Bobcarl Corporation,
Bob Crawford Transportation Sales Co.,
Bob Evans, Builder, Inc.,
Bob Heitz T.V. Sales & Service, Inc.,
Boblen Shirt Co.,
Bob's Bootery, Inc.,
Bobs Farm, Inc.,
Bolla, Inc.,
Bolsen Construction Co.,
Bona-Fit Shirt Co. Inc.,
Bonanni Foods, Inc.,
Bonclare Construction Co. Inc,
Bondstone Corporation of N.J.,
Bon-Jon Products Inc.,
Bo-No Products, Inc.,
Boonton Sport Center, Inc.,
Boots 'N Saddle,
Borad Co. Inc.,
Borden's Scallop and Thread Cutting Co. Inc.,
Border Riders, Inc.,
Boreiss Realty Corp.,

Boro Hills Associates Section Two, Inc.,
Boros & Reiss Art-Weave Mills Inc.,
Bottino Bros., Inc.,
Boulevard Sportswear, Inc.,
Boulevard Triangle Realty Co. Inc.,
Bouquet Screen Printing, Inc.,
Bowl-O-Rama Travel Agency Inc,
Boyd Development Company,
Boys' Acres Farm, Inc.,
Boyvan, Inc.,
Bradwahl Estates, Inc.,
Brady Trailer Service,
Brakes Assured, Inc.,
Branch Brook Construction Co. Inc.,
Brandt Builders, Inc.,
Branford Watch and Clock Shop,
Bran-Hall, Inc.,
Brantco, Inc.,
Brauer & Brauer, Inc.,
Breakers Realty Company,
Brentley Clothes, Inc.,
Brewster Paper Co.,
Briarcliff Enterprises,
Briarwood Estates,
Briarwoods Land Corporation,
Bridgeton Services, Inc.,
Brigantine Beach Fronts,
Briggs Refinishing Company,
Brighton Builders, Inc.,
Brighton Concrete Products Co.,
Brighton Hotel Co.,
Brisbane Box Corporation,
Brisk Appliances, Inc.,
Britain Hotel Inc.,
British Cousin's Ltd., Inc.,
Brittin Realty Company,
B. R. M. Potato Products Corp.,
Broad Acceptance Corporation,
Broad-Fairview Realty Corporation,
Broad Street Bar, Inc.,
Broad St. Nash,
"Broadway Diner of Millville, N. J. Inc.,"
Broadway Jewelers & Sports Shop, Inc.,

Broadway-Madison Realty Co.,
Broadway Straight Investment Co.,
Broadway Wreckers, Inc.,
Brookins Realty Co., Inc.,
Brook Manor Enterprises, Inc.,
Brooks Construction Co., Inc.,
Brookside Maintenance Co., Inc.,
Brothers Chemical Co.,
Broweiss Corporation,
Brown Electric Co.,
Browning Builders, Inc.,
Brown Leather Products Inc. of N. J.,
Brownstone Realty Company,
B. & R. Silk Inc.,
Bruce & Pat Trucking, Inc.,
Bruehwiler Builders, Inc.,
Brunard Homes, Inc.,
Brunswick Associates, Inc.,
Brunswick Oxygen Company,
Brunswick Realty Corporation,
Brush Realty Co.,
Bryna Realty Company,
B & S Food Markets, Inc.,
B.S.R. Company,
Buckelew Ely and Walthers Inc.,
Buckhill Corp.,
Buddy Hat Co., Inc.,
Buddy Novelty Co., Inc.,
Budny Nash Sales, Inc.,
Buena Mills, Inc.,
Bugle, Inc.,
Build-Alum Corp. Inc.,
Builders Construction Company Inc.,
Builders Service Co.,
Buote Machine & Tool Corporation,
Burco Construction Corporation,
Burd Wallpaper Co.,
Burlco, Inc.,
Burlington Beverages, Incorporated,
Burlington Construction Corporation,
The Burlington County Aviation Association, Inc.,
The Burns Shoe Company, Inc.,
Burstein Hardware Co.,

Burton Equipment Corporation,
Burton Marine Corporation,
Bur-Val Motors Inc.,
Busatti Products of New Jersey, Inc.,
Business Visions, Inc.,
Butler's Hardware,
Buttle-Baker Chemical Corporation,
Buttonwood Realty Co., Inc.,
Butts Out, Incorporated,
Bye The Sea, Inc.,

Cabrini Mending Corp.,
C. A. Cole Mfg. Co.,
Cadgene Machinery Company, Inc.,
Cadwalader's Pioneer Supermarket Company,
Caesar's Restaurant, Inc.,
Caldes Restaurant, Inc.,
Caldwell Electrical Supply Company, Inc.,
Caleb Rude Estate, Inc.,
Caledonia Bar and Liquor Store,
The Callen Corporation,
Calunite Sales Corp.,
Cambridge Textile Processors,
Cam-Cat, Inc.,
Camco Construction Co.,
Camden County Construction Company, Inc.,
Camden Finishing Company, Inc.,
Cameo Company,
Cameo Restaurant, Inc.,
Cameo Textile Printing Corp.,
Cameron, Inc.,
Camp Beachwood, Inc.,
Campbell-Buick Corporation,
Camp, Inc.,
Camptown Inc.,
Canadian Home Furnishers of Linden,
Canio Maffucci & Sons, Inc.,
Canopy Bar Inc.,
Canterbury Development Co., Inc.,
Cape May Transfer Incorporated,
Capitol Electronics Co.,
Capitol Manufacturing Corporation,
C.A. Plume Co.,

Capri Coat Company, Inc.,
Capri Dairy Products,
Capri Fashions, Inc.,
Capri Neckwear Company,
Capro and Heri Plumbing Company,
Captain Nemo,
Caracas Corporation,
Caramba-Metropolitan Bottlers, Inc.,
Caravella Holding Co.,
Cardinal Agency, Inc.,
Carentan Sportswear, Inc.,
Carey and Jessee Inc.,
Cargo Cool Corp.,
Carho Leasing Co., Inc.,
Caridi's Bar, Incorporated,
Car Land, Inc.,
Carl F. Helbig & Company,
Carlin Builders, Inc.,
Carlin Manufacturing Co. Inc.,
Carlin Realty Co., Inc.,
Carlisle-Bennett Automotive,
Carl Olla, Inc.,
Carlson Chemical Corp.,
Carl's Ridge Club, Inc.,
Carmela Bianchi, Inc.,
Carol Ann Bergen Ave., Inc.,
Carol Estates, Inc.,
Carolina Garage Company,
Carolina-Southern Truck Stop, Inc.,
Carol Modes Coat & Suit Co.,
Carolyn Furs, Inc.,
Carousel Photographers, Inc.,
Carousel of South River, Inc.,
Carragher Home Improvement Co,
Carr Auto Parts, Inc.,
Carroll Advertising Agency, Inc.,
Carr's Diner,
The Car Sales Company,
Carter Shoe Corp.,
Carver Homes, Inc.,
Car Wholesalers of New Jersey,
Casa Bella Building Corp.,
Casa D'Este Inc.,

Casa Modern, Inc.,
Casazza Bros., Inc.,
Casharkey Inc.,
Cash Motor Sales, Inc.,
Cash Supply Company,
Casino Arena Attractions, Inc.,
Castle Custom Homes, Inc.,
Castle Laundry,
Castle Sales, Inc.,
Castor Brothers of New Jersey, Inc.,
Cathedral Construction Co. Inc.,
Cavalier Sportswear Co., Inc.,
Caven Point Corporation,
Cay-Jol Products Co.,
C. & B. Auto Sales, Inc.,
C. B. Corkey Associates, Inc.,
C. & D. Warehouse, Inc.,
Cedar Lane Photographers, Inc,
Cedar Park Homes, Inc.,
Cedar Post Market, Inc.,
Cederholm Construction Company, Inc.,
Cemco, Inc.,
Centennial Ten,
Centerville Laurel Estates, Inc.,
Central Air Conditioning & Sheet Metal Works, Inc.,
Central Auto Sales Co. Inc.,
Central Cab and Livery Service, Inc.,
Central Freight Service Inc.,
Central Investing Company,
Central Jersey Broadcasting Company,
Central Jersey Enterprises, Inc.,
Central Jersey Foods, Inc.,
Central-Orange Realty Corporation,
Central Outfitters, Inc.,
Central Park Village, Inc.,
Central Plastering Co.,
Central Publication, Inc.,
Central Record Stores,
Central State Fuel Transporters Incorporated,
Central Suburban Estates, Inc.,
Central Transportation Co., Inc.,
Central Valley Contracting Corporation,

Centre Mills, Inc.,
Century Finance and Management Corp.,
Ceramics Corporation of America, Inc.,
Certified Cash Stamp Co., Inc,
Certified Microfilm, Inc.,
Cestone & Stamato, Inc.,
C & G Holding Co., Inc.,
Chalet Steak House Inc.,
Challedon Realty Co., Inc.,
Chambers Realty Company,
Chamco Products, Inc.,
Champion Container Corp.,
Channel Lock Siding Co.,
Chapel Paint Co., Inc.,
Char-El Corporation,
Chariot Motors,
Charity Dividend Stamp Co. of N. J.,
Charles A. Brown, Inc.,
Charles C. Thomas Corporation,
Charles D. Reeves, Inc.,
Charles Foods,
Charles H. Haupt Manufacturing Co. Inc.,
Charles L. Bowen & Co. Inc.,
Chas. Patti, Inc.,
Charles' Restaurant, Inc.,
Charles Richard Realty Company,
Charles Williamson & Company,
Charles W. Williams & Company,
Charter Chrome Craft, Inc.,
Chatham Hotel, Inc.,
Chattwood Homes, Inc.,
Cheesequake Ridge Inc.,
Chem-Alloy Corporation,
Chemical Charcoal Company, Inc,
Chemograph Corp.,
Chempro Laboratories, Inc.,
Chempro Sales Co.,
Cherry Hill Homes,
Cherry Sportswear, Inc.,
Cherry Valley Builders,
Cherry Valley Homes,
Chester Distributing Co., Inc.,
Chester's Tavern, Inc.,

Chester T. Kalicki Construction Co. Inc.,
Chestnut Ridge Farms, Inc.,
Chet and John's, Inc.,
Chez Lumber Co.,
Chic Apparel, Inc.,
Childrensland Co., Inc.,
Chilton Garment Co., Inc.,
Chimmy's,
China Joy Inn,
Choy China Clipper,
Chrismuir,
The Christoffers Publishing Co.,
Christy Motors, Inc.,
Christy's Appliances, Inc.,
Churchill's of Spring Lake., Inc.,
Cibon, Inc.,
Cinderella Coat Co.,
Cinderella Salons, Inc.,
Cindy-Lee Sportswear, Inc.,
Cinematic Corp.,
Circle Diner, Steaks, Chops and Seafood,
Circle Motor Sales Inc.,
Circle and Square, Inc.,
Circlora Company,
Cisco's,
C. & J. Restaurant and Luncheonette,
Claire Shoppe of Plainfield, Inc.,
Clarice Motors, Inc.,
Clark-Craft Corporation,
Clark Estates, Inc.,
Clark, Inc.,
Clark Property Corp.,
Clarkton Hardware, Inc.,
Claumart Co., Inc.,
Clause Realty Corp.,
Clayton J. Newman, Inc.,
Clayton Ready-Mix Company, Inc.,
Clemat, Inc.,
Clement Coal Company., Inc.,
Clement Construction Company,
Clend Company Inc.,
Clerico Associates, Inc.,
Cliff Holding. Co. of Newark, New Jersey,

Cliff Trucking Corporation,
Clifton Dari-Delite, Inc.,
Clifton Food Company,
Clifton Hardware Co.,
Clinton Paint Store, Inc.,
Clive Card Shops, of N. J. Inc.,
Cloister Construction Company,
Closter Homes, Inc.,
Clover Florist Inc.,
Clover Hill Gardens, Inc.,
Club Caddy, Inc.,
Club Midway, Inc.,
Club 36, Inc.,
Club Zebra,
C. & M. Realty Corporation,
C. M. S. Inc.,
C & M Sportswear, Inc.,
C.N.C. Food Markets, Inc.,
Coasta-Tre, Inc.,
Coast Construction, Inc.,
Coast Enterprises, Inc.,
Coast Homes, Inc.,
Coast Plumbing & Heating Co.,
Cochita Sales Co.,
Cohen & Weiss, Inc.,
Colby Mfg. Corp.,
Cole and Lepre, Inc.,
Colfax Knitting Mills, Ltd.,
Collings' Lakes Colony Club,
Collings' Lakes, Inc.,
Colonial Car Wash System of New Brunswick, Inc.,
Colonial Developers, Inc.,
Colonial Electronics Corporation,
Colonial Homes Inc.,
Colonial Investment Co.,
Colonial Luncheonette, Inc.,
Colonial Silver Co., Inc.,
Colonial Village, Inc.,
Colony Coffee Shop,
Colony Liquors Inc.,
Colony Theatre, Inc.,
Color Center, Inc.,
Columbia Construction Co., Inc.,

Columbia Refrigeration Company, Inc.,
Columbia Wines & Liquors,
Columbus Provision Co.,
Coman Company, Inc.,
Combined Santorian Enterprise,
Combuff Products, Inc.,
Comfort Shoes, Inc.,
Commerce Finance Co.,
Commercial Holding Company,
Community Pork Packers, Inc.,
Community Shopping Center Inc.,
Concord Gas & Oil Corporation,
Conditioning Associates, Inc.,
Conover Construction Co., Inc.,
Conrad J. Ringlieb Contracting, Inc.,
Consolidated Land Co.,
Construction Investment Co.,
Constructors Associates Corp.,
Consultant Associates, Inc.,
Consumers Dividend Plan, Inc.,
Consumers Plumbing & Heating Company,
Consumers Realty Co.,
Consumers Sales Service, Inc.,
Consumers Service Corporation,
Container Pick-Up Service, Inc.,
Continental Budget Company,
Continental Fibre Mills, Inc.,
Continental Screen Engraving Corp.,
Cook Industries, Inc.,
Co-Operative Purchasing Co., Inc,
Cooper Knitwear Co.,
Cooper Point Steel Setting Co,
Copper Printing Rolls Corp.,
Copru Realty Co. Inc.,
Cora Footwear, Inc.,
Corlies Holding Co.,
Cornell Builders, Inc.,
Cornell Lumber and Millwork Company, Inc.,
The Corner Bar, Inc.,
Corner Confectionery, Inc.,
Coronet Construction Co.,
Coronet Sales Co.,
Coronet Textile Screen Engraving Corporation,

Coronet Warehouse Corp,
The Corral,
Cortland Mortgage Associates Inc.,
Cosman Homes, Inc.,
Cosmetics International,
Cos-Par Corporation,
Cost Control Chemical Corp. #1,
Costello Bros., Inc.,
Cott Distributors of Central Jersey, Inc.,
Cott Newark Distributors Inc.,
The Country Club of New Jersey Inc.,
Country Homes of Mt. Holly,
Country Life Estates, Inc.,
Country Manor, Inc.,
Country Sales Incorporated,
Country Squire Cleaning Co., Inc,
Countrywood Estates, Inc.,
County Bus Lines,
County Contracting & Holding Co. Inc.,
County Credit Corp.,
County DeSoto Plymouth,
Courtcraft Mfg. Corp.,
Cowan & Dilks., Inc.,
C. P. Hoagland Co., Inc.,
C.P. Wholesale Fruit Co., Inc,
Crabudd, Inc.,
Craftline Builders, Inc.,
The Craigher Agency, Inc.,
Cranbury Frozen Food Center,
Cranford Distributors, Inc.,
C. & R. Contractors, Inc.,
Creative Modernizers of North Jersey,
Credit Exchange, Inc.,
Crescent Garage Corp.,
Crescent Kitchen Cabinet Corp.,
Crescent Laboratories, Inc.,
Crescent 1-Hour Drive In Cleaners,
Crescent Yarn Corporation,
Crest Agency, Inc.,
Crest Realty Corp.,
Crest Silver Manufacturing Co Inc.,
Crest Textile Processing Corporation,
Crestview Swim and Country Club,

Cristini Builders,
Cromwell Construction Co.,
Cross & Cross Shoes Inc.,
Crown Associates, Inc.,
Crown Coffee Bar, Inc.,
Crown Steel Products Corp.,
Crown T.V. Inc.,
Croydon Realty Co., Inc.,
Cruller and Doughnut Baking Co. of Passaic, N. J., Inc.,
Crystal Park Building Co.,
C. T. H. Corporation,
Cumberland Beverage Co.,
Cunningham Lumber Company,
Cury Properties, Inc.,
Cury's-Clifton, Inc.,
Cury's-Elizabeth, Inc.,
Cury's-Hackensack, Inc.,
Cury's-Kearney, Inc.,
Cury's-Linden, Inc.,
Cury's-Passaic, Inc.,
Cury's-Ramsey, Inc.,
Cury's-Somerville, Inc.,
Cury's-Union, Inc.,
Custom Built Homes, Inc.,
Custom Die Castings, Inc.,
Cutler Metal Products Co.,
C & V Coat Company,
C.V.S. Realty Co., Inc.,
C.&W. Mfg. Co.,

Dabar Services, Inc.,
D & A Builders, Inc.,
D. A. J., Inc.,
Dalcon Engineering & Fabricating Co. Inc.,
Dale Lyn, Inc.,
Dale Pompton Realty Co. Inc.,
Daleridge Building Corp.,
Dale Shops, Inc.,
Dalu Corporation,
Damiano Bros., Inc.,
Dana-Schreiber Mortgage Company,
Danza, Inc.,

Darbab Inc.,
Dar-Ee Delish Co., Inc.,
Dari Bar, Inc.,
Darling Construction Company Inc.,
Darling, Inc.,
Dart Dasher Inc.,
Datar Associates, Inc.,
"Daven Electronics Sales Corp.,"
Dave's Drive In, Inc.,
Dave's Loan Office,
David Weiss and Sons, Inc.,
Davis, Cork & Bottle, Inc.,
Davlyn Inc.,
Dawson & Mills, Inc.,
Daxe-Kirby Company,
Day-Ray, Inc.,
D. & D. Developers, Inc.,
D & D Trucking Co., Inc.,
Dealers Wholesale Supply Co. Inc.,
Dean Agency, Inc.,
Dean Pipeline Construction Co., Inc.,
Dearborn Village, Inc.,
Deb-Lynn, Inc.,
Debra Construction Co., Inc.,
Deb Service Corp.,
Decon Construction, Inc.,
Decorator's Den,
Decorators Mart, Inc.,
Dee Jay's U-Drive-It Boats, Inc.,
Deerfield Finance Co.,
Deer Park Baking Co.,
De Graaf Bros. Bulb Co. Inc.,
Delan Realty Corporation,
Delaware Interstate Express Company,
Delaware Iron Works, Inc.,
Delaware Properties, Inc.,
Delaware Valley Aluminum Corporation,
Delaware Valley Aviation, Inc.,
Delaware Valley Builders, Inc.,
Delaware Valley Building Supply Corporation,
Delaware Valley Concrete Co., Inc.,
Delaware Valley Finance Co.,
Delaware Valley Fire Equipment Corp.,

Delaware Valley Import & Export Co.,
Delaware Valley Sand & Stone Co. Inc.,
Delgar Realty Corporation,
Delldale Fuel Oil and Supply Company,
Dell's of Tenafly Inc.,
Delman's, Inc.,
Del Marr Optical Service Inc.,
Del Monte Frocks, Inc.,
Delray Beach Inc.,
Delsea Estates, Inc.,
Dels Furniture Co.,
De Luxe Bar and Grill, Inc.,
De Luxe Pastry Co.,
De Luxe Pie Co.,
Delva Development Company,
Del-Val Construction Co., Inc.,
Delwood Developing Co., Inc.,
Demar Corporation,
D-E-M Contractors, Inc.,
Denis Restaurant, Inc.,
Dennis-Toni Corporation,
Derose & Larocca Construction Co. Inc.,
Desil Corporation,
Detroit Motors Corporation,
Devaull's, Inc.,
Devon Originations,
D. F. C. Enterprises, Inc.,
D & G Estates,
D.G. Realty Company, Inc.,
Dial Cleaners,
Diamond Beach Hotel Corporation,
Diamond Cornice & Slipcover Corp.,
Diamond Hard Chromium Company, Inc.,
Diamond Lines, Inc.,
Diamond Sand & Stone Co.,
Diamond Smoke Shops, Inc.,
Diane Homes, Inc.,
Diane Realty Company,
Diehl Valve Co., Inc.,
Digby's of New Jersey, Inc.,
Dilts Taxi Service, Inc.,
Directory Publishing Corp.,
Disman Investment Corporation,

Displayfully Yours,
Dixon Enterprises, Ltd.,
D. & J. Meat Corp.,
D. J. Rosenfeld, Inc.,
D & J Social Bar, Inc.,
D. & K. Realty Company,
D & M Corporation,
D. M. Fleming Co.,
D. & M. Restaurant, Inc.,
Docktor's Pet Supplies of New Jersey,
Dock Watch Pit and Quarry, Inc.,
Doctors Telephone Service, Inc.,
Dodger Bar, Inc.,
Dogwood Realty Co., Inc.,
Do-It-Ur-Self of Bergen County, Inc.,
D. O. K. Enterprises,
Dolly's Vogue Bridal, Inc.,
Domal Realty Corp.,
Domestic Coat and Apron Company,
Domino Packing Co.,
Donato's, Inc.,
Donna-Rae Dress Shop, Inc.,
Donnelly Inc.,
Donomore Moving and Storage Company,
Doreen Cleaning Corp.,
Doremus Diner,
Dorian Motors, Inc.,
The Doric House,
Dorlin Corporation,
Dorrow Construction Co.,
Dorsch's Modern Baking Co., Inc.,
Dottie Investments,
Douglas Construction Corp.,
Douglas Equipment Corporation,
Douglas Holding Co.,
Dover Dell Sales Corp.,
Dover Realty Corporation,
Downtown Esso, Inc.,
D P and K Construction Co., Inc.,
Drake Laboratories, Inc.,
Drake Manufacturing Company, Inc.,
Dras Construction, Co., Inc.,
Drexel Auto Servicenter, Inc.,

Drive In Auto Sales, Inc.,
Driveway Corp.,
Drum, Inc.,
Drying Equipment, Inc.,
Dry Wall Construction Co. Inc,
Dry Wall Products, Inc.,
D. S. Greenberg & Son, Inc.,
D. & S. Metals, Inc.,
D & T Clothing Company, Inc.,
Dual Auto Sales Inc.,
Dual Motor Sales Inc.,
Ducky Donuts Co.,
Dude Shirt Shop, Inc.,
Dudley Construction, Inc.,
Dufford Estate,
Duggan Safety Products Co., Inc.,
Du Mont Cleaners, Inc.,
Dumont Garage,
Dumont Jalousie Corp.,
Dumont Paint Supplies Inc.,
Dumont Sport Centre Inc.,
Dunbar Realty and Investment Company,
Dunellen Builders, Inc.,
Dunhill Manor, Inc.,
Dun-Rite Installation Co., Inc.,
Duralloy Shading Industries, Inc,
Duralloy Transportation Co.,
Durand Realty Co.,
Du-Rite Builders, Inc.,
Durst, Inc.,
Duval Sportswear, Inc.,
D. and V. Corporation,
D. W. McGee Construction Co.,
Dyke Machine Works, Inc.,
Dym Gift Certificate Co.,
Dynafreeze Corp.,

Eagle Equipment Corp.,
Eagle Home Developers, Inc.,
Eagle Messenger Express Inc.,
Eagle Rock Mountain Estates,
Eagle Vending Company Inc.,
Eagle Warehouse Sales, Inc.,

East Brunswick Electrical Supply Co.,
East Coast Cold Storage, Inc.,
East Coast Machine & Foundry Corp.,
East Coast Landscape Service, Inc.,
Eastern Abstract & Mortgage Co.,
Eastern Edible Refinery Corp.,
Eastern Excavators, Inc.,
Eastern Feed Co. Inc.,
Eastern Home Builders,
Eastern Investment Co.,
Eastern Realty Inc.,
Eastern Seaboard Acceptance Corp.,
Eastern Tube Corp.,
Easton Wood Products, Inc.,
East Orange Associates, Inc.,
East Orange Hamburger Express Inc.,
East Rutherford Plumbing Supply Co. Inc.,
East West Loading Co.,
Eastwood Estates, Inc.,
Eat Well Restaurant, Inc.,
Echo Lake Estates, Inc.,
Eclipse Shoes Stores, Inc.,
Economy Bag and Burlap Co.,
Ed-Am Construction Co., Inc.,
Edba Realty Co., Inc.,
Edenwood Land Company,
Edison Holding Corp.,
Edith M. Barmore, Inc.,
The Edkay Corporation,
Edmar Builders, Inc.,
Ed-Mar Flooring,
Ed. Metzel, Inc.,
Edmon Company,
Edna & Hazel Sweet Shoppe, Inc,
Edstan Builders, Inc.,
Edward Associates, Section One,
Edward F. Samojednik, Inc.,
Edward H. Nusbaum, Inc.,
Edward J. Cort Company, Inc.,
Edwards Housewrecking Corp.,
E. E. Zeek, Inc.,
Egan Aluminum Products Corp.,
Eggspress, Inc.,

1890 House, Inc.,
"881" Distributors, Inc.,
819 Club Inc.,
821 Madison Avenue, Inc.,
E. & J. Corp.,
Elaine Shoppe, Inc.,
Elastizell, Northeastern, Inc,
Elberon Estates, Inc.,
Elby Agency, Inc.,
Elco Construction Co.,
Eldredge & Phillips Incorporated,
Electric Air-Brake, Inc.,
Electrical Instrument Mfg. Co.,
Electric Car Company of New Jersey,
Electric Service Company, Inc.,
Electro Mechanical Research Corporation,
Electronic Educational Toys Inc.,
Electro-Temp. Inc.,
Elef Corporation,
Elem Corporation,
1180 Company,
The 1154 Corporation,
Elf Scouts, Inc.,
Elizabeth Lane Association,
The Elizabeth at 200 Broad St., Inc.,
Eljo Processing Co., Inc.,
Elkay Photo Products Inc.,
El-Ken Co., Inc.,
Elker Park Construction Co. Inc.,
Elkwood Hotel Corporation,
Ellen Colt Company,
Ellis Electric Company,
Ellison Trucking & Transfer Co., Inc.,
Elm Company, Inc.,
Elm Court, Inc.,
Elmora Bootery, Inc.,
Elms Holding Corp.,
Elmwood Bar & Grill, Inc.,
Elro Corporation,
Elro Realty Co., Inc.,
Elson Realty Co. Inc.,
Elstan Realty Co.,
Elvira Realty Co.,

Emanuele Realty Co. Inc.,
Embassy Baking Corp.,
Embassy Florist, Inc.,
Embassy Trading Co., Inc.,
Emfred Construction Co., Inc.,
Emil Fashions, Mfg., Co., Inc.,
Emilson Contracting Co., Inc.,
Emireau Corporation,
Empire Fire Alarm Company,
EMR Construction Corporation,
ENEP Corp.,
Engel Construction Co.,
Engineered Structures, Inc.,
Englewood Chrone Plating Corp.,
Englewood Television, Incorporated,
Enkoch, Inc.,
Enterprise Engineering and Construction Co. Inc.,
Enterprise Realty Corporation,
Enterprises Inc.,
Entertainment Enterprises, Inc.,
Equity Enterprise Corp.,
Eric Buchman & Co.,
Eric Walters Inc.,
Erlton Park Manor, Inc.,
Ernest A. Vardalis Agency, Inc.,
Ernest Builders,
Erskine Estates,
Esco Contractors, Inc.,
Esquire Home Builders, Inc.,
Ess & Bee Realty Co.,
Ess and Dee Co. Inc.,
Essex Century Company,
Essex County Property, Inc.,
Essex Vending Corporation,
Essy Corp,
Essy Service, Inc.,
Esther-Lou Realty Corp.,
E.S. Trucking Co.,
Eugene A. Deutsch Associates,
Eugene C. Margiotta, Inc.,
Eureka Oil & Gas Company,
Evans Colony Restaurant, Inc.,
Evanson Equipment Company,

Eva's Tavern,
Evelyn Embroidery Mfg. Co., Inc.,
Evelyn Realty Co. of Passaic County,
Evergreen Dairies, Inc.,
Evergreen Realty Co., Inc.,
Everly Construction Company,
The Evesham Development Co. Inc.,
Executive Lease Co., Inc.,
The Exeter Company,
Exhibitioneers, Inc.,
E-Z Clamp Company,
E-Z Maid Drinks Inc.,

Fabko Corp.,
Fabricators Supply Co. of Bound Brook,
Fabric Fair of Hackensack, Inc.,
Factors of New Jersey, Inc.,
Factory Parking Corporation,
Facts for Industry Inc.,
Fagin Realty Corporation,
Fair Lawn Diner, Inc.,
Fair Lawn Machine Products, Inc.,
Fairlo Leasing Company,
Fair Motors, Inc.,
Fairview Estate Apartments,
Fairview Gardens Inc.,
Fairview Mausoleum Company,
Fairview Realty Company,
Fairwood Motors, Inc.,
Falge Holding Corporation,
Family Liquor Store, Inc.,
Famous Realty Corporation,
Fanar, Inc.,
Fancy Concrete, Inc.,
Fanelli Homes Inc.,
Fan-Lee Realty Co., Inc.,
Fanlin Textiles, Inc.,
Fara Company,
Farmers Market Operating Co.,
Farmingdale Farms, Inc.,
Farrell and Zule,
Fashion Sportswear Co.,
Fast Dyeing Corp.,

Fastex Prints Inc.,
Faulkner Chemical Co.,
Fayann Builders, Inc.,
F. D. Curcio, Inc.,
F. D. Inc.,
Federal Equipment Manufacturing Corporation,
Federal Refrigeration Co., Inc.,
Fem Laundries, Inc.,
Fenmore Realty Co.,
Fenton Tool Company, Inc.,
Ferrara Agency,
Ferris Homes,
F. E. Smith Company,
The Fiberglass Pool Corporation,
Fiedler, Inc.,
1575 Walker Corporation,
1503 Springwood Avenue Corporation,
15 Johnson Rd., Inc.,
Fifth Avenue Fashions, Inc.,
59 Club, Inc.,
51 Arlington Street Corp.,
The Film Group,
Filter-Matic Corporation,
Filter Queen, Inc.,
Fine, Inc.,
Finest Lace and Embroidery Co.,
Fire Safety League of N. J.,
First Capital Corporation,
First Delaware Valley Corporation,
First Main Corporation,
First Services Corporation of New Jersey,
First St. Corporation, Inc.,
Fisher's Express, Inc.,
The Fishery Inc.,
The Fitzgerald Holding Company,
544 Newark Ave. Corp.,
543 Cedar Lane Corporation,
512 Observer Highway Corp.,
Five Points Liquor Mart,
F. J. Mc Dermott & Co., Inc.,
Flag Construction Company,
Flagler Products, Inc.,
Fleet Service, Inc.,

Fleischman Bros. Inc.,
Fleming Chemical Company,
Fleming's Wine & Liquor, Inc.,
Flemington Development Corp.,
Flex-Art Products, Inc.,
Flexiglass Manufacturing Corp.,
Flexmir, Inc.,
Flex-O-Tube Company, Inc.,
Flip Corporation, Inc.,
Flocktex Corp.,
Flo-Mae, Inc.,
Floorcraft, Inc.,
Floral, Inc.,
Florence Homes, Inc.,
Florenzo Food Products Co., Inc.,
Florida Fashion Shop, Inc.,
Florida-West Coast Development Corporation,
Florio Electric Corp.,
Flo's Bar and Grill,
Flotex Corporation,
The Flower House, Inc.,
Flower Realty, Inc.,
F & L Sportswear, Inc.,
Fluid Chemical Company Incorporated,
Fluorocraft, Inc.,
F. Manion & Son, Inc.,
F.M. Nagle and Sons, Inc.,
F. & M. Plumbing Supply Co. of N. J. Inc.,
F & M Realty Company of Riverside,
Foam Rubber Center Ltd.,
Fodor's Elastic Warping Corp.,
Fogel-New Jersey Sales, Inc.,
Fogel-Simon Refrigeration Co.,
Fogmaster, Inc.,
Foray Corporation,
Ford Motel, Inc.,
Forest Air Sales Corp.,
Forest Brook Corporation,
Forest and Tomaso Paving Co., Inc.,
Forked River Lagoon Corporation,
Form-Al Fashions, Inc.,
Fort Associates, Inc.,
Fort Lee Outdoor Store, Inc.,

41 Beech Street Corporation,
4201 Bergenline Avenue, Inc.,
Forty Washington Street Corp.,
Fosters Tavern, Inc.,
Foundry Liquidators, Inc.,
Four Jays Realty Co., Inc.,
Fourteen Thornbury Avenue Corporation,
Four Way Cleaning Co.,
Fox Hollow Farms, Inc.,
Fox Shoes, Inc.,
Frace Realty Corp.,
Frank A. Miele Corp.,
Frank Berlant Co., Inc.,
The Frank Company,
Frank Dailey's Meadowbrook, Inc.,
Frankie's Industrial Center,
Frankie's Nomad Club Inc.,
Franklin Bindery, Inc.,
Franklin Esso Servicenter,
Franklin-Hamilton Homes, Inc.,
Franklin Lakes Farm, Inc.,
Franklin Manor Homes, Inc.,
Franklin Somerset Corp.,
Frank P. Barile Holding Co.,
Frank Rizzo, Inc.,
Frank's Bar & Grill, Inc.,
Frank's Lafayette Grill, Inc.,
Frebard, Inc.,
The Freddie Herman Corporation,
Freddie's Diner, Inc.,
Fred D. Williams, Inc.,
Freddy G's Uptown Bar & Grill,
Frederic H. Pilch, Inc.,
Frederick X. Veile Agency, Inc.,
Fredmart, Inc.,
Freedom Taxi Co., Inc.,
Freehold Frozen Food Lockers, Inc.,
Freehold Properties, Inc.,
Freel Corporation,
Freeman & Bird,
Frejo, Inc.,
Fremat Realty Corporation,
French Tool & Mfg. Co.,

Fren-Ly Diner, Inc.,
Fribellene Enterprises, Inc.,
Friday and Sunday Nites Club,
Fritz Realty Corp.,
F. & R. Markets, Inc.,
Front Realty Co.,
Fuel-O-Matic Co.,
Fuels Incorporated,
Fulton Building & Contracting Co.,
Fulton Meats, Inc.,
The Fulton Publishing Company, Inc.,
Furmick's Tavern, Inc.,
Furniture City Stores, Inc.,
Futuramic Furniture Co.,
Future Building Corporation,

Gafy Sales, Inc.,
Gailmark Manufacturing Corporation,
Gallagher and Rubenstein Company, Inc.,
Gall Corp.,
Gallof Construction Co., Inc.,
Gallup's Inc.,
Galro Corporation,
Galwen Plumbing Contractors, Inc.,
Gamble United Bowling Service, Inc.,
Gambuck Construction Co.,
Gant Contracting Co., Inc.,
Gap-View Golf Range, Inc.,
Garden-Empire Construction Corporation,
Garden Restaurant, Inc.,
Garden Spot Inn, Inc.,
Garden State Egg Distributors,
Garden State Food Buying Service, Inc.,
Garden State & Griswold Tree Experts, Inc.,
Garden State Heating and Contracting Co.,
Garden State Industrial Park,
Garden State Masonry Corporation,
Garden State Parkway Construction Co. Inc.,
Garden State Plumbers Service Corp.,
Garden State Pool Corp.,
Gardner Distributing Corp.,
Garfield Construction Co., Inc.,
Garfield-Grant, Inc.,

Garford Realty Company,
Garford Trucking, Inc.,
Gargan, Wollman and Company,
Gar Homes, Inc.,
Garinger Homes, Inc.,
Garlaw Homes Inc.,
Gar Realty Co.,
Garrett Door Co., Inc.,
Garrett Sales Co., Inc.,
Garrison Contracting Co.,
Gartland Motors, Inc.,
Gary Allstate Building, Inc.,
Gateway Construction Co., Inc,
Gay Blades Ice Club & Rink, Inc.,
Gay Fashions Inc.,
G. & C. Air Conditioning Service, Inc.,
G & C Holding Company,
G. D. S. Corporation,
Gem Meter Co.,
Genecy Construction Corp.,
Genecy Development Corp.,
General Buildings Corporation,
General Building Supply Corporation,
General Coil & Transformer Co,
General Commerce Corp.,
General Home Remodelers, Incorporated,
General House Wrecking Co.,
General, Inc.,
General Luggage Co. Inc.,
General Mines and Securities Corporation of America,
General Pharmacal Company,
General Sales & Products Co.,
General Schiffli Embroidery Works,
General Semi-Conductor Corp.,
General Textile Processors,
Gentry, Inc.,
George C. Pappas Company,
George Hamrah and Co., Inc.,
George Homes, Inc.,
George London, Inc.,
George Matera, Inc.,
George Nicholas, Inc.,

George N. Umphrey, Inc.,
Geo. Pashkow Corporation,
George's Auto Wholesalers,
George's Club 28,
Georgetowne, Inc.,
Geo. W. Boehme, Inc.,
Georglyn, Ltd.,
Gerlou Improvement Company,
Germax Realty Corp.,
Geroda Realty Co.,
Gert Holding Corporation,
Getco, Inc.,
Getz Enterprises, Inc.,
G. & G. Holding Company,
G & G of N. J. Inc.,
G. & G. Service Garage, Inc.,
G. & H. Excavating Co.,
G. H. G. Corporation,
Giant Shows Co. Inc.,
G. I. Auto Salvage Co., Inc.,
G. I. Corporation,
The Gidget Corporation,
Gildick Realty Co.,
Gil-More, Inc.,
Gilson's Inc.,
G. I. Manufacturing Co.,
Giorgio Properties, Inc.,
Gitomer Realty Company,
G. K. Enterprises,
Glades Distributors, Inc.,
Glencrest Homes, Inc.,
Glendora Esso Servicenter,
Glen Eagle, Incorporated,
Glen Homes Corp.,
Glenside Realty Company,
Glimmer Glass Yacht Service, Inc.,
Glomol Mfg. Corp.,
G & M Developers, Inc.,
G. & M. Supply, Inc.,
G. & N. Baking Corp.,
Gold Brand Products, Inc.,
Golden Furniture Company,
Golden Gate,

Golden Key Realty Corporation,
Golden Lion Truck Terminal, Inc.,
Goldman Bros. Corporation,
Goldman's Restaurant, Inc.,
Gold Ribbon Fresh Frosted Meats, Inc.,
Gold Seal Homes,
Golley's Cesspool Service,
Goodman & Son Self Service Market, Inc.,
Goodyear Motors, Inc.,
Goodyear Raincoat Co.,
Gordon Baking Corporation,
Gould Uniform Corp.,
Governor Haines, Inc.,
Grace Brooke Inc.,
Grace Guy, Inc.,
The Grace Realty Company of Trenton,
Gracette Corp.,
Gramar Construction Company Inc.,
Gramay Corporation,
Grande Contracting Co. Inc.,
Grand Estates, Inc.,
Grantcliff Building Co.,
Grant Homes, Inc.,
Grayln's of Jersey,
Gray's Ferry Road Corp.,
Great Bay Construction Co.,
Great Eastern Industrial Corporation,
Greater New Jersey Newsdealers Co. Inc.,
Greater Penns Grove Shopping Center, Inc.,
Greco Artist & Church Decorators Co.,
Greenbrook Cabana Club,
Greenbrook Plumbing and Heating Company,
Green Contractors Co., Inc.,
Green Hills Construction Co. Inc.,
Green-Lan Development Co.,
Green-Lan Homes, Inc.,
Green Manor Associates, Inc.,
Green Thumb Gardeners, Inc.,
Greenview Apartments,
Greenview Homes, Inc.,
Greenville Garden, Inc.,
Greenville Paint & Hardware Co, Inc.,
Greenville Realty Company, Inc.,

Greenwood Estates,
Greenwood Lake Hotel and Bar, Inc.,
Greenwood Packing Co., Inc.,
Gregor Journal Square Co.,
The Gregory Co.,
Gremar Realty Corp.,
Grenwich Realty Co.,
The Grob Company,
Grocery Dispatch, Inc.,
Grod's Inc.,
Gromain Corporation,
Grosso Construction Co, Inc.,
Grotto Realty Corporation,
Growers Appliance Company,
Guaranteed Transport Rental Co, Inc.,
Guardian Diversified Corporation,
Gulf Realty Corporation,
Guttenberg Silk Finishing Corp.,
Guys and Dolls Inc.,

Hackensack Realty Corp.,
Haddon Heights Taxi Company, Inc.,
Haddon Hosiery Mills Corp.,
Haddon Window Sales, Inc.,
Hagerstrom, Inc.,
H. A. Harris & Sons, Inc.,
Hajduk Bus Company,
Half-Day Corporation,
Half Moon Country Club,
Halmco Realty Co. Inc.,
Halsey Corporation,
Hamilton Chair Company, Inc.,
Hamilton Construction Co.,
Hamilton Cross Corporation,
Hamilton Estates, Inc.,
Hamilton Industrial Corp.,
Hamilton & Sweeney, Inc.,
Hamilton Tire Co. Inc.,
Hammond and Di Natale, Inc.,
Hammonton Furniture Sales,
The Hampshire Corporation,
Hampton Heights Estates,
Hampton Lakes Beach Club, Inc.,

Hampton Lakes Beach and Tennis Club, Inc.,
Hampton Lakes Realty Corp.,
Hampton Park Corporation,
Hancock Products, Inc.,
Haning Realty Co., Inc.,
Hannah's, Inc.,
Hanover Realty Co.,
Hanover Rest Home,
Hansen-Jensen, Inc.,
Happy Hours Day Camp,
Harber Investment Co.,
Harbern, Ltd.,
Hardy Pants, Corp.,
Hardy Tool Mfg. Co.,
Hargilee Corp.,
Hargood Holding Company,
Harlee Whelan Drugs, Inc.,
Harlou Construction Co., Inc.,
Harman Enterprises, Inc.,
Harmay Dress Co., Inc.,
Harrifirst Realty Corp.,
Harrington Heights, Inc.,
Harris & Boate, Inc.,
Harrison Food Corp.,
Harrison Park Investment Corporation,
Harry's Restaurant, Inc.,
Harry Weinstein, Inc.,
Harthili, Inc.,
Hartigan Homes, Inc.,
Hartlan Realty Development and Construction Company, Inc.,
Harvard Homes Corporation,
Harwood Estates, Inc.,
H. A. S. Holding Corp.,
Hayes Associates,
Hayes & Carragher Corporation,
Haylan Homes, Inc.,
H. B. Bloch & Co., Inc.,
H & B Hardware,
H. B. Martin Real Estate Co.,
Headway Carrier Corporation,
Heat Service, Inc.,
H & E Holding Co., Inc.,

Heiberg Plumbing and Heating, Inc.,
Heine Realty Company,
Heine's Furniture Co.,
Heirloom Clock Co.,
Helga Realty Co.,
Helios Carbons, Inc.,
Hellriegel Glass & Radiator Works, Inc.,
Helprin Construction Co., Inc.,
Helsa Corp.,
Henlo Iron & Steel Co, Inc.,
Henro Corporation,
Henro Marketing Co., Inc.,
Henry Fette & Co., Inc.,
Henry J. Grabe & Co, Inc.,
Henry Lynn Corporation,
Henry R. Nier Inc.,
Henry's Incorporated,
Henry T. Winters Construction Company, Inc.,
Herbert Associates, Section One
Herbert P. Cutler, Inc.,
Herbess, Inc.,
Herb Realty Company,
Hercules Bodybuilding Institute,
Hercules Construction Co., Inc.,
Herdman Department Store, Inc.,
Herman Byer Inc.,
Herman Cozcewith Company, Inc.,
Herman's Jewelry Department, Inc.,
Hersh Bedding Co., Inc.,
Hewitt Realty Corporation,
H & F Corporation,
H & H Hotel Management, Inc.,
Hidden Glen Homes, Inc.,
The Hi Diner Corp.,
Hi-Do Bake Shops, Inc.,
Highcrest Construction Corp.,
Highland Manufacturing Co. Inc.,
Highland Park Corporation,
High Ridge Corporation,
Highwood Construction Co.,
Hi-Grade Homes, Inc.,
Hillary Sales Corp.,
Hillcrest Development Co.,

Hillcrest Farms, Inc.,
Hillside Cleaners, Inc.,
Hi-Lo Fashions, Inc.,
Hilu Corp.,
Hiram Construction Co.,
Hi-Vita Pizza Inc.,
Hi-Way National Sign Co.,
Hi-Wood, Inc.,
Hlabek Realty Co.,
H. and L. Electronics Equipment Inc.,
H & L Tool & Machine Co. Inc.,
H. Metz, Inc.,
H. & M. Feinstein, Inc.,
Hobart Textile Corporation,
Hobgrove Realty Corp.,
Hoboken Variety Store, Inc.,
Hogans, Inc.,
Holiday Bar, Inc.,
Holiday Holding, Inc.,
Holiday Home Pools Inc.,
Holiday Motors, Inc.,
Holiday Park Homes, Inc.,
Holland Roseries, Inc.,
Holly City Realty, Inc.,
Holly Construction Co.,
Holly Drive Estates,
Holly Greens, Inc.,
Holly-Wood Mills, Inc.,
Hollywood Motors,
Hollywood Television Productions, Inc.,
Holt-Clarick Enterprises,
Holto Building Corp.,
Home Builders Mortgage Co.,
Home Comfort Products Company,
Home Dairy Farms, Inc.,
Home Fire Safety Council, Inc.,
Home Fuel Oil Company of Pompton Lakes,
Home Improvement Center Co.,
Homelife, Inc.,
Home Makers, Inc.,
Home Personal Products Inc.,
Home Rails, Inc.,
Home Service Stations, Inc.,

Homes For All America, Inc.,
Home's Inc. of Spotswood N.J.,
Homestead China Co.,
Homestead Construction Co., Inc.,
Homestead Lumber & Supply Company, Inc,
Home Swimming Pools, Inc.,
Home Town Land Company,
Home Town Section I, Inc.,
Home Town Section III, Inc.,
Home Town Section V, Inc.,
Home Town Section VII, Inc.,
Hopping-Phillips Motors,
Hopp's,
Horace Manor Construction Co.,
Horn's Poultry Farms,
Horse Shoe Lake Dairy,
Horton and Stocker, Inc.,
Hoskinson Free Heater Distributors,
Hot Dog Rendezvous,
Hotel Bel Air,
Hotel Bradley Inc.,
Hotel Lake Park,
Hotel New Windsor, Inc.,
Hotel Paramount, Inc.,
Hotel Ventures, Inc.,
House of Carpets, Inc.,
House of Fennessey, Inc.,
Housewife's Laundromat, Inc.,
Hovorka Compressor Co., Inc.,
Howard Enterprises, Inc.,
Howard Estates Inc.,
Howe Cafeteria, Inc.,
Howland Park,
Howlind Realty Co.,
H. R. Goeller, Inc.,
H. & R. Sandor, Inc.,
H.R.W. Realty Co.,
H. & T. Developers,
Hub-City Investment Company,
Hudson Can Machinery Company,
Hudson Filing Supplies, Inc.,
Hudson Financial Corp.,
Hudson Moire Company, Inc.,

Hudson of Orange, Inc.,
Hudson Packing Co. Inc.,
Hudson Plating & Construction Co, Inc.,
Hudson Super Market, Inc.,
Hunter & Co., Inc.,
Hunter Park Estates, Inc.,
Hupal Inc.,
Huyler Service Center, Inc.,
H-V Associates, Inc.,
H and W Diner, Inc.,
Hyer & Wallace Realty Co.,
Hy-Service Trucking,
Hy-Way Lighting Co., Inc.,

Ice Rings, Inc.,
I. Comora and Son,
Ideal Heating & Supply Co., Inc.,
Ideal Kosher Meat Market. Inc.,
Ideal Restaurant, Inc.,
I. Harris, Inc.,
I. & H. Realty Company, Inc.,
I.J. Sacks Associates Inc.,
Ilaars Company, Inc.,
Ila Hairdressers of Atlantic City, Inc.,
I.& L. Company, Inc.,
I. and L. Manufacturing Company, Inc.,
I. and L. Realty Company,
Imperial Design, Inc.,
Imperial Enterprises, Inc.,
Imperial Fibre Glass Industries,
Imperial Finance Service,
Imperial Metal Products Company,
Imperial Service Co.,
Impulse Sales, Inc.,
Independent Stitching Company,
Indian Hill Development Company,
Industrial Building and Contracting Corp.,
Industrial Caterers,
Industrial Development Real Estate Corp.,
Industrial Salvage Company, Inc.,
Industrial Testing Laboratory Corp.,
Industrial Textile Factors, Inc.,
Industrial Workers' Financial System,

Inic, Inc.,
Installations Co., Inc.,
Insulated Circuits, Inc.,
Insulex Securities Corporation,
Interair Parts Corp.,
Inter-City Agency,
The Interior Studio, Inc.,
International Atomic Devices Corporation,
International Construction Co, Inc.,
International Fireworks Company,
International Kennel Club Inc,
International Laminating Industries, Inc.,
International Productions Incorporated,
Interstate Caterers Ltd.,
Interstate Forest Products Corporation,
Interstate Rental Homes Inc.,
Interstate Salvage Corp.,
Ireland Thread Company,
Irene Dress Shop, Inc.,
Ironbound Laundry Co. Inc.,
Iron Forge Decorators, Inc.,
Ironia Estates, Inc.,
Irvington Boiler and Steam Engine Works, Inc.,
Irvington Cleaners & Dyers, Inc.,
Irv's Wine & Liquor, Inc.,
The Isabelle Corporation,
I.W. Susselman Sales Corp.,

The Jabberwock,
Jack Byrne's Tavern, Inc.,
Jack & Paul, Inc.,
Jack's Lucky Star, Inc.,
Jackson-Wade Corporation,
Jackson Winding, Warping and Sizing Co. Inc.,
Jack Warren Inc.,
Jacmar Embroidery Co., Inc.,
Jacob Bouch Inc.,
Jac's Realty Co.,
Jaffe's Restaurant & Delicatessen, Inc.,
Jagger's Restaurant, Inc.,
Jals, Inc.,
Jaltbro Hotel Management, Inc.,
James Brothers, Inc.,

Jamesburg Gravel Pit, Inc.,
Jamesburg Realty Company, Inc,
James F. Baldwin, Inc.,
James F. Gannon, Inc.,
James Restaurant, Inc.,
James Spence Iron Foundry Inc.,
J. A. M. Foods Corp.,
Janco, Inc.,
J. Andreula & Sons Construction Co., Inc.,
Jan Electronics Corporation,
Janlabe Construction Corp.,
Janty Girl, Inc.,
Jarrett, Myers Black Development Inc.,
Jarvis Mens Wear,
Jaycee Construction Co., Inc.,
Jay-Cee Fashions,
Jay-Lan Corporation,
Jaylart Stores,
Jay Lerner, Inc.,
Jaynap Realty Company,
Jay Productions Company,
J. B. D. Corporation,
J & B Highpoint Corp.,
J. B. & Son,
J. & C. Contracting Co. Inc.,
J. C. Macy & Associates, Inc.,
J. Cuozzo & Son, Inc.,
J. D. C. Jersey Development Company,
Jean Bari & Co., Inc. Import-Export,
J. & E. Bar & Grill,
J. E. Connor & Co.,
Jeffco Inc.,
Jefferson Gardens, Inc.,
Jefferson Mortgage Corp.,
Jefferson Pleasure Club, Inc.,
Jeffrey Brett Co.,
J.E.M. Construction Co.,
Jemm Homes, Inc.,
Jenetco, Inc.,
Jenlou Land Corporation,
Jenner Shop Inc.,
Jennings and Wetherbee, Inc.,
Jerdean Contracting and Excavating Co. Inc.,

J. E. Reid Instrument Company,
Jerr Corporation,
Jerry Gerber, Inc.,
Jersey Appliance Corporation,
Jersey Belle Farms Inc.,
Jersey Builders Inc.,
Jersey Central Construction Co.,
Jersey City Liberty Terminal Corporation,
Jersey Downs, Inc.,
Jersey Farm Products Corp.,
Jersey Hotel Operators, Inc.,
Jersey Improvement and Construction,
Jersey Jill Sales Corporation,
Jersey Maintenance Company,
Jersey-Penn Warehouse Corp.,
Jersey Shore Realty Company,
Jersey Television Sales and Service Co.,
Jersey Tile Distributors Corp.,
Jersey Trailer Sales Inc.,
Jersey Veal, Inc.,
Jesco Home Products, Inc.,
Jet Drive-In Cleaners, Inc.,
Jet Klenz Corp.,
Jewel Agency, Inc.,
Jewelry Corporation of America,
J. Fastiggi, Inc.,
J. & F. Builders, Inc.,
J. F. P. Sales Co., Inc.,
J. G. Cleaners,
Jillda Corp.,
Jim Dale Quality Clothes, Incorporated,
Jim's Bar and Grill, Inc.,
Jim's Roundup, Inc.,
J. & J. Construction Co., Inc.,
J. J. Inc.,
J. J. Schwartz Organization, Inc.,
J. & J. Tobacco, Co., Inc.,
J and L Electric Co. Inc.,
J & M Builders, Inc.,
J. M. L., Inc.,
Jo-Ann Restaurant, Inc.,
Joar Realty Co., Inc.,
Jobe Company Inc.,

Jobill Wood Products, Inc.,
Joedlo Corp.,
Joel V. Hargrove Inc.,
Joe's White Birch Bar,
J. O. Evaul, Inc.,
John Associates, Section One,
John Ellis Co.,
John F. Holland, Inc.,
John G. Eriksen's Diner, Incorporated,
John Giesinger Corporation,
John H. Management Corp.,
John H. Watson Associates, Inc.,
John J. Russell, Inc.,
Johnnie's Tavern,
John Nutry Company,
Johnny Boy Packing Corp.,
John Peterson, Inc.,
John R. Blair Company,
Johnson Brothers, Incorporated,
Johnson and Meyer, Inc.,
Johnson Realty Corporation,
Johnson Waterproofing Co.,
John's Tavern, Inc.,
John Y. Dater, Inc.,
Joleedan Construction Corp.,
Jo-Lee Products Inc.,
Jo-Lo Mfg. Corp.,
Joman Liquors, Inc.,
Jonchas Development Corp.,
Jon Dee Mfg. Co., Inc.,
Jones Fast Freight Service,
Jones-O'Dea, Inc.,
Jon Hall Electronics, Inc.,
Jonmar Realty Corp.,
Jon-Patricia-Franklyn Co.,
Jordan Machine Co., Inc.,
Joseph A. Carlani, Jr. Inc.,
Joseph A. Hammen, Inc.,
Joseph Diaz, Inc.,
Joseph G. Gavel Agency,
Joseph L. Tote & Sons, Inc.,
Joseph's Inc.,
Joseph Warner's Restaurants Corp,

Josons' Limited,
Joy Garment Co., Inc.,
Joy Lake Enterprises, Inc.,
J. R. Brandt Co.,
J & R Enterprises, Inc.,
J. R. & F. Realty Co. Inc.,
J. R. Harrington & Co., Inc.,
J.R.K. Realty Co. Inc.,
J. & R. Trading Co.,
J. & S. Agency,
J & S Distributors Corp.,
J. S. Naame Co., Inc.,
J. T. Amusement Corp.,
J. T. Kelly & Sons,
Jubilee Cottons, Inc.,
Julep Realty Corp.,
Juliano Bros.,
Juliat Homes, Inc.,
Junction Jewelers,
Junior Gentleman, Inc.,
J. U. Sales and Distributor Corporation,
J. V. P. Corporation,
J.W.Beckett, Inc.,
J. W. J. Apparel Shops, Inc.,
J-W Supply Co.,

"Kaczkowski & Eurich, Builders Inc,"
Kalfas Construction Co., Inc.,
Kal, Inc.,
Kalyn Supply Co., Inc.,
Kane, Inc.,
Kantor Drugs, Inc.,
Kantro Inc.,
Kaplan Brothers Painting Co., Inc.,
Kardor Company,
Kare-Free Sportswear, Inc.,
Kargis Corporation,
Kargo Tire & Rubber Co., Inc.,
Karo Company,
Karr-Gor Construction Inc.,
Kasmil, Inc.,
Kassenoff & Kantor Modern Hatchery, Inc.,
Kassur, Inc.,

Katobimar Realty Company,
Kato Corporation,
Katz Furniture House, Inc.,
Kaufmann Luggage Co., Inc.,
Kavanaugh's Bar and Grill,
Kay's Diner, Inc.,
Kay's Dresses, Inc.,
Kay Trucking, Inc.,
K Beef Company,
K Corporation,
K. & D. Construction Co.,
K. D. H. Alps Inc.,
Kearney Company,
Kearny Inn, Inc.,
Kearuth Theatres Corporation,
K. E. C. Associates,
Keelan Corporation,
Keen Manufacturing Co. Inc.,
Keil Realty Co., Inc.,
Kelly Construction Corp.,
Kelly's Pawnshop, Inc.,
Kelter Electric Corp.,
Ken Furs. Inc.,
Kenmore, Inc.,
Kenney Construction Co.,
Kent Harian Musical Enterprises,
Kenwohl Inc.,
Kenwood Gardens, Inc.,
Kenwood Manor, Inc.,
Kenwood Park, Inc.,
Kenwood Realty Co., Inc.,
Kenwood Terrace, Inc.,
Kern 'Theatre-Air' Conditioning Corp.,
Kerr Contracting Corp.,
Kerry Development Co. Inc.,
Ket Construction Co.,
Keycon, Inc.,
Keyes Electrical Service, Inc.,
Keyes-Urquhart Co., Inc.,
Keyes and Urquhart, Co., Inc.,
Keys-Urquhart, Inc.,
Key Mechanical Corporation,
Keyport Knitting Mills Inc.,

Keystone Home Improvement Co., Inc.,
Keys and Urquhart Inc.,
K & G Trucking Co., Inc.,
Kibo Construction Co., Inc.,
Kiddie Center Inc.,
Kiddie City, Inc.,
Kid Stuff, Inc.,
Kim Ice Cream Corp.,
King Corned Beef Co., Inc.,
King Midas Estates, Inc.,
King Oscar Corporation,
Kings Point Constructors, Inc.,
Kingstown Service Station, Inc.,
Kinkade Holding Co.,
Kinn And Wukovets, Inc.,
Kitchell, Incorporated,
Kitchen Chrome, Inc.,
Kit Kat Club,
K & J Realty Company,
K & K Creations, Inc.,
K. K. H. Realty Co.,
K & K Packing Co.,
Klayman's, Inc.,
Kleer Products Company, Inc.,
Kleinfelder and West, Inc.,
Klein's Celery, Inc.,
Kluvest Purchasing Co., Ltd.,
K.N.C. Realty Company,
Knight Holding Corp.,
Knitting Sales Co., Inc.,
Knitwear Fashions, Inc.,
Knoch Realty Corporation,
Koehler Mason Contractors, Inc.,
Kohler's Swiss Chalet, Inc.,
Kolb & Diorio, Inc.,
Koleda Construction Company, Inc.,
Kolin Builders, Inc.,
The Kolodny Corporation,
Kolter Sales and Service, Inc.,
Korcum Builders, Inc.,
Kost Express Inc.,
Kotler Auto Sales of N. J.,
Kovak Realty Co.,

Kristensen's Confectionery Inc.,
Krumholz Construction, Inc.,
Krupnick Poultry Service, Inc.,
K & S Stores, Inc.,
K & T Motors, Inc.,
Kunemund Trucking Co., Inc.,
Kuron Developers, Inc.,
Kurt M. Bloss Inc.,
Kurtz and Weber, Inc.,
Kwick Tire Service,
K. & Y. Machinery Corp.,

La Bue Contracting Co., Inc.,
Lace Craft,
Lacey Grant, Inc.,
Lachow Realty Co., Inc.,
Laco, Inc.,
Lad Realty Corp.,
Lafayette Piece Dye Works, Inc,
Lafayette Tavern, Inc.,
Lake Equipment Inc.,
Lakehurst Village Homes,
Lake Neepaulin Developers and Builders Corp.,
Lake Park Hotel, Inc.,
Lake Park Plumbing & Heating Co, Inc.,
Lake Sales Company,
Lakeshore Inn, Inc.,
Lakeview at Burnham,
Lakewood Air Service Inc.,
Lakewood Mattress & Bedding Corp.,
Lakewood Prestressing Company, Inc.,
Lamb Development Company,
L. A. M. D. A. Realty Co.,
Lamp-Tena Co., Inc.,
Lanabar Estates, Inc.,
Land Service Inc.,
Lane Lumber Co., Inc.,
Lane Manufacturing Corp.,
Lane Park Homes, Inc.,
The Lankenau Company, Inc.,
Lan Realty, Inc.,
La Paloma, Inc.,
La Pidus Printing & Lithopraph Company,

New Jersey State Library

Lapin Realty Corporation,
Lara, Inc.,
Larco Investment Co. Inc.,
Lark's, Inc.,
Larky Sales Corp.,
Larry G. Kitchell, Inc.,
Lartnec Realty Co.,
La Sala Trucking Corp.,
Lastan Builders, Inc.,
Launder-Rite of Fairlawn,
Lauralyn Diners, Inc.,
Laurelton Homes, Inc.,
Laurelton Construction, Inc.,
Lawmareve Estates, Inc.,
Lawrence Brook Estates, Inc.,
Lawrence Brook Fore, Inc.,
Lawrence Brook Greens, Inc.,
Lawrence Brook Heights, Inc.,
Lawrence Brook Hills, Inc.,
Lawrence Brook, Inc.,
Lawrence Brook Knolls, Inc.,
Lawrence Brook Lawns, Inc.,
Lawrence Brook Ridge, Inc.,
Lawrence Brook Terrace,
Lawrence Brook Trails, Inc.,
Lawrence Brook Valley, Inc.,
Lawrence Brook Village,
Lawrence Manning Inc.,
The Lawton Company,
Layco Auto Seat Covers, Inc.,
L. Dervyshire & Son, Inc.,
L & D Realty Corp.,
Leading Brands Inc.,
Leamoor Inc.,
Leard Construction Company,
Lecki Construction Company Inc.,
Le-Co Realty Corp.,
Lecrana, Inc.,
Ledge Wood Products,
Lee Creighton Studios of Middlesex County,
Leeds, Inc.,
Lee Industries, Inc.,
Lee Mark Dress Corp.,

Lee-Mark Trading Co.,
Lee's Millinery,
Legend Realty Corp.,
Leger, Inc.,
Le-Hi Electrical Co.,
Lehigh Sales and Service, Inc.,
Lei Associates, Inc.,
Leib Electronics Distributors Corp.,
Lejac Furniture,
Leland V. Hurley, Inc.,
Lemarbert Corp.,
Lemour Manufacturing Company,
Lendor Trading Co., Inc.,
Lenhur Corporation,
Len & Len Club 83,
Len-Ray Enterprises, Inc.,
Len-Scott, Inc.,
Lentini's Auto Parts, Inc.,
Leonard Krupin, Inc.,
Leone's Restaurant & Pizzeria,
Leon Martin Inc.,
Leo Pharmacsuticals, Inc.,
Lepar Construction Co., Inc.,
Lerner Sleep Products, New Jersey, Inc.,
Lesam Realty Co.,
Les-Cal Building Corp.,
Les Construction Co.,
Lesmar Inc.,
Lester W. Hamilton Landscape Inc,
The Level Construction Co., Inc.,
Lexton Corp.,
L Gar Food Corp.,
L. Greco & Sons Builders, Inc,
L.H.G. Construction Co.,
L & H Manufacturing Co., Inc.,
Liba, Inc.,
Liberty Castle Laundries, Inc.,
Liberty-Fitzpatrick Corp.,
Lichtman Bros., Inc.,
Lichtman's Express Co., Inc.,
Life Analysts Corp.,
Life Cleaners, Inc.,
Life-Long Distributors, Inc.,

Lifestone Construction Company,
Lighthouse Beach Association,
Lilmur Realty Co.,
Lil's Costume Jewelry Mart,
Lilyan Lodge,
Lincoln Clark Estates, Inc.,
Lincoln Custom Dresses, Inc.,
Lincoln Food Shop, Inc.,
Lincoln Foundry Inc.,
Lincoln Properties 11, Inc.,
Lincote Inc.,
Lindale Manor Homes,
Linde Land Company, Inc.,
Linden Loan Service,
Linden Oil Burner Service, Inc.,
Lindo Clothing Co., Inc.,
Lindsley Realty Company,
Lindy's Lake Corporation,
Line Associates Inc.,
Linn Business Machines, Inc.,
Linwood Construction Co., Inc.,
The Linwood Corp.,
Liquors, Inc.,
Lita's Inc.,
Lithotronics Corporation,
Little Broadway,
Livingston Atlantic, Inc.,
L & J, Inc.,
Lloyds Dept. Stores, Inc.,
L.L. Realty Corp.,
L & M Fabricators, Inc.,
L & M Realty Corporation,
Lodi Auction Sales, Inc.,
Lodi Furniture Co.,
Lombardi Brothers, Inc.,
Lombardo Furniture Company, Inc.,
Lombardy Developers, Inc.,
Lon D. Reynolds, Inc.,
The Lord Corp.,
Lord Kent Sportswear Co. Inc.,
Lori Development Co., Inc.,
Lorita Construction Co.,
Lorraine Stores Corp.,

Lorrene Development Co.,
Lottal Corporation,
Lottie Sadowski, Inc.,
Lou-Bert, Inc.,
Lou Botlinger Construction Co Inc.,
Louis Back Coal Company,
Louis Homes, Inc.,
Louisiana Bakery, Inc.,
Louis Kurtz, Inc.,
Lou & Jeff's Bar,
Lou's Diner of Paterson,
Louvra Manufacturing and Sales Company,
Love-Lee Casuals, Inc.,
Lowenstein Bros., Inc.,
Lowres Optical Mfg. Company,
L. Schwartz Wood Products Corporation of New Jersey,
L & S Sales Inc.,
L.T.L. Foods, Inc.,
Luca & Vreeland Industrial Construction Corp.,
Lucille Colton, Inc.,
Lujay Corporation,
Luknar Builders, Inc.,
Lumac Productions, Inc.,
Lum Gardens, Inc.,
Luminex Instrument Corporation,
Luzzatto & Figlio, Inc.,
L. V. L. Construction Corp.,
Lynfertont, Inc.,
Lynis Hotels, Inc.,
Lynmar Clothing Corp.,
Lynnewood Estates, Inc. #1,
Lynnewood Estates, Inc. #2,
Lynnewood Manor,
Lynn Homes Inc.,
Lynwood Photographers, Inc.,
Lyon Quilting Company,
Lyons & Lincoln Holding Co.,
Lyons Modernizers, Inc.,

Machine Parts and Bearings Corp,
Machine Products Mfg. Co., Inc,
Mackay Homes, Inc.,

Macmaf Contractors Inc.,
Mac-Mieth Company,
Maco Tile Company,
Mac's Stationery, Inc.,
M. A. C. Sweet Shoppe Inc.,
Macyac Mason Supply Corporation,
Macy-Jones, Corp.,
Madison Gardens, Inc.,
Madison Grove, Inc.,
Madison Kosher Delicatessen,
Madison Land Development Company, Inc.,
Madison Manor Homes, Inc.,
Madison Manufacturing Co.,
Madison Trucking Co., Inc.,
Magnetics Corporation of America,
Magnet Industries, Inc.,
Magnetix Inc.,
Maguire-Dix Motors, Inc.,
Mahler Industries, Inc.,
Maier Seafood Restaurant, Inc.,
"Maimome, Inc.,"
Main Cloak & Suit Co. Inc.,
Mainland Builders, Inc.,
Mainland Development Co.,
Mainland Marine Basin, Inc.,
Mainland Supply Co.,
Main Millinery, Inc.,
The Main Realty Co.,
Main Street Dress Co., Inc.,
Maio Bar-B-Q Inc.,
Majestic Distributing Co.,
Major Artists Representatives Corporation,
Major Oil Co., Inc.,
Major Slipper Co., Inc.,
Makan Packing Corp.,
Makan Stores Inc.,
The Malibu Hotel Corp.,
Malool's Inc.,
M. A. Matthews, Inc.,
The Mandeville Corporation,
Mandorf Furs of Teaneck, Inc.,
Manfredi Construction Corporation,
Manhattan Investment Company,

Man-Mik Realty Corp.,
Mann's Manor,
Manokin Realty Co.,
Manor Agency, Inc.,
Man O' Warpacking Company,
Mansion Development Company, Incorporated,
Manufacturers Cutter Corporation,
Manville Theatre Corp.,
Manzol Contracting Company,
Maple Lodge, Inc.,
Maple Screw Machine Products,
Maple Shade Development Co., Inc.,
Maple Shade Trucking and Excavating Company Inc.,
Mapo, Inc.,
Marcal Associates, Inc.,
Marc Drug Company,
Marcelin, Inc.,
March Realty Co.,
Marcom, Inc.,
Marc-Star Fashions, Inc.,
Marcus-Levin Associates,
Marcy Realty Company,
Mar-Dale Manor, Inc.,
Mardan Corporation,
Mardiane Realty Co., Inc.,
Marfran Realty Co.,
Margate Construction Co.,
Marian Land Corp.,
Marie Trim, Inc.,
Marinella Food Products, Inc.,
Marino Bros., Inc.,
Marion-Hudson Corp.,
Marion Plastering Co.,
Mari-Pat-Jo, Inc.,
Marjay Quilting Corp.,
Mark Advertising, Inc.,
Marketing Consultants to Industry, Inc.,
Market Tire Inc. No. 1,
Marlboro Estates, Inc.,
Marlborough Shoes, Inc.,
Marlee Associates Inc.,
Marlin Construction Co.,

Marlin Shop, Inc.,
Marlo Excavating Co., Inc.,
The Marl Realty & Development Co.,
Marlton Lakes Beach Club, Inc.,
Marlyn Inc.,
Marmal Realty Co.,
Marra Corporation,
Mars Company,
Marsden Realty Co.,
Mars Furniture Corporation,
Marshall Homes, Inc.,
Mars Service Sales Corporation,
The Mar-Ten Corporation,
Martha Cain Holding Co.,
Martha Jane Shop,
Martin Concrete Products, Inc.,
Martin Construction Corp.,
Martin Geill Company, Inc.,
The Martinique,
Martin Meat Co.,
Martins Dance Studio, Inc.,
Martin's Motor Express,
Martin Stationery, Co. Inc.,
Martin's Town Tavern, Inc.,
Martin T. Flanagan, Inc.,
Martom, Inc.,
Marty's Diner, Inc.,
Marvin Advertising Company of New Jersey, Inc.,
Marvin Hundert Associates, Inc,
Marvin Kaplan X-ray Service, Inc,
Mason Machine Products, Inc.,
Massa Construction Co., Inc.,
Mass Instruments Company, Inc,
Master Line, Inc.,
Master Mixer, Inc.,
Matador Club Co.,
Matawan-Keyport Press, Inc.,
Matera Construction Co. Inc.,
Matter Associates. Inc.,
Matty's Friendly Bar,
Mauer-Middleton, Inc.,
Maurice Caterers Ltd.,
Main Drywall Service, Inc.,

Maximlok Distributing Company,
Maxwell Furs, Inc.,
Maxwell Industries, Inc.,
Maybar Company 11,
Mayfair Amusement Co.,
Mayfair Music Service, Inc.,
Mayfair Products, Inc.,
Mayflower Property, Inc.,
Mayo Home Improvement, Inc.,
Mayridge Transit Co. Inc.,
May's Dairy, Inc.,
Mays Landing Drug Co.,
Maywood Laundromat,
Mazeldick, Inc.,
Mazza & Bruno, Inc.,
Mazzoni Furniture Shop, Inc.,
M. B. Coat Co.,
MBD Siboray, International Trading, Ltd.,
McAllister Holding Corp.,
McCabe's Express & Trucking Co.,
Mc Call Realty Company,
McCarthy Motors, Inc.,
McDevitt Sales Financing, Inc.,
McDonough-Lydon Mfg. Co.,
Mc Grath Securities Corporation,
M.Chitel, Inc.,
M. C. M. Realty and Construction Company,
McNulty Shipwright Corp.,
Mc Phillips & Co. Inc.,
M. D. Inc.,
Mead Manufacturing Company, Inc.,
Meadowbrook Estates, Inc.,
Meadow Brook Stables, Inc.,
Meadow Development Corp,
Meadow Villas, Inc.,
M. E. B. Associates Construction Company,
Mechanics Dry Wall Service,
Medco Products Co., Inc.,
Medical Counselors, Inc.,
Melba Delicacy Shop,
Melfi Nuclear Corporation,
Melhar Building Corp.,
Melilli Contracting Co.,

Melinda's Inc.,
Meljak Games Corp.,
Melody Hi-Fi Land Inc.,
Melros Corporation,
Melsan Investment Company,
Melt Chemical Corporation,
Melvin Realty Corporation,
Memorial Gardens Association, Inc.,
Menlo Park Confectionery, Inc,
"M" Enterprises, Inc.,
Menzel and Co. Construction Corp,
Menzel Corp.,
Mercer Clothing Manufacturing Co. Inc.,
Mercer Floor Service, Inc.,
Mercer Trucking and Generator Service Corp.,
Mercury Marketing Agency,
Meridian Builders, Inc.,
Meridian Development Corp.,
Meridian Estates Corp.,
Meridian Estates 1 Corp.,
Meridian Estates 11 Corp.,
Merit Associates, Inc.,
Merit Card, Inc.,
The Merriman Company,
The Merritt Lacey Corporation,
The Merry-Go-Round,
Mershaw of Md., Inc.,
Mershaw of Penn., Inc.,
Mesh Realty Corporation,
Messinger Bros. of New Jersey Inc.,
Metal Polishing Company of New Jersey, Inc.,
Metchik Motors, Inc.,
Metro Pet Supply Corporation,
Metuchen Industrial Center, Inc.,
Meury's Barn, Inc.,
Meyer Bros. Army & Navy Supply Co,
Meyer Brothers Auto Sales, Inc,
Meyers & Connolly, Inc.,
Meyers Tavern,
M. E. Zerman Company,
M. H. Donovan & Co.,
The Miamian,
Micamp Realty Co. Inc.,

Michael Forman Orchestras,
Michael Rifkin & Sons, Inc.,
Mick Diner Corp.,
Mid-Continent Gas & Fuel Corporation,
Middlesex Piling Corporation,
Middlesex Trading Corporation,
Middlesex Wines & Liquors, Inc.,
Middlesex Youth Center, Inc.,
Middletown Homes, Incorporated,
Middletown Lanes, Inc.,
Mid Eastern Brick Design & Construction Co.,
Mid-Jersey Sales Co.,
Midland Cleaners & Dyers,
Midland Park Cleaners, Inc.,
Midland Park Estates, Inc.,
Mid-State Land Company, Inc.,
Midtown Luncheonette, Inc.,
Mid-Town Parking & Service Station, Inc.,
Midvale Manufacturing Co., Inc.,
Mid-Village Homes, Inc.,
Midway Restaurant, Inc.,
Mike and Angie, Inc.,
Mike Ice's Bar,
Mike Poydinecz Associates, Inc,
Mikuls Realty Co. Inc.,
Mi-Lady Embroidery Corp.,
Milbern Warehouse & Transportation Corp.,
Milfan Realty Co.,
Millant Estates, Inc.,
Millard F. Smith Co.,
Mill Brook Construction Co.,
Millbrook Electronic Distributors, Inc.,
Millburn Millwork and Supply Company,
Millburn Mirror & Glass Co., Inc,
Miller Pharmacy of Paterson, Inc.,
Miller Plating Company, Inc.,
Millerton Realty Co.,
Milltown Breeding Farm,
Millturn Builders, Inc.,
Millyard Realty Co., Inc.,
Milmar Estate, Inc.,
Milome Realty Corp.,
Milpine Corporation,

Milton E. Zerman Co.,
Mimi Dress Company, Inc.,
Mingo Holding Co. Inc.,
Miracoil Corporation,
Mi-Spa Realty Co., Inc.,
Mister Donut of N. J. Inc.,
Mitee Bighorn Company,
M. & J. Builders, Inc.,
M & J Theatre Corporation,
M.L.& B. Realty Co. Inc.,
M. & L. Contractors, Inc.,
M. & L. Painting Company,
MLS Majestic Delicatessen Corp.,
M. Margolis & Sons, Limited,
M & M Nylon Corporation,
M & N Dress Company,
Modern Baking Co., Inc.,
Modern Creations,
Modern Era Drapery Dept.,
Modern Foods, Inc.,
Modern Foods Sales Co.,
Modern Machine Builders Co.,
Modern Motel Builders Inc.,
Modern Omnibus and Service Co. Inc.,
Modern Parking Corporation,
Modern Parking System, Inc.,
Modern Parkway Laundries, Inc,
Modern Ranch Home Builders,
Modern Stainless Cookware,
Modin Co.,
Mohawk Inn, Inc.,
Mo-Mar Services, Inc.,
Monarch Builders, Inc.,
Monarch Express Co., Inc.,
Monarch Lumber Co. Inc.,
Monarch Sportswear, Inc.,
Monmouth Builders Inc.,
Monmouth Diner Inc.,
Monmouth Machine and Tool Co,
Monmouth Salvage Corporation,
Monroe Coat & Suit Co.,
Monroe Development Co., Inc.,
Monroe Distributors Inc.,

Monroe Electric Co., Inc.,
Monroe Poultry,
Montclair Bakery Inc.,
Monterey Builders Inc.,
The Montfre, Inc.,
Monwood Corporation,
Moonachie Realty Corporation,
Moorefield Plywood Corporation,
Moran Bus Transportation Co.,
Moreelee Knitting Mills, Inc.,
Morey Realty Corporation,
Morlan Contracting Co. Inc.,
Morley & Co.,
Morley Construction Co.,
Morlite, Inc.,
Morlot Realty Co.,
Morrison's, Incorporated,
Morris Printing & Publishing Company,
The Morris Shop, Inc.,
Morris Steigler, Inc.,
Morristown Bedding & Furniture Co. Inc.,
Morristown Custom Upholstery Shop, Inc.,
Mortgage and Investment Corporation,
Motor City,
Motor Parts Export Corp.,
Motor Rentals, Inc.,
Mountain Motors, Inc.,
Mountainside Development Co.,
Mountainside Estates,
Mountain Valley, Inc.,
Mountain View Home Sites,
Mt. Ephraim Lumber and Millwork Co.,
Mount Holly Estates, Inc.,
Mt. Vernon Auto Sales, Inc.,
Mowry Industrial Catering Inc,
M-P Construction Corporation,
M & P Holding Co.,
M. and T. Construction, Inc.,
M. Tozzi & Sons, Incorporated,
M. & T. Realty,
Multiple Investment Co.,
Munda Corp.,
Municipal Market Servicenter, Inc,

Municipal Pharmacy, Inc.,
Murdon Co., Inc.,
Muros Watch Factory, Inc.,
Murray Realty Co.,
Murwood Glass Corp.,
Musicast Corporation of New Jersey,
Music-Go-Round Playhouse, Inc.,
Musitronic Corp.,
Musitronic Manufacturing Co.,
Mutual Associated Investors,
Mutual Construction Co., Inc.,
Mutual Counselling Service, Inc.,
Mutual Investment Corporation,

Nadler Shoes, Inc.,
Nag-Berg Corp.,
Naggar Tawil Inc.,
Naje Construction Company, Inc.,
Nale Realty Co., Inc.,
Namhel Company,
NA-O-J, Inc.,
Nappe & Digenio, Inc.,
Nardella's Charcoal Steak Pit,
Nasa Mortgage and Investment Company,
Nathanite Distributors, Inc.,
Nathan Levin Furs, Incorporated,
National Agency, Inc.,
National Architectural Metals Inc.,
National Association of Food Clubs,
National Awning Sales Company Inc.,
National Bond Corporation,
National Brand Distributors, Inc.,
National Bric-Cut and Stone Company,
National Chemical Sales Corp.,
National Commodity Futures, Inc.,
National Fire Alarm Rental Service,
National Foam Rubber Co. Inc.,
National Health Products, Inc,
The National Implement Company Incorporated,
National Infra Red Food System,
National Memorial Services, Inc.,
National Motorists Agency, Inc,
National Outfitting Corp.,

National Photo Guild, Inc.,
National Pipeline Supply Corporation,
National Plastering Co. Inc.,
National Plastics Corp.,
National Publishing Company,
National Shortening & Oil Corp.,
National Shortening & Oil Mfg Corp.,
National Soft Hair Co., Inc.,
National Solvents Corporation,
National Swimming Pool Corporation,
National United Mercantile Corporation of New Jersey,
Nationwide Agency, Inc.,
Nation Wide Hotel Association Directory, Inc.,
Natra Corp.,
Na-Var Wholesale,
N.B.C. Construction Corp.,
N.B.C. Homes,
Nehoc Hotel Management, Inc.,
Nel-Jon Holding Corporation,
Nelvon Builders, Inc.,
Nesbit Publishers, Inc.,
Nesca Corporation,
Nesco Electric Supply Corp.,
Nesdon Construction Corporation,
N.E. Smith and Son, Co.,
Ness Realty Company Inc.,
Nestor Engineering Company,
Netcong Oil Company, Inc.,
Netcong-Stanhope Storage Warehouse Company, Inc.,
Newark Auction Corp.,
Newark Chemical Supply Company,
Newark Foundations, Inc.,
Newark Furniture Express Co., Inc.,
Newark Hill Home Co.,
Newark Land Co.,
Newark Pet Mart, Inc.,
Newark School of Painting and Decorating,
Newark Tiremart, Inc.,
Newark Warren Realty Company,
New Aurora Construction Corp.,
New Bell Laundry Co.,

New Brunswick Cooperage, Inc.,
New Brunswick Lumber & Millwork, Co.,
New Chimmy's, Inc.,
New Colonial Luncheonette,
Newcourt, Inc.,
New Dorchester Homes, Inc.,
New Dreamland Roller Skating Rink, Inc.,
New England Building & Construction Corp.,
New England Non-Metallic, Inc,
New Era Wallpaper, Inc.,
Newgold Corporation,
New Hillside Holding Company,
The New Ideal Restaurant, Inc.,
Newjer Contracting Company, Inc.,
New Jersey Affiliates,
New Jersey Air Conditioning Co.,
New Jersey Bialy's, Inc.,
New Jersey Building Co.,
New Jersey Distributing Corp.,
N.J. Excavating Co.,
New Jersey Frozen Foods, Inc.,
New Jersey Funding Corporation,
New Jersey Greater Shows, Inc.,
The New Jersey Horse,
N.J. Modern Builders, Inc.,
New Jersey Musicarnival Corporation,
New Jersey Pipe and Tank Lining Corp.,
New Jersey Realty Brokerage Company,
New Jersey Realty & Mortgage Company,
New Jersey Sun-Shade Corporation,
New Jersey Trailer Rental System,
The New Lackawanna Diner,
New Lakewood Construction Co. Inc,
New Majestic Bakery, Inc.,
Newman Chemicals, Inc.,
New Market Lumber and Supply Co, Inc.,
New Milford Cleaning & Dyers, Inc.,
New Oceantide Hotel, Inc.,
New Orleans Motel Co.,
New Practice Theatres, Inc.,
New Randolph Homes, Inc.,
News Alliance, Inc.,
Newsam Construction Co.,

Newsitem, Inc.,
New Trend Homes, Inc.,
The New Village Tavern, Inc.,
New York Port Terminal, Inc.,
Nick's Service Station, Inc.,
Nimrow Development Co.,
909-911, Inc.,
906 Realty Corp.,
910 Boulevard Corp.,
Nine Park View Corporation,
91-93 Frelinghuysen, Inc.,
Nitecap Club, Inc.,
The Nitrolite Company,
Nixon Dari-Delite, Inc.,
Nola Realty Corp.,
Nomad Company, Inc.,
Nome Holding Corp.,
Noonan, Inc.,
Nor-Ann Construction Co., Inc.,
Nor-Ann Television Sales & Service, Inc.,
Nordco Incorporated,
Nord & Company, Inc.,
Nordike Chemical Corp.,
Norman Equipment Co.,
Norman's Supply Co., Inc.,
Norma Oil Corporation,
North American Auto Leasing & Rental Co.,
North Central Corporation,
North Cranford Estates,
Northeastern Construction Corp.,
Northeastern Distributors, Inc.,
North End Realty Company,
Northern Construction Corp.,
Northern Finance Corporation,
Northern Homecraft Corporation,
Northern New Jersey Capital Co.,
Northfield Cleaners, Inc.,
Northfield Gardens, Inc.,
Northfield Gardens, Section II, Inc,
North Hudson Painting & Decorating Corp.,
North Hudson Television & Appliance Co, Inc.,
North Jersey Holding Co.,
North Jersey Roofing Co., Inc.,

The North Packing Co., Inc.,
North Park Corporation,
North Park Homes,
North Street Corporation,
North Willow Holding Corporation,
Norwood Builders Corp.,
Nottingham Realty Co.,
Novelty Inn,
Novelty Linen Manufacturing Co.,
Novelty Mirror Manufacturing Co, Inc.,
Novotny Embroidery Co., Inc.,
Nunziata Realty Corporation,
N-UR-G Labor Saver Corp.,
Nutley Food Mart, Inc.,
Nut-Ola Company,
Nu-Trend Jewelry Company Incorporated,
Nu-View Millwork, Inc.,

Oak Construction Company,
Oak Forest, Inc.,
Oak Hills Corp.,
Oaklake Corporation,
Oakland Cottage Estates, Inc.,
Oakley Construction Co.,
Oak Ridge Builders, Inc.,
Oakridge Manor, Inc.,
The Oaks Estates Inc.,
Oakwood Crest Incorporated,
Occupational Health Services of New Jersey, Inc.,
Ocean Associates, Inc.,
Ocean City Shoe Company, Inc.,
Ocean County Pavers, Inc.,
Ocean Home Builders, Inc.,
Ocean & Park Corp.,
Oceanport Estates, Inc.,
Ocean-Roosevelt Corporation,
Ocean View Company,
Ocean View Contractors,
Ocean View Homes, Inc.,
O' Connor Construction Co.,
Ohmstead, Inc.,
Oil & Gas Associates, Inc.,
Olde Pecos City, Inc.,

Old & New Shop, Inc.,
Omega Electronics,
½ Price Cut Rate Bakery & Products, Co.,
The 100 Chester Corporation,
118 Hudson Street Corporation,
150 Park Avenue Corp.,
157 South Center Street, Inc.,
153 Passaic Street Corporation,
152 Corp.,
148-152 Bergen Inc.,
141-149 Cedar Lane Holding Co Inc.,
147 West 29th St. Corp.,
104 Orange Street Corp.,
114-116 Inslee Place,, Inc.,
114 Park Ave. Corp.,
195 Gordon St., Corp.,
170 So. Maryland Avenue Corp.,
169 Realty Corp.,
160 Washington Diner, Inc.,
The 120 Morris Ave. Corp,
121 Boulevard, Inc.,
123 Orchard Co.,
O'Neill-Ebert Co., Inc.,
Onore's Cleaning Shop,
On the Gateway Diner,
Oradell Fabrics Co., Inc.,
Orange Construction Corp.,
O'Reilly's Tydol, Inc.,
Oriental Bazaar,
Orient Express, Inc.,
Original Cedar Bar and Lodge, Inc,
Originals, Inc.,
Original Suburban Constructors, Inc.,
Original Toy Manufacturing Co. Inc.,
Ornamental Crafts, Inc.,
The Orthon Corporation,
Orton Apartments, Inc.,
Osso Ceramics, Inc.,
Ottilio Cinder Carting Co. Inc,
The Outlet Inc.,
Oval Bar, Inc.,
Overbrook Acres, Inc.,
Overnite Carrier Corp.,

Over 30 Dance, Inc.,
Owl Equipment Co., Inc.,

Pacific Petroleum Corporation,
Packaged Products Corporation,
Packaging Corporation of America Inc.,
Packard Water Conditioner of N. J. Inc.,
Packer Bar & Grill, Inc.,
The Paddle,
Page Aircraft Corporation,
Pag's Tavern, Inc.,
Pal Enterprises, Inc.,
Palisade Park Bakery Corp.,
Palmero's Bar, Inc.,
Palmer Service Company Inc.,
Palm Realty Corporation,
Pal's Wine & Liquor Inc.,
P & A Maintenance Company,
Pamoco Inc.,
Pan-American Chinchilla Corporation,
Pan-American Productions Inc.,
Pan American Service,
Pancoast Milling, Inc.,
Pandi, Inc.,
Paragon Company,
Paramount Restaurant, Inc,
Paramount Syrup Corp.,
Paramus Retail Store, Inc.,
Pardel Const. Co., Inc.,
Parish Meat Market, Inc.,
Park & Boulevard Co.,
Parkers, Incorporated,
Park Estates, Inc.,
Park Food Center, Inc.,
Park Heating, Inc.,
Park Lane Construction, Inc.,
Park Lane Corporation,
Park Outlet Co., Inc.,
Park Place Cleaners,
Park Plaza Associates, Inc.,
Park Plaza Lounge, Inc.,
Park Summit Holding Corp.,
Park T. V., Inc.,

Parkview Liquors & Delicatessen, Inc.,
Parkway Delicatessen, Inc.,
Parkway Floor Company, Inc,
Parkway Lubritorium Inc.,
Parkway Motors of Dover, Inc.,
Parkway Plaza,
Parkwood Holding Company, Inc,
Parley Contracting Co. Inc.,
Parsippany Building Corp.,
Parsippany Hills, Inc.,
Pasco Construction Company,
Passaic-Bergen Construction Co, Inc.,
Passaic County Abstract Co.,
Passaic County Division-Imperial Fibre Glass Swimming Pools, Inc.,
Pat Caridi, Inc.,
Paterson Auditorium, Inc.,
Paterson Building Supply Co.,
Paterson Call Athletic Association,
Paterson Desoto Plymouth,
Paterson Freight Lines, Inc.,
Paterson Industries, Inc.,
Paterson Novelty Fabrics, Inc,
The Pate Sales Co., Inc.,
Pathe Realty Corp.,
Patterns, Inc.,
Patti-Lynn Casuals, Inc.,
Patty Cake, Inc.,
Paul Construction, Inc.,
Pauldon Corp.,
Paul Estates,
Paul Evins Ltd, Inc,
Paulsboro Manor, Inc.,
Pavonia-Boulevard Corp.,
Pay As You Go T. V.,
Pay As You See T. V.,
Payne Luncheonette Co.,
Payne's Junior Houses, Inc.,
Payrolls and Statistics Corporation,
P. B. Polhemus Company,
PBS Associates Inc,
P. D. B. Amusement Company,
Peachtree Land Co. Inc.,

Peerless Automatic Vending Corporation,
Peerless Realty Co., Inc.,
Peg & Pat Inc.,
Pel, Inc.,
Pemberton Development Co., Inc,
Pembrook Estates, Inc.,
Pembrook Nurseries, Inc.,
Pen-Del Farms of New Jersey, Inc.,
Penguin Metropolitan Co.,
Penmar, Inc.,
Penn Construction Corp.,
Pennella Florist, Inc.,
Penn Furniture Mart,
Pennington Associates, Inc.,
Pennington Building & Construction Co. Inc.,
Pennington Homes, Inc.,
Pennington Realty Corp.,
Penn-Jersey Equipment Company,
Penn-Jersey General Contracting Company,
Penn-Jersey Home Food Service, Inc.,
Penn Jewelers, Inc.,
Pennlynn Homes,
Penn Manor Apartments Corp.,
Pennrail, Inc.,
Penn Sales Co., Inc.,
Pennsauken Lumber and Millwork Co, Inc.,
Penns Grove Contracting Company,
The Penn's Inc.,
Penn Vacuum Stores of New Jersey, Inc.,
Penny Express, Corp.,
Penwood Inc.,
Peoples Construction Co., Inc,
Pepe Contracting Company,
Pequannock Sales & Rental Corporation,
Perfection Motors, Inc.,
Perma-Lite, Inc.,
Permanent Home Improvement Co,
Perma-Stone Essex, Inc.,
Permutronics Corporation,
Perri's Inc.,
The Perry Corporation,
Perry Valve Corp.,
Personal Guidance Publishing Corp.,

Petal Express,
Pete and Artie's Bar, Inc.,
Peteco Auto Seat Cover Co.,
Peter A. Cipriano, Inc.,
Peter-Jay Lining Co., Inc.,
Peter Kowalchuk & Son, Inc.,
Petersburg Industrial Park, Inc.,
Petrucci Ford Industrial Corp.,
Petty & Good, Inc.,
Phillips Bowling Academy,
Phil-Norm, Inc.,
Philrob Realty, Inc.,
Phyllis Associates, Section One,
The Picture Press, Incorporated,
Pike Estates, Inc.,
Pilar Corporation,
Pinco Builders, Inc.,
Pinecrest Hotel, Inc.,
Pinecrest Realty Corporation,
Pinedale Manor,
Pine Estates,
Pines of Raritan Township, Inc,
Pine Tree Construction Company, Inc.,
Pine Valley Homes, Inc.,
Pinewood Builders & Developers Inc.,
Pinnas & Pinnas, Inc.,
Pioneer Furniture Company Inc. of Clifton,
Pip Distributors, Inc.,
Pipeline Constructors, Inc.,
Piper Associates, Inc.,
Piping Rock Estates, Inc.,
Pisani-Kissel Co., Inc.,
Pitman Lake Development Co., Inc.,
Pitt Builders, Inc.,
Plainfield Professional Exchange Inc.,
Plain-N-Fancy, Inc.,
Plains Supply Co.,
Planet Construction Co.,
Plaxsun's,
Playmakers, Inc.,
Plaza Furniture Co.,
The Plaza Inc.,
Pleasant Farms Corporation,

Pleasant Hour Cocktail Lounge Inc.,
Pleasant Ridge Homes, Inc.,
Pleasant Valley Corp.,
Pleasant Valley Mortgage Associates,
P. L. L. Corporation,
P. L. R. Construction Co.,
Plymouth Builders, Inc.,
Plymouth Rock Homes, Inc.,
Podolsky Poultry Farm, Inc.,
Point Pleasant News Service,
Polar Aire Corporation,
Polka Club Inc.,
Polk Appliances,
Polk Realty Corporation,
Polly Refrigeration Equipment, Inc.,
Polo Record Corp.,
Pompton Knolls, Inc.,
Pond Construction Co., Inc.,
Pongee Silk Corp.,
Pon-Tebros, Inc.,
Pontiac Construction Co., Inc,
Popular Brands Distributing Co.,
Pore Construction Co., Inc.,
Portable Electric Tools, Inc.,
Porter Realty Corp.,
Port Newark Food, Inc.,
Port Realty Co.,
The Post Army Store,
Post El Company, Inc.,
Post Office Liquors,
Potomac Mills Inc.,
Poubian, Inc.,
Power Distributors, Inc.,
Power Plant Specialties, Inc.,
Powers Construction Co., Inc.,
P. P. & M. Auto Wreckers,
P. & R. Corporation, Inc.,
The Preakness Estates,
Precision Control Products Corp.,
Preferred Appliances, Inc.,
Presley Holding Company,
Pressure Concrete Co.,
Preteen Footwear Corp.,

Prevue Lounge, Inc.,
P & R Food Markets Inc.,
Primrose Sales Co., Inc.,
Princeton Terrace Homes,
Prior Realty Company, Inc.,
Pristine Products, Inc.,
Procopio Trucking Co.,
Production Developers, Inc.,
Professional Builders, Inc.,
Proffit Construction Corp.,
Progress Co., Inc.,
Progressive Electric Supplies, Inc.,
Progressive Leather Goods Co.,
Prospect Park Homes Inc.,
Prospect Ridge Realty Co.,
Prospect Sash and Door Co.,
Pro-Teen, Inc.,
Protein-Hi Fish Meal Products Inc.,
Prudential Builders of New Jersey,
Pryce-Rite Stores, Inc.,
P. & T. Builders, Inc.,
P & T Construction Co., Inc.,
P. & T. Trucking Co.,
Public Information Bureau & Educational-Association Inc.,
The Purcell Corporation,
Pure Air, Inc.,
The Purple Orchid,
Pyramid Associates Inc.,

Quality Building & Supply Corp of New Jersey,
Quality Cutting Corporation,
Quality Laundry & Cleaners, Inc,
Quality Plating and Finishing Co, Inc.,
Queen Anne Co., Inc.,
Queen Kosher Provision Corp.,
Queen's Taste Candies, Inc.,
Quick-Serve of New Jersey, Inc,
Quik-Flik Dispenser Corporation,
Quinby Manufacturing Company,

Raba Corporation,
Rachel Jane Corporation,

Radcroft Estates, Inc.,
Raffo, Inc.,
Ragen Corporation,
Ragland Realty Co., Inc.,
Rahway Decorators Inc.,
Rahway Dry Cleaning Co., Inc.,
Rail King, Inc.,
Rainbow Hotel,
Rainbow Tavern, Inc.,
Rajan Corporation,
Raleigh, Inc.,
Ralph Construction Co.,
Ralston Heights Ranch, Inc.,
Ramsey Construction Co.,
Ramsey Holding Company,
Ramsey, Inc.,
Ram Trucking Co., Inc.,
Ranch Manor Homes, Inc.,
Rancocas Land Company,
Randi's,
Randolph-Aurora Builders, Inc,
Randy Building Co.,
Randy Concrete Co., Inc.,
Randy Construction Co.,
Randy's Meat Market, Inc.,
Rankin & Jahn Coal Co.,
Raphael & Sullivan, Inc.,
Rapid Transfer, Inc.,
Raritan Defense Housing Corporation,
Raritan Home Builders & Improvement Company,
Raritan Industrial Steel Fabricators, Inc.,
Raritan Mercantile Corporation,
Raritan Merchandising Company Inc.,
Raritan Ridge, Inc.,
Rasin Painting and Decorating Company,
R. A. Steele Associates, Inc.,
Rauchbach Trunk & Luggage Co.,
Raygold Amusement Corporation,
Ray Len Dress Company Inc.,
Raymor Printing Service Inc.,
Ray Shoe Shop, Inc.,
Ray-Van Realty, Inc.,
Ray Vee Company, Inc.,

R. & B. Construction Co.,
R. Bloomfield, Inc.,
R. & D. Builders, Incorporated,
Reach Home Products, Inc.,
Reading Electric, Inc.,
Readington Sales & Service,
Rea Holding Corporation,
Real Felt Hat Corp.,
Realty Corp. of America,
Record of the Mind, Inc.,
Reda Contracting Co., Inc.,
Red Arrow Metallic Seals, Inc.,
Redart Realty Corp.,
Redborne Associates, Inc.,
Redcliffe Homes, Inc.,
Redimade Mfg. Company, Inc.,
The Reed Corp.,
Reed Fabrics,
Reese Masonry Company, Inc.,
Ree-Store, Inc.,
Regal Electric Company, Inc.,
Regal Engraving Co.,
Reggie's, Inc.,
Regina Wine Co. Inc.,
Regoli-Gaskill Associates,
Reichman Bros., Inc.,
Reid-Mitchell, Inc.,
Reilly Trucking Co., Inc.,
Reinhardt's Shell Service, Inc,
Relckirts Realty Corp.,
Reliable Mason Construction Co, Inc.,
Reliable Truck Renters, Inc.,
Reliable Warehousing Corp.,
Reliance Products Co.,
Re-Nay Decorators, Inc.,
Renco Finishing Corp.,
Renco Processing Co., Inc.,
The Rendezvous, Inc.,
Rendezvous Park,
Renman Inc.,
Renown Coat Co., Inc.,
Rental, Inc.,
R. & E. Schultz Builders, Inc.,

Reserve Inc.,
Revere Realty, Inc.,
Rex Appliances Inc.,
Rex Drug Stores,
Rex Plumbing Supply Co., Inc.,
Reynolds Associates, Inc.,
R. F. C. Realty Corp.,
R. F. Doss, Inc.,
R & F Trading Co.,
R. G. Allen Construction Co., Inc.,
R. Hutchinson & Co.,
Ria Realty Co.,
Ricci's Clinton Amoco Service Station,
Rieden Cleaners, Inc.,
Rice-Hadley Corp.,
Richaven Construction, Inc.,
Rich Construction Company, Inc.,
Richmar Embroidery Co.,
Richwood Realty Co., Inc.,
Rickshaw Boy,
Ric-Ron Motors, Inc.,
Ridgefield Construction Corp.,
Ridgefield Lodge, Inc.,
Rievo Products Corp., Inc.,
Rifkin Bros. Silversmith Corp.,
Rite-Way Roofing Co., Inc.,
Riverdale Holding Co.,
River Edge Properties, Inc.,
Riveredge Village, Inc.,
River Manor Building Corp.,
River Park Homes, Inc.,
Riverside Plastics, Inc.,
Rivi Machine & Products Corp.,
Rivoli Sugar Bowl, Inc.,
Rizzi Construction Company,
R. J. Peost, Jr., Lumber Co.,
R. Krause Embossing Corp.,
R. & M. Associates, Inc.,
Roadside Gardens,
Robert-Alan Coat Co., Inc.,
Robert E. Gillies, Inc.,
Robert G. Henderson, Inc.,
Robert G. Zurheide & Associates, Inc.,

Robert-Jared Inc.,
The Robert J. Lecher Corporation,
Robert Noble, Inc.,
Robert O' Brien & Co., Inc.,
Robert Teschlog Company,
Rob'n Ville, Inc.,
R. & O. Builders,
Rocbel Holding Co., Inc.,
Roche Heating & Appliance Co.,
Rochelle Estates, Inc.,
Rockaway Knolls, Inc.,
Rockaway Village, Inc.,
Rock Contracting Co. Inc.,
Rocker Farms Inc.,
Rockland Landscape Contractors, Inc.,
Rock Ridge Corp.,
Rodman Corporation,
Rodney Clothes of New Brunswick, Inc.,
Roger Milleo, Inc.,
Rog Investment Corporation,
Roland Metal & Iron Works, Inc.,
Rolling Brook Estates,
Roma Construction Co.,
Roma Importing Company,
Roman Cafe,
Rosally Holding Co.,
Rosaries, Inc.,
Rosco Embroidery Corp.,
Rose A Catering Corporation,
Rosebro Realty Corp.,
Roseid Corporation,
Roseland Bar and Lounge, Inc.,
Rosenfeld Furniture, Inc.,
Rosette Realty Co.,
Rose Vista Enterprises, Inc.,
The Rossi Roofing Company,
Rossner's Bar & Liquor Store Inc.,
Ro-Tan Products Corp.,
Roth Home Furnishing Company,
Roth's, Inc.,
Rotiss-O-Mat Royale of New Jersey,
Rotocraft, Inc.,
Rouse & Bulmer Construction Co.,

Route 4 Bowling, Inc.,
Roxbury Associates, Inc.,
Roxbury Builders, Inc.,
Roxy Florist,
Royal Ceramic Art, Inc.,
Royal Exchange Company,
Royal Furniture Exchange, Inc.,
Royaline-Preferred Lighting Corporation,
Royal Marble Company,
Royal Paving Co. Inc.,
Royal Shackamaxon Country Club, Inc.,
Royal Super Markets, Inc.,
Royal Transport Inc.,
Roy J. Morris Co., Inc.,
Rozbe Construction Co.,
R.S.J. Realty Corp.,
Rubber Moulded Specialties, Inc,
Ruberti Salvage Company,
Ruffu Sales Co.,
Rummler-York Corporation,
Runnemede Estates,
Rusco Window Corp. of N. J.,
Rus-Haven Construction Corp.,
Rushlo Cafeteria Inc.,
Russell Bros. Inc.,
Ruty's Long Bar,
Rutgers Arms, Inc.,
Ruth Pastor Enterprises, Inc.,
Ruzicka Holding Co.,
R.V. Blouse, Skirt & Sportwear Co.,
Ryder Lane Corporation,
Ryerson & Hall,

S.A.B. Investments Inc.,
Sabo's Incorporated,
Sachs Enterprises, Inc.,
Sacks Furniture, Inc.,
Safari Painting Co., Inc.,
Safeway Home Improvers, Inc.,
Safeway Products Company,
Sahara Corporation,
Sailport Machine and Tool Shop, Inc.,
St. Johns Associates, Inc.,

Salem Coal, Ice and Storage Company,
Salem County Construction Co.,
Salerno Restaurant, Inc.,
Sales Institute of America, Inc,
Sales & Merchandising Associates, Inc.,
Salladin Agency, Inc.,
Salmar Investment Company,
Samaro Enterprises Inc.,
Sample Shops of New Jersey,
Samsol Corporation,
Sam's Packing Cases, Inc.,
Samuel D. Wasserman, Inc.,
Samuel L. Di Michele & Son, Inc.,
Samuel Schrenell, Inc.,
Sam-Wal Corporation,
Sam Young & Co., Inc.,
Sands Drive-In Theatre Corp.,
Sandy Coat Co. Inc.,
Sandy-Martin, Inc.,
Sanford's Bake Shop, Inc.,
"San Lorenzo Sugar Company,"
Santa Fe Construction Co. Inc.,
Santaniello Bros., Inc.,
Santisi Holding Co., Inc.,
San Ton Sportswear, Inc.,
Sarco Company,
Sarco Trading Corp.,
Saturn Products Inc.,
Savoy Bar & Grill, Inc.,
Sav-Rite Self Service Food Market,
Saxon Beverage Company,
Saxon Distributing Company,
Sayre Holding Company,
Sayreville-Raritan Realty Corporation,
Scammell Homes, Inc.,
S & C Cleaning Specialties Co Inc.,
Schachtel Bros. Holding Co.,
Scheri Oil Co., Inc.,
Schindler's Poultry Farm,
Schlosser Realty Corporation,
Schneeman Bros., Inc.,
Schoenberg Studios, Inc.,
School Bus Transportation Company,

Schreiber Produce Co., Inc.,
Schumb's Restaurant, Inc.,
Scientific Investors Incorporated,
Scientific Metal Treating Co. Inc.,
S. Citron & Sons, Inc.,
Scotch Sales of New York, Inc.,
Scotland Corporation,
Scott Builders Supply Corporation,
SCS Heating Corporation,
Seaboard Asphalt Paving, Inc.,
Seaboard Associates,
Seaboard Excavators, Inc.,
Sea-Breeze Manufacturing Co.,
Seacoast Credit Bureau, Inc.,
Seacoast Finance Company,
Seafoods Unlimited, Inc.,
Seairland Shipping Agencies, Inc.,
Sea Isle Casino,
Sea-Jay Export Company, Inc.,
Sea Land Realty Company Inc.,
Sea Rest, Inc.,
Sea Shore Auto Rental Co.,
Seashore Cartage Company,
Sea-Wood Corporation,
S. E. B. Realty Corporation,
Seco Leather Products Company,
Security Agency Inc.,
Seechriss, Inc.,
See Construction Company,
Seeler Company,
Seidel Furniture, Inc.,
Seifert & Baime Tire Sales Co,
Seigel Agency, Inc.,
Selma's Inc.,
Semarab Corporation,
Se-Mour Undergarment Co.,
Sem Par Holding Co.,
Sender Corp.,
Sentinel Agency,
Service Textile Arts Co.,
7-11 Main Street Corp,
745 Hunterdon St. Inc.,
78 Seventeenth Avenue Corporation,

77 Club,
73 Co.,
73 West 22nd Street Inc.,
7051 Corporation,
Seydel Chemical Company,
Seymour Construction Company,
S-F Co., Inc.,
S.G. Hunt Jr. Contractors, Inc,
Shade-Cote, Inc.,
Shain Corp.,
Shaley Hill Farm, Inc.,
Shark River Fishery, Incorporated,
Sharlene Shops, Inc.,
Shawco Laboratories Inc.,
Shaw Construction Co.,
Shaw Motors, Inc,
Sheldon Card Shops, Inc.,
Shelley Homes,
Sheraton Pharmaceutical Co. Inc.,
Sheridan Mortgage Co.,
Sherman & Rose Furniture Co., Inc of Morristown,
Shipbuilders, Inc.,
Shippee, Wyckoff & Waterman,
Shipping Corporation of America,
Shipping Service Co, Inc.,
Shirley's,
Shoe City, Fort Lee, Inc.,
Shoe City Inc.,
Shoe City, Union, Inc.,
Shoe City, Woodbridge, Inc.,
Shop-O-Rama Inc.,
Shoppers Parking System, Inc.,
Shopwell Sportswear, Inc.,
Shore Constructors, Ltd.,
Shore Estates, Inc.,
Shorehotel Co.,
Shore Lines News, Inc.,
Shore Radio, Inc.,
Shor & Wertheim, Inc.,
Show Agents Incorporated,
Shower Door Co. of New Jersey Inc.,
Shrewsbury Builders of New Jersey, Inc.,
Shrewsbury Radio & Television Inc.,

Sid Polkowitz Autos, Inc.,
Sid's Car Wash Inc., Sieck Bros., Inc.,
Siegel's Franklin Park Pharmacy,
Signal System Distributing Company,
Silco Corporation,
Silk City Coal & Charcoal Co.,
Silver Bros. Outlet Stores. Inc.,
Simco Agency, Inc.,
Simmons Trading Corporation,
Sinco Hotel Corp.,
615 Boardwalk Corporation,
657-659 Broad Street Corp.,
612 Madison Avenue, Inc.,
624 Montgomery Street Corp,
620 Madison Avenue, Inc.,
622 Holding Co.,
Six-Seventeen Summit Avenue Corporation,
68 Watson Avenue Corporation,
65 Magnolia St., Inc.,
Sixty-Six Realty Corp.,
Sixty-Three, Inc.,
60 Wallace Street Corporation,
Skate-O-Rama, Inc.,
Ski-Bee's, Inc.,
S. Klein Metals, Inc.,
Skoller,
Skoor Realty, Inc.,
Skyline Construction Corporation,
The Sleep Center,
The Sleep Mart, Inc.,
Sleepy Hollow Amusements, Inc,
Slenderella Systems of Camden Inc.,
Slenderella Systems of Newark Inc,
Slim's Car Fair, Inc.,
Sloane Publications Inc.,
S L S Diner Corp.,
S and L Solon, Inc.,
Small Craft, Inc.,
Smoking Pipes Sales Co.,
Snap, Inc.,
S. O. Holding Corporation,
Solodar Motors, Inc.,
Somerdale Clothing Co., Inc.,

Somerset Motors, Inc.,
Somerset Textile Corp.,
Somerville Bake Shop,
Sommerhalter Inc.,
Sonata Development Corporation,
Songwriters Cooperative Association,
Soriano Associates, Inc.,
Soroco Truck Motels, Inc.,
Sound-Tronic Recording Corporation,
South Bergen Builders, Inc.,
South Bergen Distributing Corporation,
Southdown Estates, Inc.,
South Hackensack Service Center, Inc.,
South Jersey Box Corporation,
South Jersey Land Company,
South Plainfield Airport,
South Shore Company,
Southwestern Oil & Gas Corporation,
Special Tobacco Co., Inc.,
Specialty Brake Appliance Co,
Specialty Realty Co.,
Speedgun Corporation of America,
Speedy-Wash Inc.,
Spencers' Business College,
Sport Facts Inc.,
Sportsmen's Guild, Inc.,
Sportsmens Inc.,
Sports Promotions, Inc.,
Sportswear Corporation of America,
Sprague-Martin Vacuum Plating Co, Inc.,
Spreen Bros. Motor Express, Inc,
Springfield Sales,
Spring Lake Heights Estates, Inc.,
Spring Realty Holding Company,
Spruce Realty Corp.,
S & S Concessionaires, Inc.,
S & S Farms, Inc.,
S & S Realty Co., Inc.,
S. & S. Wholesale Distributors Inc.,
Stadium Motors, Inc, #2,
Stadlers Shoes Inc.,
Stager-Sheridan Tree Service Inc.,
Stak-O-Mine, Inc.,

Standard Aluminum Manufacturing Corp.,
Standard Assets, Inc.,
Standard Construction Associates, Inc.,
Stanfox Realty Co. Inc.,
Stanisci Development Corporation,
Stanley's Farm Poultry Store Inc.,
Stan's Tap Room, Inc.,
Star Construction Company,
Star Enterprises, Inc.,
Starlite Inc.,
Star Plumbing & Heating Co. Inc.,
Star Provision Co., Inc.,
Star Transport Co.,
Start Rite Co.,
Star Trucking Company,
Star Wychwood Cab Co., Inc.,
Stasons Realty Co., Inc.,
State Builders, Inc.,
State Building and Contracting Corp.,
State Discount Corporation,
State Distributors, Inc.,
State Enterprises, Inc.,
State Investigation Bureau,
State Wholesale Produce Co., Inc.,
Statewide Aluminum Products Inc,
Statewide Associates, Inc.,
State-Wide Music Corp.,
State Wide Underwriters,
Station Parking Corp.,
Station Plaza Corporation,
The Stavitsky Agency, Inc.,
Stecker-Holland Chemical Company,
Steel-Crete-New Jersey, Inc.,
Steele-Mc Carty, Corp.,
Steel Fabrics Corp.,
Steel Pier Block Corp.,
Steg Metal Art Corp.,
Stelco-Newark, Inc.,
Steller Holding Co.,
Stenger Realty Co., Inc.,
Stephen Builders, Inc.,
Stephen J. Meade, Inc.,
Stephen Realty & Development Co.,

Sterling Engineering Associates,
Sterling Fiber Corporation,
Sterling Home Improvement Co.,
Sterling Laundry, Inc.,
Sterling Neckwear, Inc.,
Sterling Oil Terminal Corp.,
Stetner & Lehrer Associates,
Steve E. Hartmann, Inc.,
Stevehen Realty Corporation,
Steve Meader Ford, Inc.,
"Stevens Avenue Realty Corporation,"
Stevenson Company, Inc.,
Stewart-Allen, Inc.,
Stewart Warehouse & Distributing Co, Inc.,
Stiffel Manufacturing Co., Inc.,
Stillwell Corners, Inc.,
Stores, Inc.,
Storm Construction Co.,
Strato Aviation Corporation,
Strauss' Cloak & Dress Shop Inc.,
Streamline Trailers, Inc.,
Streetways, Inc.,
Stretton Farms, Inc.,
Strickland's Bakery, Inc.,
S. Troum, Inc.,
Structural Enterprises, Inc.,
Stuart Heights, Inc.,
Student Holiday Tours Inc.,
The Studio Publications Incorporated,
Stumm Realty Co., Inc.,
Stylbilt Clothes, Inc.,
Style Homes Inc.,
Subcon Inc.,
Sub Teeners, Inc.,
Suburban Aluminum Window Corp,
Suburban Apartment Corp.,
Suburban Body Shop, Inc.,
Suburban Cab, Inc.,
Suburban Clothing Co., Inc.,
Suburban Homes,
Suburban Magazine, Inc.,
Suburban Office Services, Inc,
Suburban Used Cars,

Sudic Corporation,
Suedon, Inc.,
Sugar Hill, Inc.,
Summ Corp.,
Summer Corporation,
Summer Enterprises, Inc.,
Summer Taxi Service, Incorporated,
Summit Distributing Co, Inc.,
Summit Finishing Company, Inc.,
Summit Landscape Service, Inc,
Summit News Service Company,
Summit Printing & Publishing Company,
Summit School of Music,
Summit-Somerville, Inc.,
Summit-Springfield Realty Corp.,
Sumner Wines & Liquors, Inc.,
Sunbright Car Park,
Sunbright Construction Co., Inc.,
Sun Crest Homes, Inc.,
Sun Glass Industries Co., Inc.,
Sunlock Nursing & Convalescent, Inc.,
Sunnyland Inc.,
Sunnyside Superette, Inc.,
Sunset Diner, Inc.,
Sunset Motors, Inc.,
Sunset Tourist Court, Inc.,
Sun-Shield Coatings of North Jersey, Inc.,
Sunshine Fruit Co.,
Superb Textile Processing Corp.,
Superior Chemical Co.,
Superior Diners, Inc.,
Superior Distributors, Inc.,
Superior Moire Company, Inc.,
Supersign Co., Inc.,
Super Stores, Inc.,
Supreme Cleaners and Dyers, Inc.,
Supreme Construction Corp.,
Supreme Corporation,
Supreme Textile Processing Corporation,
Surplus Placement Corp. Inc.,
Suslin. Inc.,
Sussex Clothing Manufacturing Company,
Sussex Welding & Farm Equipment Co.,

Suther Holding Co., Inc.,
Suzy-Jay Coat Company, Inc.,
S.W.A. Associates,
Swab Manufacturing Corporation,
Swan Clothes, Inc.,
Swartzel Building Corporation,
Sweet Bride Dress Manufacturing Co.,
Sweet Shoes, Inc.,
Swimming Pool City,
Swing-O-Matic Corp.,
Sycamore Home Improvement,
Sydcurb Construction Co., Inc.,
Sylvan Lake Lines,
Sylvester Construction, Inc.,
Syma Corp.,
Synthetic Narrow Fabrics, Inc.,
Systems Engineering Corporation,

Tackle Shop, Inc.,
Taft Enterprises, Inc.,
Tag-Teen Inc.,
Taka Products, Inc.,
Talbert Construction Co, Inc.,
Talcott Farms, Inc.,
The Tall Shop,
Tall Wear, Inc. of New Jersey,
Tally-Ho Inn,
Tam Haulage Corporation,
Tancredi Clothing Corporation,
Taylor's Auto Sales, Inc.,
T. B. Tire Co., Incorporated,
T. D. and Sons, Inc.,
Teal Corporation,
Teaneck Delivery Service, Inc.,
Tecza Realty Co.,
Teddy's of Seaside,
Tedesco Realty Corp.,
Tedrose Realty Co.,
Tegal's Inc.,
Television Engineering Corporation,
Tele-Vuers Service Center, Inc.,
Temple Construction Co.,
Ten-Ace Amusement Corporation,

1095 Broad Street Corp. Inc.,
Tennessee Corp.,
Terminal Investing Company,
Terminal Wines & Liquors, Inc,
Terra-Nova Construction Company,
Terry Bus Company, Inc.,
Terry Manufacturing Company,
Terry's Truck Terminal,
Teterboro Investment Co., Inc.,
T. F. Lemassena and Son. Inc,
T.G.M. Trucking Corp.,
Thames Realty Corporation,
Theatrical Enterprises Inc.,
Theatrical Tours of America, Inc,
Theo Realty Co., Inc.,
Therapeutic Products Information, Inc.,
Therex, Inc.,
Thermacote Manufacturing Company,
Thermacote Plastic Products, Inc.,
Thermacote Welding Products, Inc.,
Therm-Air Mfg. Co.,
38 Boyd Street Corporation,
38 East Park Street Corporation,
34 Boyd Street Corporation,
36 Boyd Street Corporation,
38 No. Main St., Inc.,
Thode's of George Street,
Thodes of New Brunswick, Inc.,
Thos. G. Neil, Inc.,
Thomas Jefferson Bakery, Inc.,
Thomas Motor Service,
Thomas R. Peed & Co., Inc.,
Thordis Realty Co.,
384 Main Street Corporation,
301 Bar, Inc.,
The 333 Tavern, Inc.,
321-325 Baldwin Ave. Corp.,
Three M's Farm, Inc.,
Thriftee Lamp Shop, Inc.,
The Thrifty Buyers, Inc.,
Thrifty Meat Market,
Thumspin Tool Corp.,
Thunderbird Bar Inc.,

Tidewater Baling Corp.,
T. I. D. Incorporated,
Tiffany-Gregory Publications, Inc.,
Tile-Craft, Inc.,
Timely Cottons, Inc.,
Time Sales Discount Corp.,
Timken Home Building Corp.,
Tiny's Diner, Inc.,
Tippy-Tu Charcoal Haven,
Tip Top Auto Stores of Rahway Inc.,
Tirella Amusement Company,
T. L. Perlman & Co., Inc.,
The T M B Corp,
T. & M. Inc.,
TNEL Electric Co., Inc.,
T and N Mason Contractors,
Tobacco and Confectioners Association, Inc.,
Tod Auto Sales, Inc.,
Togna Construction Corporation,
Tomary Realty Corp.,
Tom McIntyre's Sons Inc.,
Tommy & Mikes Tavern, Inc.,
Tommy's Tavern, Inc.,
Tom Nieman Construction Co. Inc.,
Toms River Construction Co.,
Toms River Holding Corp.,
Tonel Fabrics Corp.,
Toot-N'-Tote,
Topeka Lodge Corp.,
Top-Hat Cab Co.,
The Tops Restaurant & Bar, Inc.,
Torrell Construction Co.,
Toti Contracting Co., Inc.,
Totowa Dell, Inc.,
Town and Country Estates, Inc.,
Towne Kitchens, Inc.,
Towne Shoppe,
Town Finance Co., Inc.,
Town Hall Servicenter, Inc.,
The Town, Inc.,
Town Tavern,
Traders Realty Corp.,
Trans-American Trading Corp.,

Transportation Sales, Inc.,
Trans World Refining Corporation,
Travel Rite Battery Corp.,
The Tray House, Inc.,
The Treasure Nook, Inc.,
Treat & Co.,
Treecap Realty & Investment Co.,
Tremont Enterprises,
Trend Enterprises, Inc.,
Tren-Sota Builders, Inc.,
Trenton Doll and Novelty Company,
Trenton Lane Luncheonette, Inc.,
Trenton Lane Stationery, Inc.,
Trent Products, Inc.,
Trent Welding, Inc.,
Triangle Mills, Inc.,
Triangle Plating and Polishing Co. Inc.,
Triangle Restaurant, Inc.,
Tri-Boro Realty & Investment,
Tri-City TV,
Tri-County Realty, Inc.,
Trinidad Ryania Corporation,
Trinky Contractors Corp.,
Trio Plastering Co.,
Tri-State Motor Sales, Inc.,
Tri-Town Printing and Publishing Company. Inc.,
Trit's Tavern, Inc.,
Trixie Girl Coat Corp.,
Trowbridge Auto Radiator Co.,
Truart Equipment and Furniture Corporation,
Truck & Trailer Equipment Corp,
Trumbull Industries, Inc.,
Tru-Stone Corp.,
Trylon Brokerage Co. of New Jersey,
Tubeless Tire Corporation,
Tuckerton-Boatman's Shop,
Tuckerton Marine Products, Inc.,
Tudor Associates, Inc.,
Tuffy Fiberglas Industries,
Tullen Chemical Company,
Tumble Hill Company,
Tunnel Grove Company,
Turi Bros. Inc.,

Turkowski & Sons, Inc.,
Turner Home Builders, Inc.,
Turnpike Auto Service, Inc.,
Tuschyn Roofing Company, Inc.,
Tutenco, Inc.,
T. & W. Construction Co. Ltd.,
1236 Atlantic Corp.,
20th Century Distributors Corp.,
25 Church St. Co.,
2554 Boulevard Holding Corp.,
24 Hamilton St. Corp.,
2706, Mary's Tavern, Inc.,
2221 Boardwalk Co.,
Twin City Boxing Club, Inc.,
Twingrip, Inc.,
Twin Lakes Lodge, Inc.,
280 Market St. Inc.,
280 Realty Corp.,
204 Mulberry Street Corp.,
214 Summit Avenue Corporation,
291 Mulberry St. Corp.,
291 River Drive Realty Corp.,
217 Schuyler Ave. Corp.,
278 Main Ave. Corp.,
275 Central Avenue Corporation,
279 Corporation,
216 Miller St. Corporation,
235 Jersey Avenue Corporation,
226-48th Street Corporation,
Two Seventeen Realty Company,
Two Teen Corporation,
Tyfco, Inc.,

U-K Precision Products, Inc.,
Union Bar & Grill,
Union Engine Service, Inc.,
Union Hill Cleaners, Inc.,
Union Medical Clinic, Inc.,
Union Metals Co.
Union Plastering Co. Inc.,
Union Safety Service,
Union TV, Inc.
Unisal, Inc.,

United Associated Enterprises, Inc.,
United Boilers Welding and Service Inc.,
United Building Products Co., Inc,
United Feed Company, Inc.,
United Gas & Electric Co.,
United Gas and Electric Service,
United Home Improvement Co.,
United Home Products, Inc.,
United Paper Stock Corporation,
United Refrigeration Company,
U. S. Charge Accounts, Inc.,
U.S. Cotton Oil Co., Inc.,
U. S. Foundry Corporation,
U. S. Inspection Co., Inc.,
U. S. Maintenance Corporation,
U.S. Marine Salvage Corporation,
U.S. Metal Forms & Tubes, Inc.,
United States Research Corporation,
United Vending Machines Corp.,
Universal Building Corporation,
Universal Erectors Company of Corrugated & Roof Deck Planks,
Universal Home Improvement Co.,
Universal Release Corporation,
Uni-Wrap, Inc.,
Uptown Bar & Bowl, Inc.,
Urana Corporation,
Urban Commercial, Inc.,
Us-Can Securities, Inc.,
Utility Metals, Inc.,
U & V Corporation,

V & A Incorporated,
Valdan Corporation,
Vale Holding Co.,
Valley Brook Enterprises, Inc.,
Valley Cleaners, Inc.,
Valley Electronics Corp.,
Valley Spa,
Valley View Swim Club, Inc.,
Vallone Realty Company,
Vance Detective Agency, Inc.,
Vance Homes, Inc.,

Vanderbilt-Seacoast Dairies, Inc.,
"Vandersee Corporation,"
Vangreen Realty Co.,
Van, Inc.,
Van Nesscrest, Inc.,
Van Nest, Inc.,
Van Reypen Investment Corp.,
Variety Bar Ice Cream Co., Inc.,
Variety Fair, Inc.,
Varstro Distributors, Inc.,
Vartian Rugs, Inc.,
Vassar, Inc.,
Vel-O-Rose,
Venetian Window Manufacturing Corporation,
Ventnor Crier,
Venus Baking Corp.,
Venus Mineral Corporation,
Vernam's Dairy,
Vernon Homes, Inc.,
Verona & Mt. Prospect Realty Inc,
Versailles Apartments, Inc.,
Verstan Realty Co.,
Vertex Building Corp.,
Vertex Construction Co., Inc.,
Vicki's,
Victor Biscuit Company, Inc.,
Victor Homes, Inc.,
Victor Paul Inc.,
Victory Amusement Corp.,
Vigil International Corporation,
Viking Aeronautical Sales Corp.,
Village Bakery Inc.,
Village Pharmacy of Ridgewood,
Villano Realty Corporation,
Villa Sites Corp.,
Vim Realty Co., Inc.,
Vin-Cam Corporation,
Vinebeck Inc.,
Vineland Office Equipment Co.,
Vineland School of Painting and Decorating,
Vingra, Inc.,
Virginia Manor, Inc.,
The Virginian,

Vismor Industries Inc.,
Vittoria Castle,
V. & J. Electrical Service, Inc.,
V. M. S. Forms, Inc.,
V. M. Wintermute Television Center, Inc.,
Vogel Hardware Inc.,
Vogue Fashions, Inc.,
Vogue, Inc.,
Vogue Knitting Mills, Inc.,
Vreeland Enterprises, Inc.,
Vulcan-Cure, Corp.,
Vulcan Design, Inc.,
Vulcan Machine & Mfg. Inc.,

Wagaraw Holding Company,
Wallace L. Warren Company,
Wall Garden Homes, Inc.,
Walling Construction Co., Inc,
The Wallis Original Record Corp.,
The Wallis Publishing Corp.,
Wallworth Park Apts. Inc.,
Walter J. Coleman Company,
Walters Gift Shoppe,
Walters, Inc.,
Walton's Inc.,
Wanaque Homes, Inc.,
Wantagh Construction Company,
Warbel, Inc.,
Warner Bindery Inc.,
Warner East Orange Corporation,
Warner-Morristown-Corporation,
Warning Systems, Inc.,
Warren Associates, Inc.,
Warren and English Trucking Co. Inc.,
Warren-Robert Mine & Quarry Co, Inc.,
Warsie Homes, Inc.,
Washington Estates, Inc.,
Washington Land & Improvement Co.,
Washington Park Center, Inc.,
The Washington School for Secretaries, Inc.,
Wash Rack Equipment Company,
Water-Disposal Contracting Corp,
Waters and Tilton Inc.,

Watnong Riding Academy,
Waverly Textile Processors, Inc.,
Wayside Diner, Inc.,
W.B. Holding Co.,
Wear Well Underwear Company, Incorporated,
Web Electric, Inc.,
Webster Detective Agency, Inc.,
Wehson Inc.,
Weibro Holding Corporation,
Weiss & Epstein, Inc.,
Welding Equipment, Inc.,
Well Built-Channel Sales Co.,
Wendy's Luncheonette, Inc.,
Wene Poultry Laboratories, Inc.,
Werewood Realty Co.,
Wertsville Industries, Incorp.,
West Caldwell Estates, Inc.,
West Essex Luncheonette, Inc.,
West Essex Plastics, Inc.,
Westfield Industries Inc.,
Westfield Land and Improvement Co.,
Westfield Pantry, Inc.,
West Hudson Fur Corp.,
West Jersey Home Building Corp.,
West Long Branch Plumbing Co. Inc.,
West Machinery & Supply Co.,
West Park Associates, Inc.,
West Shore Service Corp.,
Westvale Manor, Inc.,
Westville Builders Inc.,
Westwood Center Holding Co.,
The Weymouth Company,
W. H. Deisroth Company,
When Things Look Black, Incorporated,
Whirlers, Inc.,
White Confectionery, Inc.,
White House Hotel Inc.,
White House Restaurant of Bayonne, Inc.,
White Meadow Enterprises,
White Meadow Petroleum, Inc.,
White Porpoise Co., Inc.,
White Sand,
White Sea Foods, Inc.,

Wholesale Foods of New Jersey, Inc.,
Wigwam Inc.,
Wilderotter Home Improvement Center,
Wild West City of Netcong, New Jersey,
Wildwood Yacht Basin, Inc.,
William D. Salladin, Inc.,
William J. Lavery Inc.,
Wm. Paul Youngs Incorporated,
William Redpar Inc.,
William Seltzer Laboratories, Inc.,
Williams Investment Company,
William T. Mole Co.,
The Willred Company,
Wilma Realty Company,
Wilmit Holding Co., Inc.,
Wilson Land Co.,
Windlass Construction Company,
Windowcraft Company, Inc.,
Windsor Clothing Outlet, Inc.,
Windsor Sweet Shop,
Winhart, Inc.,
Winson Woods Estates, Inc.,
Winston Homes, Inc.,
Winthrop Products Corp.,
Wire Safe, Inc.,
Witte Novelty Works, Inc.,
W. K. G. Construction Co.,
W. Millich, Inc.,
WOAX, Inc.,
W.O. Construction Co., Inc.,
Wolfie's, Inc.,
Wolk's, Inc.,
Woodcliff Homes Company,
Woodcliff Lake Estates, Inc.,
Woodcliff Radio, Inc.,
Woodcrest Sewerage Corp.,
Wood Estates Land Co.,
Woodland Construction Co., Inc,
Woodland-Park Homes, Inc.,
Woodlane Electric Co.,
Woodmere Construction Co., Inc,
Wood's Plastics Inc.,
World Chemical Corporation,

World Wide Investors Corp.,
Worldwide Publications, Incorporated,
World Wide Shoe Co. Inc.,
World Wide Shoes, Inc.,
World-Wide Specialties Inc.,
Worley Shell Homes,
Wortendyke Market,
Wright Engineering Company,
Wright Paper Products, Inc.,
The Wright Stores, Inc.,
W. R. Inc.,
W.S. Stationers, Inc.,
Wycoff Machine and Tool Co., Inc.,
Wynmont Homes, Inc.,

Yankee Clipper Diner, Inc.,
Yankee Packet Stamp Co., Inc.,
Yankee Wood Products,
Yardville Moe, Inc.,
Yavner Motors, Inc.,
Yellow Cab Company of Wildwood, N. J.
Yore Homes, Inc.,
York Baseball Company,
York-Jersey Associates, Inc.,
Yorkshire Builders, Inc.,
Yorkshire Plumbing & Heating Co. Inc.,
Young Man's World,
Yuill Construction Company,
Yukon Sportswear Co., Inc.,

Zab's Shoes, Inc.,
Zakat Realty Co.,
Zeek Construction Co.,
Ze-Essex Realty Corp. Inc.,
Zelma Company,
Zepe Mortgage Co., Inc.,
Zero Foods, Inc.,
Zinicola Baking Co.,
Zonealarm, Inc.,
Zubmar, Inc.,
Zucker's Dress Shop, Inc.,

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this twenty-first day of January, A. D. one thousand nine hundred and sixty, and in the Independence of the United States, the one hundred and eighty-fourth.

ROBERT B. MEYNER,
Governor.

By the Governor,
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 20th day of January 1960, by the Deputy Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that the Fluid Chemical Company, Incorporated, a corporation of this State, had failed to pay the corporation franchise taxes levied against said corporation for the year 1957, the Governor of this State, on the 21st day of January 1960, issued a Proclamation declaring that the charter of said corporation is repealed and that all powers conferred by law upon such corporation be inoperative and void, and

WHEREAS, Said report in the above particular was inadvertently made in that it appears that prior to the making thereof, the Fluid Chemical Company, Incorporated duly paid the corporation franchise taxes levied against it for the year 1957;

THEREFORE, Acting pursuant to the provisions of R. S. 54:11–4, I, ROBERT B. MEYNER, Governor of the State of New Jersey, do hereby declare that it has been established to my satisfaction that said Fluid Chemical Company, Incorporated did not neglect or fail to pay the corporation franchise taxes levied against it for the year 1957, but that said corporation duly paid the taxes levied against it for said year; that the report by the Deputy Director to the Governor, stating that said corporation had failed to pay said corporation franchise taxes, was inadvertently made and that the proclamation of the Governor on the 21st day of January 1960, declaring that the powers conferred by law upon the said corporation be thereafter inoperative and void, was without warrant in the law in the way of depriving said corporation of its said powers

as a corporation of this State, and I hereby make proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this 23rd day of June in the year of Our Lord, one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fourth.

/s/ ROBERT B. MEYNER,
Governor.

By the Governor:
/s/ EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 20th day of January 1960, by the Deputy Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that the following corporations of this State, had failed to pay the corporation franchise taxes levied against them for the year set forth opposite their respective names,

Elro Realty Co., Inc.	1957
F & M Plumbing Supply Co. of N. J., Inc.	1957
Mercer Clothing Manufacturing Co., Inc.	1955
Paterson Auditorium, Inc.	1957
Pines of Raritan Township, Inc.	1955
Shipping Service Co., Inc.	1957
Sterling Oil Terminal Corp.	1955
White Meadow Petroleum, Inc.	1957
Spring Lake Heights Estates, Inc.	1957
State-Wide Music Corp.	1957
U & V Corporation	1957
Watnong Riding Academy	1957

the Governor of this State, on the 21st day of January 1960, issued a Proclamation declaring that the charters of said corporations were repealed and that all powers conferred by law upon such corporations would thereafter be inoperative and void, and

WHEREAS, Said report in the above particular was inadvertently made in that it appears that prior to the making thereof, each of the above named corporations duly paid the corporation franchise taxes levied against it for the year set opposite its respective name.

THEREFORE, Acting pursuant to the provisions of R. S. 54:11–4, I, ROBERT B. MEYNER, Governor of

the State of New Jersey, do hereby declare that it has been established to my satisfaction that each of the above named corporations did not neglect nor fail to pay the corporation franchise taxes levied against it for the year set out opposite its respective name, but that each of said corporations duly paid the taxes levied against it for the indicated year; that the report by the Deputy Director to the Governor, stating that said corporations had failed to pay the said corporation franchise taxes, was inadvertently made and that the proclamation of the Governor on the 21st day of January 1960, insofar as it voided the charters of the said corporations, was itself inoperative and void and was ineffective to deprive the said corporations of their powers as corporations of this State, and I hereby make proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this 26th day of July in the year of Our Lord, one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 28th day of January 1959 by the Deputy Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that Bruce, Inc., a corporation of this State (incorporated September 12, 1942), had failed to pay the corporation franchise taxes levied against said corporation for the year 1956, the Governor of this State, on the 2nd day of February 1959, issued a Proclamation declaring that the charter of said corporation was repealed and that all powers conferred by law upon such corporation would thereafter be inoperative and void, and

WHEREAS, Said report in the above particular was inadvertently made in that it appears that prior to the making thereof, said Bruce, Inc., duly paid the corporation franchise taxes levied against it for the year 1956.

THEREFORE, Acting pursuant to the provisions of R. S. 54:11–4, I, ROBERT B. MEYNER, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Bruce, Inc. did not neglect nor fail to pay the corporation franchise taxes levied against it for the year 1956, but that said corporation duly paid the taxes levied against it for said year; that the report by the Deputy Director to the Governor, stating that said corporation had failed to pay the said corporation franchise taxes, was inadvertently made and that the Proclamation of the Governor of the 2nd day of February 1959, insofar as it voided the charter of the said corporation, was itself inoperative and void and was ineffective to deprive the said corporation of

its powers as a corporation of this State, and I hereby make Proclamation to that effect.

Given under my hand and the Great
[SEAL] Seal of the State of New Jersey, this 26th day of July in the year of Our Lord, one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report heretofore made by the Deputy Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that Oak Valley Sewerage Company and Oak Valley Water Company, both corporations of this State, had failed to pay the corporation franchise taxes levied against them for the years 1956, 1957 and 1958, the Governor of this State on February 2, 1959 issued a Proclamation declaring that their charters were repealed and that all powers conferred by law upon them would thereafter be inoperative and void, and

WHEREAS, The said report in the above particular was inadvertently made in that it appears that the above named corporations were exempt from the Corporation Franchise Tax Act pursuant to section 3 thereof because they were always "subject to a tax under the provisions of article two of chapter thirteen of Title 54 of the Revised Statutes, or to a tax assessed upon the basis of gross receipts."

THEREFORE, Acting pursuant to the provisions of R. S. 54:11–4, I, ROBERT B. MEYNER, Governor of the State of New Jersey, do hereby declare that it has been established to my satisfaction that the above named corporations do not owe corporation franchise taxes for the years 1956, 1957 and 1958; that the report by the Deputy Director stating that the said corporations had failed to pay the said corporation franchise taxes was inadvertently made and that the Proclamation of the Governor on the 2nd day of February 1959, insofar as it voided the charters of the said corporations, was itself inoperative and void and was ineffective to deprive

the said corporations of their powers as corporations of this State, and I hereby make proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this 31st day of August in the year of Our Lord, one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 20th day of January 1960 by the Deputy Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that Directory Publishing Corp., a corporation of this State (incorporated August 17, 1949), had failed to pay the corporation franchise taxes levied against said corporation for the year 1957, the Governor of this State, on the 21st day of January 1960, issued a Proclamation declaring that the charter of said corporation was repealed and that all powers conferred by law upon such corporation would thereafter be inoperative and void, and

WHEREAS, Said report in the above particular was inadvertently made in that it appears that prior to the making thereof, said Directory Publishing Corp. duly paid the corporation franchise taxes levied against it for the year 1957.

THEREFORE, Acting pursuant to the provisions of R. S. 54:11–4, I, ROBERT B. MEYNER, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Directory Publishing Corp. did not neglect nor fail to pay the corporation franchise taxes levied against it for the year 1957, but that said corporation duly paid the taxes levied against it for said year; that the report by the Deputy Director to the Governor, stating that said corporation had failed to pay the said corporation franchise taxes, was inadvertently made and that the Proclamation of the Governor of the 21st day of January 1960, insofar as it voided the charter of the said corporation, was itself inoperative and void and was ineffective to deprive the said corporation of

its powers as a corporation of this State, and I hereby make Proclamation to that effect.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this 24th day of October in the year of Our Lord, one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, A crippling blizzard struck New Jersey on December 11 and 12, 1960, depositing 12 to 18 inches of snow and accompanied by cold and high winds; and

WHEREAS, Most means of transportation, particularly auto travel, were greatly curtailed; and

WHEREAS, The regularly scheduled six-day firearms male deer season opened on December 12, 1960; and

WHEREAS, Many thousands of New Jersey hunters were unable to participate in the season or to harvest adequately this resource; and

WHEREAS, P. L. 1960, c. 149, vests in the Governor of the State of New Jersey, the authority to proclaim that an emergency exists under the circumstances;

NOW, THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to P. L. 1960, c. 149, do hereby proclaim that an emergency exists by reason of the unusual snow of December 11 and 12, 1960.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this twentieth day of December in the year of Our Lord one thousand nine hundred and sixty, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, The repeated heavy snowfalls of this winter have covered the ground to a depth that has prevented birds from finding normal food and grits; and

WHEREAS, The prolonged subfreezing weather has caused the death of many birds, particularly quail, through freezing; and

WHEREAS, Quail, denied the cover, food and grits found in their normal habitat are now seeking food and grits on the shoulders of the plowed roads where they are extremely vulnerable to legal shooting; and

WHEREAS, It is the considered opinion of game biologists in the Division of Fish and Game that these factors militate against the maintenance of a plentiful supply of quail in a wild state; and

WHEREAS, P. L. 1960, c. 149, vests in the Governor of the State of New Jersey, the authority to proclaim that an emergency exists under the circumstances;

NOW, THEREFORE, I, ROBERT B. MEYNER, Governor of the State of New Jersey, pursuant to P. L. 1960, c. 149, do declare that a condition of emergency does exist in the woods and fields that threatens the quail population and so notify the Fish and Game Council.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this sixth day of February in the year of Our Lord one thousand nine hundred and

sixty-one, and in the Independence of the United States the one hundred and eighty-fifth.

ROBERT B. MEYNER,
Governor.

By the Governor:
EDWARD J. PATTEN,
Secretary of State.

AMENDMENTS TO THE 1947 CONSTITUTION

Amendments to the 1947 Constitution

PROPOSED AMENDMENT ADOPTED

Amend Article IV, Section VIII, paragraph 2, to read as follows:

2. No gambling of any kind shall be authorized by the Legislature unless the specific kind, restrictions and control thereof have been heretofore submitted to, and authorized by a majority of the votes cast by, the people at a special election or shall hereafter be submitted to, and authorized by a majority of the votes cast thereon by, the legally qualified voters of the State voting at a general election, except that, without any such submission or authorization;

A. It shall be lawful for bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct, under such restriction and control as shall from time to time be prescribed by the Legislature by law, games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of game of chance sometimes known as bingo or lotto, played with cards bearing numbers or other designations, five or more in one line, the holder covering numbers as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangement of numbers on such a card, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which a majority of the qualified voters, voting thereon, at a general or special election as the sub-

mission thereof shall be prescribed by the Legislature by law, shall authorize the conduct of such games of chance therein, and

B. It shall be lawful for the Legislature to authorize by law, bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes in the specific kind of games of chance sometimes known as raffles, conducted by the drawing for prizes or by the allotment of prizes by chance, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which such law shall be adopted by a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by law and for the Legislature, from time to time, to restrict and control, by law, the conduct of such games of chance.

Adopted Nov. 3, 1953. Effective Jan. 1, 1954.

PROPOSED AMENDMENT ADOPTED

Amend Article VIII, Section I, paragraph 3, to read as follows:

3. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or of other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be exempt from taxation on real and personal property to an aggregate assessed valuation not exceeding five hundred dollars ($500.00), which exemption shall not be altered or repealed. Any person

hereinabove described who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability, shall be entitled to such further exemption from taxation as from time to time may be provided by law. The widow of any citizen and resident of this State who has met or shall meet his death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood, and while a resident of this State, to the exemption in this paragraph provided for honorably discharged veterans and to such further exemption as from time to time may be provided by law. The widow of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood and while a resident of this State, to the exemption in this paragraph provided for honorably discharged veterans and to such further exemptions as from time to time may be provided by law.

Adopted Nov. 3, 1953. Effective Jan. 1, 1954.

PROPOSED AMENDMENT ADOPTED

Amend Article II, paragraph 3 as follows:

3. Every citizen of the United States, of the age of 21 years, who shall have been a resident of this State 6 months, and of the county in which he claims his vote 60 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people and upon all questions which may be submitted to a vote of the people.

Adopted November 5, 1957.

Effective December 5, 1957.

PROPOSED AMENDMENT ADOPTED

Amend Article VIII, Section IV, paragraph 2 of the Constitution to read as follows:

2. The fund for the support of free public schools, and all money, stock and other property, which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested, and remain a perpetual fund; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of free public schools, and for the equal benefit of all the people of the State; and it shall not be competent, except as hereinafter provided, for the Legislature to borrow, appropriate or use the said fund or any part thereof for any other purpose, under any pretense whatever. The bonds of any school district of this State, issued according to law, shall be proper and secure investments for the said fund and, in addition, said fund, including the income therefrom and any other moneys duly appropriated to the support

of free public schools may be used in such manner as the Legislature may provide by law to secure the payment of the principal of or interest on bonds or notes issued for school purposes by counties, municipalities or school districts or for the payment or purchase of any such bonds or notes or any claims for interest thereon.

Adopted November 4, 1958.

Effective December 4, 1958.

PROPOSED AMENDMENT ADOPTED

Amend Article VIII, Section I, of the Constitution by adding a new paragraph to be numbered 4, to read as follows:

4. The Legislature may, from time to time, enact laws granting exemption from taxation on the real property of any citizen and resident of this State of the age of 65 or more years residing in a dwelling house owned by him which is a constituent part of such real property but no such exemption shall be in excess of $800.00 in the assessed valuation of such property and such exemption shall be restricted to owners having an income not in excess of $5,000.00 per year. Any such exemption when so granted by law shall be granted so that it will not be in addition to any other exemption to which the said citizen and resident may be entitled.

Adopted November 8, 1960.

New Jersey State Library

PROPOSED AMENDMENTS TO THE 1947 CONSTITUTION THAT HAVE BEEN REJECTED

Proposed Amendments to the 1947 Constitution that have been Rejected

PROPOSED AMENDMENT REJECTED

Amend Article VII, Section II, paragraph 2 to read as follows:

2. County clerks, surrogates and sheriffs shall be elected by the people of their respective counties at general elections. The term of office of county clerks, surrogates and sheriffs shall be 5 years. Whenever a vacancy shall occur in any such office, it shall be filled in the manner to be provided by law.

There shall be printed on each official ballot to be used at such general election the following:

If you favor the proposition printed below make a cross (×), plus (+) or check (√) in the square opposite the word "Yes." If you are opposed thereto make a cross (×), plus (+) or check (√) in the square opposite the word "No."

	Yes.	Shall the amendment of Article VII, Section II, paragraph 2 of the Constitution to fix the terms of sheriffs at 5 years instead of 3 years, be approved?
	No.	

In any municipality in which voting machines are used, the question shall be placed upon the official ballots to be used upon the voting machines without the foregoing instructions to the voters and shall be voted upon by the use of such machines without marking as aforesaid.

Filed July 9, 1956.

PROPOSED AMENDMENT REJECTED

Amend Article VII, Section I, paragraph 1 of the Constitution to read as follows:

1. Property shall be assessed for taxation under general laws and by uniform rules. All real property assessed and taxed locally or by the State for allotment and payment to taxing districts shall be assessed according to the same standard of value; and such real property shall be taxed at the general tax rate of the taxing district in which the property is situated, for the use of such taxing district. The Legislature may authorize the governing body of any municipality constituting a taxing district to establish a proportion of the standard of value at which such real property situate therein shall be assessed, and such proportion shall be uniformly applied to all such real property within the taxing district.

CHANGE OF CORPORATE TITLE OF MUNICIPALITIES

Change of Corporate Title of Municipalities

NONE

Statements of Results of Municipal Elections

Statements of Results of Municipal Elections

At a Special Election held in the City of Cape May on August 9, 1960, they adopted the Municipal Manager form of government, R. S. 40:80–1 et seq. The same was filed in the office of the Secretary of State on August 16, 1960.

INDEX

INDEX

PAGE

A

Absentee Voting—pregnancy 660
wives of soldiers 659
Acts, Laws and Statutes—definitions 776
Advertising—fraudulent and misleading, prohibits 137, 495
unfair, study commission created..... 858
Agricultural Cooperative Associations—tax exemptions 716
Agricultural Experiment Station—appropriation, mosquito control 27
Agriculture and Domestic Animals—soil conservation districts, supervisors' powers 79
Alcoholic Beverages—memorializes New York State to increase age limit 849
retail license, limits 514
retail license, requirements 614
temporary permits 579
American History Month 845
Amusement Games Control Commissioner—appropriation 29
designation 29
Appropriations—amusement games control commissioner 29
annual 187
banking and insurance, chapters 32, 40, 41, L. 1960 786
hospital service plan, investigation 552
institutional construction, etc. 697
law and public safety, chapter 75, L. 1960 786
mosquito control 27
public utilities department 25
supplemental 181
taxation, division of $25,000.00 699
Veterans, National Convention Catholic War 602
Veterans, National Convention of Disabled 601
welfare relief laws, study 550
Asbury Park—leasing of certain lands authorized 610
Assembly—members (1960) 6, 7
Assessors, Tax—immunity 729
Attorney General—fraudulent advertising, enforcement of act 137
Audio-Visual Aid Centers—county assessments 510

B

Banks and Banking—loans, limitation 725
Banking and Insurance, Department—appropriations, chapters 32, 40, 41, L. 1960 786
foreign insurance companies, deposits 133
home repair financing, regulates 163
retail installment sales, regulates 143
surplus line agents, licensing, regulating 103
Blind, Commission for—membership 516
Bomb Scare—perpetration, misdemeanor 511

PAGE

Bonds—school transfer of surplus 616
State Institutional Construction 686
Bridge Commissions, County—policemen, appointment powers 709
Buildings—defacing, etc. religious, misdemeanor 21
Bulkheads—construction authorized 591
Burial Grounds (see Cemeteries and Burial Grounds).
Business Educaion Week 852

C

Cancer Control Month 846
Catholic War Veterans Convention—appropriation 602
Cemeteries and Burial Grounds—cost of relocating bodies a first lien 591
Cerebral Palsy Month 861
Children and Minors—Atlantic City Seashore House, purpose 841
guardians depositories, investments 513
Children's Seashore House at Atlantic City—purpose of corporation 841
Cigarette Tax Act (1948)—tax rate imposed, discount 698
Cities (see Municipalities)—compensation, mayor and commissioners 512
compensation, board of alcoholic beverage control 492
salaries, mayor and councilmen 718
Civil Rights—hearing examiners, appointment 489
Civil Actions—lis pendens, notice 700
Commerce and Navigation—construction of bulkheads, etc., authorized ... 591
Conservation and Economic Development, Department—appropriation, mosquito control 27
appropriation, Catholic War Veterans Convention 1961 .. 602
appropriation, Disabled American Veterans Convention 1961 601
bulkheads, jetties, etc., construction 591
State lands, sale, exchange, public hunting 721
Consolidated Municipal Service Act (1952)—municipal joint service, ordinances 14
Consolidated School Districts (see Schools and School Districts).
Constitutional Amendments—adopted 983
rejected 991
Contracts—award, by board of education when bids equal 587
municipal services, joint projects 14
municipal water supply, over $2500 580
railroad passenger service 500
sewerage authorities, over $2500 581
Convention Halls—financing improvements 12
Corporation Business Tax Act (1945)—certain corporations tax exempt 716
Corporations and Associations—charters, null and void, nonpayment of tax 864
Children's Seashore House at Atlantic City 841
deeds and conveyances validated 840
foreign insurance, deposits 133

PAGE

Corporations and Associations—gross receipts tax 430
hospital and medical service, additional powers 11
limited, dividend housing 126
loans to stockholder or officer, forbids ... 103
tax exemption 716
Coroners—powers and duties 78
Counties—audio-visual aid centers, assessments 510
bridge commissions, police, appointment, powers 709
coroners, powers and duties 78
courts, additional judges 485
district courts, number of judges 637
election boards, compensation 633
election boards, members 704
elections, boards of qualification of members 176
employees, deducting insurance premiums of retired 427
employees' pension system, amends 790
freeholders, boards of, memberships 634
improvement authorities law 730
insurance, employees 723
local taxing districts, payment of county tax 717
maps, filing 662
mental health, office space, etc. 773
park police, powers and duties 649
park systems, maintenance, allocation of funds 671
parks, repeals certain acts concerning 712
park systems, office and expenses of commission 706
pensions, school district employees, first class 20
pension payments increased 787
real estate, leasing 132
recreational facilities, chapter 1, L. 1959 repealed 28
salaries, district court judges 86
trial expense, reimbursement by State 85
volunteer fire companies, appropriation 497
volunteer first aid squads, etc., money contributions 134
County Courts (see Courts).
County Employees Pension Fund—amends 790
County Improvement Authorities Law 730
Courts—county, additional judges 485
district, number of judges 637
juvenile and domestic relations, appointment of judges 676
salaries, judges 86
superior, increased number of judges 703
Crimes and offenses—bomb scare, perpetration 511
debt adjuster acting as a misdemeanor 719
defacing buildings, etc., a misdemeanor 21
fraudulent advertising 137, 495
mortgage premiums, demanding, etc. 722
obscene publications, tie-in sales 701
State penal, etc., institutions, crimes, trial expense .. 85
unlawful use of badges, emblems, etc. 838
unlawfully obtaining, etc., State, etc., funds 584
weapons, carrying concealed (cestus) 87

PAGE

D

Daniel Bray Highway (Route No. 29) 855
Death—persons entitled to amount recovered 835
Debt Adjuster—prohibits acting as, exceptions 719
Deeds and Conveyances—validates 45, 839, 840
Dentistry, State Board of Registration and Examination—salary, board members . 679
Disabled American Veterans—appropriation, convention 601
Discrimination—hearing examiners, appointment 489
District Courts (see Courts)—number, full time 637
salaries, judges 86

E

Education, Boards (see School and School Districts)—award of contract when bids equal 587
prohibits residence requirements for employees 708
tenure employees hearing act 650
tenure of school employees 653
Education, Department—agricultural experiment station, appropriation ... 27
bonds, transfer of surplus 616
civil rights, division of 489
commissioner, powers and duties 489
Elections—absentee voting, pregnancy 660
absentee voting, wives of soldiers 659
challengers, limits number 563
compensation, county boards 633
county boards, membership 704
county boards, qualification of members 176
municipal, statement of results 999
nomination as delegates to national convention 176
residence statement 836
school, appointment of challengers 593
school, comparison of signatures 592
Embalming and Funeral Directing—Mortuary Science Act (1952) amends 760
Eminent Domain Revision Commission—creates 99
Engineers' and Firemen's License—requirements 638
Englewood, City—boundary 674
Englewood Cliffs, Borough—boundary 674
Escheats—estate of Clyde Stutesman 631
Essex Fells—waiver of residence requirements, police officers 628
Evidence—rules of 452
Explosives Act 468

F

Faulkner Act (see Optional Municipal Charter Law).
Fees and Permits—alcoholic beverages, retail 614
hunting and fishing, increases cost 595
motor vehicle, registration, commercial 30
optometrists 576

PAGE

Firemen (see Police and Fireman)—work hours, average 42 hours a week 621
Fish and Game—deer season, emergency ... 977
license fees, increases ... 595
quail season, emergency ... 978
regulations, open and closed seasons ... 678
sale and exchange of State lands, public hunting ... 721
trout fishing stamp ... 509
Freeholders, Board of Chosen—membership in association ... 634

G

Game (see Fish and Game).
General State Fund—transfer of funds from Veteran's Loan Guarantee and Insurance Fund ... 702
Good Posture Week ... 853
Grade Crossings—improvements, tax exempt, railroads ... 680
maintenance of structures ... 685
protective devices, division of expense ... 681
Guardians—minor's estates, deposit of moneys, investment ... 513

H

Health—appropriation for mentally retarded ... 795
mental, office space, etc., provided ... 773
Highways—Browntown to Eatontown Rt. 18 freeway ... 83
heavy machinery and oversized vehicles, moving permits, reciprocity ... 33
land sales by commissioner ... 677
trucks, designating lower speeds ... 588
Home Repair Financing Act ... 163
Hospital Service Corporation—government employees and family coverage 11
Hospital Service Plan—appropriation, to investigate ... 552
Housing—limited dividend corporations, definitions, raises dividend rate .. 126
local, authorities, terms defined ... 606
local, authorities, validates acts ... 175
Hunting (see Fish and Game).

I

Installment Sales—home repair financing, regulates ... 163
regulates ... 143
Institutions and Agencies, Department—blind, commission, for, membership 516
St. Paul's Episcopal Church, State land ... 612
State Institutional Construction Bonds ... 686
Insurance—county employees, premiums deducted, retired ... 427
foreign companies, deposit ... 133
group, purchase by State Treasurer, members of P.E.R.S. ... 553
group purchase by State Treasurer, members of T.P.A.F. ... 558
hospital and medical government employees ... 11
life, standard nonforfeiture law and standard valuation law, mortality tables ... 35
public employees, group programs ... 723
surplus line agents, licensing ... 105
Investments—teachers' pension and annuity fund, real estate ... 22

PAGE

J

Joint Resolutions—alcoholic beverages, memorializes New York to increase age limit 849
American History Month 845
Business Education Week 852
Cancer Control Month 846
Cerebral Palsy Month 861
Daniel Bray Highway (Route No. 29) 855
Good Posture Week 853
Law Day U. S. A. 851
Medical care, recipients of public assistance, study 849
riparian lands, commission to study laws affecting 857
Save Your Vision Week 847
School Building Safety, study 860
Unfair Advertising Study Commission 858
water, conversion of salt to fresh water 854
Judges—superior court, increases number 703
Juvenile and Domestic Relations Court (see Courts)—appointment of judges 676

L

Labor—strike breakers, bars importation 833
Labor and Industry, Department of—central office building authorized ... 88
engineer's and firemen's license 638
judges of compensation 487
mechanical inspection bureau, creates 646
referees, workmen's compensation, qualifications 487
steam boilers, pressure vessels refrigeration systems, rules, inspection fees 642
unemployment compensation, fund established 91
Law Day U. S. A. 851
Law and Public Safety, Department—appropriation, chapter 75, L. 1960 786
bureau of securities, establishes .. 518
Legislature—members (1960) 5, 6, 7
open meetings, public bodies 714
Licenses and Permits—alcoholic beverages, limits number 514
alcoholic beverages, retail, requirements 614
alcoholic beverages, temporary 579
engineers' and firemen's 638
insurance, surplus line agents 103
mortuary science 760
Life Insurance—standard nonforfeiture law and standard valuation law, mortality tables 35
Lis Pendens—civil actions, notice 700
Local Housing Authorities Law (1938)—terms defined 606
validates acts 175

M

Map Filing Law (1960) 662
Maps and Plats—approval 672
filing 662

PAGE

Mechanical Inspection Bureau—creates 646
Medical Care, Recipients of Public Assistance, Study 849
Medical Service Corporation—government employees and family, coverage 11
Mental Health—county authorized to provide office space, etc. 793
Minors—estates, investments, guardians bond 513
Mortgages—premiums, etc. 722
Mortuary Science Act (1952)—morticians, training 760
Mosquito Control—appropriation 27
Motor Fuels—tax, distribution of moneys (R.R. grade crossings) 682
Motor Vehicles—free registration, boy and girl scout organizations 583
heavy equipment, moving permits, reciprocity 33
registration fees, commercial 30
tax fuel, exemption, certain organization 585
trucks, speed differential 588
Municipalities—alcoholic beverages, retail licenses, limits 514
Asbury Park, leasing certain lands 610
convention halls, financing 12
engineers, municipal, term of office 563
firemen, work hours 621
first aid squads, etc., money contributions 134
insurance, employees 723
joint service contracts, by ordinances 14
land sales validated 491, 590, 658
land use, waiver of restrictions 589
map filing, indexing, fee 662
pension, widows and dependents volunteer firemen 662
plot approval, Municipal Planning Act (1953) 672
planning boards, validates ordinance creating 705
port authorities law (1960) 807
salaries, mayor and commissioners 512, 515
sewerage authorities, bid limitation, over $2,500.00 581
sewerage authorities creation, validated 34
tax assessor, appointment 629
taxation, exempt property 618
utilities authorities, creation validated 34
water supply, bid limitation, over $2,500.00 580
water supply, rates and regulations 713
Municipal Planning Act (1953)—plots, approval 672
Municipal Port Authorities Law (1960) 807

N

New Jersey Association for Retarded Children—appropriation by county authorized 775
New Jersey Poultry Products Promotion—terms defined 82
New Jersey Public Market Commission Law 48
New Jersey Tercentenary Commission—duties, participation in New York World Fair 101

O

Obscene Publications—tie-in sales, misdemeanor 701
Optional Municipal Charter Law (1950)—alcoholic beverage control board, compensation 492
candidates names filed, petition, contents 564

PAGE

Optional Municipal Charter Law (1950)—charter study report, copies 571
majority, municipal council election 569
run-off elections, deceased candidate 568
vacancies in elective offices, filing 572
voter registration, residence requirements 566
Optometry—annual registration, fee 576

P

Park Police—county, powers and duties 649
Park Systems—county, fund allocation, maintenance 671
office and expenses of commission 706
Parole Board—discharge from parole 428
release of prisoner owing money or fine 429
rescinding revocation of parole 135
revocation of parole, time 136
Pensions and Retirement—county employees pension fund, amends 790
employees, boards of education, option to retire 20
pensioners, county, increases 787
police and firemen, accidental death 599
police and firemen, dependents, loss of life 598
prior service credits, P.E.R.S., purchase 784
public employees, no social security off-set 627
teachers, purchase of credits for period of leave 603
teachers, no social security off-set 626
widows and dependents, volunteer firemen 622
Personal Property—taxation 432
Pickets—bars importing for strike breaking 833
Planning Boards, Municipal—validates ordinances establishing 705
Police and Firemen—accidental death benefits, dependents 599
county bridge police, appointment, powers 709
Essex Fells, waiver of residence requirement 628
park police, powers and duties 649
pension for dependents upon loss of life 598
volunteer firemen, dependents pensions 622
work hours, firemen 621
Port Authorities Law (1960) 807
Poultry Products Promotion and Tax Act (1957)—terms defined 82
Pressure Vessels—inspection, fees 642
Proclamations—Bruce, Inc., charter restored 971
corporations, charters null and void 864
corporate charters restored: 967
Elro Realty Co., Inc.; F & M Plumbing Supply Co. of N. J. Inc.; Mercer Clothing Manufacturing Co. Inc.; Paterson Auditorium Inc.; Pines of Raritan Township, Inc.; Shipping Service Co., Inc.; Sterling Oil Terminal Corp.; White Meadow Petroleum, Inc.; Spring Lake Heights Estates, Inc.; State-Wide Music Corp.; U & V Corporation and Watnong Riding Academy.
deer hunting season, emergency 977
Directory, Publishing Corp., charter restored 975
Fluid Chemical Company, Incorporated, charter restored 967

PAGE

Proclamations—Oak Valley Sewerage Company, charter restored 973
Oak Valley Water Company, charter restored 973
quail season, emergency 978
Professions and Occupations—mortuary science 760
Publications and Newspapers—public bodies, open meetings 714
tie-in sales of obscene literature 701
Public Bodies—meetings open to public 714
Public Employees' Retirement System—employees, no social security off-set 627
group insurance, members, purchase 553
powers, investment in real estate .. 178
prior service credits, purchase authorized 784
Public Hunting Grounds—sale, lease, etc., of State land 721
Public Markets—commission created to operate 48
Public Utilities, Department—appropriation 25

R

Railroads—grade crossing improvements tax exempt 680
maintenance of structures 685
passenger service, State contracts 500
protective devices, division of expenses 681
Railroad Tax Law (1948)—franchise tax computation 683
Real Estate—county, leasing by cerebral palsy association 132
deeds and conveyances validated 839, 840
lis pendens 700
mortgages, premiums 722
municipal land use, waiver of restrictions 589
Public Employees' Retirement System 178
taxation 432
Recreational Facilities—county, repeals c. 1, L. 1959 28
Referenda—State Institutional Bond Issue 686
Referees—workmen's compensation, qualifications 486
Refrigeration Systems—inspection, fees 642
Regional School Districts (see School and School Districts)—creation of district, procedure 623
Repealers—county park acts, 40:37–24 to 40:37–95, etc. 712
counties, recreational facilities, c. 1, L. 1959 28
villages, certain sundry acts 712
Retail Installment Sales Act of 1960 143
Riparian Lands—study commission on laws affecting 857
Roads (see Highways).
Rules of Evidence Act, 1960 452

S

St. Paul's Episcopal Church—State land 612
Salaries—dentistry, State board 679
judges, district court 86
mayor and commissioners, second-class cities 512, 515
mayor and councilmen, third-class cities 718
Save Your Vision Week 847
School Building Safety, Study Commission 861

PAGE

Schools and School Districts—bonds or obligations validated 26
bond, surplus transfer 616
custodian of school moneys, appointment, bond 496
elections, appointment of challengers 593
elections, voter's signatures 592
employees, optional retirement 20
employees, sick leave rights preserved .. 466, 467
insurance, employees 723
proceedings validated 47
regional districts creating procedure 623
teachers, employees, bars residence requirement 708
tenure employees hearing act 650
tenure, school employees, hearing 653
validates, bonds, proceedings, etc. 635
Seals—State, authorized users 551
Securities—uniform securities law 518
Senate—members 1960 5
Sewerage Authorities—municipal, validation 34
Soil Conservation Districts—corporate body, supervisors powers 79
State Highways—land sales to municipalities 677
State Seal—authorized users 551
Steam Boilers—revises rules, fees 642
Strikebreakers—bars importation 833
Stutesman, Charles—estate of Clyde Stutesman, vested 631
Superior Court (see Courts)—judges, increases number 703
Surplus Lines Examining Office—creates 103

T

Tax and Taxation—agricultural cooperative associations exempt, franchise tax 716
assessor, appointment of a single 629
assessors, immunity 729
cigarettes, increases rate 698
corporations, gross receipts 430
exempt property 618
franchise, railroads, computation 683
local taxing district debited or credited for payment of county tax 717
motor fuels, exemptions 585
motor fuels, distribution of moneys 682
poultry products, feed, etc., terms defined 82
railroad grade crossing improvement exempt 680
real and personal property 432
Teachers' Pension and Annuity Fund—group insurance, members, purchase 558
pension, no Social Security off-set 626
real property, acquiring and investing in 22, 703
retirement credits for period of leave 603
waiver of premiums, absence due to illness 498
Tenure Employees Hearing Act 650

PAGE

Tercentenary Commission—participation in New York World's Fair 101
Trout—fishing stamp 509
Trucks—speed differential 588

U

Unemployment Compensation—establishment and control of special fund 91
reciprocal benefit arrangements 573
Unfair Advertising Commission—creates study commission 858
Uniform Securities Law 518
Utilities Authorities—municipal, validation 34

V

Validating—bonds or other obligations, school districts 26, 635
deeds and conveyances 45, 839, 840
housing, local authorities acts 175
land sales by court order 84
land sales by municipalities 491, 590, 598
municipal sewerage authorities 34
municipal utilities authorities, creation 34
planning boards, ordinances establishing 705
school district proceedings 47
tax foreclosure proceedings, title 670
Veterans—Catholic War, appropriation 602
Disabled American, appropriation 601
Veteran's Loan Guarantee and Insurance Fund—transfer of funds 702
Villages (see Municipalities)—repeals sundry acts concerning 712
Vital Statistics—changing surname of certain children 669
Volunteer Ambulance Associations—money contributions by counties and municipalities 134
motor fuel tax exemption 585
Volunteer Fire Companies—appropriation by county 497
widows' and dependents' pension 622
Volunteer First Aid Squads—motor fuel tax exemption 585

W

Water and Water Supply—locating salt water conversion plant in New Jersey 855
municipal water rates and regulations 713
Weapons—carrying concealed (cestus) 87, 604
Welfare and Relief Laws, Study—appropriation 550
Workmen's Compensation—judges of compensation 487
referees, qualifications 486