LAWS—NEW JERSEY
1962

ACTS

OF THE

One Hundred and Eighty-sixth Legislature

OF THE

STATE OF NEW JERSEY

AND

Fifteenth Under the New Constitution

New Jersey State Library

1962

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

ROBERT J. BURKHARDT,
Secretary of State.

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OF THE

One Hundred and Eighty-sixth Legislature

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LAWS

ACTS

PASSED BY THE

One Hundred and Eighty-sixth Legislature

CHAPTER 1

AN ACT to amend the title of "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," approved June 22, 1960 (P. L. 1960, c. 66), so that the same shall read "An act concerning passenger railroad and ferry 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," 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 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," approved June 22, 1960, is amended to read "An act concerning passenger railroad and ferry service required for the convenience and necessity of the people of New Jersey, and providing for the continuation and improve- Title amended. New title.

ment of passenger service on a contractual basis and for the cost and expense thereof."

Section amended.

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

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 and ferry 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 and ferry 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 and ferry service, and further curtailments are continually being sought by the railroads and ferry operators;

(d) Continuation of these trends will confront the State with the likelihood of substantial curtailments and discontinuances of vital commuter and suburban rail passenger and ferry service within the next 2 or 3 years;

(e) Substantial further curtailment of such commuter and suburban rail passenger and ferry 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 and ferry 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 and ferry 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 and ferries providing necessary commuter and suburban rail passenger and ferry 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 and ferry companies operating such facilities providing for necessary and approved commuter and suburban rail passenger and ferry service by the railroads and ferry companies in return for payment to each contracting railroad and ferry company 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 or ferry company.

Section amended.

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

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 railroad in this State or ferry service between points in this State and adjacent metropolitan areas in other States, 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" as to railroads 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, and as to ferries shall mean activities and facilities provided upon a ferry for or incidental to the carriage of passengers and vehicles between points in this State and in adjacent metropolitan areas but does not include any nonrevenue movements of trains or ferries;

(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 movements, 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 obtained by dividing (1) the amount appropriated for such fiscal year for expenditure pursuant to the act by (2) the approved service car-miles for such fiscal year.

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

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 or ferry 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 this 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.

Section amended.

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

C. 48:12A-4. Contracts for approved service.

4. Contracts for approved service. 1. 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 rail 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.

2. The State of New Jersey acting by and through the commissioner may enter into a contract or contracts in accordance with this act with any ferry carrier offering and agreeing to the same, providing for operation by such carrier of any part of its approved passenger service during all or any part of a fiscal year. The amount payable to any one ferry carrier shall be determined by the commissioner in his discretion as is necessary to preserve the approved passenger service, provided, however, that payments shall not exceed $100,000.00 to any one ferry carrier in any one fiscal year. Such contracts shall be subject also 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, and shall contain provisions consistent with this paragraph for the ratable reduction or limitation of amounts payable by the State.

(b) 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, and fare tariffs applicable to the service and all such other provisions as the commissioner may deem reasonable.

(c) 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.

Any such contracts shall be payable from any amount appropriated to carry out the provisions of this act.

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

C. 48:12A-5. Obligation 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, or to operate a schedule of passenger and vehicular ferry service, and to collect fares from persons (other than those employees of railroads or ferries 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 respect 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 maintenance of arrival and departure times for all stations and station stops.

Section amended.

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

C. 48:12A-6. Obligation 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 or as to ferries a pro rata share of the contract amount 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, or in the case of ferry service the rate set forth in the contract, as may be approved by the commissioner as necessary in order to obtain the objective of this act.

Section amended.

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

C. 48:12A-10. Obligation 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 or ferry 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.

Section amended.

9. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 48:12A-16. Suspension of time provisions.

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 as to the approved passenger service by ferries which is essential in the public interest in not more than 60 days following the effective date of this amendatory act.

10. This act shall take effect immediately.

Approved January 25, 1962.

RICHARD J. HUGHES,
Governor.

CHAPTER 2

AN ACT concerning the Delaware River Port Authority, supplementing the compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorized by chapter 391, P. L. 1931, approved June 30, 1931, as said compact or agreement was amended and supplemented by and pursuant to the provisions of chapter 287, P. L. 1951, approved June 26, 1951, and chapter 288, P. L. 1951, approved June 26, 1951.

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

C. 32:3-13.35. Additional power and duty.

1. In addition to other public purposes provided for the Delaware River Port Authority and other powers and duties conferred upon it, and not in limitation thereof, the said Delaware River Port Authority shall have among its authorized purposes, and it shall have the power and duty:

(a) To construct, operate and maintain a bridge across the Delaware River between the county of Gloucester in the State of New Jersey and the county of Delaware in the Commonwealth of Pennsylvania, at such point in such counties as the Delaware River Port Authority shall determine to be appropriate, including its approaches, and the making of additions and improvements thereto.

(b) To maintain and continue in operation the ferry boat service, now operated by the Delaware River Ferry Company, for the carrying of passengers and vehicular traffic between the county of Gloucester in the State of New Jersey and the county of Delaware in the Commonwealth of Pennsylvania until such time as the bridge authorized in subsection (a) hereof shall be constructed and in full operation. The Delaware River Port Au-

thority may enter into such agreements with the owners of such ferry boat service as shall be necessary to maintain and operate such ferry boat service including agreements to buy, lease, subsidize or otherwise maintain and operate such ferry boat service.

C. 32:3-13.36. No additional authorization required.

2. (a) Notwithstanding any other provision of law or of the compact or agreement being supplemented by this act, no additional legislative authority or approval shall be deemed to be necessary or required before the Delaware River Port Authority may proceed with the projects authorized by section 1 of this act.

(b) In effectuating the purposes authorized by this act, the Delaware River Port Authority shall have all of the powers granted to it by the compact or agreement hereby supplemented by this act.

C. 32:3-13.37. Bridge to be constructed, operated and maintained in accordance with agreement.

3. The bridge authorized in this act to be constructed between the county of Gloucester in the State of New Jersey and the county of Delaware in the Commonwealth of Pennsylvania shall be constructed, operated and maintained, insofar as is practicable, in accordance with the provisions of subsections 3 through 8 of Article XII-A of the agreement between the State of New Jersey and the Commonwealth of Pennsylania which article was authorized by chapter 287, P. L. 1951.

C. 32:3-13.38. Congressional approval.

4. The Governor is hereby authorized to apply, on behalf of the State of New Jersey, to the Congress of the United States for its consent and approval to this act, if such consent or approval be required under the Federal law, but in the absence of such consent and approval, the Delaware River Port Authority shall have all of the powers the Commonwealth of Pennsylvania and the State of New Jersey may confer upon it without the consent and approval of Congress.

C. 32:3-13.39. Powers deemed as additional.

5. The powers vested in the Delaware River Port Authority by this act shall be construed as being in addition to and not in diminution of the powers heretofore vested by law in the Delaware River

Port Authority and the Delaware River Joint Commission.

C. 32:3-13.40. Certain restrictive laws repealed.

6. Any provision of law heretofore enacted (except laws authorizing interstate compacts or agreements) which restricts, prohibits, or limits the construction or acquisition of any bridge over the Delaware River within any distance from any bridge at any time authorized, owned, held, operated or maintained by any county or municipality of this State, or any bridge commission, bridge authority, public officer, board, commission or agency or other public body created by or in this State or any county or municipality thereof is hereby repealed to the extent that said law would otherwise prohibit the construction of the bridge herein authorized.

C. 32:2-13.41. Act effective.

7. This act shall take effect upon the enactment into law by the Commonwealth of Pennsylvania of legislation having a substantial similar effect as this act but if the Commonwealth of Pennsylvania shall have already enacted such legislation, this act shall take effect immediately.

Approved January 25, 1962.

CHAPTER 3

AN ACT relating to State institutional buildings and making appropriations for construction, reconstruction, development, extension and improvement of several State mental, charitable, hospital, relief, training, correctional, reformatory or penal institutions, including equipment and facilities therefor, all for health and welfare purposes.

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

Appropriation.

1. There is hereby appropriated to the Department of Institutions and Agencies, from the State

1960 Institution Construction Fund, the sum of $33,072,906.00 or so much thereof as may be necessary, for the construction, reconstruction, development, extension and improvement of the several State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, including equipment and facilities therefor, at the following institutions in the following respective amounts:

State Colony (New) at Woodbridge:	
New institutional building for 1,000 patients, with large laundry facility, hospital and equipment	$13,154,438 00
New Lisbon Colony:	
Replacement of Cottages	4,893,468 00
Edward R. Johnstone Training and Research Center at Bordentown:	
New adjustment unit for defective delinquents, with equipment	1,375,000 00
New Jersey Home for Disabled Soldiers at Menlo Park:	
Infirmary with all necessary utilities, furnishings and equipment	1,750,000 00
Residential Group Center (New) at Forked River (South Jersey "Highfields"):	
New institutional building for 20 inmates, with necessary furnishings and equipment	300,000 00
State Prison Farm at Leesburg:	
New medium-security prison for 500 inmates, with shops and necessary furnishings and equipment	11,600,000 00
Total	$33,072,906 00

Bond proceeds appropriated.

2. There is also appropriated from the proceeds of the sale of the bonds hereinafter mentioned such sums as may be necessary to meet any expense incurred by the issuing officials under the act herein-

after mentioned for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of said act.

Funds to come from sale of bonds.

3. It is the declared purpose of this act that the funds from which said appropriations shall be met shall be those funds which shall be derived from the sale of the State Institution Construction Bonds, the issuance of which is provided for in chapter 156 of the laws of 1960 (as amended by chapter 73 of the laws of 1961), which said act was submitted to the people and approved by the people at the general election held on November 7, 1961.

Treasurer to set up and maintain fund; requisition of funds.

4. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to set up and maintain the aforementioned appropriations in the State 1960 Institution Construction Fund, established heretofore pursuant to the act hereinabove mentioned. The funds herein appropriated may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of said act.

Federal aid.

5. The State Treasurer, the State Department of Institutions and Agencies and the State Board of Control of Institutions and Agencies are, and each of them is, hereby empowered, subject to the approval of the Governor, to enter into negotiations with the Federal Government for the purpose of securing any available financial grants and to receive any such grants and thereafter the State Treasurer may cause them to be established and maintained in the aforementioned State 1960 Institution Construction Fund. Any such funds so established and maintained may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of the act hereinabove mentioned.

Corrections to be made, to effect purposes.

6. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to make such correction of the title or text, or both, of any item in this act contained necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling reciting any appropriate details, the fact thereof and the reason therefor, attested by the signature of the State Treasurer and filed by him in his office as an official record, and any action thereunder, including disbursements, and the audit thereof, shall be legally binding and of full force and effect.

Transfers.

7. In order that some degree of flexibility in administering the provisions of this act may be had, the State Board of Control of Institutions and Agencies may apply to the Director of the Division of Budget and Accounting in the Department of the Treasury for leave to transfer a part of any item to any other item or to a new item. Upon the approval of such application by said director and by the Legislative Budget and Finance Officer in writing, said director shall make such transfer.

Acquisition of additional land.

8. The State Board of Control of Institutions and Agencies, subject to the approval of and by and through the Director of the Division of Purchase and Property in the Department of the Treasury, is hereby authorized and empowered to acquire, on behalf of the State, within the limits of available appropriations therefor, any additional lands that may be necessary to carry into effect the aims and purposes of this act either by purchase, gift, grant, devise or by the exercise of the power of eminent domain and, by and through the said Division of Purchase and Property in the Department of the Treasury, is further authorized and empowered to do all things necessary to carry out the provisions of this act and to give full force and effect thereto.

9. This act shall take effect immediately.

Approved January 25, 1962.

CHAPTER 4

AN ACT validating certain sales of lands or buildings or any right or interest therein, by the governing body of any municipality, pursuant to the provisions of section 40:60–26 of the Revised Statutes.

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

Validates sale of lands and buildings.

1. No sale of any lands or buildings or any right or interest therein, not needed for public use, which was made after January 1, 1961 and on or before August 1, 1961, by the governing body of any municipality, pursuant to section 40:60–26 of the Revised Statutes, and which is not the subject of any judicial proceeding pending in any court of this State on the effective date of this act, shall be invalid because the public advertisement of the sale in a newspaper was not made by 2 insertions at least once a week during 2 consecutive weeks, as required by said statutory provision, if publication was made at least once and not more than 11 days prior to the sale, provided the said governing body of the municipality, by resolution, has or shall have confirmed said sale and the conveyance or conveyances made by the municipality to effectuate the sale to the purchaser or purchasers thereof and that the said purchaser or purchasers shall have paid the municipality the full purchase price for the said land or buildings or any right or interest therein.

2. This act shall take effect immediately.

Approved January 25, 1962.

CHAPTER 5

AN ACT to amend and supplement the "Waterfront Commission Act," approved June 30, 1953 (P. L. 1953, c. 202), and "An act to amend and supplement the Waterfront Commission Act, approved June 30, 1953 (P. L. 1953, c. 202)," approved March 30, 1954 (P. L. 1954, c. 14).

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

Section amended.

1. Section 5–a of chapter 14 of the laws of 1954 is amended and supplemented to read as follows:

C. 32:23-85. Terms defined.

5–a. Supplementary definitions. As used in the compact:

(1) "Stevedore" shall also include contractors engaged for compensation pursuant to a contract or arrangement with the United States, any State or territory thereof, or any department, division, board, commission or authority of one or more of the foregoing, in moving freight carried or consigned for carriage between any point in the Port of New York District and a point outside said district on vessels of such a public agency berthed at piers, on piers at which such vessels are berthed or at other waterfront terminals.

(2) "Waterborne freight" shall also include freight described in subdivision (1) of this section and ships' stores, baggage and mail carried by or consigned for carriage by carriers of freight by water.

(3) "Court of the United States" shall mean all courts enumerated in section 451 of Title 28 of the United States code and the courts-martial of the Armed Forces of the United States.

(4) "Witness" shall mean any person whose testimony is desired in any investigation, interview or other proceeding conducted by the commission pursuant to the provisions of this act.

(5) "Checker" shall mean a longshoreman who is employed to engage in direct and immediate checking of waterborne freight or of the custodial accounting therefor or in the recording or tabulation of the hours worked at piers or other waterfront terminals by natural persons employed by carriers of freight by water or stevedores.

(6) "Longshoreman" shall also include a natural person, other than a hiring agent, who is employed for work at a pier or other waterfront terminal

(a) either by a carrier of freight by water or by a stevedore physically to perform labor or services incidental to the movement of waterborne freight on vessels berthed at piers, on piers or at other waterfront terminals, including, but not limited to, cargo repairment, coopers, general maintenance men, mechanical and miscellaneous workers, horse and cattle fitters, grain ceilers and marine carpenters, or

(b) by any person physically to move waterborne freight to or from a barge, lighter or railroad car for transfer to or from a vessel of a carrier of freight by water which is, shall be, or shall have been berthed at the same pier or other waterfront terminal.

(7) "Compact" shall also include any amendments or supplements to the waterfront commission compact to implement the purposes thereof adopted by the action of the Legislature of either the State of New York or the State of New Jersey concurred in by the Legislature of the other.

(8) The term "select any longshoreman for employment" in the definition of a hiring agent in this act shall include selection of a person for the commencement or continuation of employment as a longshoreman, or the denial or termination of employment as a longshoreman.

(9) "Hiring agent" shall also include any natural person, who on behalf of any other person shall select any longshoreman for employment.

New section added.

2. The act of which this act is amendatory is amended and supplemented by adding to said act a new section to follow section 5–n, to be section 5–o, to read as follows:

C. 32:23-109. Supplementary violations.

5–o. Supplementary violations. Any person who, without justification or excuse in law, directly or indirectly intimidates or inflicts any injury, damage, harm, loss or economic reprisal upon any person licensed or registered by the commission, or any other person, or attempts, conspires or threatens so to do, in order to interfere with, impede or influence such licensed or registered person in the performance or discharge of his duties or obligations shall be punishable as provided in section 4 of this act.

Section amended.

3. Section 8 of chapter 202 of the laws of 1953 is amended to read as follows:

C. 32:23-80. Collection of funds for unions having officers, agents or employees convicted of certain crimes and offenses; "labor organization" defined; penalty.

8. Collection of funds for unions having officers, agents or employees who have been convicted of certain crimes and offenses. No person shall solicit, collect or receive any dues, assessments, levies, fines or contributions, or other charges within this State of New Jersey for or on behalf of any labor organization, which represents employees registered or licensed pursuant to the provisions of this act in their capacities as such registered or licensed employees or which derives its charter from a labor organization representing 100 or more of such registered or licensed employees, if any officer, agent or employee of the labor organization for which such dues, assessments, levies, fines or contributions, or other charges are solicited, collected or received, or of a welfare fund or trust administered partially or entirely by such labor organization or by trustees or other persons designated by such labor organization, has been convicted by a court of the United States, or any State or territory thereof, of treason, murder, manslaughter or any felony, high misdemeanor or misdemeanor involving moral turpitude, or any crime or offense enumerated in subdivision 3(b) of section 5–n of this act, unless he has been subsequently pardoned

therefor by the Governor or other appropriate authority of the State or jurisdiction in which such conviction was had or has received a certificate of good conduct or other relief from disabilities arising from the fact of conviction from a board of parole or similar authority.

As used in this section, the term "labor organization" shall mean and include any organization which exists and is constituted for the purpose in whole or in part of collective bargaining, or of dealing with employers concerning grievances, terms and conditions of employment, or of other mutual aid or protection; but it shall not include a federation or congress of labor organizations organized on a national or international basis even though one of its constituent labor organizations may represent persons so registered or licensed.

Any person who shall violate this section shall be guilty of a misdemeanor punishable by a fine of $500.00 or imprisonment for 1 year, or both.

New section added.

4. The act of which this act is amendatory is amended and supplemented by adding to said act, a new section to follow section 8, to be section 8–a, to read as follows:

C. 32:23-80.1. Exceptions to section 8 for certain employees.

8–a. Exception to section 8 for certain employees. If upon application to the commission by an employee who has been convicted of a crime or offense specified in section 8 of this act the commission, in its discretion, determines in an order that it would not be contrary to the purposes and objectives of this act for such employee to work in a particular employment for a labor organization, welfare fund or trust within the meaning of section 8, the provisions of section 8 shall not apply to the particular employment of such employee with respect to such conviction or convictions as are specified in the commission's order. This section is applicable only to those employees who for wages or salary perform manual, mechanical or physical work of a routine or clerical nature at the premises of the labor organization, welfare fund or trust by which they are employed.

New section added.

5. The act of which this act is amendatory is amended and supplemented by adding to said act a new section to be section 8–b.

C. 32:23-80.2. Prohibition and injunctive relief against the holding of union office or position by officers, agents or employees who have been convicted of certain crimes and offenses.

8–b. Prohibition and injunctive relief against the holding of union office or position by officers, agents or employees who have been convicted of certain crimes and offenses. No person who has been convicted of a crime or offense specified in section 8 of this act shall directly or indirectly serve as an officer, agent or employee of a labor organization, welfare fund or trust as defined in section 8 and within the meaning thereof unless such person has been subsequently pardoned for such crime or offense by the Governor or other appropriate authority of the State or jurisdiction in which such conviction was had or has received a certificate of good conduct or other relief from disabilities arising from the fact of conviction from a board of parole or similar authority or has received pursuant to section 8–a an order of exception from the commission. No person, including a labor organization, welfare fund or trust within the meaning of section 8, shall knowingly permit any other person to assume or hold any office, agency or employment in violation of this section.

As used in this section the term "person" shall mean not only a natural person but also any partnership, joint venture, association, corporation or any other legal entity.

Any person who shall violate, aid and abet the violation, or conspire or attempt to violate this section shall be guilty of a misdemeanor punishable by a fine of $500.00 or imprisonment for 1 year, or both.

The commission may maintain a civil action against any person, labor organization, welfare fund or trust or officers thereof to compel compliance with this section, or to prevent any violations, the aiding and abeting thereof, or any attempt or conspiracy to violate this section, either by mandamus, injunction or action or proceeding in lieu of prerogative writ and upon a proper showing a

temporary restraining order or other appropriate temporary order shall be granted ex parte and without bond pending final hearing and determination.

Nothing in this section shall be construed to modify, limit or restrict in any way the provisions of section 8 of the act of which this act is amendatory.

C. 32:23-110. Right to strike not impaired.

6. This act is not designed and shall not be construed to limit in any way any rights granted or derived from any other statute or any rule of law for employees to organize in labor organizations, to bargain collectively and to act in any other way individually, collectively, and through labor organizations. Without limiting the generality of the foregoing, nothing contained in this act shall be construed to limit in any way the rights of employees to strike.

C. 32:23-111. Provisions severable.

7. If any section, part, phrase, or provision of this act or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the section, part, phrase, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this act or the application thereof to other persons or circumstances and the 2 States hereby declare that they would have entered into this act or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:23-112. Deemed supplemental to compact.

8. This act, except sections 3, 4, 5 and 6 constitutes an agreement between the States of New York and New Jersey supplementary to the waterfront commission compact and amendatory thereof, and shall be liberally construed to effectuate the purposes of said compact, and the powers vested in the waterfront commission hereby shall be construed to be in aid of and supplemental to and not in limitation of or in derogation of any of the powers heretofore conferred upon or delegated to the waterfront commission.

C. 32:23-113. Act effective.

9. Sections 6, 7, 8 and 9 of this act shall take effect immediately. Sections 1 and 2 of this act shall take effect 60 days after the enactment into law by the State of New York of legislation having an identical effect therewith, but if the State of New York shall have already enacted such legislation, then such legislation shall be effective 60 days after section 9 of this act takes effect. Sections 3, 4 and 5 of this act shall take effect 60 days after section 9 of this act takes effect.

Approved February 7, 1962.

CHAPTER 6

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, 1962, and regulating the disbursement thereof," approved June 1, 1961 (P. L. 1961, c. 38).

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

Appropriation.

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

WELFARE INVESTIGATING COMMITTEE
Constituted Pursuant to Senate Concurrent Resolution No. 25 of the 1959 Session
Expenses of the Commission $20,000.00

2. This act shall take effect immediately.

Approved February 8, 1962.

CHAPTER 7

AN ACT concerning the budget message to be transmitted by the Governor to the Legislature for the fiscal year July 1, 1962, to June 30, 1963.

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

Transmittal of budget message.

1. Notwithstanding the provisions of any other law, the Governor shall transmit his budget message for the fiscal year July 1, 1962, to June 30, 1963 to the Legislature on or before February 19, 1962.

2. This act shall take effect immediately.

Approved February 8, 1962.

CHAPTER 8

AN ACT to provide for the financing and effectuation by the Port of New York Authority of a port development project, consisting of the Hudson tubes, the Hudson tubes extensions and a world trade center, for co-ordinating, facilitating and promoting the transportation of persons and the flow and exchange of trade and commerce in and through the Port of New York District, and agreeing with the State of New York with respect thereto.

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

C. 32:1-35.50. Findings and determinations by States of New York and New Jersey.

1. The States of New York and New Jersey hereby find and determine:

(1) that the transportation of persons to, from and within the Port of New York, and the flow of

foreign and domestic cargoes to , from and through the Port of New York are vital and essential to the preservation of the economic well-being of the northern New Jersey-New York metropolitan area;

(2) that in order to preserve the northern New Jersey-New York metropolitan area from economic deterioration, adequate facilities for the transportation of persons must be provided, preserved and maintained and that rail services are and will remain of extreme importance to such transportation of persons;

(3) that the interurban electric railway now or heretofore operated by the Hudson & Manhattan Railroad Company is an essential railroad facility serving the northern New Jersey-New York metropolitan area, that its physical plant is in a severely deteriorated condition, and that it is in extreme financial condition;

(4) that the immediate need for the maintenance and development of adequate railroad facilities for the transportation of persons between northern New Jersey and New York would be met by the acquisition, rehabilitation and operation of the said Hudson & Manhattan interurban electric railway by a public agency, and improvement and extensions of the rail transit lines of said railway to permit transfer of its passengers to and from other transportation facilities and in the provision of transfer facilities at the points of such transfers;

(5) that in order to preserve and protect the position of the Port of New York as the nation's leading gateway for world commerce it is incumbent on the States of New York and New Jersey to make every effort to insure that their port receives its rightful share of the oceanborne cargo volumes generated by the economy of the nation;

(6) that the servicing functions and activities connected with the oceanborne and overseas airborne trade and commerce of the Port of New York District, as defined in the compact between the said 2 States dated April 30, 1921, (hereinafter called the port district), including customs clearance, ship-

ping negotiations, cargo routing, freight forwarding, financing, insurance arrangements and other similar transactions which are presently performed in various, scattered locations in the city of New York, State of New York, should be centralized to provide for more efficient and economical transportation of persons and more efficient and economical facilities for the exchange and buying, selling and transportation of commodities and other property in world trade and commerce;

(7) that unification, at a single, centrally located site, of the principal New York terminal of the aforesaid interurban electric railway and a facility of commerce accommodating the said functions and activities described in subdivision 6 of this section and the appropriate governmental, administrative and other services connected with or incidental to transportation of persons and property and the promotion and protection of port commerce, and providing a central locale for exhibiting and otherwise promoting the exchange and buying and selling of commodities and property in world trade and commerce, will materially assist in preserving for the 2 States and the people thereof the material and other benefits of a prosperous port community;

(8) that the Port of New York Authority (hereinafter called the port authority), which was created by agreement of the 2 States as their joint agent for the development of the transportation and terminal facilities and other facilities of commerce of the port district and for the promotion and protection of the commerce of their port, is the proper agency to act in their behalf (either directly or by or through wholly-owned subsidiary corporations) to effectuate, as a unified project, the said interurban electric railway and its extensions and the facility of commerce described in subdivision 7 of this section; and

(9) that the undertaking of the aforesaid unified project by the port authority has the single object of preserving, and is part of a unified plan to aid in the preservation of, the economic well-being of

the northern New Jersey-New York metropolitan area and is found and determined to be in the public interest.

C. 32:1-35.51. Terms defined.

2. The following terms as used in this act shall have the following meanings:

"Bonds" shall mean bonds, notes, securities or other obligations or evidences of indebtedness;

"Effectuation" of a project or any facility or part of a facility constituting a portion of a project shall include but not be limited to its establishment, acquisition, construction, development, maintenance, operation, improvement (by way of betterments, additions or otherwise) and rehabilitation;

"Exchange place terminal area" shall mean the area in the city of Jersey City, State of New Jersey, bounded generally by Exchange place and Montgomery street, by Warren street, by Pearl street, by Greene street, and by Morgan street as extended to the bulkhead line and by said bulkhead line, together with such additional contiguous area as may be agreed upon from time to time between the port authority and the said city;

"General reserve fund statutes" shall mean chapter 48 of the laws of New York of 1931 as amended, and chapter 5 of the laws of New Jersey of 1931 as amended, and "general reserve fund" shall mean the general reserve fund of the port authority authorized by said statutes;

"Hudson tubes" shall mean that portion of the port development project constituting a railroad facility consisting of the 4 interstate rail tunnels under the Hudson river now or heretofore owned or operated by the Hudson & Manhattan Railroad Company, the rail transit lines of the Hudson tubes, the balance of the interurban electric railway system in and through said tunnels and over said lines and incidental thereto (including but not limited to the portion of such lines and system now or heretofore operated jointly by said railroad company and the Pennsylvania Railroad Company), terminals, including but not limited to terminals in the Hudson tubes-world trade center area, in the Journal square

terminal area and in the Exchange place terminal area, and other related railroad property;

"Hudson tubes extensions" shall mean those portions of the port development project constituting passenger railroad facilities extending directly from the rail transit lines of the Hudson tubes, over new rail transit lines or on or over the existing rail transit lines of other railroads, to transfer facilities in the rail passenger transfer area, for the transfer of passengers of the Hudson tubes to and from other railroads, and other related railroad property;

"Hudson tubes-world trade center area" shall mean the area in the borough of Manhattan, city and State of New York, bounded generally by the east side of Church street on the east, the south side of Liberty street and the south side of Liberty street extended on the south, the Hudson river on the west, and on the north by a line beginning at the point of intersection of the Hudson river and the north side of Vesey street extended, running along the north side of Vesey street extended and the north side of Vesey street to the west side of Washington street, then along the west side of Washington street to the north side of Barclay street, then along the north side of Barclay street to the east side of West Broadway, then along the east side of West Broadway to the north side of Vesey street, then along the north side of Vesey street to the east side of Church street, together with such additional contiguous area as may be agreed upon from time to time between the port authority and the said city;

"Journal square terminal area" shall mean the area in the city of Jersey City, State of New Jersey, bounded generally by Journal square, Hudson boulevard, Pavonia avenue, Summit avenue and Sip avenue, together with such additional contiguous area as may be agreed upon from time to time between the port authority and the said city;

"Municipality" shall mean a county, city, borough, village, town, township or other similar political subdivision of New York or New Jersey;

"Parking facilities" forming a part of the Hudson tubes or Hudson tubes extensions shall mean one or more areas, buildings, structures, improvements or other accommodations or appurtenances at or in the vicinity of any terminal or station of the Hudson tubes or Hudson tubes extensions and necessary, convenient or desirable in the opinion of the port authority for the parking of motor vehicles of users of the Hudson tubes or the Hudson tubes extensions and of members of the general public and for the parking and storage of omnibuses and railroad cars serving users of the Hudson tubes or the Hudson tubes extensions and for the transfer of the operators and passengers of such motor vehicle, omnibuses and railroad cars to and from the railroad cars of the Hudson tubes or the Hudson tubes extensions, and for purposes incidental thereto;

"Purposes of this act" shall mean the effectuation of the port development project and of each facility constituting a portion thereof and of each part of each such facility, and purposes incidental thereto;

"Rail passenger transfer area" shall mean the area in the State of New Jersey bounded as follows: beginning on the west bank of the Hudson river at the southerly side of the right-of-way of the Central Railroad of New Jersey easterly of the Communipaw station in the city of Jersey City, thence northwestwardly along said southerly side of the right-of-way of the Central Railroad of New Jersey through the cities of Jersey City and Kearny to Broad street in the city of Newark; thence northwardly along Broad street to Clay street, thence eastwardly along Clay street to the boundary between the counties of Hudson and Essex in the Passaic river, thence northwardly along said boundary to its intersection with the boundary line between the counties of Bergen and Hudson, thence eastwardly and northwardly along said boundary to New Jersey State highway route 3, thence eastwardly along said route 3, the Lincoln tunnel via-

duct and a line in continuation of said viaduct and tunnel to the west bank of the Hudson river, thence southwardly along said west bank to the point and place of beginning;

"Rail transit lines" shall mean right-of-way and related trackage, and the "rail transit lines of the Hudson tubes" shall mean the rail transit lines beginning at the Market street station of the Pennsylvania Railroad Company in the city of Newark, State of New Jersey and extending generally (i) eastwardly along the joint service and operating route now or heretofore used by the Hudson & Manhattan Railroad Company and the Pennsylvania Railroad Company to the point of connection thereof with the tracks now or formerly of the Hudson & Manhattan Railroad Company in or about the Journal square terminal area; thence (ii) continuing eastwardly along the tracks and right-of-way now or heretofore used by the Hudson & Manhattan Railroad Company through the city of Jersey City, State of New Jersey and through the tunnels under the waters of the Hudson river and through Cortlandt and Fulton streets in the borough of Manhattan, city and State of New York to the Hudson terminal in the Hudson tubes-world trade center area; with a branch from the aforesaid route from a point located between the Grove street and Exchange place stations in said city of Jersey City northwardly and eastwardly to the Hoboken terminal station in the city of Hoboken, State of New Jersey and with a second branch from said first branch eastwardly and through the tunnels under the waters of the Hudson river to the said borough of Manhattan passing through or adjacent to Morton street, Greenwich street, Christopher street and the avenue of the Americas (formerly Sixth avenue) to the West Thirty-third street terminal in said borough of Manhattan; and rail transit lines of the Hudson tubes and of the Hudson tubes extensions shall in each case include such rail transit lines as the port authority may deem necessary, convenient or desirable to and from parking

facilities, storage yards, maintenance and repair shops and yards forming part thereof;

"Real property" shall mean lands, structures, franchises and interests in land, waters, lands under water and riparian rights and any and all things and rights included within said term, and includes not only fees simple absolute but also any and all lesser interests, including but not limited to easements, rights-of-way, uses, leases, licenses and all other incorporeal hereditaments and every estate, interest or right, legal or equitable, including terms for years, and liens thereon by way of judgments, mortgages or otherwise;

"Related railroad property" shall mean any property, real, personal or mixed, necessary, convenient or desirable, in the opinion of the port authority, to the effectuation of a railroad facility which is a portion of the port development project and shall include but not be limited to rail transit lines; terminals and stations; power, fuel, communication, signal and ventilation systems; cars and other rolling stock; storage yards; repair and maintenance shops, yards, equipment and parts; parking facilities; transfer facilities for transfer of passengers between such railroad facility and other railroads or omnibuses; offices; and other buildings, structures, improvements, areas, equipment or supplies; and, in the case of buildings, structures, improvements or areas in which any one or more of such railroad functions are accommodated shall include all of such buildings, structures, improvements or areas notwithstanding that portions thereof may not be devoted to any of the purposes of the port development project other than the production of incidental revenue available for the expenses of all or part of the port development project, except that in the Hudson tubes-world trade center area the portions of such buildings, structures, improvements or areas constructed or established pursuant to this act which are not devoted primarily to railroad functions, activities or services or to functions, activities or services for

railroad passengers shall be deemed a part of the world trade center and not related railroad property;

"Surplus revenues" from any facility shall mean the balance of the revenues from such facility (including but not limited to the revenues of any subsidiary corporation incorporated for any of the purposes of this act) remaining at any time currently in the hands of the port authority after the deduction of the current expenses of the operation and maintenance thereof, including a proportion of the general expenses of the port authority as it shall deem properly chargeable thereto, which general expenses shall include but not be limited to the expense of protecting and promoting the commerce of the port district, and after the deduction of any amounts which the port authority may or shall be obligated or may or shall have obligated itself to pay to or set aside out of the current revenues therefrom for the benefit of the holders of any bonds legal for investment as defined in the general reserve fund statutes;

"Surplus revenues of the port development project" shall mean the surplus revenues of the Hudson tubes, the Hudson tubes extensions and the world trade center; and

"World trade center" shall mean that portion of the port development project constituting a facility of commerce consisting of 1 or more buildings, structures, improvements and areas necessary, convenient or desirable in the opinion of the port authority for the centralized accommodation of functions, activities and services for or incidental to the transportation of persons, the exchange, buying, selling and transportation of commodities and other property in world trade and commerce, the promotion and protection of such trade and commerce, governmental services related to the foregoing and other governmental services, including but not limited to custom houses, customs stores, inspection and appraisal facilities, foreign trade zones, terminal and transportation facilities, park-

ing areas, commodity and security exchanges, offices, storage, warehouse, marketing and exhibition facilities and other facilities and accommodations for persons and property and, in the case of buildings, structures, improvements and areas in which such accommodation is afforded, shall include all of such buildings, structures, improvements and areas other than portions devoted primarily to railroad functions, activities or services or to functions, activities or services for railroad passengers, notwithstanding that other portions of such buildings, structures, improvements and areas may not be devoted to purposes of the port development project other than the production of incidental revenue available for the expenses of all or part of the port development project.

C. 32:1-35.52. World trade center authorized; rent, fares, tolls authorized; limitation on use of tubes, et cetera; air terminal not authorized.

3. In furtherance of the aforesaid findings and determinations and in partial effectuation of and supplemental to the comprehensive plan heretofore adopted by the 2 said States for the development of the said port district, the port authority is hereby authorized and empowered to establish, acquire, construct, effectuate, develop, own, lease, maintain, operate, improve and rehabilitate a project herein referred to as the port development project, which shall consist of a facility of commerce herein referred to as the world trade center, to be located within the Hudson tubes-world trade center area, and railroad facilities herein referred to as the Hudson tubes and the Hudson tubes extensions. The port authority shall proceed as rapidly as may be practicable to accomplish the purposes of this act.

The port authority is hereby authorized and empowered to establish, levy and collect such rentals, tolls, fares, fees and other charges as it may deem necessary, proper or desirable in connection with any facility or part of any facility constituting a portion of the port development project and to issue bonds for any of the purposes of this act and to provide for payment thereof, with interest upon and the amortization and retirement of such bonds,

and to secure all or any portion of such bonds by a pledge of such rentals, tolls, fares, fees, charges and other revenues or any part thereof (including but not limited to the revenues of any subsidiary corporation incorporated for any of the purposes of this act), and to secure all or any portion of such bonds by mortgages upon any property held or to be held by the port authority (or by any such subsidiary corporation) for any of the purposes of this act, and for any of the purposes of this act to exercise all appropriate powers heretofore or hereafter delegated to it by the States of New York and New Jersey, including, but not limited to, those expressly set forth in this act. The surplus revenues of the port development project may be pledged in whole or in part as hereinafter provided.

Unless and until hereafter expressly authorized by the 2 States the port authority shall not: (a) operate or permit operation by others of its Hudson tubes railroad cars or other rolling stock or equipment or Hudson tubes extensions railroad cars or other rolling stock or equipment except upon the rail transit lines of the Hudson tubes or of the Hudson tubes extensions and also between the Market street station and the South street station of the Pennsylvania Railroad Company in the city of Newark, State of New Jersey; or (b) except by way of Hudson tubes extensions as herein defined, make additions, betterments or other improvements to or of said Hudson tubes or Hudson tubes extensions by way of extensions of their rail transit lines. Nothing herein contained shall be deemed to prevent the making by the port authority of such joint service or other agreements with railroads as it shall deem necessary, convenient or desirable for the use of the Hudson tubes and Hudson tubes extensions by the railroad cars or other rolling stock or equipment of such railroads and the acquisition of the rights of any or all parties in any joint service or other agreements the Hudson & Manhattin Railroad Company or its successors shall have made with other railroads for such use of the Hud-

son tubes. The port authority shall not proceed with the effectuation of any railroad or railroad facility in addition to the Hudson tubes and the Hudson tubes extensions until hereafter expressly authorized by the 2 States. Nothing contained in this act shall authorize or empower the port authority to establish, construct or otherwise effectuate an air terminal.

C. 32:1-35.53. Pledge of moneys in general reserve fund.

4. The moneys in the general reserve fund may be pledged in whole or in part by the port authority as security for or applied by it to the repayment with interest of any moneys which it may raise upon bonds issued or incurred by it from time to time for any of the purposes of this act or upon bonds secured in whole or in part by the pledge of the revenues from the port development project or any portion thereof or upon bonds both so issued or incurred and so secured; and the moneys in said general reserve fund may be applied by the port authority to the fulfillment of any other undertakings which it may assume to or for the benefit of the holders of any such bonds.

Subject to prior liens and pledges (and to the obligation of the port authority to apply revenues to the maintenance of its general reserve fund in the amount prescribed by the general reserve fund statutes), the revenues from facilities established, constructed, acquired or otherwise effectuated through the issuance or sale of bonds of the port authority secured in whole or in part by a pledge of its general reserve fund or any portion thereof may be pledged in whole or in part as security for or applied by it to any of the purposes of this act, including the repayment with interest of any moneys which it may raise upon bonds issued or incurred from time to time for any of the purposes of this act or upon bonds secured in whole or in part by the pledge of the revenues of the port authority from the port development project or any portion thereof or upon bonds both so issued or incurred and so secured; and said revenues may be applied by the port authority to the fulfillment

of any other undertakings which it may assume to or for the benefit of the holders of such bonds.

C. 32:1-35.54. Surplus revenues paid into general reserve fund.

5. In all cases where the port authority has raised or shall hereafter raise moneys for any of the purposes of this act by the issue and sale of bonds which are secured in whole or in part by a pledge of the general reserve fund or any portion thereof, the surplus revenues from any facility constituting a portion of the port development project and financed in whole or in part out of the proceeds of such bonds and the surplus revenues from any other port authority facility the surplus revenues of which at such time may be payable into the general reserve fund shall be pooled and applied by the port authority to the establishment and maintenance of the general reserve fund in an amount equal to 1/10 of the par value of all bonds legal for investment, as defined in the general reserve fund statutes, issued by the port authority and currently outstanding, including such bonds issued for any of the purposes of this act; and all such moneys in said general reserve fund may be pledged and applied in the manner provided in the general reserve fund statutes.

In the event that any time the balance of moneys theretofore paid into the general reserve fund and not applied therefrom shall exceed an amount equal to 1/10 of the par value of all bonds upon the principal amount of which the amount of the general reserve fund is calculated, by reason of the retirement of bonds issued or incurred from time to time for any of the purposes of this act the par value of which had theretofore been included in the computation of said amount of the general reserve fund, then the port authority may pledge or apply such excess for and only for the purposes for which it is authorized by the general reserve fund statutes to pledge the moneys in the general reserve fund and such pledge may be made in advance of the time when such excess may occur.

C. 32:1-35.55. N. Y. and N. J. agree not to impair or diminish powers; terms defined.

6. The 2 States covenant and agree with each other and with the holders of any affected bonds,

as hereinafter defined, that so long as any of such bonds remain outstanding and unpaid and the holders thereof shall not have given their consent as provided in their contract with the port authority, (a) the 2 States will not diminish or impair the power of the port authority (or any subsidiary corporation incorporated for any of the purposes of this act) to establish, levy and collect rentals, tolls, fares, fees or other charges in connection with any facility constituting a portion of the port development project or any other facility owned or operated by the port authority of which the revenues have been or shall be pledged in whole or in part as security for such bonds (directly or indirectly, or through the medium of the general reserve fund or otherwise), or to determine the quantity, quality, frequency or nature of the service provided in connection with each such facility; and (b) neither the States nor the port authority nor any subsidiary corporation incorporated for any of the purposes of this act will apply any of the rentals, tolls, fares, fees, charges, revenues or reserves, which have been or shall be pledged in whole or in part as security for such bonds, for any railroad purposes whatsoever other than permitted purposes hereinafter set forth.

"Affected bonds" as used in this section shall mean bonds of the port authority issued or incurred by it from time to time for any of the purposes of this act or bonds as security for which there may or shall be pledged, in whole or in part, the general reserve fund or any reserve fund established by or pursuant to contract between the port authority and the holders of such bonds, or the revenues of the world trade center, Hudson tubes, Hudson tubes extensions or any other facility owned or operated by the port authority any surplus revenues of which would be payable into the general reserve fund, or bonds both so issued or incurred and so secured.

"Permitted purposes" as used in this section shall mean purposes in connection with (i) the Hudson tubes as authorized and limited on the effective

date of this covenant and agreement, (ii) railroad freight transportation facilities or railroad freight terminal facilities, (iii) the construction, installation and maintenance of railroad tracks and related facilities on vehicular bridges owned by the port authority, and (iv) any other railroad facility established, acquired, constructed or otherwise effectuated by the port authority (including but not limited to Hudson tubes extensions) as to which the port authority shall have first certified either that said other railroad facility is self-supporting as hereinafter defined or, if not, that at the end of the preceding calendar year the general reserve fund contained an amount equal to 1/10 of the par value of bonds of the port authority which were outstanding at said year end and which were legal for investment as defined in the general reserve fund statutes and that the group of facilities consisting of such other railroad facility and of all prior other railroad facilities will not produce deficits in excess of permitted deficits as hereinafter defined. "Prior other railroad facilities" at the time of any certification by the port authority hereunder shall mean all the railroad facilities described in subdivisions (i) and (iv) of this paragraph which were theretofore established, acquired, constructed or otherwise effectuated by the port authority any surplus revenues of which at such time would be payable into the general reserve fund.

An other railroad facility shall be deemed to be "self-supporting" as of the time of any certification hereunder if the amount estimated by the port authority for the ensuing 10 years to be the average annual net income (computed without deduction for debt service) derived from or incidental to such facility equals or exceeds the amount estimated by the port authority for such 10 years to be the average annual debt service upon bonds for purposes in connection with such proposed facility.

"Deficits" of a group of railroad facilities, as used in this section, shall mean the amount estimated by the port authority for the ensuing 10

years to be the average annual combined debt service upon bonds for purposes in connection with the railroad facilities of such group less the amount estimated by the port authority for such 10 years to be the average annual combined net income (computed without deduction for debt service) derived from or incidental to such railroad facilities or plus the amount estimated by the port authority for such 10 years to be the average annual combined net losses (computed without deduction for debt service) sustained from or incidental to such railroad facilities; the estimate of deficits thus arrived at shall not be effective unless and until concurred in, in writing, by the Governors of the said 2 States.

"Permitted deficits" of a group of railroad facilities as used in this section, shall mean deficits as of the time of any certification hereunder which do not exceed (A) such amount or amounts of deficits as of the time of any certification hereunder for the payment of which one or both of the 2 States, in connection with the proposed other railroad facility as to which the certification is made and in connection with prior other railroad facilities, has made adequate, secure and effective provision for the duration of the period for which the port authority is liable for such deficits, plus (B) the greater of the following 2 amounts: (1) an amount equal to 1/10 of the amount in the general reserve fund at the end of the preceding calendar year, diminished by an amount equal to 1% of the principal amount of all bonds of the port authority outstanding at the end of said preceding calendar year the proceeds of which shall have been applied for purposes in connection with the facilities of such group or (2) an amount equal to the sum of 1/10 of the diminished 1/10 amount calculated under clause (1) of this sentence, plus 1% of the equity, at the end of the said preceding calendar year, of the port authority in its vehicular bridges and tunnels and in all other facilities owned and operated by it (not including railroad cars financed by state-guaranteed bonds) except those of the

aforesaid group of railroad facilities. Equity of the port authority in facilities as to which any calculation of equity shall be made shall mean the principal amount of bonds of the port authority retired from port authority revenues or reserves or both which have been derived from the operation of its facilities and the investment of its funds and not from governmental or other subsidy payments, the proceeds of which retired bonds shall have been applied for purposes in connection with such facilities.

Each certification by the port authority hereunder shall be made at the time of the issuance of its first bonds for permitted purposes in connection with a proposed other railroad facility which bonds would be secured in whole or in part by the aforesaid pledged rentals, tolls, fares, fees, charges, revenues or reserves, or at such time, prior to such issuance, as any application of such pledged rentals, tolls, fares, fees, charges, revenues or reserves for purposes in connection with such proposed other railroad facility would otherwise be permitted or required. Anything herein to the contrary notwithstanding, any such certification by the port authority hereunder shall not be effective unless and until affirmatively concurred in, in writing, by the Governors of the said 2 States.

C. 32:1-35.56. Agreements authorized.

7. The port authority is authorized and empowered to co-operate with the States of New York and New Jersey, with any municipality, with the Federal Government and with any agency or commission of any one or more of the foregoing, or with any one or more of them, for and in connection with the acquisition, clearance, replanning, rehabilitation, reconstruction or redevelopment of the Hudson tubes-world trade center area or of any other area forming part of the port development project for the purpose of renewal and improvement of said area and for any of the purposes of this act, and to enter into an agreement or agreements (and from time to time to enter into agreements amending or supplementing the same) with any such

municipality, commission or agency and with the States of New York and New Jersey and with the Federal Government, or with any one or more of them, for or relating to such purposes, including but not limited to agreements with respect to financial assistance, loans and grants as provided in title 1 of the housing act of 1949 and all Federal laws amendatory and supplemental thereto and with respect to occupancy of space in the port development project. The port authority is hereby authorized and empowered to apply for and accept financial assistance, loans and grants for such purposes under Federal, State or local laws, and to make application directly to the proper officials or agencies for and receive Federal, State or local loans or grants in aid of any of the purposes of this act.

C. 32:1-35.57. States, municipalities, commissions or agencies authorized to enter into agreements.

8. Notwithstanding any contrary provision of law, general, special or local, either State and any municipality and any commission or agency of either or both of said 2 States is authorized and empowered to co-operate with the port authority and to enter into an agreement or agreements (and from time to time to enter into agreements amending or supplementing the same) with the port authority for and in connection with or relating to the acquisition, clearance, replanning, rehabilitation, reconstruction, or redevelopment of the Hudson tubes-world trade center area or of any other area forming part of the port development project for the purpose of renewal and improvement of said area as aforesaid and for any of the purposes of this act, upon such reasonable terms and conditions as may be determined by such State, municipality, agency or commission and the port authority. Such agreement may, without limiting the generality of the foregoing, include consent to the use by the port authority of any real property owned or to be acquired by said State, municipality, agency or commission and consent to the use by such State, municipality, agency or commission of any real property owned or to be acquired by the

port authority which in either case is necessary, convenient or desirable in the opinion of the port authority for any of the purposes of this act, including such real property, improved or unimproved, as has already been devoted to or has been or is to be acquired for urban renewal or other public use, and as an incident to such consents such State, municipality, agency or commission may grant, convey, lease or otherwise transfer any such real property to the port authority and the port authority may grant, convey, lease or otherwise transfer any such real property to such State, municipality, agency or commission for such term and upon such conditions as may be agreed upon. If real property of such State, municipality, agency or commission be leased to the port authority for any of the purposes of this act, such State, municipality, agency or commission may consent to the port authority having the right to mortgage the fee of such property and thus enable the port authority to give as security for its bond or bonds a lien upon the land and improvements, but such State, municipality, agency or commission by consenting to the execution by the port authority of a mortgage upon the leased property shall not thereby assume and such consent shall not be construed as imposing upon such State, municipality, agency or commission any liability upon the bond or bonds secured by the mortgage.

Nothing contained in this section shall impair or diminish the powers vested in either State or in any municipality, agency or commission to acquire, clear, replan, reconstruct, rehabilitate or redevelop substandard or insanitary or deteriorating areas and the powers herein granted to the State, municipality, agency or commission shall be construed to be in aid of and not in limitation or in derogation of any such powers heretofore or hereafter conferred upon or granted to the State, municipality, agency or commission.

Nothing contained in this act shall be construed to authorize the port authority to acquire property

now or hereafter vested in or held by any municipality without the authority or consent of such municipality, provided that the State in which said municipality is located may by statute enact that such property may be taken by the port authority by condemnation or the exercise of the right of eminent domain without such authority or consent; nor shall anything herein impair or invalidate in any way any bonded indebtedness of the State or such municipality, nor impair the provisions of law regulating the payment into sinking funds of revenues derived from municipal property, or dedicating the revenues derived from municipal property to a specific purpose.

The port authority is hereby authorized and empowered to acquire from any such municipality, or from any other agency or commission having jurisdiction in the premises, by agreement therewith, and such municipality, agency or commission, notwithstanding any contrary provision of law, is hereby authorized and empowered to grant and convey, upon reasonable terms and conditions, any real property which may be necessary, convenient or desirable for any of the purposes of this act, including such real property as has already been devoted to a public use.

Any consent by a municipality shall be given and the terms, conditions and execution by a municipality of any agreement, deed, lease, conveyance or other instrument pursuant to this section or any other section of this act shall be authorized in the manner provided in article 22 of the compact of April 30, 1921 between the 2 States creating the port authority. Any consent by either State shall be effective if given, and the terms and conditions and execution of any agreement, deed, lease, conveyance or other instrument pursuant to this section or any other section of this act shall be effective if authorized, by the Governor of such State.

C. 32:1-35.58. Consent to suits, actions or proceedings by any municipality.

9. The States of New York and New Jersey hereby consent to suits, actions or proceedings by any municipality against the port authority upon,

in connection with or arising out of any agreement, or any amendment thereof, entered into for any of the purposes of this act, as follows:

(1) for judgments, orders or decrees restraining or enjoining the port authority from transferring title to real property to other persons in cases where it has agreed with said municipality for transfer of such title to the municipality; and

(2) for judgments, orders or decrees restraining or enjoining the port authority from committing or continuing to commit other breaches of such agreement or any amendment thereof; provided, that such judgment, order or decree shall not be entered except upon 2 days' prior written notice to the port authority of the proposed entry thereof; and provided further that upon appeal taken by the port authority from such judgment, order or decree the service of the notice of appeal shall perfect the appeal and stay the execution of such judgment, order or decree appealed from without an undertaking or other security.

Nothing herein contained shall be deemed to revoke, rescind or affect any consent to suits, actions, or proceedings against the port authority heretofore given by the 2 said States in chapter 301 of the laws of New York of 1950 and chapter 204 of the laws of New Jersey of 1951.

C. 32:1-35.59. Effectuation of facilities deemed a governmental function.

10. The effectuation of the world trade center, the Hudson tubes and the Hudson tubes extensions, or of any of such facilities constituting a portion of the port development project, are and will be in all respects for the benefit of the people of the States of New York and New Jersey, for the increase of their commerce and prosperity and for the improvement of their health and living conditions; and the port authority and any subsidiary corporation incorporated for any of the purposes of this act shall be regarded as performing an essential governmental function in undertaking the effectuation thereof, and in carrying out the provisions of law relating thereto.

C. 32:1-35.60. Payment in lieu of taxes.

11. The port authority shall be required to pay no taxes or assessments upon any of the property acquired or used by it for any of the purposes of this act or upon any deed, mortgage or other instrument affecting such property or upon the recording of any such instrument. However, to the end that no municipality shall suffer undue loss of taxes and assessments by reason of the acquisition and ownership of property by the port authority for any of the purposes of this act, the port authority is hereby authorized and empowered, in its discretion, to enter into a voluntary agreement or agreements with any municipality whereby the port authority will undertake to pay in lieu of taxes a fair and reasonable sum or sums annually in connection with any real property acquired and owned by the port authority for any of the purposes of this act. Such sums in connection with any real property acquired and owned by the port authority for any of the purposes of this act shall not be more than the sum last paid as taxes upon such real property prior to the time of its acquisition by the port authority; provided, however, that in connection with any portion of the Hudson tubes-world trade center area acquired and owned by the port authority for any of the purposes of this act, after such property is improved pursuant to this act with world trade center buildings, structures or improvements greater in value than the buildings, structures or improvements on such Hudson tubes-world trade center area at the time of its acquisition by the port authority, then, with regard to such greater value, such sum or sums may be increased by such additional sum or sums annually as may be agreed upon between the port authority and the city of New York which will not include any consideration of the exhibit areas of the world trade center or of any areas which would be tax exempt in their own right if title were in the governmental occupants or of other areas accommodating services for the public or devoted to general public use. Each such municipality is hereby authorized and empowered

to enter into such agreement or agreements with the port authority and to accept the payment or payments which the port authority is hereby authorized and empowered to make, and the sums so received by such municipality shall be devoted to purposes to which taxes may be applied unless and until otherwise directed by law of the State in which such municipality is located.

C. 32:1-35.61. Effectuation of details the sole discretion of the authority.

12. All details of the effectuation, including but not limited to details of financing, leasing, rentals, tolls, fares, fees and other charges, rates, contracts and service, of the world trade center, the Hudson tubes and the Hudson tubes extensions by the port authority shall be within its sole discretion and its decision in connection with any and all matters concerning the world trade center, the Hudson tubes and the Hudson tubes extensions shall be controlling and conclusive. The local laws, resolutions, ordinances, rules and regulations of the city of New York shall apply to such world trade center if so provided in any agreement between the port authority and the city and to the extent provided in any such agreement.

So long as any facility constituting a portion of the port development project shall be owned, controlled or operated by the port authority (either directly or through a subsidiary corporation incorporated for any of the purposes of this act), no agency, commission or municipality of either or both of the 2 States shall have jurisdiction over such facility nor shall any such agency, commission or municipality have any jurisdiction over the terms or method of effectuation of all or any portion thereof by the port authority (or such subsidiary corporation) including but not limited to the transfer of all or any portion thereof to or by the port authority (or such subsidiary corporation).

Nothing in this act shall be deemed to prevent the port authority from establishing, acquiring, owning, leasing, constructing, effectuating, developing, maintaining, operating, rehabilitating or improving all or any portion of the port develop-

ment project through wholly owned subsidiary corporations of the port authority or from transferring to or from any such corporations any moneys, real property or other property for any of the purposes of this act. If the port authority shall determine from time to time to form such a subsidiary corporation it shall do so by executing and filing with the Secretary of State of New York and the Secretary of State of New Jersey a certificate of incorporation, which may be amended from time to time by similar filing, which shall set forth the name of such subsidiary corporation, its duration, the location of its principal office, and the purposes of the incorporation which shall be one or more of the purposes of establishing, acquiring, owning, leasing, constructing, effectuating, developing, maintaining, operating, rehabilitating or improving all or any portion of the port development project. The directors of such subsidiary corporation shall be the same persons holding the offices of commissioners of the port authority. Such subsidiary corporation shall have all the powers vested in the port authority itself for the purposes of this act except that it shall not have the power to contract indebtedness. Such subsidiary corporation and any of its property, functions and activities shall have all of the privileges, immunities, tax exemptions and other exemptions of the port authority and of the port authority's property, functions and activities. Such subsidiary corporation shall be subject to the restrictions and limitations to which the port authority may be subject, including, but not limited to the requirement that no action taken at any meeting of the board of directors of such subsidiary corporation shall have force or effect until the Governors of the 2 States shall have an opportunity, in the same manner and within the same time as now or hereafter provided by law for approval or veto of actions taken at any meeting of the port authority itself, to approve or veto such action. Such subsidiary corporation shall be subject to suit in accordance with section 9 of this act

and chapter 301 of the laws of New York of 1950 and chapter 204 of the laws of New Jersey of 1951 as if such subsidiary corporation were the port authority itself. Such subsidiary corporation shall not be a participating employer under the New York Retirement and Social Security law or any similar law of either State and the employees of any such subsidiary corporation, except those who are employees of the port authority, shall not be deemed employees of the port authority.

Whenever any State, municipality, commission, agency, officer, department, board or division is authorized and empowered for any of the purposes of this act to co-operate and enter into agreements with the port authority or to grant any consent to the port authority or to grant, convey, lease or otherwise transfer any property to the port authority or to execute any document, such State, municipality, commission, agency, officer, department, board or division shall have the same authorization and power for any of such purposes to co-operate and enter into agreements with such subsidiary corporation and to grant consents to such subsidiary corporation and to grant, convey, lease or otherwise transfer property to such subsidiary corporation and to execute documents for such subsidiary corporation.

C. 32:1-35.62. Bonds legal investments.

13. The bonds issued by the port authority to provide funds for any of the purposes of this act are hereby made securities in which all State and municipal officers and bodies of both States, all trust companies and banks other than savings banks, all building and loan associations, savings and loan associations, investment companies and other persons carrying on a commercial banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees and other fiduciaries, and all other persons whatsoever (other than savings banks), who are now or may hereafter be authorized by either State to invest in bonds of such State, may

properly and legally invest any funds, including capital, belonging to them or within their control, and said bonds are hereby made securities which may properly and legally be deposited with and shall be received by any State or municipal officer or agency of either State for any purpose for which the deposit of bonds of such State is now or may hereafter be authorized. The bonds issued by the port authority to provide funds for any of the purposes of this act as security for which the general reserve fund shall have been pledged in whole or in part are hereby made securities in which all savings banks also may properly and legally invest any funds, including capital, belonging to them or within their control.

C. 32:1-35.63. Acquisition of property; right of eminent domain.

14. If the port authority shall find it necessary, convenient or desirable to acquire (either directly or through a subsidiary corporation) from time to time any real property or any property other than real property (including but not limited to contract rights and other intangible personal property and railroad cars or other rolling stock, maintenance and repair equipment and parts, fuel and other tangible personal property), for any of the purposes of this act whether for immediate or future use (including temporary construction, rehabilitation or improvement), the port authority may find and determine that such property, whether a fee simple absolute or a lesser interest, is required for a public use, and upon such determination the said property shall be and shall be deemed to be required for such public use until otherwise determined by the port authority, and such determination shall not be affected by the fact that such property has theretofore been taken for and is then devoted to a public use; but the public use in the hands of or under the control of the port authority shall be deemed superior to the public use in the hands of any other person, association or corporation.

The port authority may acquire and is hereby authorized so to acquire from time to time, for any of the purposes of this act, such property, whether

a fee simple absolute or a lesser estate, by condemnation (including the exercise of the right of eminent domain) under and pursuant to the provisions of the condemnation law of the State of New York in the case of property located in or having its situs in such State, and Revised Statutes of New Jersey, Title 20:1–1 et seq., in the case of property located in or having its situs in such State, or, at the option of the port authority, as provided in section 15 of chapter 43 of the laws of New Jersey of 1947, as amended, in the case of property located in or having its situs in such State, and as provided in chapter 819 of the laws of New York of 1947 in the case of property located in or having its situs in such State, or pursuant to such other and alternate procedure as may be provided by law of the State in which such property is located or has its situs; and all of said statutes for the condemnation of real property shall, for any of the purposes of this act, be applied also to the condemnation of other property authorized by this section, except that such provisions as pertain to surveys, diagrams, maps, plans or profiles, assessed valuation, lis pendens, service of notice and papers, filing in the office of the clerk in which the real property affected is situated and such other provisions as by their nature cannot be applicable to property other than real property, shall not be applicable to the condemnation of such other property. In the event that any property other than real property is acquired by condemnation under this act then, with respect to such other property, notice of such proceeding and all subsequent notices or court processes shall be served upon the owners of such other property and upon the port authority by personal service or by registered or certified mail, except as may be otherwise directed by the court.

Anything herein to the contrary notwithstanding, any property to be acquired for any of the purposes of this act, which property shall not have been used by its owner or owners or any of his or their predecessors in connection with and shall not have been

acquired by its owner or owners or any of his or their predecessors for use in connection with the effectuation by a railroad company or companies of the Hudson tubes or the Hudson tubes extensions prior to port authority acquisition, shall, if such property is personal property, be acquired only by agreement with the owner or owners and shall, if such property is not personal property and is to be acquired by condemnation, be acquired in an action or proceeding in the State in which such property is located or has its situs. Except as so provided, the port authority is hereby authorized and empowered, in its discretion, from time to time to combine any property which is to be acquired as aforesaid by condemnation for any of the purposes of this act for acquisition in a single action or proceeding notwithstanding that part of the property so to be acquired is located or has its situs in New Jersey and part in New York or is personal property or mixed real and personal property or may be owned by more than one owner; and, except as hereinafter provided, each such single action or proceeding to acquire property located or having its situs part in New Jersey and part in New York shall be pursuant to the laws of whichever of the 2 said States the port authority shall estimate contains the greater part in value of all the property to be acquired in such action or proceeding (hereinafter sometimes called the forum State) and in the court or courts specified in the laws of the forum State for the condemnation by the port authority of property located or having its situs in the forum State pursuant to this act, in which event, notwithstanding the location or situs of said property, each of said 2 States hereby confers upon its said court or courts jurisdiction of such action or proceeding and the port authority and any subsidiary corporation so acquiring such property and the owners of such property shall be bound by the judgments, orders or decrees therein. In any such action or proceeding the court or courts of the forum State shall apply the laws of valuation of the other State

(hereinafter sometimes called the nonforum State) to the valuation of the property which is located or has its situs in the nonforum State and shall include in the total compensation to be made to any owner of property in both States being acquired in such action or proceeding the increment, if any, in the value of such property in both States, by reason of its being in a single ownership. If a judgment, order or decree in such an action or proceeding shall vest title in or otherwise award to the condemnor the right to possession of property located or having its situs in the nonforum State, then the court or courts of the nonforum State shall grant full faith and credit to such judgment, order or decree and upon petition by the condemnor to the court or courts of the nonforum State specified in the laws thereof for the condemnation by the port authority of property located or having its situs in the nonforum State pursuant to this act, presenting a true copy of such judgment, order or decree and proof that it is in effect, that any conditions thereof have been met, that at least 5 days' notice of such petition has been served by registered or certified mail upon all owners of the property affected who appeared in the original action or proceeding in the forum State or who may be owners of record, and without further proof, a judgment, order or decree of such court or courts of the nonforum State shall be entered granting condemnor possession of the property located or having its situs in the nonforum State and confirming any title which shall have vested in the condemnor by the judgment, order or decree of the court or courts of the forum State.

The owner of any property acquired by condemnation or the exercise of the right of eminent domain for any of the purposes of this act shall not be awarded for such property any increment above the just compensation required by the constitutions of the United States and of the State or States in which the property is located or has its situs by reason of any circumstances whatsoever.

Nothing herein contained shall be construed to prevent the port authority from bringing any proceedings to remove a cloud on title or such other proceedings as it may, in its discretion, deem proper and necessary, or from acquiring any such property by negotiation or purchase.

Where a person entitled to an award in the proceedings to condemn any property for any of the purposes of this act remains in possession of such property after the time of the vesting of title in the condemnor, the reasonable value of his use and occupancy of such property subsequent to such time, as fixed by agreement or by the court in such proceedings or by any court of competent jurisdiction, shall be a lien against such award, subject only to liens of record at the time of the vesting of title in the condemnor.

C. 32:1-35.64. Right of entry.

15. The port authority and its duly authorized agents, and all persons acting under its authority and by its direction, may enter in the daytime into and upon any real property for the purpose of making such surveys, diagrams, maps, plans, soundings or borings as the port authority may deem necessary, convenient or desirable for any of the purposes of this act.

C. 32:1-35.65. Construing as to tax exemption; powers granted deemed continuing.

16. Any declarations contained herein with respect to the governmental nature and public purpose of the world trade center, Hudson tubes and Hudson tubes extensions and to the exemption of the world trade center, Hudson tubes and Hudson tubes extensions property and instruments relating thereto from taxation and to the discretion of the port authority with respect to said facilities shall not be construed to imply that other port authority facilities, property and operations are not of a governmental nature or do not serve public purposes, or that they are subject to taxation, or that the determinations of the port authority with respect thereto are not conclusive. The powers hereby vested in the port authority and in any subsidiary corporation incorporated for any of the purposes of this act (including but not limited to the power

to acquire real property by condemnation) shall be continuing powers and no exercise thereof by the port authority or a subsidiary corporation incorporated for any of the purposes of this act shall be deemed to exhaust them or any of them.

C. 32:1-35.66. Deemed to constitute an agreement; liberally construed.

17. This section and the preceding sections hereof constitute an agreement between the States of New York and New Jersey supplementary to the compact between the 2 States dated April 30, 1921 and amendatory thereof, and shall be liberally construed to effectuate the purposes of said compact and of the comprehensive plan heretofore adopted by the 2 States, and the powers granted to the port authority shall be construed to be in aid of and not in limitation or in derogation of any other powers heretofore conferred upon or granted to the port authority.

C. 32:1-35.67. Provisions severable.

18. If any section, part, phrase, or provision of this act or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, so long as the act or remainder of the act shall nonetheless permit the effectuation, as a unified project, of the Hudson tubes, Hudson tubes extensions and the world trade center, such judgment shall be confined in its operation to the section, part, phrase, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this act or the application thereof to other persons or circumstances and the 2 States hereby declare that they would have entered into this act or the remainder thereof had the invalidity of such provision or application thereof been apparent.

C. 32:1-35.68. Act effective.

19. This act shall take effect upon the enactment into law by the State of New York of legislation having an identical effect with this act, but if the State of New York has already enacted such legislation, this act shall take effect immediately.

Approved February 13, 1962.

CHAPTER 9

AN ACT making appropriation for the construction of a central office building for the Department of Labor and Industry.

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

Appropriation.

1. In addition to the sums heretofore appropriated pursuant to chapter 27 of the laws of 1960, 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 $2,000,000.00 or so much thereof as may be necessary for the construction, including equipment and facilities, of a central office building for the Department of Labor and Industry.

2. This act shall take effect immediately.

Approved February 16, 1962.

CHAPTER 10

AN ACT to facilitate vehicular traffic in the State of New Jersey by providing for the acquisition, construction, maintenance, improvement, repair and operation of expressway projects, creating the New Jersey Expressway Authority as a public body corporate and politic to undertake the same, establishing the powers and duties of such authority and of counties and other public bodies with respect thereto, providing for the regulation of traffic on such projects and prescribing proceedings and penalties for violations thereof, providing for the issuance of bonds and other obligations therefor and for tolls, rents, charges and other means to meet the expense thereof, and authorizing and establishing the location for expressway projects.

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

C. 27:12C-1. Short title.

1. This act shall be known and may be cited as the "New Jersey Expressway Authority Act."

C. 27:12C-2. Expressway projects authorized.

2. In order to facilitate vehicular traffic and provide for the construction of modern express highways embodying modern safety devices including center divisions, adequate shoulder widths, long-sight distances, limitations on access, multiple lanes in each direction and grade separations at all intersections with other highways and railroads, the New Jersey Expressway Authority (hereinafter created) is hereby authorized and empowered to acquire, construct, maintain, improve, enlarge, repair and operate expressway projects (as hereinafter defined) at the location hereinafter established and at such other locations as shall hereafter be established by law.

C. 27:12C-3. Terms defined.

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

(a) "Authority" means the New Jersey Expressway Authority created by this act;

(b) "Bond" means any bond, and "note" means any note, of the authority authorized pursuant to the provisions of this act;

(c) "Commissioner" means the State Highway Commissioner;

(d) "County" means any county of the State;

(e) "Department" means the State Highway Department;

(f) "Feeder road" means any road which in the opinion of the authority is necessary to create or facilitate access to a project and is not more than 3 miles in length from the point of its connection with the project;

(g) "Governing body" means, in the case of a county, the board of chosen freeholders, or, in the case of a school district, the board of education, or, in the case of a municipality or any other governmental subdivision, the commission, council, board or body, by whatever name it may be known, having charge of its finances;

(h) "Municipality" means any city, borough, village, town or township of the State but not a county or a school district;

(i) "Owner" means and includes any individuals, copartnerships, associations, private or municipal corporations, and counties, municipalities or other governmental subdivisions of the State having any title or interest in any property, rights, easements and interests authorized to be acquired pursuant to this act;

(j) "Project" or "expressway project" means any express highway, superhighway or motorway at such locations and between such termini as herein established or as may hereafter be established by law, and acquired or to be acquired or constructed or to be constructed under the provisions of this act by the authority, over which abutters have no easements or rights of light, air or direct access

by reason of the fact that their properties abut thereon, and shall include but not be limited to all bridges, tunnels, overpasses, underpasses, interchanges, traffic circles, grade separations, entrance plazas, approaches, toll houses, service areas, stations and facilities, communications, facilities, administration, storage and other buildings, and other structures, which the authority may deem necessary for the operation of such project, together with all property, rights, easements and interests which may be acquired by the authority for the construction or the operation of such project;

(k) "Public highway" means and shall include any public highway, road or street in the State, whether maintained by the State or by any county, municipality or other governmental subdivision; and

(l) "Real property" means lands within the State, above or below water, and improvements thereof or thereon, or any riparian or other rights or interests therein.

C. 27:12C-4. New Jersey Expressway Authority created.

4. There is hereby established in the State Highway Department a public body corporate and politic, with corporate succession, to be known as the "New Jersey Expressway Authority." The authority shall constitute a political subdivision of the State established as an instrumentality exercising public and essential governmental functions to provide for the public safety, convenience, benefit and welfare, and the exercise by the authority of the powers conferred by this act in the acquisition, construction, maintenance, improvement, repair and operation of projects shall be deemed and held to be an essential governmental function of the State.

C. 27:12C-5. Members; residence requirement; terms; vacancies.

5. The authority shall consist of the members thereof who shall be appointed by the Governor, with the advice and consent of the Senate, in the manner, and for terms and in the number hereinafter provided for, as follows: 1 resident each from the counties of Camden, Cape May and Gloucester, and 2 residents from the county of Atlantic. Not more than 3 of the said members shall be

members of the same political party. Each such member shall have been a qualified voter of the State for at least 1 year preceding the appointment.

Each member of the authority shall serve for a term expiring on April 30 of the year ensuing after his appointment which corresponds in number to the number of the members of the authority then authorized; provided, that the terms of the members first appointed shall be so arranged that one of such terms shall expire on April 30 in each sucessive year ensuing after such appointments. Each member shall hold office for the term of his appointment and until his successor shall have been appointed and qualified. Any vacancy among the members shall be filled by appointment only for the unexpired term but such appointment shall not be made sooner than 15 days after the occurrence of such vacancy.

C. 27:12C-6. Organization; officers and employees.

6. The authority, upon the first appointment of its members and thereafter on or after May 1 in each year, shall annually elect from among its members a chairman and a vice-chairman who shall hold office until May 1 next ensuing and until their respective successors shall have been appointed and qualified. The 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, a general counsel and a chief engineer and such other consulting engineers, special attorneys or counsel, accountants, construction, legal and financial experts, and other agents and employees as it may require, and it shall determine their qualifications, terms of office, duties and compensation.

C. 27:12C-7. Powers vested in members; quorum.

7. The powers of the authority shall be vested in the members thereof in office from time to time and a majority of the total authorized membership of the authority shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the authority at any meeting thereof by the affirmative vote of a majority of the

members present, unless in any case the by-laws of the authority shall require a larger number.

C. 27:12C-8. Expenses paid.

8. The members of the authority shall serve without compensation, but the authority may reimburse its members for necessary expenses incurred in the discharge of their duties.

C. 27:12C-9. Bars members employment.

9. No member of the governing body of a county shall be appointed as a member of, or employed, by the authority.

C. 27:12C-10. Removal of members.

10. Any member of the authority 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, not sooner than 10 days thereafter, been afforded opportunity for a hearing, in person or by counsel, with respect to such charges.

C. 27:12C-11. Powers.

11. The authority shall be a public body corporate and politic and shall have perpetual succession and shall have the following powers:

(a) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(b) To adopt and have an official common seal and alter the same at pleasure;

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

(d) To sue and be sued;

(e) To acquire, construct, maintain, improve, repair and operate projects;

(f) To construct, maintain, improve, repair and operate feeder roads;

(g) To issue bonds or notes of the authority and to provide for the rights of the holders thereof as provided in this act;

(h) To fix and revise from time to time and charge and collect tolls or other charges for transit over or use of any project acquired or constructed by it;

(i) To establish rules and regulations for the use of any project;

(j) To acquire, lease as lessee, hold and dispose of real and personal property or any interest

therein, in the exercise of its powers and the performance of its duties under this act;

(k) To acquire in the name of the authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the power of eminent domain, any land and other property which it may determine is reasonably necessary for any project or for the relocation or reconstruction of any public highway by the authority under the provisions of this act or for the construction of any feeder road which the authority is or may be authorized to construct and any and all rights, title and interest in such land and other property, including public lands, parks, playgrounds, reservations, highways or parkways owned by or in which any county, municipality or other governmental subdivision of the State has any right, title or interest, or parts thereof or rights therein, and any fee simple absolute or any lesser interest in private property, and any fee simple absolute in, easements upon, or the benefit of restrictions upon abutting property to preserve and protect projects;

(l) To locate and designate, and to establish, limit and control such points of ingress to and egress from each project as may be necessary or desirable in the judgment of the authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated;

(m) Subject to the limitations of this act, to acquire, construct, maintain, improve, repair or operate any public highway connecting with any one or more projects which in the opinion of the authority will increase the use of a project or projects, to take over for maintenance, improvement, repair or operation any existing public highway as a feeder road and to realign any such existing public highway and build additional sections of road over new alignment in connection with such existing public highway;

(n) To receive and accept from any Federal agency, subject to the approval of the Governor, grants for or in aid of the acquisition or construction of any project, and to receive and accept aid or contributions from any other source, of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

(o) Subject to the limitations of this act, to determine the location, type and character of any project and all other matters in connection with such project; and

(p) 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. 27:12C-12. Construing as to powers.

12. Nothing contained in this act shall be construed to authorize or empower the authority (1) to vacate, close, connect with, adjust, relocate, cross or otherwise physically affect any State highway unless plans therefor shall have previously been delivered to the commissioner and no objections to said plans shall have been made by the commissioner within 21 days after such delivery, or (2) to acquire State property or any interest therein by the exercise of the power of eminent domain, or (3) to mortgage real property.

C. 27:12C-13. May combine projects.

13. The authority may by resolution determine to combine 2 or more projects described in such resolution, and the projects so described shall thereafter constitute and be deemed to be one project within the meaning and for all the purposes of this act.

C. 27:12C-14. Right of entry.

14. The authority and its authorized agents and employees may enter upon any lands, waters and premises other than State property for the purpose of making surveys, soundings, drillings and examinations as it may deem necessary or convenient for the purposes of this act, and such entry shall not be deemed a trespass, nor shall such entry for

such purpose be deemed an entry under any condemnation proceedings which may be then pending. The authority shall make reimbursement for any actual damages resulting to such lands, waters and premises as a result of such activities.

C. 27:12C-15. Empowered to change and adjust existing highways and facilities.

15. (A) Subject to the limitations of this act, the authority shall have power to construct and reconstruct traffic circles, interchanges and grade separation at intersections of any project with public highways and to change and adjust the lines and grades of such public highways so as to accommodate the same to the design of such project. The cost of construction and any damage incurred in changing and adjusting the lines and grades of such public highways shall be ascertained and, unless otherwise provided for, paid by the authority as a part of the cost of such project.

(B) Subject to the limitations of this act, if the authority shall find it necessary in connection with any project to change the location of any portion of any public highway, it shall cause such public highway to be reconstructed at such location as the authority shall deem most favorable and of substantially the same type and in as good condition as the original public highway. The cost of such reconstruction and any damage incurred in changing the location of any such highway shall be ascertained and, unless otherwise provided for, paid by the authority as a part of the cost of such project.

(C) Any public highway affected by any project may be vacated or relocated by the authority in the manner now provided by law for the vacation or relocation of public roads and any damages awarded on account thereof shall be ascertained and, unless otherwise provided for, paid by the authority as a part of the cost of such project.

C. 27:12C-16. Rules and regulations for renewal, relocation, removal, et cetera, of works of any public utility.

16. In addition to the other powers conferred upon it by this act or by any other law and not in limitation thereof, the authority, in connection with construction or operation of any project, 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 project, public highway or real property, including public lands or waters. Whenever in connection with construction or operation of any project, the 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 project, public highway or such real property, should be relocated in the project, public highway or 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 shall be included in the cost of such project. In case of any such relocation or removal of works as aforesaid, the public utility owning or operating the same, its successors or assigns, may maintain and operate such works, with the necessary appurtenances, in the new location or new locations for as long a period, and upon the same terms and conditions, as it had the right to maintain and operate such works in their former location.

In case of any such relocation or removal of works, as aforesaid, the authority shall own and maintain, repair and renew structures within the rights of way of railroad companies carrying any project or feeder road over railroads, and the authority shall bear the cost of maintenance, repair

and renewal of structures within the rights of way of railroad companies carrying railroads over any project or feeder road, but this provision shall not relieve any railroad company from responsibility for damage caused to any authority or railroad structure by the operation of its railroad. Such approaches, curbing, sidewalk paving, guard rails on approaches and surface paving on projects or feeder roads as shall be within the rights of way of a railroad company or companies shall be owned and maintained, repaired and renewed by the authority; rails, pipes and lines shall be owned and maintained, repaired and renewed by the railroad company or companies.

C. 27:12C-17. Acquisition of county park land; appeal.

17. If the authority, by resolution, determines that it is a reasonable public necessity to acquire, for any project, lands owned by or under the control or jurisdiction of any county park commission, it shall, within 10 days after its adoption of said resolution, serve a copy of said resolution upon the said park commission. The park commission may within 20 days after said service upon it appeal from the said determination of the authority to the Appellate Division of the Superior Court, which shall hear and determine the question of whether or not the taking of the land in question in preference to some other route, is a reasonable public necessity, and if said court shall determine that said taking is such a reasonable public necessity, the authority may thereupon proceed therewith.

C. 27:12C-18. Acquisition and control of feeder roads.

18. Before taking over any existing public highway as a feeder road, the authority shall obtain the consent of any authorities then exercising jurisdiction over said highway, which are hereby authorized to give such consent by resolution of its governing body in the case of any county or municipality or other governmental subdivision or by any written instrument in any other case. Each feeder road or section thereof acquired or constructed, or public highway taken over from such authorities as a feeder road, in connection with a project by the au-

thority shall for all purposes of this act be deemed to constitute part of the project, except that the authority may turn back to such authorities (a) any public highway taken over as a feeder road from such authorities or (b) any feeder road or section thereof constructed upon a new alignment in substitution for the previous alignment of a public highway so taken over unless 80% or more of such feeder road or section is constructed upon a new alignment.

C. 27:12C-19. Payment of compensation upon exercising power of eminent domain; joining petitions; filing declaration of taking; deposit of estimated compensation; taking of property; service of notice; barred from abandonment of proceeding.

19. (A) Upon the exercise of the power of eminent domain by the authority, the compensation to be paid thereunder shall be ascertained and paid in the manner provided in chapter 1 of Title 20 of the Revised Statutes in so far as the provisions thereof are applicable and not inconsistent with the provisions contained in this act. The authority may join in separate subdivisions in one petition or complaint the descriptions of any number of tracts or parcels of land or property to be condemned, and the names of any number of owners and other parties who may have an interest therein and all such land or property included in said petition or complaint may be condemned in a single proceeding; provided, however, that separate awards be made for each tract or parcel of land or property; and provided, further, that each of said tracts or parcels of land or property lies wholly in or has a substantial part of its value lying wholly within the same county.

(B) Upon the filing by the 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 one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the authority. The said declaration of taking shall be sufficient if it sets forth (a) a description of each tract or par-

cel 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) Upon the filing by the 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 or notes of the authority held by any trustee for the holders of such bonds or notes 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 of the estimated compensation for all land or other prop-

erty 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.

(D) Upon the filing by the 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.

(E) The 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 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 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 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 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.

(F) 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. 27:12C-20. Maintenance and policing project; limiting use of project.

20. (A) Each project when constructed and opened to traffic shall be maintained and kept in good condition and repair by the authority. Each such project and any part thereof shall be policed and operated by such force of police, toll-takers, operating employees and other persons as the authority may employ or authorize.

(B) Subject to the terms of any agreement by it with the holders of bonds or notes, if the authority shall find that any part of a project is not suitable or sufficient as a highway to carry mixed traffic, the authority shall have power to exclude from such part any traffic other than passenger motor vehicles.

C. 27:12C-21. Bonds authorized; general obligations; types of bonds; negotiable; issuing; interest rate; sale.

21. (A) The authority shall have the power and is hereby authorized from time to time to issue its bonds or notes for any of its corporate purposes, including the payment, funding or refunding of principal of or interest or redemption premiums on any bonds or notes issued by it whether the bonds or notes or interest to be funded or refunded have or have not become due.

(B) Except as may be otherwise expressly provided by the authority, every issue of bonds or notes shall be general obligations payable out of any moneys or revenues of the authority, subject only to any agreements with the holders of particular bonds or notes pledging any particular moneys or revenues. The authority may issue such types of bonds or notes as it may determine, including (without limiting the generality of the foregoing) bonds or notes 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 or notes; (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 notes; or (c) from its revenues generally. Any such bonds or notes may be additionally secured by a pledge of any grant or contributions from the Federal Government or any State or person or a pledge of any moneys, income or revenues of the authority from any source whatsoever.

(C) Any provision of any law to the contrary notwithstanding, any bond or note 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 note, or of any coupon appurtenant

thereto, by accepting such bond, note or coupon shall be conclusively deemed to have agreed that such bond, note or coupon is and shall be fully negotiable within the meaning and for all purposes of said negotiable instruments law.

(D) Bonds or notes of the authority shall be authorized by resolution of the authority and may be issued in one 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 such resolution or resolutions may provide.

(E) Bonds or notes of the 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. 27:12C-22. Bond covenants.

22. In any resolution of the authority authorizing or relating to the issuance of any bonds or notes, the authority, in order to secure the payment of such bonds or notes and in addition to its other powers, shall have power by provisions therein which shall constitute covenants by the authority and contracts with the holders of such bonds or notes:

(a) To pledge to any payment or purpose all or any part of its tolls or revenues to which its right then exists or may thereafter come into existence, and the moneys derived therefrom, and the proceeds of any bonds or notes;

(b) To covenant against pledging all or any part of its tolls or revenues, or against mortgaging all or any part of its real or personal property then owned or thereafter acquired, or against permitting or suffering any lien on such tolls, revenues or property;

(c) To covenant with respect to limitations on any right to sell, lease or otherwise dispose of any project or any part thereof or any property of any kind;

(d) To covenant as to any bonds and notes to be issued and the limitations thereon and the terms and conditions thereof and as to the custody, application and disposition of the proceeds thereof;

(e) To covenant as to the issuance of additional bonds or notes or as to limitations on the issuance of additional bonds or notes and on the incurring of other debts by it;

(f) To covenant as to the payment of the principal of or interest on the bonds or notes, or any other obligations, as to the sources and methods of such payment, as to the rank or priority of any such bonds, notes or obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds, notes or obligations;

(g) To provide for the replacement of lost, stolen, destroyed or mutilated bonds or notes;

(h) To covenant against extending the time for the payment of bonds or notes or interest thereon;

(i) To covenant as to the redemption of bonds or notes and privileges of exchange thereof for other bonds or notes of the authority;

(j) To covenant as to the rates of toll and other charges to be established and charged, the amount to be raised each year or other period of time by tolls or other revenues and as to the use and disposition to be made thereof;

(k) To covenant to create or authorize the creation of special funds or moneys to be held in pledge or otherwise for construction, operating expenses, payment or redemption of bonds or notes, reserves or other purposes and as to the use and disposition of the moneys held in such funds;

(l) To establish the procedure, if any, by which the terms of any contract or covenant with or for the benefit of the holders of bonds or notes may be amended or abrogated, the amount of bonds or notes the holders of which must consent thereto, and the manner in which such consent may be given;

(m) To covenant as to the construction, improvement, operation or maintenance of its real and personal property, the replacement thereof, the insurance to be carried thereon, and the use and disposition of insurance moneys;

(n) To provide for the rights and liabilities, powers and duties arising upon the breach of any covenant, condition or obligation and to prescribe the events of default and the terms and conditions upon which any or all of the bonds, notes or other obligations of the authority shall become or may be declared due and payable before maturity and the terms and conditions upon which any such declaration and its consequences may be waived;

(o) To vest in a trustee or trustees within or without the State such property, rights, powers and duties in trust as the authority may determine and to limit the rights, duties and powers of such trustee;

(p) To pay the costs or expenses incident to the enforcement of such bonds or notes or of the provisions of such resolution or of any covenant or agreement of the authority with the holders of its bonds or notes;

(q) To limit the powers of the authority to construct, acquire or operate any structures, facilities or properties which may compete or tend to compete with any of its projects;

(r) To limit the rights of the holders of any bonds or notes to enforce any pledge or covenant securing bonds or notes; and

(s) To make covenants other than and in addition to the covenants herein expressly authorized, of like or different character, and to make such covenants to do or refrain from doing such acts and things as may be necessary, or convenient and

desirable, in order to better secure bonds or notes or which, in the absolute discretion of the authority, will tend to make bonds or notes more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein.

C. 27:12C-23. Pledge of tolls and other revenue.

23. Any pledge of tolls or other revenues or other moneys made by the authority shall be valid and binding from the time when the pledge is made; the tolls or other revenues or other moneys so pledged and thereafter received by the authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be filed or recorded except in the records of the authority.

C. 27:12C-24. No personal liability; State not liable.

24. Neither the members of the authority nor any person executing bonds or notes issued pursuant to this act shall be liable personally on the bonds or notes by reason of the issuance thereof. Bonds and notes issued by the 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 or notes.

C. 27:12C-25. Authority authorized to deal in its bonds.

25. The authority shall have power to purchase bonds or notes of the authority out of any funds available therefor. The authority may hold, cancel or resell such bonds or notes subject to and in accordance with agreements with holders of its bonds and notes.

C. 27:12C-26. Tolls and charges.

26. The authority is hereby authorized to fix, revise, charge and collect tolls and charges for the use of each project and the different parts or sections thereof, and to contract with any person,

partnership, association or corporation desiring the use of any part thereof, including the right-of-way adjoining a paved portion, for operating or placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels, or restaurants, or for any other purpose, and to fix the terms, conditions, rents and rates of charges for such use; provided, that a sufficient number of gas stations may be authorized to be established in the service areas along any project to permit reasonable competition by private business in the public interest; and provided, further, that no toll shall be charged for the passage of any ambulance, first-aid or emergency-aid vehicle, vehicular fire-fighting apparatus, or other similar vehicle, operated for the benefit of the public by the State or by any county or municipality or charitable or nonprofit corporation or organization, first-aid squad, emergency squad, or fire company of this State; and provided, further, that no contract shall be required, and no rent, fee or other charge of any kind shall be imposed, for the use and occupation (other than for railroad, railway, express, subway or autobus purposes) of the highway portion of any project for the installation, construction, use, operation, maintenance, repair, renewal, relocation or removal of tracks, pipes, mains, conduits, cables, wires, towers, poles or other equipment or appliances in, on, along, over or under any such project by any public utility as defined in section 27:7–1 of the Revised Statutes which is subject to taxation pursuant to either chapter 4 of the laws of 1940, as amended (R. S. §§ 54:30A–16 et seq.), or chapter 5 of the laws of 1940, as amended (R. S. §§ 54:30A–49 et seq.), or pursuant to any other law imposing a tax for the privilege of using the public streets, highways, roads or other public places in the State. Such tolls and charges shall be so fixed and adjusted as to effectuate the purposes of this act and in any event to carry out and perform the terms and provisions of any contract with or for the benefit of holders of bonds or notes. Such tolls and charges

shall not be subject to supervision or regulation by any other commission, board, bureau or agency of the State or subdivision of the State. The use and disposition of tolls, charges and revenues shall be subject to the provisions of any resolution authorizing the issuance of such bonds or notes.

C. 27:12C-27. Authorizes counties, municipalities, et cetera, to lease, lend, grant or convey lands or other property.

27. All counties and municipalities and other governmental subdivisions, all authorities, and all public departments, agencies and commissions of the State, notwithstanding any contrary provision of law, are hereby authorized and empowered to lease, lend, grant or convey to the authority at its request upon such terms and conditions as the governing body or other proper authorities of such counties, municipalities and governmental subdivisions, authorities and departments, agencies or commissions of the State may deem reasonable and fair and without the necessity for any advertisement, order of court or other action or formality, other than the authorizing resolution of the governing body of the county, municipality or subdivision concerned or the regular and formal action of any other authority concerned, any real property or interest therein which may be necessary or convenient to the effectuation of the purposes of the authority, including public highways and other real property already devoted to public use. At such time as the authority shall undertake to construct any part of a project and shall acquire any portion of a State highway route as part of such project, the jurisdiction of the department over such portion shall cease. No property of the State, other than riparian lands or lands under water and similar lands or interests therein referred to in Title 12, Commerce and Navigation, of the Revised Statutes, as amended, shall be so granted, leased or conveyed to the authority except upon payment to the State of such price therefor (if any) as may be fixed by the State House Commission.

C. 27:12C-28. Counties and municipalities authorized to aid and co-operate with authority.

28. For the purpose of aiding the authority and co-operating in the planning, undertaking, acquisition, construction or operation of any project, any

county or municipality may (a) acquire real property in its name for such project or for the widening of existing roads, streets, parkways, avenues or highways or for new roads, streets, parkways, avenues or highways to 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 parks, streets, roads, roadways, alleys, sidewalks or other public places as it may otherwise be empowered to do, and (c) do any and all things necessary or convenient to aid and co-operate in the planning, undertaking, construction or operation of such project, 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. 27:12C-29. Counties and municipalities authorized to appropriate money to aid authority.

29. For the purpose of aiding the authority and co-operating in the planning, undertaking, acquisition, construction or operation of any project, any county by resolution of its governing body, or any municipality 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 appro-

priation of the moneys (if any) necessary for such performance, to covenant and agree with the authority to do and perform such act or thing 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 project, 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 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 authority.

C. 27:12C-30. Counties authorized to guarantee bonds and interest.

30. For the purpose of aiding the authority in the planning, undertaking, acquisition, construction or operation of any project, any county may, pursuant to resolution duly adopted by its governing body after notice published and a hearing thereon held in the manner provided with regard to county bond resolutions pursuant to 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 or notes of the authority. Any guarantee of bonds or notes of the authority made pursuant to this section shall be evidenced by endorsement thereof on such bonds or notes, 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 or notes in the same manner and to the same extent as in the case of bonds or notes issued by it. Any such guaranty of bonds or notes by the authority by a county may be made, and any resolution authorizing such guaranty may be adopted in manner aforesaid, notwithstanding any debt or other limitations including particularly any limitation under or pursuant to said Local Bond Law, but the principal amount of bonds or

notes so guaranteed, shall, after their issuance, be included in the gross debt of such county for the purpose of determining the indebtedness of such county under or pursuant to said Local Bond Law. The principal amount of said bonds or notes 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 or notes until the end of the fourth fiscal year beginning next after the completion of acquisition or construction of the project to be financed from the proceeds thereof 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 unless the county in such year shall have been required to make any payment on account of the principal of or interest on such bonds or notes.

C. 27:12C-31. Authorized to carry out contracts, covenants or agreements; bars modification of pledge.

31. Every county or municipality which shall make any contract, covenant or agreement with the authority pursuant to this act is hereby authorized and directed to do and perform any and all acts or things necessary or convenient and 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 or agreement, and any instrument 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. 27:12C-32. Reimbursement of State.

32. If the department shall have incurred or paid any costs or expenses with respect to an expressway project or with respect to preliminary studies of the feasibility or location thereof, the commissioner may from time to time certify the amount thereof to the authority. Immediately upon the first ensuing issuance by the authority of any bonds or notes for financing said project, the amount of such costs and expenses so certified by the commissioner

shall be reimbursed by the authority to the State from the proceeds of such bonds or notes.

C. 27:12C-33. Property exempt from levy and sale, action by bond holder not affected.

33. All property of the 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 the 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 or notes to pursue any remedy for the enforcement of any pledge or lien given by the authority on its revenues or other moneys.

C. 27:12C-34. Tax exempt.

34. All projects and all other property of the 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 or notes 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 each a public instrumentality and such bonds and notes, and the interest thereon and the income therefrom, and all tolls, charges, funds, revenues, income and other moneys pledged or available to pay or secure the payment of such bonds or notes, or interest thereon, shall at all times be exempt from taxation except for transfer inheritance and estate taxes.

C. 27:12C-35. Depository collateral agreement.

35. All banks, trust companies, savings banks, investment companies and other persons carrying on a banking business are each hereby authorized to give to the 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 or notes, as collateral, such securities as the authority may approve. The deposits of the authority may be evidenced or secured 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. 27:12C-36. Legal investment.

36. 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 or investment 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 or notes issued pursuant to this act, and such bonds and notes shall be authorized security for any and all public deposits.

C. 27:12C-37. Payment of toll required; regulates the operation of vehicles.

37. (A) Except as otherwise provided in section 26 of this act, no vehicle shall be permitted to make use of any project except upon the payment of such tolls as may from time to time be prescribed by the authority. It is hereby declared to be unlawful for any person to refuse to pay, or to evade or to attempt to evade the payment of such tolls.

(B) No vehicle shall be operated on any project carelessly or recklessly, or in disregard of the rights or safety of others, or without due caution or prudence, or in a manner so as to endanger unreasonably or to be likely to endanger unreasonably persons or property, or while the operator thereof is under the influence of intoxicating liquors or any narcotic or habit-forming drug, nor shall any vehicle be so constructed, equipped, lacking in equipment, loaded or operated in such a condition of

disrepair as to endanger unreasonably or to be likely to endanger unreasonably persons or property.

(C) A person operating a vehicle on any project shall operate it at a careful and prudent speed, having due regard to the rights and safety of others and to the traffic, surface and width of the highway, and any other conditions then existing; and no person shall operate a vehicle on any project at such a speed as to endanger life, limb or property; provided, however, that it shall be prima facie lawful for a driver of a vehicle to operate it at a speed not exceeding a speed limit which is designated by the authority as a reasonable and safe speed limit, when appropriate signs giving notice of such speed limit are erected at the roadside or otherwise posted for the information of operators of vehicles.

(D) No person shall operate a vehicle on any project at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation thereof.

(E) No person shall operate a vehicle on any project in violation of any speed limit designated by regulation adopted by the authority as hereinafter provided.

(F) All persons operating vehicles upon any project must at all times comply with any lawful order, signal or direction by voice or hand of any police officer engaged in the direction of traffic upon such project. When traffic on a project is controlled by traffic lights, signs or by mechanical or electrical signals, such lights, signs and signals shall be obeyed unless a police officer directs otherwise.

(G) All persons operating vehicles upon any project, or seeking to do so, must at all times comply with regulations, not inconsistent with the other sections of this act, adopted by the authority concerning types, weights and sizes of vehicles permitted to use such project, and with regulations adopted by the authority for or prohibiting the parking of vehicles, concerning the making of turns

and the use of particular traffic lanes, together with any and all other reglations adopted by the authority to control traffic and prohibit acts hazardous in their nature or tending to impede or block the normal and reasonable flow of traffic upon such project; provided, however, that prior to the adoption of any regulation for the control of traffic on any such project, including the designation of any speed limits, the authority shall investigate and consider the need for and desirability of such regulation for the safety of persons and property, including the authority's property, and the contribution which any such regulation would make toward the efficient and safe handling of traffic and use of such project, and shall determine that such regulation is necessary or desirable to accomplish such purposes or one or some of them, and that upon or prior to the effective date of any such regulation and during its continuance, notice thereof shall be given to the drivers of vehicles by appropriate signs erected at the roadside or otherwise posted. The authority is hereby authorized and empowered to make, adopt and promulgate regulations referred to in this section in accordance with the provisions hereof. Regulations adopted by the authority pursuant to the provisions of this section shall in so far as practicable, having due regard to the features of the project and the characteristics of traffic thereon and except as to maximum or minimum speed limits, be consistent with the provisions of Title 39 of the Revised Statutes applicable to similar subjects. The authority shall have power to amend, supplement or repeal any regulation adopted by it under the provisions of this section. No regulation and no amendment or supplement thereto or repealer thereof adopted by the authority shall take effect until it is filed with the Secretary of State, by the filing of a copy thereof certified by the secretary of the authority.

(H) The operator of any vehicle upon a project involved in an incident resulting in injury or death to any person or damage to any property shall

immediately stop such vehicle at the scene of the incident, render such assistance as may be needed, and give his name, address, and operator's license and motor vehicle registration number to the person injured and to any officer or witness of the injury and shall make a report of such incident in accordance with law.

(I) No person shall transport in or upon any project, any dynamite, nitroglycerin, black powder, fire works, blasting caps or other explosives, gasoline, alcohol, ether, liquid shellac, kerosene, turpenline, formaldehyde or other inflammable or combustible liquids, ammonium nitrate, sodium chlorate, wet hemp, powdered metallic magnesium, nitro-cellulose film, peroxides or other readily inflammable solids or oxidizing materials, hydrochloric acid, sulfuric acid, or other corrosive liquids, prussic acid, phosgene, arsenic, carbolic acid, potassium cyanide, tear gas, lewisite or any other poisonous substances, liquids or gases, or any compressed gas, or any radioactive article, substance or material, at such time or place or in such manner or condition as to endanger unreasonably or as to be likely to endanger unreasonably persons or property.

(J) If the violation of any provision of this section or the violation of any regulation adopted by the authority under the provisions of this section would have been a violation of law or ordinance if committed on any public road, street or highway in the municipality in which such violation occurred, it shall be tried and punished in the same manner as if it had been committed in such municipality.

(K) Notwithstanding the provisions of paragraph (J) of this section, if the violation of the provisions of paragraph (I) of this section shall result in injury or death to a person or persons or damage to property in excess of the value of $5,000.00, such violation shall constitute a high misdemeanor.

(L) Except as provided in paragraph (J) or (K) of this section, any violation of any of the provisions

of this section, including but not limited to those regarding the payment of tolls, and any violation of any regulation adopted by the authority under the provisions of this section shall be punishable by a fine not exceeding $200.00 or by imprisonment not exceeding 30 days or by both such fine and imprisonment. Such a violation shall be tried in a summary way and shall be within the jurisdiction of and may be brought in the county district court or any municipal court in the county where the offense was committed. Proceedings under this section may be instituted on any day of the week, and the institution of the proceedings on a Sunday or a holiday shall be no bar to the successful prosecution thereof. Any process served on a Sunday or a holiday shall be as valid as if served on any other day of the week. When imposing any penalty under the provisions of this paragraph the court having jurisdiction shall be guided by the appropriate provisions of any statute fixing uniform peanlties for violation of provisions of the motor vehicle and traffic laws contained in Title 39 of the Revised Statutes.

(M) In any prosecution for violating a regulation of the authority adopted pursuant to the provisions of this section copies of any such regulation when authenticated under the seal of the authority by its secretary or assistant secretary shall be evidence in like manner and equal effect as the original.

(N) No resolution or ordinance heretofore or hereafter adopted by the governing body of any county or municipality for the control and regulation of traffic shall be applicable to vehicles while upon any project operated by the authority.

(O) In addition to any punishment or penalty provided by other paragraphs of this section, every registration certificate and every license certificate to drive motor vehicles may be suspended or revoked and any person may be prohibited from obtaining a driver's license or a registration certificate and the reciprocity privileges of a nonresident may be suspended or revoked by the Director of

the Division of Motor Vehicles for a violation of any of the provisions of this section, after due notice in writing of such proposed suspension, revocation or prohibition and the ground thereof, and otherwise in accordance with the powers, practice and procedure established by the provisions of Title 39 of the Revised Statutes applicable to such suspension, revocation or prohibition.

(P) Except as otherwise provided by this section or by any regulation of the authority made in accordance with the provisions hereof, the requirements of Title 39 of the Revised Statutes applicable to persons using, driving or operating vehicles on the public highways of this State and to vehicles so used, driven or operated shall be applicable to persons using, driving or operating vehicles on any project and to vehicles so used, driven or operated.

C. 27:12C-38. Annual report; contents; audit.

38. On or before the last day of February in each year the authority shall make an annual report of its activities for the preceding calendar year to the Governor and to the Legislature. Each such report shall set forth a complete operating and financial statement covering its operations during the year. The authority shall cause an audit of its books and accounts to be made at least once in each year by certified public accountants and the cost thereof may be treated as a part of the cost of construction or of operation of a project or projects, and a copy thereof shall be filed with the State Treasurer.

C. 27:12C-39. Bars interest by members, et cetera.

39. Any member, agent or employee of the authority who is interested, either directly or indirectly, in any contract of another with the authority or in the sale of any property, either real or personal, to the authority shall be guilty of a misdemeanor.

C. 27:12C-40. Atlantic City expressway and Cape May expressway authorized.

40. The authority, pursuant to the provisions of this act, is hereby authorized to acquire, construct, maintain, improve, repair and operate a project, which is hereby established and shall be known as the "Atlantic City Expressway," consisting of a highway extending and located as follows: Beginning at a westerly terminus in the township of

Gloucester in the county of Camden at such connection with the North-South Freeway as the authority may select as the most feasible and practicable, and extending in a general southeasterly direction and between the White Horse and Black Horse Pikes thence, in various sections located in said township of Gloucester, the township of Washington in the county of Gloucester and the township of Monroe in said county of Gloucester or any of them, to and through the township of Winslow in said county of Camden, and thence through the town of Hammonton, township of Hamilton, township of Egg Harbor, city of Pleasantville, and again said township of Egg Harbor, and the city of Atlantic City, all in the county of Atlantic, to an easterly terminus within said city of Atlantic City, southeasterly of Beach Thorofare, at a connection or connections with such public highway or highways or other public facilities as may be determined by the authority to be the most feasible and practicable or at a point in Cape May county.

The authority is also authorized to acquire, construct, maintain, improve, repair and operate a project which is hereby established and shall be known as the "Cape May Expressway" consisting of a highway connected with the "Atlantic City Expressway" at or in the vicinity of Hammonton and extending in a general southeasterly direction to a point at or in the vicinity of the Garden State Parkway at Seaville, Cape May county.

C. 27:12C-41. State pledges not to alter or restrict authority's powers and functions.

41. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds or notes issued pursuant to authority of this act that the State will not limit or alter the rights or powers hereby vested in the authority to acquire, construct, maintain, improve, repair and operate any project, or to perform and fulfill the terms of any agreement made with the holders of such bonds or notes, or to fix, establish, charge and collect such tolls or other charges as may be convenient or necessary to produce sufficient revenues to meet all expenses of the authority and fulfill the terms of any agreement made with the holders of

such bonds or notes, and that the State will not in any way impair the rights or remedies of such holders or modify in any way the exemptions from taxation provided for in this act, until such bonds and notes, together with interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceedings by or on behalf of such holders, are fully met and discharged or provided for.

C. 27:12C-42. Act to be liberally construed.

42. 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 authority shall not constitute or be deemed to be a county or municipality or agency or component of a county or municipality for the purposes of any other law, and shall not be subject to regulation as to its tolls or other charges by any officer, board, agency, commission or other office of the State, provided, however, that within the meaning and for all purposes of sections 2, 3, 4, 8, 9, and 11 to 25, inclusive, of chapter 25 of Title 40, Municipalities and Counties, of the Revised Statutes, as amended, the authority shall be deemed to constitute a board, agency, or department of a county of which a resident is a member of the authority.

C. 27:12C-43. Provisions severable.

43. 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 the act 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 one or more instances or under any one 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, and to this end the provisions of this act are declared to be severable.

44. This act shall take effect immediately.

Approved February 19, 1962.

CHAPTER 11

AN ACT concerning Congressional Districts in relation to their respective boundaries in certain cases, and amending section 19:46–1 of the Revised Statutes.

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

Section amended.

1. Section 19:46–1 of the Revised Statutes is amended to read as follows:

Congressional districts.

19:46–1. For the purpose of electing members of the House of Representatives of the United States to serve in the eighty-eighth Congress and each subsequent Congress, this State shall be divided into 15 districts as follows, namely:

First. The counties of Camden, Gloucester and Salem shall constitute and be called the first district;

Second. The counties of Atlantic, Cape May and Cumberland shall constitute and be called the second district;

Third. The counties of Ocean and Monmouth shall constitute and be called the third district;

Fourth. The counties of Burlington and Mercer shall constitute and be called the fourth district;

Fifth. The counties of Somerset and Morris shall constitute and be called the fifth district;

Sixth. The county of Union shall constitute and be called the sixth district;

Seventh. The counties of Sussex, Warren and Hunterdon; that portion of the county of Passaic embracing the borough of Ringwood and the township of West Milford; and that portion of the county of Bergen embracing the township of Hohokus, borough of Hohokus, borough of Oakland, borough of Franklin Lakes, township of Wyckoff, borough of Ramsey, borough of Upper Saddle River, borough of Allendale, borough of Waldwick,

borough of Montvale, borough of Park Ridge, township of Washington, township of River Vale, borough of Hillsdale, borough of Woodcliff Lake, borough of Midland Park, township of Ridgewood (Ridgewood Village), borough of Glen Rock, borough of Westwood, borough of Emerson, borough of Oradell, borough of River Edge, borough of Paramus, borough of Fairlawn, borough of East Paterson, borough Saddle River, township of Saddle Brook, township of Rochelle Park, city of Hackensack, city of Garfield, borough of Lodi, township of South Hackensack, borough of Maywood, township of Mahwah, shall constitute and be called the seventh district;

Eighth. That portion of the county of Passaic embracing the borough of Bloomingdale, city of Clifton, borough of Haledon, borough of Hawthorne, township of Little Falls, borough of North Haledon, city of Passaic, city of Paterson, borough of Pompton Lakes, borough of Prospect Park, borough of Totowa, borough of Wanaque, township of Wayne and borough of West Paterson shall constitute and be called the eighth district;

Ninth. That portion of the county of Bergen embracing the borough of Alpine, borough of Bergenfield, borough of Bogota, borough of Carlstadt, borough of Cliffside Park, borough of Closter, borough of Cresskill, borough of Demarest, borough of Dumont, borough of East Rutherford, borough of Edgewater, city of Englewood, borough of Englewood Cliffs, borough of Fairview, borough of Fort Lee, borough of Harrington Park, borough of Hasbrouck Heights, borough of Haworth, borough of Leonia, borough of Little Ferry, township of Lyndhurst, borough of Moonachie, borough of New Milford, borough of North Arlington, borough of Northvale, borough of Norwood, borough of Old Tappan, township of Ridgefield Park, borough of Palisades Park, borough of Ridgefield, borough of Rockleigh, borough of Rutherford, township of Teaneck, borough of Tenafly, borough of Teterboro, borough of Wallington, borough of Wood-Ridge;

and that portion of the county of Hudson embracing the township of North Bergen and town of Guttenberg shall constitute and be called the ninth district;

Tenth. That portion of the county of Hudson embracing the borough of East Newark, town of Harrison and the town of Kearny; that portion of the county of Essex embracing the north ward of the city of Newark, the first to the tenth district, inclusive, of the west ward of the city of Newark, the sixteenth to the twenty-sixth district, inclusive and the twenty-eighth district of the east ward of the city of Newark, town of Belleville, town of Bloomfield, borough of Glen Ridge and the town of Nutley shall constitute and be called the tenth district;

Eleventh. That portion of the county of Essex embracing the eleventh to the forty-fourth district, inclusive, of the west ward of the city of Newark, the first to the twenty-eighth district, inclusive, the thirty-second and thirty-third districts of the central ward of the city of Newark, the forty-seventh, forty-eighth and forty-ninth districts of the south ward of the city of Newark, city of East Orange, city of Orange, village of South Orange and the town of West Orange shall constitute and be called the eleventh district;

Twelfth. That portion of the county of Essex embracing the first to the forty-sixth district, inclusive, of the south ward of the city of Newark, the first to the fifteenth district, inclusive, the twenty-seventh district, the twenty-ninth to the thirty-fifth district inclusive, of the east ward of the city of Newark, the twenty-ninth, thirtieth and thirty-first districts of the central ward of the city of Newark, town of Irvington, township of Maplewood, township of Millburn, township of Livingston, township of Caldwell, borough of Caldwell, borough of North Caldwell, borough of West Caldwell, township of Cedar Grove, borough of Essex Fells, borough of Roseland, borough of Verona,

and the town of Montclair shall constitute and be called the twelfth district;

Thirteenth. That portion of the county of Hudson embracing the city of Bayonne and ward "A" (Greenville), ward "B" (West Side), ward "F" (Bergen-Lafayette), districts 17 to 40, both inclusive, of ward "C" (Journal Square) and districts 1 to 15, both inclusive, of ward "E" (Downtown) of the city of Jersey City, shall constitute and be called the thirteenth district;

Fourteenth. That portion of the county of Hudson embracing districts 1 to 16, both inclusive, of ward "C" (Journal Square), ward "D" (Hudson City), and districts 16 to 33, both inclusive, of ward "E" (Downtown) of the city of Jersey City, city of Hoboken, town of Secaucus, city of Union City, township of Weehawken and the town of West New York shall constitute and be called the fourteenth district;

Fifteenth. The county of Middlesex shall constitute and be called the fifteenth district.

In the interpretation of this section all reference to counties, cities, boroughs, townships, wards, and other municipal divisions shall be taken to refer to such municipal divisions as they existed on January 1, 1962.

2. This act shall take effect immediately.

Approved March 7, 1962.

CHAPTER 12

AN ACT to amend "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)," approved February 15, 1960 (P. L. 1960, c. 6).

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. 18:13-112.86. Amount of investment authorized.

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 $11,500,000.00, whichever is the smaller amount.

2. This act shall take effect immediately.

Approved March 23, 1962.

CHAPTER 13

AN ACT concerning municipalities governed by commission government in relation to the filling of vacancies in the membership of the board of commissioners in certain cases, 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. 40:72-15.1. Filling vacancies in board of commissioners.

1. When in any municipality governed by commission government and having 3 commissioners, vacancies occur in the office of commissioner leaving but one remaining commissioner, the vacancies in

the office of commissioner shall be filled by appointment by the Governor. In making such appointments the Governor shall consider recommendations from the county committee of each political party to which the persons who had been commissioners and whose ceasing to be commissioners created the vacancies. Each appointment to be made by the Governor shall be made from among the members of the same political party as that of the person who had been a commissioner and whose ceasing to be a commissioner created the vacancy. Such party affiliation and membership, if any, shall be ascertained from an examination of the voting records of the said persons.

C. 40:72-15.2. Term; special election.

2. The term of each such person appointed as commissioner by the Governor shall expire upon the election of a commissioner at a special election to be held as nearly as practicable 70 days after the appointment of a commissioner by the Governor. The term of each commissioner elected at the said election shall expire upon the election and qualification into office of commissioners elected at a general election following the expiration of the terms of the commissioners of the municipality according to the regular terms of said commissioners.

C. 40:72-15.3. Conducting election.

3. The said special election to fill vacancies following the Governor's appointments shall be held under the supervision of the county board of elections of the county and by the municipality wherein the vacancies have occurred and shall be conducted by the officers and boards conducting the general election. Every resident of the municipality entitled to vote at the general election shall be entitled to vote at the said special election. Every such special election shall be conducted as in the case of a special election for a single municipality and under said supervision by the county board of elections of the county. The clerk of the municipality shall be charged with the duty of fixing the date for the special election, giving notice thereof and preparing the ballots. Nominations for the office of commissioner shall be by petition as in the case

of general elections of commissioners. The result of the special election shall be canvassed and certified in the same manner as in the case of canvass and certification of votes for commissioners at a general election. Except as otherwise herein specifically provided, the provisions of Title 19, Elections, shall be applicable to the said special election.

4. This act shall take effect immediately.

Approved March 26, 1962.

CHAPTER 14

AN ACT concerning State competitive scholarships and amending the "State Competitive Scholarship Act" passed May 25, 1959 (P. L. 1959, c. 46).

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

Section amended.

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

C. 18:22-14.11. Use of scholarship.

10. A State competitive scholarship may be used in any institution of collegiate grade in New Jersey which offers a college curriculum leading to or accreditable toward an undergraduate degree and which is accredited by the State Board of Education. Of the total number of scholarships available for initial award in any year not more than 35% of that number may be used in institutions of collegiate grade outside the State which are approved for this purpose by the State Department of Education.

2. This act shall take effect immediately.

Approved March 26, 1962.

CHAPTER 15

AN ACT relating to transfer inheritance taxes, and amending sections 54:34–2, 54:35–3 and 54:35–4 of the Revised Statutes, and making an appropriation therefor.

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

Section amended.

1. Section 54:34–2 of the Revised Statutes is amended to read as follows:

Rates of taxation.

54:34–2. a. The transfer of property to a father, mother, grandparent, husband, wife, child or children of a decedent, or to any child or children adopted by the decedent in conformity with the laws of this State, or of any of the United States or of a foreign country, or the issue of any child or legally adopted child of a decedent, shall be taxed at the following rates:

On any amount in excess of $5,000 up to $15,000	1%
On any amount in excess of $15,000, up to $50,000	2%
On any amount in excess of $50,000, up to $100,000	3%
On any amount in excess of $100,000, up to $150,000	4%
On any amount in excess of $150,000, up to $200,000	5%
On any amount in excess of $200,000, up to $300,000	6%
On any amount in excess of $300,000, up to $500,000	7%
On any amount in excess of $500,000, up to $700,000	8%
On any amount in excess of $700,000, up to $900,000	9%

On any amount in excess of $900,000, up to $1,100,000 ..... 10%
On any amount in excess of $1,100,000, up to $1,400,000 ..... 11%
On any amount in excess of $1,400,000, up to $1,700,000 ..... 12%
On any amount in excess of $1,700,000, up to $2,200,000 ..... 13%
On any amount in excess of $2,200,000, up to $2,700,000 ..... 14%
On any amount in excess of $2,700,000, up to $3,200,000 ..... 15%
On any amount in excess of $3,200,000 .... 16%

b. The transfer of property to churches, hospitals and orphan asylums, public libraries, bible and tract societies, religious, benevolent and charitable institutions and organizations wheresoever incorporated or located, organized and operated exclusively for religious, benevolent or charitable purposes and no part of the net earnings of which inures to the benefit of any private stockholder or other individual or person, and property passing in trust for an exclusively religious, benevolent or charitable use or purpose shall be taxed at the following rate:

On any amount in excess of $5,000 ..... 5%

c. The transfer of property to a brother or sister of a decedent, wife or widow of a son of a decedent, or husband or widower of a daughter of a decedent shall be taxed at the following rates:

On any amount up to $1,100,000 ..... 11%
On any amount in excess of $1,100,000, up to $1,400,000 ..... 13%
On any amount in excess of $1,400,000, up to $1,700,000 ..... 14%
On any amount in excess of $1,700,000 .... 16%

d. The transfer of property to every other transferee, distributee or beneficiary not hereinbefore classified shall be taxed at the following rates:

On any amount up to $700,000 ..... 15%
On any amount in excess of $700,000 ..... 16%

For every purpose of this subtitle all persons, including the decedent, shall be deemed to have been born in lawful wedlock and this provision shall apply to the estate of every decedent whether said decedent died before March 25, 1935, or shall die thereafter, but it shall not entitle any person to a refund of any tax paid before the aforementioned date.

Section amended.

2. Section 54:35–3 of the Revised Statutes is amended to read as follows:

Delay in payment; penalty; reduction in penalty; exception.

54:35–3. If such tax is not paid within 8 months after the death of the decedent, the tax shall bear interest at the rate of 10% per annum from the expiration of 8 months after the death of the decedent to the date when the tax is paid, unless, by reason of claims made upon the estate, necessary litigation or other unavoidable cause of delay, the decedent's estate, or a part thereof, cannot be settled before the expiration of 8 months from the death of the decedent, in which case only 6% per annum shall be charged from the expiration of such 8 months until the cause of delay is removed; provided, however, that if the decedent shall have heretofore died or shall hereafter die while a member of the Armed Forces of the United States, no such tax shall commence to bear such interest until the expiration of 8 months after receipt of official notification of the death of the decedent by the wife, husband, father, mother, or next of kin of such decedent.

Section amended.

3. Section 54:35–4 of the Revised Statutes is amended to read as follows:

Bond required when payment delayed.

54:35–4. When executors, administrators, grantees, donees, vendees or trustees fail to pay the tax imposed by chapters 33 to 36 of this Title (section 54:33–1 et seq.), within 8 months from the death of the decedent they shall be required to give a bond to the State of New Jersey in double the amount of the tax, conditioned to pay the tax and interest

which may fall due, the bond to be approved as to form and sufficiency by the State Tax Commissioner.

Appropriation.

4. The sum of $250,000.00 is hereby appropriated to the Division of Taxation for the administration of this act in the fiscal year ending June 30, 1962, in addition to such other sums as may be appropriated.

5. This act shall take effect immediately.

Approved except as to item set forth in the statement appended hereto, March 29, 1962.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 29, 1962.

STATEMENT ON ASSEMBLY BILL NO. 586

Pursuant to Article V, Section I, paragraph 15 of the Constitution, I am appending to Assembly Bill No. 586, at the time of signing it, the statement of the part of the item to which I object, so that such part thereof so objected to shall not take effect.

On page 4, section 4, the sum of $200,000.00 appropriated to the Division of Taxation. (The foregoing item is accordingly reduced to $50,000.00.)

RICHARD J. HUGHES,
Governor.

Attest:
LAWRENCE BILDER,
Acting Secretary to the Governor.

CHAPTER 16

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for the several public purposes for the fiscal year ending June 30, 1962, and regulating the disbursement thereof," approved June 1, 1961 (P. L. 1961, c. 38).

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 for the purposes hereinafter specified: Appropriation.

845–100. STORM RELIEF FUND

To the State Treasurer for the payment of claims submitted to him by the various State departments and agencies thereof and by municipalities, counties, school districts and agencies thereof for the repair, reconstruction and replacement of the public roads, works, facilities and structures which were damaged or destroyed during or as a result of the storm and floods of March 1962	$2,500,000 00

The share of the cost of each project to be assumed by the State on any claim submitted by a municipality, county, school district or agency thereof shall not exceed 50% thereof except that the State Treasurer, upon the recommendation of the Governor's Disaster Committee and in accordance with uniform standards based upon the actual loss of ratables suffered and the present level of

indebtedness of the municipality, may reduce or waive the requirement for local financial participation in the case of any municipality or school district which has suffered the loss of at least 10% of the assessed ratables therein.

No claim in excess of $2,500.00 shall be paid by the State Treasurer unless the payment thereof is recommended by the Governor's Disaster Committee and approved by the State House Commission.

Applications for participation in the allocation of such funds shall be filed with the State Treasurer, in accordance with such procedures and upon such forms as shall be specified by him, on or before June 15, 1962.

2. This act shall take effect immediately.

Approved March 29, 1962.

CHAPTER 17

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

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

Section amended.

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

C. 5:5-44. Renewal of permit for horse race meeting.

24. In the event any person, partnership, association or corporation is granted a permit under this act to conduct a race meeting pursuant to provisions thereof, such permit shall be renewed upon application of the permit holder yearly for the next succeeding 10 years, for the same dates allotted to such permit holder during the preceding year or for such other dates (not exceeding 50 racing days in the aggregate for running racing and not exceeding 60 days in the aggregate for harness racing) as such permit holder shall request; provided, however, that such permit holder has not violated any of the provisions of this act.

Section amended.

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

C. 5:5-47. Permits; issuance; contests; restrictions.

27. Upon compliance with the foregoing conditions, the commission shall issue a permit to such applicant to hold or conduct such horse race meeting as authorized by this act. Such permit shall specify the person, partnership, association or corporation to whom the same is issued; the dates upon which such horse race meeting is to be held or conducted; the hours of such days between which such horse racing will be permitted, which shall be between the hours of 12 o'clock noon and 6 o'clock post meridian Eastern Standard Time (excluding Sundays), the location of the place, track or enclosure at, on or within which said horse race meeting is to be held or conducted; and shall acknowledge receipt of the payment of the deposit and the filing of the bond provided for in this act. No permit shall be issued to permit running racing on any track that is less than 1 mile in circumference nor harness racing on any track that is less than ½ mile in circumference. No such permit shall be transferable nor shall it apply to any place, track or enclosure other than the one specified therein. No such permit shall be issued so as to permit horse racing at any place, track or enclosure except on week days between the hours of 12 o'clock noon

and 6 o'clock post meridian Eastern Standard Time. No permit shall be granted under this act to any person, partnership, association or corporation so as to permit upon any race track, place or enclosure more than 50 horse racing days in the aggregate in any one calendar year for running races nor more than 60 racing days in the aggregate in any one calendar year for harness races; nor shall any permit be granted to the same person, partnership, association or corporation for the holding or conducting of a horse race meeting except at one track, place or enclosure in this State, nor shall any permit be granted for the holding or conducting of a horse race meeting at any place in this State prior to April 1 in any calendar year or after the last day of November in any calendar year. No such permit shall be issued to any person, partnership, association or corporation that is in any way in default in the payment of any obligation or debt due to the State of New Jersey under the provisions of this act, nor shall any permit be issued to any corporation under the provisions of this act unless said corporation be organized under and by virtue of the laws of the State of New Jersey, nor shall any permit be issued to any applicant who shall be deemed by said commission not to be of sufficient financial integrity and moral responsibility to hold a horse race meeting conducive to the best interests of legitimate racing.

Section amended.

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

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

44. Each holder of a permit shall distribute all sums deposited in any pool to the winners thereof, less an amount which in harness races shall not exceed 16% of the total deposits plus the breaks and which in other races shall not exceed 13%, except that during calendar year 1962 such amount for such other races shall not exceed 13½%, of the total deposits plus the breaks. Every permit holder shall distribute to the persons holding winning tickets, as a minimum, a sum not exceeding $0.10, calculated on the basis of each dollar deposited in

any pool after the deduction of the said 16% or 13% or 13½%, as the case may be. Should the amount remaining in the pool be insufficient to pay the winners the minimum, the breakage accruing in that race, or any necessary portion thereof, shall be applied toward making up any such deficiency. The breaks are hereby defined as the odd cents over any multiple of $0.10, calculated on the basis of $1.00 otherwise payable to a patron. Every permit holder engaged in the business of conducting running or harness race meetings under this act shall pay to the commission for the use of the State the breaks as herein defined, except as the same shall have been applied toward making up a deficiency in a pool as herein provided. Payment of such breaks shall be made every seventh day of any and every race meeting and shall be accompanied by a report under oath showing the daily and total amount of such breaks together with such other information as the commission may require. All sums held by any permit holder for payment of outstanding pari-mutuel tickets not claimed by the person or persons entitled thereto within 60 days from the time such tickets are issued shall be paid to the commission upon the expiration of such 60-day holding period.

Section amended.

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

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

46. Every permit holder engaged in the business of conducting horse race meetings under this act shall pay to the commission in each calendar year a sum equal to 6% in the case of harness races, and 7% in the case of other races, except during the calendar year 1962 when such sum for such other races shall be equal to 7½%, of so much of the total contributions to all pari-mutuel pools conducted or made during such calendar year on any and every horse race track granted a permit under this act as does not exceed $40,000,000.00; and 7% in the case of harness races, and 8% in the case of other races, except during the calendar year 1962 when such sum for such other races shall be equal to 8½%, of so much of such total contributions as

exceeds $40,000,000.00. Payment on account of such sum shall be made every seventh day of any and every race meeting in the amount then due as determined in the manner provided above, and shall be accompanied by a report under oath showing the total of all such contributions, together with such other information as the commission may require. No admission or amusement tax, excise tax, license or horse racing fee of any kind, except as expressly provided in this act, shall be assessed or collected from any permit holder by the State of New Jersey, or by any county or municipality, or by any other body having power to assess or collect license fees or taxes.

C. 5:5-79. Special permits; limits; number of days.

5. Notwithstanding any of the provisions of the act to which this is a supplement, the commission may grant a special permit, upon joint application of the holders of the outstanding permits authorizing running races in this State, for the holding or conducting of a special running race meeting at one or more of the otherwise authorized running race tracks on such days, other than Sunday, during the entire calendar year of 1962 as the commission may designate. Such special running race meeting shall not exceed 30 racing days in the aggregate during such calendar year.

C. 5:5-80. Records to be kept; report.

6. A special permit holder shall keep and maintain separate books and records for the special running race meeting to the same extent as is required of a permit holder and shall file such report and audits as may otherwise be required on or before such date as the commission may designate.

C. 5:5-81. Percentage of payment to commission.

7. Notwithstanding any amount paid by any permit holder pursuant to the provisions of section 46 of the act to which this is a supplement and in satisfaction of any obligation of the special permit holder thereunder, the special permit holder shall pay to the commission for the special running race meeting held during 1962 a sum equal to 7½% of so much of the total contributions to all pari-mutuel pools conducted or made during such special running race meeting as does not exceed $40,000,000.00,

and 8½% of so much of such total contributions as exceeds $40,000,000.00.

C. 5:5-82. Additional percentage payable; certain expenses deductible; date of payment.

8. (a) In addition to the amounts otherwise provided in section 7 of this act, a special permit holder for the special running race meeting conducted during calendar year 1962 shall pay to the commission a sum equal to 6% of so much of the total contributions to all pari-mutuel pools conducted or made during such special running race meeting as does not exceed $40,000,000.00, and 5% of so much of such total contributions as exceed $40,000,000.00, but shall be entitled to deduct from such sum all expenses applicable to the holding of such running race meeting as shall be approved by the commission. The commission shall approve the following expenses:

(1) Purses and stakes.

(2) Salaries and wages, including the welfare and pension fund contributions and payroll taxes payable by the employer, of police and security personnel, pari-mutuel employees, track maintenance personnel and all personnel employed in connection with the actual conduct of the race.

(3) Expenses in connection with jockeys including necessary supplies, insurance, laundry and meals.

(4) Office equipment and supplies, including postage, stationery and printing costs, in connection with pari-mutuel department and the actual operation of racing.

(5) Rental charges for totalisator, daily double machine and other equipment, including actual repair charges thereto, used in connection with pari-mutuel department and the actual operation of racing.

(6) Any other expenses incurred in connection with the pari-mutuel department and the actual operation of racing, including but not limited to bank service charges, cash over and short and claims, saliva and other tests, stable supplies, valet pool, uniforms and trophies.

All of the above expenses shall be allowed only to the extent that they are actually incurred in connection with the holding of the special running race meeting.

(b) A special permit holder shall pay the sum required in subsection (a) of this section to the commission within 15 days of the last day of the running race meeting.

C. 5:5-83. Application of act.

9. Except to the extent the provisions of this act are inconsistent therewith, the provisions of the act to which this is a supplement shall apply in their entirety to any special running race meeting and any special permit holder.

Appropriation.

10. There is hereby appropriated to the Division of Racing of the Department of the Treasury the sum of $45,000.00, or so much thereof as may be required, to defray the expenses of the special running race meeting authorized by this act.

11. This act shall take effect immediately.

Approved March 29, 1962.

CHAPTER 18

A SUPPLEMENT to an act entitled "An act making appropriations for the support of the State Government and for the several public purposes for the fiscal year ending June 30, 1962, and regulating the disbursement thereof," approved June 1, 1961 (P. L. 1961, c. 38).

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

Appropriation.

1. The following sums are hereby appropriated out of the general treasury for the purposes hereinafter specified:

SPECIAL BEACH EROSION FUND

To the Commissioner of Conservation and Economic Development

for the payment of claims submitted to him by the various State departments and agencies thereof and by municipalities, counties, and agencies thereof for shore protection outlined in R. S. 12:6A–1 and 6A–4 and for the reconstruction of public beaches damaged or destroyed during or as a result of the storm and floods of March 1962	$4,000,000 00

The share of the cost of each project to be assumed by the State on any claim submitted by a municipality, county or agency thereof shall not exceed 50% thereof except that the commissioner, upon the recommendation of the State Treasurer and in accordance with uniform standards based upon the actual loss of ratables suffered and the present level of indebtedness of the municipality, may reduce or waive the requirement for local financial participation in the case of any municipality which has suffered the loss of at least 10% of the assessed ratables therein.

No claim in excess of $2,500.00 shall be paid by the commissioner unless the payment thereof is approved by the State House Commission.

Applications for participation in the allocation of such funds shall be filed with the commissioner, in accordance with such procedures and upon such forms as shall be specified by him, on or before June 15, 1962.

2. This act shall take effect immediately.

Approved March 29, 1962.

CHAPTER 19

AN ACT concerning the delineation and marking of flood hazard areas; and prescribing the functions, powers, and duties of the Division of Water Policy and Supply of the Department of Conservation and Economic Development in connection therewith.

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

C. 58:16A-50. Division to delineate and mark flood areas.

1. It is in the interest of the safety, health, and general welfare of the people of the State that legislative action be taken to empower the Division of Water Policy and Supply to delineate and mark flood hazard areas, and to co-ordinate effectively the development, dissemination, and use of information on floods and flood damages that may be available.

C. 58:16A-51. Terms defined.

2. As used in this act, unless the context indicates another or different meaning or intent:

(a) "Division" means the Division of Water Policy and Supply in the Department of Conservation and Economic Development;

(b) "Council" means the Water Policy and Supply Council in the Division of Water Policy and Supply;

(c) "Flood plain" means the relatively flat area adjoining the channel of a natural stream, which has been or may be hereafter covered by flood water;

(d) "Floodway" means the channel of a natural stream and portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the flood water or flood flow of any natural stream;

(e) "Flood hazard area" means the floodway and any additional portions of the flood plain, as determined by the council under section 3 hereof;

(f) "Relative risk" means the varying degrees of hazard to life and property in a flood hazard area which are occasioned by differences in depth and velocity of flood waters covering and flowing over it.

C. 58:16A-52. Study of flood plans; action by council concerning flood areas; amending, revoking, etc., actions; resolution filed.

3. The division shall study the nature and extent of the flood plains of the State. After public hearing upon notice, the council shall, from time to time, delineate as flood hazard areas such portions of the flood plains as, in the judgment of the council, the improper development and use of which would constitute a threat to the safety, health, and general welfare. Such delineation shall identify the various subportions of the flood hazard area for reasonable and proper use according to relative risk, including the designation of floodways necessary to preserve the flood carrying capacity of natural streams. The council may revoke, amend, alter, or modify actions taken as herein authorized, if in its judgment the public interest so warrants. The resolution adopted by the council delineating any flood hazard area shall be filed with the division and shall be distributed by the council in such manner and in such places as it may determine proper.

C. 58:16A-53. Erecting markers; penalty for moving or defacing markers.

4. The division may conspicuously mark in the field (1) any flood hazard area delineated by the council, and (2) any other area the council may deem necessary to effectuate the purposes of this act. The division may erect markers on any property belonging to the State, or any agency or instrumentality thereof. Such markers may be erected on any county, municipal, or private property provided that such county, municipality, or owner shall have consented thereto.

Every person, corporation, municipality, or other public authority removing, defacing, or otherwise disturbing any marker erected under the provisions of this act shall be subject to a penalty not to exceed $50.00 for each and every offense to be collected in accordance with the penalty enforcement law (N. J. S. 2A:58–1 et seq.).

C. 58:16A-54. Act not to affect provisions of R. S. 40:56-1 or 58:1-26 and 27.

5. The provisions of this act shall not affect the provisions of sections 40:56–1 or 58:1–26 and 27 of the Revised Statutes, provided the council may alter any width, elevation, or condition, however established, upon finding such alterations necessary to effectuate the purpose of this act.

Appropriation.

6. The sum of $25,000.00 is hereby appropriated to the division to provide the means for implementation of the act.

7. This act shall take effect immediately.

Approved April 3, 1962.

CHAPTER 20

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

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. 54:4-2.34. Applicability of act.

38. Section 13 of this act shall apply to taxes on tangible household personal property and personal effects due and payable in the year 1962 and thereafter, and the remainder of this act shall apply to real and personal property taxes due and payable in the year 1964 and thereafter, and shall not affect the obligation, lien, or duty to pay any taxes, interest or penalties which have accrued or may accrue by virtue of any assessment made or which may be made with respect to taxes levied for any year prior to the year 1964, 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, 1964, together with such interest and penalties as would have accrued thereon under any provision of law amended or repealed hereby; nor shall this act invalidate any assessments or affect any proceeding for the enforcement thereof pending upon the effective date of this act or upon January 1, 1964, or during the period between said dates.

C. 54:4-2.37. Acts to be performed in 1963.

2. Whenever, under the act to which this act is amendatory and supplementary, an act is required to be performed upon a date in 1961, such act shall be performed on the corresponding date in 1963.

3. This act shall take effect immediately.

Approved April 3, 1962.

CHAPTER 21

AN ACT to amend "An act concerning civilian defense and disaster control during an emergency," approved May 23, 1942 (P. L. 1942, chapter 251), as said title was amended by P. L. 1953, chapter 438.

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. App. A:9-35. Co-operation with States and Federal authorities; agreements for emergency or defense assistance.

3. (a) In carrying out the provisions of this act the Governor shall co-operate with the civil, military and naval authorities of the United States and of other States for the purpose of enforcing the defense and emergency policies of the Federal Government and shall conform to the laws, orders, rules and regulations of the civilian, military and naval authorities of the Federal Government.

(b) The Governor or his designated representative is hereby authorized to enter into such agreements with the Federal Government or an agency thereof as he shall deem necessary to obtain available emergency or defense assistance from the Federal Government or its agencies and to do all other acts or things necessary or convenient to secure such assistance. The Governor shall not commit the State to any financial obligation except to the extent of available appropriations, provided, however, that any such agreement may specify (1) that the State will agree to hold and save the United States free from damages which may arise out of the construction, repairs, improvements or rehabilitation, and the maintenance of works and projects undertaken by the Federal Government or its agencies in connection with any such agreement, other than claims arising from the tortious acts of agents or employees of the Federal Government and (2) that the State will provide, free of cost to the United States, all lands, easements, rights-of-way and other areas within the State of New Jersey required in connection with the project undertaken by the Federal Government or its agencies in respect of such agreement, and for the maintenance thereafter of such project. Any such provisions to hold and save the Federal Government free from damages shall not be construed to waive the sovereign immunity of the State in any situation wherein such immunity would otherwise be present. Such sums as may be required, whether in payment of the cost of necessary legal proceedings, as compensation to property owners, or in furtherance of the provisions herein authorized for such agreements, shall be charged against any special or emergency appropriation made by the Legislature in connection with the project which is the subject matter of the agreement with the Federal Government or its agencies.

2. This act shall take effect immediately.

Approved April 3, 1962.

CHAPTER 22

AN ACT concerning the State Highway Department, and amending section 27:13–4 of the Revised Statutes.

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

1. Section 27:13–4 of the Revised Statutes is amended to read as follows: Section amended.

27:13–4. (a) All moneys from time to time dedicated pursuant to the provisions of chapter 22 of the Title State Government, Departments and Officers (§ 52:22–1 et seq.) for the reconstruction, maintenance and repair, operation, policing and lighting of county roads and bridges, and for the payment of principal or interest on obligations incurred prior to May 2, 1936, for any such purpose and for the extension of the county highway system, or dedicated for the proper construction, grading, drainage, maintenance and repair of unimproved town, township, village and borough roads of the State under the provisions of chapter 15 of this Title (§ 27:15–1 et seq.) and all moneys dedicated pursuant to the provisions of section 27:14–1 of this Title, or dedicated to counties for reimbursement for obligations contracted and due in the budget period for which such budget shall apply, shall, unless otherwise specifically provided in the laws under which such moneys become due and payable, be payable to such counties in installments on the first day of February, May, August and November of each year. Payment of dedicated funds; quarterly payment of balance when an emergency exists.

(b) Whenever the Governor shall exercise the Emergency Powers granted to him by the provisions of "An act concerning civilian defense and disaster control during emergency" (P. L. 1942, c. 251), as said Title was amended by chapter 438 of the laws of 1953, and proclaims an emergency,

as defined in said act, to exist in a political subdivision of this State, the State Highway Commissioner, in his discretion, may disburse and pay over to such county or counties affected by the proclamation of emergency of the Governor, the full amount of any balance of the funds then appropriated, required to be paid in quarterly installments under the provision of subsection (a), hereof, which are remaining in the commissioner's hands as of the date of said proclamation of emergency, and the county or counties, so receiving the payment in full or the balance remaining in the commissioner's hands on the date of the said proclamation of emergency, shall waive payment of any further funds under said subsection (a) hereof, other than funds specifically provided in the exception therein, on any installment date occurring after the date of said proclamation of emergency.

2. This act shall take effect immediately.

Approved April 3, 1962.

CHAPTER 23

AN ACT concerning elections in certain regional school districts, and amending section 18:8–16 of the Revised Statutes.

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

Section amended.

1. Section 18:8–16 of the Revised Statutes is amended to read as follows:

Elections for raising annual appropriations or for issuance of bonds; annual elections.

18:8–16. Regional school district elections for the purpose of raising annual appropriations or for authorizing the issuance of bonds of the regional school district or for any other purpose provided in chapter 8 of this Title shall be called and conducted by the regional board of education in the

manner provided for such elections in school districts governed by the provisions of chapter 7 of this Title, with at least 1 polling place in each of the constituent school districts. The annual regional school district election shall be held on the first Tuesday in February, except that in any regional school district consisting of a consolidated school district or a school district comprising 2 or more municipalities, created pursuant to chapter 122 of the laws of 1960, which regional school district is a constituent school district of a larger regional school district the annual regional school district election shall be held on the second Tuesday in February. Except as otherwise provided in chapter 8 of this Title, only the total vote of all the constituent school districts in the regional school district shall be considered in determining the result of any regional school district election and any proposition, question or proposal must be adopted by the affirmative vote of a majority of the legal ballots cast thereon in the entire regional school district without regard to the majorities of the legal ballots cast thereon in the constituent school districts.

2. This act shall take effect immediately.

Approved April 6, 1962.

CHAPTER 24

AN ACT to permit the township of Edison in the county of Middlesex to acquire and develop certain lands for industrial purposes.

WHEREAS, The Federal Government has virtually terminated all operations conducted at Camp Kilmer located partially in the township of Edison and has announced that it would terminate all operations conducted at the Raritan Preamble.

Arsenal located entirely within the township of Edison; and

Preamble. WHEREAS, Camp Kilmer and the Raritan Arsenal have been major sources of employment in Middlesex county and its neighboring areas; and

Preamble. WHEREAS, Unemployment exits in Middlesex county and its neighboring areas because of the termination of operations at Camp Kilmer and the Raritan Arsenal and further because of the announced departure of other major employers and the inability of private resources to attract sufficient industry into this area which would provide necessary additional employment opportunities; and

Preamble. WHEREAS, The Federal Government has announced that it would release 2 tracts of land in the Township of Edison which formerly served as buffer zones for the Camp Kilmer and Raritan Arsenal installations, which parcels of land have remained vacant and undeveloped for many years because of their ownership by the Federal Government; and

Preamble. WHEREAS, These tracts of land in the township of Edison are particularly suited for industrial use; and

Preamble. WHEREAS, The township of Edison is willing to purchase said tracts of land to encourage and promote the location of private industry within its confines; and

Preamble. WHEREAS, These lands may remain vacant and undeveloped for many years although particularly suited for industrial use if not purchased by the township of Edison; and

Preamble. WHEREAS, The purchase of these lands by the township of Edison would be in the public interest of

the citizens of the township of Edison, and of the people of the county of Middlesex and the State of New Jersey; and

Preamble.

WHEREAS, Pursuant to Article IV, Section VII, paragraph 10 of the New Jersey Constitution, the mayor and governing body of the township of Edison have presented and filed with the Legislature an original petition petitioning the Legislature for passage of a local law authorizing the purchase and development of 2 tracts of land consisting of a portion of Camp Kilmer and a portion of the Raritan Arsenal; therefore,

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

Purchase of land authorized; description.

1. The mayor and governing body of the township of Edison, in the county of Middlesex, are hereby authorized to purchase from the Federal Government 2 tracts of land more particularly described as follows:

Tract No. 1:

All that tract or parcel of land situate in the Township of Edison, County of Middlesex, State of New Jersey, being a portion of Camp Kilmer Military Reservation and more particularly described as follows:

Beginning at a point on the Southerly boundary of lands acquired by the United States of America from the General Investors Company by Condemnation Action No. N417a, Declaration of Taking No. 2 and identified therein as Tracts 355 to 368, inclusive, said point being Fifty (50′) feet Northwesterly, measured at right angles from the center of the railroad tracks running Northeasterly and connecting to the Philadelphia and Reading Railroad and the Lehigh Valley Railroad. Said Southerly boundary being also the Southerly boundary of Lot 58, in Block 41 as shown on the Raritan Township Tax Maps dated June 1, 1926. Running thence Westerly along said lands so acquired by the United

States of America, being along the Southerly boundary of said Lot 58, Sixty (60′) feet more or less to the Easterly side of Watson Avenue as shown on said tax maps; thence Northerly along said avenue Three Hundred Forty-five and Five Tenths (345.5′) feet to the Southerly boundary of Lot 44 in Block 41; thence Easterly along the Southerly boundary of said Lot 44 Two Hundred Thirty-five (235′) feet more or less to the Easterly boundary of Block 41 and lands acquired by the United States of America from Joseph G. Wolber and others by Condemnation Action No. N417a, Declaration of Taking No. 3 as amended; thence Northerly along said lands being along the Easterly boundary of Block 41, Five Hundred Twenty-nine and Six Tenths (529.6′) feet more or less to an angle in said block; thence Easterly along the Southerly boundary of said Block 41 crossing Fairview Avenue and along the Southerly boundary of Block 46 as shown on said Raritan Township Tax Maps, Four Hundred Sixty-five and Five Tenths (465.5′) feet to a point in the Southerly boundary of Lot 19 in said Block 46; thence Northeasterly along the Southeasterly boundary of Block 46 Eighty-five (85′) feet more or less to the Southeasterly corner of Lot 16 in Block 46; thence Northerly along the Easterly boundary of Lot 16 One Hundred Eighty (180′) feet more or less to the Southerly side of Cherry Street; thence Easterly along said side of Cherry Street Three Hundred Eighty-eight and Seven Tenths (388.7′) feet to the Westerly boundary of lands acquired by the United States of America from Charles F. End and others by Deed dated September 29, 1942 and identified as Tract RR381; thence Northerly along the Westerly boundary of said Tract RR381 One Thousand Ninety-four (1,094′) feet more or less to the Northwesterly corner thereof and a point on the Southerly boundary of Lot 7 in Block 47; thence Easterly along the Northerly boundary of said Tract RR381 and being along the Southerly boundary of said Lot 7 and Lot 6 Fifteen and Eighteen Hundredths

(15.18′) feet to an angle; thence Northeasterly, continuing along the Northerly boundary of Tract RR381, Two Hundred (200′) feet more or less to the Westerly boundary of lands acquired by the United States of America from Sam Fadayko and others by Deed dated November 14, 1942 and identified as Tract RR385; thence Northerly along said lands so acquired by the United States of America as Tract RR385 Six Hundred (600′) feet more or less to the Northwesterly corner thereof; thence Easterly along the Northerly boundary of said Tract RR385, being along the Southerly boundary of Lots 2-B, 2-C, and 1 in Block 22 as shown on the aforesaid Raritan Township Tax Maps, a distance of One Thousand Four Hundred (1,400′) feet more or less to a point Fifty (50′) feet Northwesterly, measured at right angles from the center of the Railroad track running Northeasterly and connecting to the Philadelphia and Reading Railroad and the Lehigh Valley Railroad; thence Southwesterly on a line parallel to the center of said railroad tracks and Fifty (50′) feet Northwesterly, measured at right angles therefrom, a distance of Four Thousand Two Hundred Seventy (4,270′) feet more or less to the point or place of beginning. Containing Thirty-six (36) acres of land more or less.

All courses, distances and acreage are subject to correction by survey.

Tract No. 2:

All that tract or parcel of land situate in the Township of Edison, County of Middlesex, State of New Jersey, being a portion of Raritan Arsenal Military Reservation and more particularly described as follows:

Beginning at a concrete monument located in the Northerly side line of Woodbridge Avenue as shown on the Map of Janotal Realty, filed in the Middlesex County Clerk's Office as Map No. 2341, File No. 947 on November 18, 1959; and running thence (1) N. 30° 08′ 51″ W. 498.57′ to a concrete monument as shown on said Map of Janotal Realty; and thence (2) N. 7° 39′ 06″ W. 182.65′ to the South-

easterly intersection of Martin Avenue and Dorothy Avenue as shown on the Map of Metuchen Estates, Filed in the Middlesex County Clerk's Office as Map No. 500, File No. 289 on January 30, 1909; thence (3) N. 65° 29′ 24″ E. 208.96′ along the Southerly side line of Martin Avenue; thence (4) N. 7° 39′ 06″ W. 241.64′ to a point; thence (5) N. 82° 20′ 54″ E. 250′ to a point in the Easterly side line of Howard Avenue; thence (6) N. 7° 39′ 06″ W. 300′ along the Easterly side line of Howard Avenue to a point; thence (7) N. 82° 20′ 54″ E. 102.86′ to a point; thence (8) N. 7° 39′ 06″ W. 200′ to the southerly side line of Harrison Avenue; and thence (9) N. 82° 20′ 54″ E. 307.14′ to the Easterly side line of Johnson Avenue; and thence (10) N. 7° 39′ 06″ W. 376.79′ to the Northerly end of Johnson Avenue; thence (11) S. 83° 36′ 54″ W. 50.00′ to the Northerly end of the Westerly side line of Johnson Avenue. Courses 2 thru 11, Inclusive are as shown on the aforesaid Map of Metuchen Estates. (12) N. 49° 17′ 30″ E. 672.43′ to the point of curve on the Southerly side line of the New Jersey Turnpike, said point being located at the center line Station 198—39.14; and thence (13) Easterly along a curve to the left having a radius of 20,125′ and arc distance of 614.68′ to a point on the Southerly side line of the New Jersey Turnpike, said point being located opposite the center line Station 204—50; and thence (14) S. 87° 53′ 18″ E. 1,503.73′ to a point; thence (15) N. 51° 28′ 14″ E., crossing Edgar Avenue, 1,080′ to a point; thence (16) S. 38° 31′ 46″ E. 450′ to the Northerly side line of Woodbridge Avenue, Woodbridge Avenue being 66′ wide; and thence (17) S. 51° 28′ 14″ W. 3,939.07′ to a point of curve; thence (18) Westerly along a curve to the right having a radius of 2,467′, an arc distance of 489.86′, to a point of tangency; and thence (19) S. 62° 50′ 51″ W. 499.69′ to a point of curve; thence (20) Westerly along a curve to the right having a radius of 1,140.40′, an arc distance of 357.79′, to the point of beginning. Courses 17, 18, 19, and 20 all lie in the Northerly side line of Woodbridge Avenue.

Subject to the rights of public interest in Johnson Avenue, Martin Avenue, Howard Avenue and Edgar Avenue.

The above described parcel contains 110.1 acres more or less.

The above description is drawn from a Survey dated January 22, 1962 entitled, "Survey of Parcel A & B, Raritan Arsenal Property," (located North of Woodbridge Avenue) in the Township of Edison, Middlesex County, New Jersey; scale 1″=200′; and prepared by John J. Zimmerman, P.E. & L.S., Edison Township Engineer.

All courses, distances and acreage are subject to correction by survey.

Consideration.

2. The consideration for such a purchase shall not exceed the aggregate sum of $565,000.00 plus any interest thereon and shall be paid by the township of Edison to the seller within a period of time not to exceed 10 years from the date of purchase.

Use of land.

3. Land acquired by the township of Edison pursuant to this act may be used for any public purpose authorized by law or may be sold or leased to any person, partnership, corporation or other business association which will develop and use such lands for industrial purposes.

Resolution declaring lands not needed for public purpose before leasing or selling, advertising.

4. Before leasing or selling said land or any part thereof, said governing body shall have, by resolution duly adopted, declared said lands to be not needed for any public purpose and shall have advertised for proposals and bids for the leasing or selling of said land, in which advertisement there shall have been a brief description of said land, the improvements and type of construction to be made thereon, the industrial uses for which it may be used, the duration of any lease or of the conditions in use placed on any buyer and the other terms and conditions upon which such lease or sale will be made, and in which advertisement shall be fixed the sale price or 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 and circulated in said township.

Acceptance of proposal and bid.

5. 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 governing body 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 or sale of said lands on the terms set forth in such proposal and bid.

Special law.

6. This act is a special law enacted upon the petition of the mayor and governing body of the township of Edison in the county of Middlesex and State of New Jersey under the authority conferred by paragraph 10 of Section VII in Article IV of the Constitution.

Act operative.

7. This act shall take effect immediately but shall be inoperative until it shall be adopted by ordinance of the governing body of the township of Edison in the county of Middlesex and State of New Jersey.

Approved April 6, 1962.

CHAPTER 25

AN ACT validating certain proceedings and ordinances by the governing body of any township.

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

Validates certain proceedings and ordinances.

1. All proceedings heretofore had initiating the filing by any township of a petition with the Legislature for the passage of a private, special or local law regulating the internal affairs of the township and any ordinance heretofore adopted by the governing body of such township authorizing such petition and specifying the general nature of the

law sought to be passed are hereby validated, ratified and confirmed if otherwise lawful and within the power of said governing body, notwithstanding that said ordinance, including notice of public hearing thereon, was not published 10 days prior to said adoption, provided that there was such publication 9 days prior to said adoption. This act shall be inapplicable to any such ordinance which may have heretofore been set aside as invalid by any court of competent jurisdiction or to any action or proceeding with respect to the validity or invalidity of any such ordinance which may be pending on the effective date of this act or which may be instituted within 30 days after said effective date.

2. This act shall take effect immediately.

Approved April 6, 1962.

CHAPTER 26

AN ACT concerning elections, and amending section 19:12–7 of the Revised Statutes.

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

1. Section 19:12–7 of the Revised Statutes is amended to read as follows: Section amended.

19:12–7. Newspaper notice of registration and election days.

I. Counties of the first class

A. General Notice for County at Large

Publication. 1. The county board in counties of the first class shall cause a general notice to be published in a newspaper or newspapers published in the county as the county board shall select, twice during the 30 days next preceding the day fixed for the closing of the registration books for the primary election, twice during the calendar week next preceding the week in which the primary

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election is held, twice during the 30 days next preceding the day fixed for the closing of the registration books for the general election, twice during the calendar week next preceding the week in which the general election is held and once during the first 3 days of the week in which the general election is held.

Contents. 2. The general notice required by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose of holding the general election thereafter, and the State and county officers or officers to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in section 19:14–33 of this Title as to publication of notice of any Statewide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; but in such general notice hereinabove required it shall not be necessary to include municipal officers to be nominated or elected or public questions to be voted upon, except those to be nominated or elected or voted upon in the municipality in which such newspaper or newspapers are published.

B. Notice for Municipalities

Publication. 1. The county board in counties of the first class shall cause a notice to be published in each municipality in its county, in a newspaper or newspapers published in such municipality as the county board shall select, excepting the municipalities wherein are located the newspaper or newspapers which have been selected by the county board to publish the general notice hereinabove referred to in paragraph (a) of this section; except that in all municipalities in which no newspaper is published, such notice shall be published for such municipality in a newspaper or newspapers circulating therein. The notice so to be published in each municipality shall be published twice during the 30 days next preceding the day fixed for the closing of the registration books for the primary election, once during each of the 2 calendar weeks next preceding the week in which the primary election is held, twice during the 30 days next preceding the day fixed for the closing of the registration books for the general election, and once during each of the 2 calendar weeks next preceding the week in which the general election is held.

Contents. 2. The notice required to be published by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose

of holding the general election thereafter, and the State and county officers or offices to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in said section 19:14–33 as to publication of notice as a Statewide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; except that in such notice it shall be necessary to include only the municipal officers to be nominated or elected and the public questions to be voted upon in the municipality in which such newspaper or newspapers are published; and except that in all municipalities in which no newspaper is published, such notice required to be published in a newspaper or newspapers circulating in such municipality, shall include only the municipal officers to be nominated or elected and the public questions to be voted upon in such municipality in which such newspaper or newspapers circulate.

II. Counties other than counties of the first class

Publication of notice. a. The municipal clerks in counties other than counties of the first class shall cause a notice to be published in their respective municipalities in a newspaper or newspapers published in such municipality as the municipal clerk thereof shall select; except that in all municipalities in which no newspaper is published such notice shall be published for such municipality in a newspaper or newspapers circulating therein. The notice to be so published shall be published twice during the 30 days preceding the day fixed for the closing of the registration books for the primary election, once during each of the 2 calendar weeks next preceding the week in which the primary election is held, twice during the 30 days next preceding the day fixed for the closing of the registration books for the general election, and once during each of the 2 calendar weeks next preceding the week in which the general election is held.

Contents of notice. b. The notice required to be published by the preceding paragraph shall set forth the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the primary election, and that a primary election for making nominations for the general election, and in each presidential year for the selection of delegates and alternates to national conventions of political parties, will be held on the day and between the hours and at the places provided for in this Title, the place or places at which a person may register and the procedure for transfer of registration, the hours during which voters may register, the date on which the books are closed for registering or transferring, for the general election, and also making known the time, place and purpose of holding the general election thereafter, and the State and county officers or offices to be nominated or to be filled at such primary election, and the State and county office or offices to be filled and, except as provided in said section 19:14–33 as to publication of notice of any State-wide proposition directed by the Legislature to be submitted to the people, the State and county public questions to be voted upon at such general election; except that in such notice it shall be necessary to include only the municipal officers to be nominated or elected and the public questions to be voted upon in the municipality in which such newspaper or newspapers are published; and except that in all municipalities in which no newspaper is published such notice, required to be published in a newspaper or newspapers circulating in such municipality, shall include only the municipal officers to be nominated or elected and the public questions to be voted upon in such municipality in which such newspaper or newspapers circulate.

III. Omissions from notices after first publication

Such part or parts of the original notices as published, either by county boards or municipal clerks, which pertain to day of registration or primary election which has occurred, shall be eliminated from such notice in succeeding insertions.

IV. Cost of publication

Counties of the first class. a. The cost of the publishing of the notices required by this section to be published by the county boards in counties of the first class shall be paid by the respective counties.

Other counties. b. The cost of the publishing of the notices required to be published by this section by the municipal clerks in counties other than counties of the first class shall be paid by the respective municipalities.

V. Definition of first class counties.

For the purposes of this section the term "counties of the first class" shall mean counties of the first class according to the census of 1950.

2. This act shall take effect immediately.

Approved April 6, 1962.

CHAPTER 27

AN ACT requiring the preparation and furnishing of a fiscal note as to certain effects of bills proposed for introduction or pending in the Legislature.

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

C. 52:13B-1. Fiscal note attached to each bill increasing or decreasing revenues; contents.

1. It shall be the duty of the Director of the Division of Budget and Accounting upon receiving, from any committee of either House of the Legislature or any agency acting therefor, notice that a fiscal note is required as to any bill proposed for

introduction or pending in the Legislature, together with a copy of said bill or a synopsis of the provisions thereof sufficient for the purpose, to forward the same to the State department, commission or agency which would be responsible for the collection of the State revenues or the expenditure of State funds effected by said bill or which is to receive the appropriation of State funds to carry out the purposes of said bill, with a request that said department, commission or agency shall

(a) prepare and forward to him promptly a fiscal note containing an accurate estimate in dollars as to the amount by which State revenues would be decreased or State expenditures would be increased or the amount of the appropriation of State funds which would be necessary to carry out the purposes of said bill, if said bill should be enacted, if no fiscal note is appended or annexed to said bill, or if any fiscal note so appended or annexed is found to be inaccurate, or

(b) certify to him accordingly, if any fiscal note so appended or annexed is found to be accurate, or

(c) certify that no such dollar estimate can be made as to any such bill setting forth concisely the reason therefor.

C. 52:13B-2. Fiscal note furnished division; copies furnished.

2. Every such fiscal note shall be furnished to the Division of Budget and Accounting and shall be reviewed by said division and may be altered by said division, if the division deems it to be desirable, and 5 copies thereof shall then be furnished promptly to the Legislative Budget and Finance Director and 1 copy to the introducer whose name appears upon the proposed bill.

C. 52:13B-3. Procedure on fiscal note by legislative budget and finance director.

3. Whenever any fiscal note to any bill is furnished to the Legislative Budget and Finance Director by the Division of Budget and Accounting or a copy of any bill which, if enacted, would increase State revenues is delivered to him with a written request that a fiscal note for the bill be prepared, the director shall examine into the accuracy of any fiscal note so furnished to him or which may be appended or annexed to any such

bill and if he finds any fiscal note so appended or annexed to be accurate he shall approve and certify the same to the Committee on Revision and Amendment of the Laws of the House if said bill is under examination as to form by said committee and otherwise to the committee to which the bill has been referred or if it has not been referred to a committee, then to the Clerk of the House but if no fiscal note is so appended or annexed or if the director finds any fiscal note so furnished or so appended or annexed to any such bill to be inaccurate, he shall prepare an accurate fiscal note for the bill and except in any case in which he shall approve a fiscal note appended or annexed to the bill he shall promptly mail, by certified mail a copy of each fiscal note prepared or approved by him to the introducer whose name first appears upon the bill with a notice that such introducer may object to such fiscal note within 5 days after receipt thereof.

C. 52:13B-4. Procedure when introducer of bill objects to fiscal note.

4. If such introducer shall object to any of the provisions of any such fiscal note, he shall within 5 days after receipt of the copy thereof advise the Legislative Budget and Finance Director of his objections thereto and the director shall promptly review the note and make such changes therein, if any, as he may deem desirable and if the bill is under examination by the Committee on Revision and Amendment of the Laws of the House, he shall forward the original and 3 copies of said note certified by him to the Law Revision and Legislative Services acting for the Committee on Revision and Amendment of the Laws of the House for transmission with the bill upon its introduction.

C. 52:13B-5. Copies of bill transmitted.

5. If, however, the bill is not under examination by the Committee on Revision and Amendment of the Laws of the House but has been introduced he shall transmit 1 copy thereof to the Law Revision and Legislative Services acting for the Committee on Revision and Amendment of the Laws of the House and the original and 3 copies to the chairman of the committee to which the bill has been

referred, or if it has not been referred, then to the Clerk of the General Assembly.

6. This act shall take effect immediately.

Approved April 10, 1962.

CHAPTER 28

AN ACT concerning municipalities in relation to ordinances and resolutions, and amending section 40:49–2 of the Revised Statutes.

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

1. Section 40:49–2 of the Revised Statutes is amended to read as follows: Section amended.

40:49–2. Except as otherwise provided in sections 40:49–6 and 40:49–12 of this Title, the procedure for the passage of ordinances shall be as follows: Procedure for passage of ordinances.

a. Every ordinance after being introduced and having passed a first reading, which first reading may be by title, shall be published at least once in a newspaper published and circulated in the municipality, if there be one, and if not, in a newspaper printed in the county and circulating in the municipality, together with a notice of the introduction thereof and the time and place when and where it will be further considered for final passage. If there be only one such publication the same shall be at least one week prior to the time fixed for further consideration for final passage. If there be more than one publication, the first shall be at least one week prior to the time fixed for further consideration for final passage.

b. At the time and place so stated in such publication, or at any time and place to which the meeting for the further consideration of the ordinance shall from time to time be adjourned, all persons interested shall be given an opportunity to be heard

concerning the ordinance. Final passage thereof shall be at least 10 days after the first reading.

c. Upon the opening of the hearing, the ordinance shall be given a second reading, which reading may be by title, and thereafter, it may be passed with or without amendments, or rejected. Prior to the said second reading, a copy of the ordinance shall be posted on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the municipality, and copies of the ordinance shall be made available to members of the general public of the municipality who shall request such copies. If any amendment be adopted, substantially altering the substance of the ordinance, the ordinance as so amended shall not be finally adopted until at least one week thereafter, and the ordinance as amended shall be read at a meeting of the governing body, which reading may be by title, and shall be published, together with a notice of the introduction, and the time and place when and where the amended ordinance will be further considered for final passage, at least 2 days prior to the time so fixed. At the time and place so fixed, or at any other meeting to which the further consideration of the amended ordinance may be adjourned, the governing body may proceed to pass the ordinance, as amended, or again amend it in the same manner.

d. Upon passage, every ordinance, or the title, together with a notice of the date of passage or approval, or both, shall be published at least once in a newspaper circulating in the municipality, if there be one, and if not, in a newspaper printed in the county and circulating in the municipality. No other notice or procedure with respect to the introduction or passage of any ordinance shall be required.

Nothing herein shall be construed to affect the provisions of sections 40:49–7 to 40:49–12 or section 40:49–27 of this Title.

2. This act shall take effect immediately.

Approved April 10, 1962.

CHAPTER 29

AN ACT validating certain deeds or conveyances executed by attorneys in fact and the titles thereby conveyed.

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

Validates certain conveyances and titles.

1. Whenever any attorney or attorneys authorized to execute and deliver conveyances for lands, tenements and hereditaments has failed to convey the title of his or their principal or principals thereto, as he or they were so authorized to convey the same, by reason of any informality or irregularity in the recitals or recital contained in said deed or conveyance, or any irregularity or informality in the premises of the deed, that is in the manner in which the principal or the attorney in fact is named as grantor or grantors are named in said deed or conveyance, or by reason of any irregularity or informality in the execution of said deed or conveyance, or any irregularity or informality in the acknowledgment annexed to said deed or conveyance, such irregularity or irregularities, informality or informalities shall not affect the title intended to be so conveyed by said deed or conveyance, but such deed of conveyance shall convey the title of said principal or principals in and to said lands, tenements and hereditaments as effectually as though such informality or irregularity did not exist, and as though said principal or principals had himself or themselves executed said deed or conveyance; provided, however, that such deeds or conveyances were executed, delivered and recorded at least 5 years before the effective date hereof.

2. This act shall take effect immediately.

Approved April 10, 1962.

CHAPTER 30

AN ACT concerning factories on any watershed in this State and amending sections 58:10–17 and 58:10–18 of the Revised Statutes.

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

Section amended.

1. Section 58:10–17 of the Revised Statutes is amended to read as follows:

Permit required for locating factories; waiver of requirements.

58:10–17. No factory, workshop or place for the manufacture of materials or goods shall be located or established on any watershed in this State unless the person responsible for the operation of such factory, workshop or place shall have obtained from the department a written permit to so locate or establish the same, provided however, this requirement may be waived by the department if such factory, workshop or place for the manufacture of materials or goods demonstrates to the department its intention to be adequately serviced by a public sewerage facility and prior to beginning operations is so serviced.

Section amended.

2. Section 58:10–18 of the Revised Statutes is amended to read as follows:

Application for permits; rules and regulations.

58:10–18. An application for such written permit shall be in writing upon forms furnished by the department and shall be made to the department by the person desiring to establish and operate such factory, workshop or place. The department shall adopt rules and regulations setting forth the information required to be stated in the application in order that the department may be fully informed as to the character and nature of any waste liquids or materials which may affect the quality of streams.

NOTE: Act effective.

3. This act shall take effect July 1, 1962.

Approved April 10, 1962.

CHAPTER 31

AN ACT to amend and supplement "An act concerning the Passaic Valley Sewerage Commissioners, and supplementing chapter 14 of Title 58 of the Revised Statutes," approved April 6, 1943 (P. L. 1943, c. 76).

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. Certain terms as used in this act or any amendment of, or supplement to, this act, are defined as follows: C. 58:14-34.1. Terms defined.

"Intercepting sewer" means the "Passaic Valley intercepting sewer" together with its branches and appurtenances, as constructed, maintained and operated by the Passaic Valley Sewerage Commissioners.

"Commissioners" means the "Passaic Valley Sewerage Commissioners."

"Contracting agency" means any municipality entitled to the rights in and use of the intercepting sewer by virtue of contributions made by it to the commissioners toward the costs of the construction of the intercepting sewer, pursuant to the provisions of chapter 14 of Title 58 of the Revised Statutes (§ 58:14–1 et seq.), as amended, and the original and supplemental contracts between the commissioners and the various municipalities in the Passaic Valley Sewerage District.

"Lessee" means any municipality, governmental agency, person, firm or corporation, entering into a lease agreement under the provisions of this act.

"District" means the "Passaic Valley Sewerage District" as defined in section 58:14–1 of the Revised Statutes and chapter 151 of the laws of 1942.

"Sewage" means sanitary sewage, trade wastes, storm waters and any other liquids and substances which customarily and regularly flow through sewers.

C. 58:14-34.27. Agreement authorized for use of facilities.

2. At any time hereafter the commissioners may enter into an agreement with any contracting agency solely for the use of the commissioners' pumping station and treatment facilities for the disposal of sewage originating from within the municipal boundaries of the contracting agency. No sewage presently being discharged into the commissioners' system may be received under these sections.

C. 58:14-34.28. Public hearing; notice.

3. Before entering into any such agreement the commissioners shall hold a public hearing at which time opportunity shall be afforded the remaining contracting agencies to present objections and suggestions with reference to the proposed agreement, and if it shall appear that the contracting agencies, representing more than 75% of the remaining allowed capacity in the commissioners' facilities, object to said agreement, the commissioners shall not enter into it. Notice of said public hearing with the relative information and data shall be mailed to each contracting agency at least 20 days before the date set for the hearing.

C. 58:14-34.29. Contents of agreement.

4. The said agreement shall provide as follows:

A. The contracting agency entering into said agreement shall pay to the commissioners for this sewage at a rate which shall be a specified percentage, but in no event less than 75%, of the rate which all contracting agencies pay for the use of the commissioners' facilities including the intercepting sewer.

B. The agreement shall commence upon signing and shall terminate on December 31, of an agreed upon year, but not later than 25 years after the date of entry, after which time the said agreement shall renew itself annually for calendar year periods, unless either party shall give 6 months notice prior to the renewal date of its intention not to renew.

C. The involved contracting agency shall at all times be subject to the rules and regulations of the commissioners governing the use of said intercepting sewer, and the involved contracting agency shall not discharge or permit to be discharged into the commissioners' facilities any substances or liquids containing oils, gasoline or any explosive or inflammable materials, or acids or other substances or liquids which alone or in combination with other substances or liquids in the sewer, may or might, directly or indirectly, cause or threaten or tend to cause, injury to the sewer structures or to the life and health of persons. Such prohibited substances or liquids shall also include live steam and excessively hot liquids, as well as any other substances or liquids which directly or indirectly, alone or in combination with other liquids or substances, may or might generate or tend to generate explosive or dangerous gases;

D. The flow or discharge to be received under an agreement shall be metered by an approved measuring device or meter, to be approved by the commissioners, but to be erected by and at the sole expense of the involved contracting agency. Said measuring device or meter, however, shall be under the conclusive control of the commissioners; all expenditures for installations and connections made necessary by the agreement, including the construction of a shut-off or closing valve under the control of the commissioners shall be borne by the involved contracting agency and said involved contracting agency shall be required to maintain in a good state of repair and operation, such measuring device, meter, installations and connections at its own costs and expenses; provided, that the involved contracting agency shall not be required to bear the expense of reading the meter or the general expense of maintaining, repairing and operating the commissioners' facilities except as above provided;

E. The commissioners and the contracting agencies shall not be responsible in damages for

any stoppage in the flow or discharge received under the terms of the agreement;

F. Where the involved contracting agency shall find it necessary in order to connect up with the commissioners' facilities to construct lines over the property or through the streets or make use of the sewer lines, of any municipality, or of any individual, firm or private corporation, then said involved contracting agency shall be obligated to make such arrangements or contracts with said parties as may be necessary, as a condition to the making of the agreement with the commissioners;

G. The involved contracting agency shall conform to such other conditions, terms, requirements and safeguards as the commissioners may deem necessary and provide for in said agreement;

H. For breach in any of the provisions of the agreement, the commissioners may give notice to the involved contracting agency and, unless such breach is corrected, the commissioners may forthwith terminate the agreement.

C. 54:14-34.30. Limits quantity of sewage.

5. No contracting agency shall be permitted to enter into any agreement for the discharge of a quantity of sewage, which, in addition to any other sewage discharged to the commissioners' facilities, shall exceed its allotted capacity. In no event shall the peak flow under this agreement exceed twice the capacity permitted hereunder.

6. This act shall take effect immediately.

Approved April 16, 1962.

CHAPTER 32

AN ACT concerning leave of absence from public employment, and amending section 38:23–2 of the Revised Statutes.

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

1. Section 38:23–2 of the Revised Statutes is amended to read as follows: Section amended.

38:23–2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans of the World War, Veterans of Foreign Wars, Indian War Veterans, American Legion, Jewish War Veterans of the United States, Catholic War Veterans of the United States, Women's Overseas Service League, American Veterans World War II, Reserve Officers Association of the United States, Marine Corps League of the United States, Army and Navy Legion of Valor, the Twenty-ninth Division Association, Council of State Employees, War Veteran Public Employees Association, New Jersey Civil Service Association, Blind Veterans Association of New Jersey, Army and Air National Guard Association of New Jersey, and The National Guard Association of the United States, to attend any State or national convention of such organization. Leave of absence to attend State or National Conventions.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention.

2. This act shall take effect immediately.

Approved April 16, 1962.

CHAPTER 33

AN ACT concerning the compensation of the members of the municipal council and the mayor in certain cities governed by the municipal manager form of government law, amending section 40:81–2, and supplementing subtitle 5 of Title 40, of the Revised Statutes.

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

Section amended.

1. Section 40:81–2 of the Revised Statutes is amended to read as follows:

Salary of council members; fixed by ordinance.

40:81–2. The members of the municipal council, except in cities of the fourth class, shall receive the following annual compensation, payable in equal monthly installments: In every such municipality having less than 5,000 inhabitants, not less than $150.00 nor more than $500.00; 5,000 or more and less than 10,000 inhabitants, not less than $300.00 nor more than $600.00; 10,000 or more and less than 40,000 inhabitants, not less than $500.00 nor more than $1,000.00; 40,000 or more and less than 50,000 inhabitants, not less than 750.00 nor more than $1,500.00; 50,000 or more inhabitants, $4,000.00.

In cities of the fourth class the members of the municipal council shall receive the following annual compensation, payable in equal monthly

installments: In every such municipality having less than 5,000 inhabitants, $600.00; 5,000 or more and less than 10,000 inhabitants, $900.00; 10,000 or more, not less than $1,500.00 nor more than $3,000.00.

The amount of the annual compensation to be paid to each member of the municipal council shall be fixed from time to time by ordinance between the minimum and maximum amounts prescribed by this section, but until such an ordinance has been adopted each such member shall receive the minimum compensation herein provided.

C. 40:81-2.1. Salary of mayor.

2. In any city governed by the municipal manager form of government law and having 50,000 or more inhabitants, the annual compensation of the mayor shall be $4,500.00, payable in equal monthly installments.

C. 40:81-2.2. Ordinance required to make act operative.

3. This amendatory act shall be inoperative to increase the annual compensation of the members of the municipal council and the mayor in any city governed by the municipal manager form of government law and having 50,000 or more inhabitants unless the governing body of such city shall, by ordinance, provide for such increase and, upon the adoption of any such ordinance, this amendatory act shall become fully operative in any such city.

Note: Act effective.

4. This act shall take effect July 1, 1962.

Approved April 19, 1962.

CHAPTER 34

AN ACT concerning education, and amending section 18:7–76 of the Revised Statutes.

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

Section amended.

1. Section 18:7–76 of the Revised Statutes is amended to read as follows:

Insuring, leasing and holding property.

18:7–76. The board may insure school buildings, furniture, and other school property, and receive, lease and hold in trust for the district any and all real or personal property for the benefit of the schools thereof.

2. This act shall take effect immediately.

Approved April 19, 1962.

CHAPTER 35

AN ACT to amend "An act concerning water supplies, providing for increased water supplies for public potable, industrial, irrigation and other purposes, prescribing the functions, powers and duties of the Department of Conservation and Economic Development in connection therewith, and supplementing Title 58 of the Revised Statutes," approved May 12, 1958 (P. L. 1958, c. 34).

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

Section amended.

1. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 58:22-13. Eminent domain; law applicable; procedure.

Section 13. Whenever the power of condemnation is exercised by the department pursuant to this

act, the provisions of chapter 1 of Title 20 (Eminent Domain) of the Revised Statutes, as amended and supplemented, shall be applicable and such power of condemnation shall include the condemnation of public as well as privately owned property, except as otherwise provided by this act.

Upon the institution of an action to fix the compensation to be paid, or at any time thereafter, the department may file with the Clerk of the Superior Court a declaration of taking, signed by the department, declaring that the possession of one or more of the tracts or parcels of property described in the petition is thereby being taken by and for the use of the department. The declaration of taking shall be sufficient if it sets forth (1) a description of each tract or parcel of property to be taken; (2) a statement of the estate or interest in the said property being taken; and (3) a statement of the sum of money estimated by the department to be just compensation for the taking. Upon the filing of said declaration, the department shall deposit with the Clerk of the Superior Court the amount of the estimated compensation stated in said declaration.

Upon the filing of the declaration and the depositing with the Clerk of the Superior Court the amount of the estimated compensation as stated in the declaration, the department, without other process or procedings shall be entitled to the exclusive possession and use of each tract or parcel of property described in the declaration and may forthwith enter into and take possession of said property, it being the intent of this provision that the action to fix the compensation to be paid or any other proceeding relating to the taking of such property or entering therein shall not delay the taking of possession and the use thereof by the department for purposes authorized by this act. The department shall not abandon any condemnation proceeding subsequent to the date upon which it has taken possession of the property as herein provided.

The department shall cause notice of the filing of said declaration and the making of said deposit to

be served upon each party to the action to fix the compensation to be paid, who resides in this State, either personally or by leaving a copy thereof at his residence, and upon each such party who resides out of the State by mailing copy thereof to him at his residence. In the event that the residence of any such party or the name of such party is unknown, such notice shall be published at least once in the newspaper published or circulating in the county or counties in which the property is located. Such service, mailing or publishing shall be made within 10 days after the filing of the declaration. Upon the application of any party in interest and after notice to other parties in interest, including the department, 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 such action; provided, that each person shall have filed with the Clerk of the Superior Court a consent in writing that, in the event the award in the action shall be less than the amount deposited, the court, after such notice as the court prescribes and a hearing, may determine the liability, if any, for the return of such difference or any part thereof and enter judgment therefor.

If the amount of the award as finally determined by the court shall exceed the amount so deposited, the person or persons to whom the award is payable shall be entitled to recover from the department the difference between the amount of the deposit and the amount of the award, with interest at the rate of 6% per annum thereon from the date of the making of the deposit. If the amount of the award shall be less than the amount so deposited, the Clerk of the Superior Court shall return the difference between the amount of the award and the deposit to the department unless the amount of the deposit or any part thereof shall have theretofore been distributed, in which event the court, upon application of the department and notice to

all parties interested in the award and affording them an opportunity to be heard, shall enter judgment in favor of the department for such difference against the party or parties liable for the return thereof.

2. This act shall take effect immediately.

Approved April 24, 1962.

CHAPTER 36

AN ACT to amend "An act concerning disorderly persons and prohibiting the possession or consumption of intoxicating liquor by a minor in any public place or motor vehicle," approved December 19, 1957 (P. L. 1957, c. 203).

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 person under the age of 21 years who knowingly shall possess or consume any alcoholic beverage in any public place or place of public assembly or in any motor vehicle is a disorderly person and shall be punished by a fine of not more than $50.00, or be imprisoned in the county jail for not more than 30 days, or both, and whenever any such offense is committed in a motor vehicle, the magistrate may, in addition to said penalty or penalties, or in lieu thereof, suspend or revoke the driving privilege of any person found guilty thereof. There shall be a rebuttable presumption against each and every person charged with the offense of possession of alcoholic beverage in a motor vehicle that he was knowingly in possession thereof. C. 2A:170-54.1. Possession or consumption of alcoholic beverages by minors.

Nothing in this act shall apply to possession of alcoholic beverage by any such person while

actually engaged in the performance of employment pursuant to an employment permit issued by the Director of the Division of Alcoholic Beverage Control, or for a bona fide hotel or restaurant, in accordance with the provisions of section 33:1–26 of the Revised Statutes.

2. This act shall take effect immediately.

Approved April 25, 1962.

CHAPTER 37

AN ACT to amend the title of "An act to protect all persons in their civil rights; to prevent and eliminate practices of discrimination 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; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor," approved April 16, 1945 (P. L. 1945, c. 169), as said title was amended by chapter 64 of the laws of 1951, so that the same shall read "An act to protect all persons in their civil rights; to prevent and eliminate practices of discrimination against certain persons and to create a division on civil rights," and to amend and supplement the body of said act.

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

Title amended. New title.

1. The title of "An act to protect all persons in their civil rights; to prevent and eliminate practices of discrimination 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; to create a division in the Department of Education to effect such prevention and elimination; and making an appropriation therefor," approved April 16, 1945 (P. L. 1945, c. 169), as said title was amended by chapter 64 of the laws of 1951, is amended to read "An act to protect all persons in their civil rights; to prevent and eliminate practices of discrimination against certain persons and to create a division on civil rights."

Section amended.

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

C. 18:25-3. Finding and declaration of Legislature.

3. The Legislature finds and declares that practices of discrimination against any of its inhabitants, because of race, creed, color, national origin, ancestry, age or because of their liability for service in the Armed Forces of the United States, are a matter of concern to the government of the State, and that such discrimination threatens not only the rights and proper privileges of the inhabitants of the State but menaces the institutions and foundation of a free democratic State.

Section amended.

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

C. 18:25-4. Employment and accomodations without discrimination; civil right.

4. All persons shall have the opportunity to obtain employment, and to obtain all the accommodations, advantages, facilities, and privileges of any place of public accommodation, publicly assisted housing accommodation, and other real property without discrimination because of race, creed, color, national origin, ancestry or age, subject only to conditions and limitations applicable alike to all persons. This opportunity is recognized as and declared to be a civil right.

Section amended.

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

C. 18:25-6. Division on civil rights created; powers.

6. There is created in the Department of Education a division to be known as "The Division on Civil Rights" with power to prevent and eliminate discrimination in employment against persons because of race, creed, color, national origin,

ancestry, or age or because of their liability for service in the Armed Forces of the United States, by employers, labor organizations, employment agencies or other persons and to take other actions against discrimination because of race, creed, color, national origin or ancestry or because of their liability for service in the Armed Forces of the United States, as herein provided; and the division created hereunder is given general jurisdiction and authority for such purposes.

Section amended.

5. 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 commissioners of education.

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, ancestry, or age 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, ancestry, or age 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 one 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.

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

C. 18:25-10. Commission's powers and duties.

9. The commission shall

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

b. Approve or disapprove the appointment of officers, employees and agents, and the fixing of their compensation by the commissioner.

c. Survey and study the operations of the division.

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

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

Section amended.

7. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 18:25-12. Unlawful employment practice or unlawful discrimination.

11. It shall be an unlawful employment practice, or, as the case may be, an unlawful discrimination:

a. For an employer, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensa-

tion or in terms, conditions or privileges of employment, however, it shall not be an unlawful employment practice to refuse to accept for employment an applicant who has received a notice of induction or orders to report for active duty in the armed forces.

b. For a labor organization, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer.

c. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, ancestry, or age or liability of any applicant for employment for service in the Armed Forces of the United States, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

d. For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices or acts forbidden under this act or because he has filed a complaint, testified or assisted in any proceeding under this act.

e. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

f. For any owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public accommodation directly or indirectly to refuse, withhold from or deny to any person any

of the accommodations, advantages, facilities or privileges thereof, or to discriminate against any person in the furnishing thereof, or directly or indirectly to publish, circulate, issue, display, post or mail any written or printed communication, notice, or advertisement to the effect that any of the accommodations, advantages, facilities, or privileges of any such place will be refused, withheld from, or denied to any person on account of the race, creed, color, national origin, or ancestry of such person, or that the patronage or custom thereat of any person of any particular race, creed, color, national origin or ancestry is unwelcome, objectionable or not acceptable, desired or solicited, and the production of any such written or printed communication, notice or advertisement, purporting to relate to any such place and to be made by any owner, lessee, proprietor, superintendent, or manager thereof, shall be presumptive evidence in any action that the same was authorized by such person.

g. For the owner, lessee, sublessee, assignee or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent, lease, assign, or sublease any real property or part or portion thereof, or any agent or employee of any of these:

(1) To refuse to sell, rent, lease, assign, or sublease or otherwise to deny to or withhold from any person or group of persons any real property or part or portion thereof because of the race, creed, color, national origin or ancestry of such person or group of persons;

(2) To discriminate against any person or group of persons because of the race, creed, color or national origin of such person or group of persons in the terms, conditions or privileges of the sale, rental or lease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post or mail, or cause to be printed, published, cir-

culated, issued, displayed, posted or mailed any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment or sublease of any real property or part or portion thereof, or to make any record or inquiry in connection with the prospective purchase, rental, lease, assignment, or sublease of any real property, or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination, and the production of any such statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

h. For any real estate broker, real estate salesman or employee or agent thereof:

(1) To refuse to sell, rent, assign, lease or sublease, or offer for sale, rental, lease, assignment, or sublease any real property or part or portion thereof to any person or group of persons or to refuse to negotiate for the sale, rental, lease, assignment, or sublease of any real property or part or portion thereof to any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons, or to represent that any real property or part or portion thereof is not available for inspection, sale, rental, lease, assignment, or sublease when in fact it is so available, or otherwise to deny or withhold any real property or any part or portion or facilities thereof to or from any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons.

(2) To discriminate against any person because of his race, creed, color, national origin or ancestry in the terms, conditions or privileges of the sale, rental, lease, assignment or sublease of any

real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post, or mail, or cause to be printed, published, circulated, issued, displayed, posted or mailed, any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment, or sublease of any real property or part or portion thereof or to make any record or inquiry in connection with the prospective purchase, rental, lease, assignment, or sublease of any real property or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry or any intent to make any such limitation, specification or discrimination, and the production of any such statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

i. For any person, bank, banking organization, mortgage company, insurance company or other financial institution or lender to whom application is made for financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any real property or part or portion thereof or any agent or employee thereof:

(1) To discriminate against any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons or of the prospective occupants or tenants of such real property or part or portion thereof, in the granting, withholding, extending, modifying or renewing, or in the fixing of the rates, terms, conditions or provisions of any such financial assistance or in the extension of services in connection therewith; or

(2) To use any form of application for such financial assistance or to make any record or in-

quiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination.

C. 18:25-2.1. Application of act.

8. Nothing contained in this act or in the act to which this is a supplement shall be construed to require or authorize any act prohibited by law, nor to conflict with the provisions of chapter 2 (child and female labor) of Title 34 (Labor) of the Revised Statutes, nor to require the employment of any person under the age of 21, nor to prohibit the establishment and maintenance of bona fide occupational qualifications or the establishment and maintenance of apprenticeship requirements based upon a reasonable minimum age nor to prevent the termination or change of the employment of any person who in the opinion of his employer, reasonably arrived at, is unable to perform adequately his duties, nor to preclude discrimination among individuals on the basis of competence, performance, conduct or any other reasonable standard, nor to interfere with the operation of the terms or conditions and administration of any bona fide retirement, pension, employee benefit or insurance plan or program.

NOTE: Act effective.

9. This act shall take effect on the thirty-first day following the date of enactment.

Approved May 7, 1962.

CHAPTER 38

AN ACT concerning manpower training and retraining programs and authorizing agreements with the United States for the payment of training allowances or subsistence benefits to eligible individuals under any law of the United States and for the reimbursement of the State for such allowences or benefits paid pursuant to any law of this State or of the United States.

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

C. 34:15-1. Short title.

1. This act shall be known and may be cited as the "Manpower Training and Retraining Act of 1962."

C. 34:15 2. Legslative findings.

2. The Legislature finds that there is a critical need for more and better trained personnel in many vital occupational categories; that even in periods of high unemployment many employment opportunities remain unfilled because of the shortages of qualified personnel; that the skills of many persons have been rendered obsolete by dislocations in the economy arising from technological developments, relocation of industry and other changes in the structure of the nation's economy; that the Federal Government has adopted and will undoubtedly continue programs supporting the training and retraining of individuals to help lessen the impact of these technical and economic changes; and that it is in the interest of the State to support such training and retraining programs because they assist persons to acquire new skills in order to alleviate the hardships of unemployment, reduce the cost of unemployment compensation and public assistance and to increase the productivity of the State and its capacity to meet the employment requirements of business and industry.

C. 34:15A-3. Commissioner of Labor and Industry authorized to enter into agreements for training, etc., manpower.

3. The Commissioner of Labor and Industry on behalf of the State of New Jersey is authorized to enter into agreements with the Secretary of Labor of the United States on behalf of the United States under which the Department of Labor and Industry:

(a) will secure the adoption of such training or retraining programs by private and public agencies, employers, trade associations, labor organizations and other governmental, industrial and community groups as shall be required under the agreements to qualify individuals residing in this State for training allowances or subsistence benefits under any law of the United States;

(b) will make, as agent of the United States, payments of training allowances or subsistence benefits and other agreed upon benefits to individuals who may be eligible therefor and will otherwise cooperate with the Secretary of Labor of the United States and with agencies of this or other States in making payments of such allowances or benefits under any such laws; provided, however, that all costs incurred, all expenses paid, and all such allowances and benefits paid as a result of the maintenance of vocational training and retraining programs pursuant to such agreements shall be paid or reimbursed by the United States and shall not devolve upon the State of New Jersey; and

(c) will receive reimbursement from the United States for any such costs incurred, expenses paid or allowances and benefits paid pursuant to such agreements and the laws of this State or of the United States.

No program of training or retraining authorized pursuant to the provisions of this section involving classroom instruction shall be undertaken unless approved by the State Board of Education.

C. 34:15A-4. Commissioner of Education authorized to enter into agreements; provide vocational training, etc. programs.

4. The Commissioner of Education with the approval of the State Board of Education, on behalf of the State of New Jersey, is authorized to enter into agreements with the Secretary of Health, Education, and Welfare of the United States, on behalf

of the United States, under which the Department of Education:

(a) Will undertake to provide vocational, and training and skill development programs through public education agencies or institutions and through arrangements with private educational or training institutions: provided, however, that all costs incurred, all expenses paid, and all allowances and benefits paid as a result of such vocational programs, and training and skill development programs undertaken pursuant to such agreements shall be paid or reimbursed by the United States and shall not devolve upon the State of New Jersey; and

(b) Will receive reimbursement from the United States for any such costs incurred, expenses paid or allowances or benefits paid pursuant to such agreements and the laws of this State or of the United States.

C. 34:15A-5. Cooperation by departments to implement act.

5. The Department of Labor and Industry and the Department of Education shall co-operate in the implementation of this act with each other and with such other departments and public and private agencies as may be necessary to carry out the provisions of this act.

To the extent possible, the agreements provided for in sections 3 and 4 of this act shall be performed through the various divisions and agencies of the respective departments.

C. 34:15A-6. Acts approved, ratified and confirmed.

6. All acts and actions heretofore taken by the Department of Labor and Industry, and the Department of Education or any agency or any representatives thereof in co-operating with the Federal authorities in the establishment of the programs provided for herein and of the payment of allowances or benefits thereunder are approved, ratified and confirmed.

7. This act shall take effect immediately.

Approved May 9, 1962.

CHAPTER 39

AN ACT concerning crimes and supplementing chapter 90 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:90-4. High misdemeanor.

1. Any person who commits an assault and battery upon any State, county or municipal police officer, or other law enforcement officer, acting in the performance of his duties while in uniform or exhibiting evidence of his authority, is guilty of a high misdemeanor.

2. This act shall take effect immediately.

Approved May 10, 1962.

CHAPTER 40

AN ACT concerning the retirement, upon pension, of certain policemen and firemen and providing a pension for the widows, children and sole dependent parents of certain deceased policemen and firemen, and amending section 43:16–3 and supplementing chapter 16 of Title 43 of the Revised Statutes and making an appropriation therefor.

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

Section amended.

1. Section 43:16–3 of the Revised Statutes is amended to read as follows:

Pension to dependents.

43:16–3. The widow of a member of such police or paid or part-paid fire department, who shall have

been retired on a service retirement pension, or who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty or who shall have been retired on a service disability pension, and which member shall have paid into the fund the amount of his annual assessments or contributions required by section 43:16–5 of the Revised Statutes and if he shall have been retired on pension continued so to do after his retirement and until his death, shall, if she married her husband before the date of his retirement and before he reached 50 years of age and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension for so long as she remains unmarried in the sum of $1,200.00 annually for the use of herself and the children of her deceased husband, if any, under 18 years of age, or if no widow but children under 18 years of age or if widow dies leaving children under 18 years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children.

The widow of a member who shall not have been retired but shall die before becoming eligible for a service retirement pension while still employed by the department and shall not have lost his life while on duty, and the widow of a member who shall have been retired on a nonservice disability pension and which member shall have paid into the fund the amount of his annual assessments or contributions required by section 43:16–5 of the Revised Statutes, until his death, shall, if she married her deceased husband before the date of his retirement and before he reached 50 years of age, and did not marry such member while he was suffering from the last illness which resulted in his death, receive a pension, for so long as she remains unmarried, in the sum of $1,200.00 annually, for the use of herself and the children of her deceased husband, if any, under 18 years of age, or if no widow but children under 18 years of age or if widow dies

leaving children under 18 years of age, of the deceased member, the pension which the widow would have received had she survived shall be paid to such children.

If a member who shall have been retired on a service retirement pension or a member who shall have continued in service after becoming eligible for such pension and shall not have lost his life while on duty or a member who shall have been retired upon a service disability or nonservice disability pension, or a member who dies while still employed by the department but who shall not have lost his life while on duty, leaves no widow, but leaves a child or children under 18 years of age, or if such widow dies leaving children of the deceased member, 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 of them, if there be only 2 they shall be paid $40.00 each monthly and if there be only one, the child shall be paid $50.00 monthly, until the age of 18 years is reached but in no event are the pensions paid to the children to exceed in the aggregate the sum of $1,200.00 annually.

If the member dies leaving no widow and no 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 one, or exceed $375.00 per annum each if there be 2.

C. 43:16-4.2. Pension to be increased.

2. Any pension in an amount less than $1,200.00 per annum presently being paid, pursuant to section 43:16–4 of the Revised Statutes, to a widow of a policeman or fireman who lost his life while on duty prior to June 1, 1948, shall be increased to $1,200.00 per annum.

C. 43:16-4.3. Annual contributions by State and municipalities.

3. The State of New Jersey shall contribute annually ½, and the respective municipalities ½, of the amount necessary to provide for the increase of pensions presently payable, as provided in this

amendatory act. The amount of such annual contributions of the State and of the respective municipalities shall be certified annually to the State Treasurer and to the officers in charge of finances of said municipalities, respectively, by the actuary of the Consolidated Police and Firemen's Pension Fund Commission.

Appropriation.

4. There is hereby appropriated out of the general treasury the sum of $187,500.00 to the Consolidated Police and Firemen's Pension Fund as the State's share of the additional benefit provided herein for the fiscal year ending June 30, 1963.

Act effective.

5. This act shall take effect January 1, 1963.

Approved May 10, 1962.

CHAPTER 41

AN ACT concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor.

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

1. As used in this act:

C. 18:22-100. Terms defined.

(a) "County college" means an educational institution established or to be established by one or more counties, offering programs of instruction, extending not more than 2 years beyond the high school, which may include but need not be limited to specialized or comprehensive curriculums, including college credit transfer courses, terminal courses in the liberal arts and sciences, and technical institute type programs.

(b) "State board" means the State Board of Education.

(c) "Commissioner" means the Commissioner of Education.

(d) "Capital outlay expense" means those funds devoted to or required for the acquisition, landscaping or improvement of land; the acquisition, construction, reconstruction, improvement, remodeling, alteration, addition or enlargement of buildings or other structures; and the purchase of furniture, apparatus and other equipment.

(e) "Operation expense" means those funds devoted to or required for the regular or ordinary expenses of the college, including administrative, maintenance and salary expenses but excluding capital outlay expenses.

(f) "Local Bond Law" means the Local Bond Law of Title 40A of the New Jersey Statutes.

C. 18:22-101. Petition for permission to establish college; report, contents; notice by State board.

2. When the board of chosen freeholders of one or more counties, after study and investigation, shall deem it advisable for such county or counties to establish a county college, such board or boards of county freeholders may petition the State board for permission to establish and operate a county college. A report shall be attached to such petition and shall include information on the higher educational needs of the county or counties, a description of the proposed county college, the proposed curriculum, an estimate of the cost of establishing and maintaining such county college, and any other information or data deemed pertinent.

Upon receipt of such petition by the State board, it shall be referred to the commissioner who shall make an independent study as to the higher educational needs of the county or counties, the necessity or advisability of establishing such county college, and whether the county or counties could, with the State aid provided for in this act, financially support such college. The commissioner shall submit a report containing his conclusions to the State board and to the petitioning board or boards of chosen freeholders.

The State board, after studying both the petition of the board or boards of chosen freeholders and the report of the commissioner, shall determine whether there is a need for such college and whether

the county or counties have the financial capacity to support such college. If the State board finds such a need to exist and further finds that establishing and maintaining such college is financially feasible, it shall approve the petition and shall so notify the board or boards of chosen freeholders.

C. 18:22-102. Resolution for establishment of college; notice of public hearing; resolution published; petition for referendum; notice by county clerk.

3. Whenever the board or boards of chosen freeholders receive notification that the State board approves the establishment of a county college, each participating board may provide by resolution for the establishment of a county college in accordance with the provisions of this act and the regulations of the State board. Prior to the final passage of said resolution, the board shall have published, in full, in a newspaper circulating in the county, the resolution together with the time and place of a public hearing to be had upon said resolution. Said publication shall be at least 10 days prior to the time fixed for the public hearing.

Within 5 days after passage, the resolution shall be published in full in a newspaper circulating in the county and a copy of said resolution shall be filed for public inspection with the clerk of the board of chosen freeholders and with the clerk of each municipality in said county. The resolution shall become effective in said county 45 days after passage unless there is filed with the county clerk within said 45 days, a petition requesting a referendum in said county signed by either 5% or 10,000 of the registered voters of said county, whichever is lesser, or such a petition authorized by the governing body of a municipality or municipalities representing in total at least 15% of the population of said county. If such petition is so filed, the proposal for the establishment of a county college shall be submitted to the registered voters of said county at the next general election.

Where a county college is to be established by more than one county, similar resolutions authorizing the establishment of such county college shall be passed by the board of chosen freeholders in each participating county. If a petition such as

is described above is filed in one or more said participating counties, then the proposal for the establishment of a county college shall be submitted to the registered voters of the county or counties in which such petition or petitions are filed.

The county clerk of each participating county shall notify the commissioner and the board of chosen freeholders of each other participating county upon the elapse of 45 days after the passage of the resolution in said county whether the question of the establishment of a county college is to be submitted to the registered voters of said county at the next general election.

C. 18:22-103. Notice of referendum published; instructions to voter; question; notice of results.

4. If a proposal for the establishment of a county college is to be submitted to the registered voters of the county, the county clerk shall have published at least 10 days before said general election notice thereof in a newspaper circulating in the county and the county clerk shall have printed or cause to be printed on the 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 a county college be established in ..... pursuant to "An act concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor." approved .....?
	No.	

If a county college is to be established in one county, the name of the county, and if it is to be established in more than one county, the names of

the counties, should be inserted in the question and the date of approval of this act should also be inserted in the appropriate blank of said question.

In any county 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.

If the question of the establishment of a county college is submitted to the people of the county, that county clerk shall send notice of the results of said election to the commissioner and the board of chosen freeholders of each of the participating counties.

C. 18:22-104. Establishment of county college; notice by commissioner.

5. If at said election the proposal for the establishment of the county college is approved by a majority of all the votes cast both for and against said question in the county, then the board of chosen freeholders shall proceed to establish a county college.

Where the county college is to be established by more than one county, then the boards of chosen freeholders of the participating counties shall not establish a county college until the commissioner notifies said boards that a similar resolution of the board of chosen freeholders in each participating county has become effective upon the elapse of the 45-day period or the proposal for the establishment of a county college has been approved by a majority of the registered voters of said county at a general election.

C. 18:22-105. Not to establish county college; procedure for new proposal; limitation.

6. If a majority of the votes in a county are cast against a proposal for the establishment of a county college, the board of chosen freeholders of such county may not establish a county college unless thereafter the board:

(a) Submits a petition to the State board in accordance with the provisions of section 2 of this act, and

(b) Submits a proposal for the establishment of a county college at a general election and has it

approved by a majority of the votes of the county voting thereon.

The board of chosen freeholders shall not resubmit a proposal which has been defeated to the voters of the county before the third general election thereafter, however, an alternate proposal may be submitted at any general election.

C. 18:22-106. Rules and regulations; scope.

7. The State board shall establish rules and regulations governing:

(a) The establishment of county colleges; and

(b) The operation of county colleges which shall include but need not be limited to:

(1) accounting systems, auditing and other financial controls,

(2) determining tuition rates,

(3) attendance of nonresident pupils,

(4) standards for granting diplomas, certificates or degrees, and

(5) minimum qualifications for professional staff members.

C. 18:22-107. Board of trustees; apportionment of members by commissioner.

8. For each county college there shall be a board of trustees, consisting of the county superintendent of schools and 8 persons to be appointed by the director of the board of chosen freeholders with the advice and consent of that board.

When a county college is established by more than one county the board of trustees shall be increased by 2 members for each additional participating county. The membership of the board of trustees shall be apportioned by the commissioner among the several counties as nearly as may be according to the number of inhabitants in each county as shown by the last Federal census, officially promulgated in this State. Each apportionment shall continue in effect until a reapportionment shall become necessary by reason of the official promulgation of the next Federal census or the enlargement of the board by the admission of one or more additional counties as provided for in section 24 of this act. Each county shall be en-

titled to have at least one member and the county superintendent of the schools of said county on the board of trustees.

C. 18:22-108. Qualifications for trustees; term; vacancies; initial terms; beginning of term.

9. Appointed members of the board of trustees shall be citizens of the United States who have been residents of the county appointing them for a period of 4 years prior to said appointment. The term of office of appointed members, except for the first appointments, shall be for 4 years. Each member shall serve until his successor shall have been appointed and qualified.

Vacancies shall be filled in the same manner as the original appointment for the remainder of the unexpired term. Members shall serve without compensation but shall be entitled to be reimbursed for all reasonable and necessary expenses.

In the case of a county college established by one county, the term of office of members initially appointed to the board of trustees shall be as follows: 2 persons shall receive terms of 1 year, 2 terms of 2 years, 2 terms of 3 years and 2 terms of 4 years.

In the case of a county college established by more than one county, the commissioner shall fix the terms of the members initially appointed to the board of trustees so that as nearly as possible, ¼ of the appointed members will receive terms of 4 years, ¼ terms of 3 years, ¼ terms of 2 years and the remainder terms of 1 year. Such terms shall be allocated by the commissioner among the participating counties, in accordance with the number of members on the board of trustees appointed to each county, starting with the terms of 4 years, by allocating one of such terms to each of the participating counties in alphabetical order of the names of such counties, and continuing, still in such order, with the terms of 3 years, the terms of 2 years and the terms of 1 year.

Members initially appointed to the board may serve from the time of their respective appointments, but the term of such office shall be deemed to commence as of November 1 of the year in which the appointment was made.

C. 18:22-109. Annual organization.

10. The board of trustees of a county college shall organize annually on the first Monday in November by the election of a chairman, vice-chairman and such other officers as the board shall determine.

C. 18:22-110. Body corporate; duties; report.

11. The board of trustees shall be a body corporate and shall be known as the "Board of Trustees of ....." (here insert the name of the county college).

The board of trustees, in accordance with the rules and regulations of the State board, shall have custody of and be responsible for the property of the college and shall be responsible for the management and control of said college. The board shall make an annual report in the manner prescribed by the State board to the commissioner and to the board of chosen freeholders of each participating county.

C. 18:22-111. Powers.

12. For the effectuation of the purposes of this act, the board of trustees of a county college, in addition to such other powers expressly granted to it by this act and subject to the rules and regulations of the State board, is hereby granted the following powers:

(a) To adopt or change the name of the county college;

(b) To adopt and use a corporate seal;

(c) To sue and be sued;

(d) To determine the educational curriculum and program of the college;

(e) To appoint and fix the compensation and term of office of a president of the college who shall be the executive officer of the college and an ex officio member of the board of trustees;

(f) To appoint, upon nomination of the president members of the administrative and teaching staffs and fix their compensation and terms of employment subject to the provisions of section 13 of this act;

(g) To appoint or employ such other officers, agents and employees as may be required to carry out the provisions of this act and to fix and deter-

mine their qualifications, duties, compensation, terms of office and all other conditions and terms of employment and retention;

(h) To fix and determine tuition rates and other fees to be paid by students;

(i) To grant diplomas, certificates or degrees;

(j) To enter into contracts and agreements with the State or any of its political subdivisions or with the United States, or with any public body, department or other agency of the State or the United States or with any individual firm or corporation which are deemed necessary or advisable by the board for carrying out the provisions of this act;

(k) To accept from any government or governmental department, agency or other public or private body or from any other source grants or contributions of money or property which the board may use for or in aid of any of its purposes;

(l) To acquire (by gift, purchase, condemnation or otherwise), own, lease, use and operate property, whether real, personal or mixed, or any interest therein, which is necessary or desirable for college purposes;

(m) To determine that any property owned by the county college is no longer necessary for college purposes and to sell the same at such price and in such manner and upon such terms and conditions as shall be established by the State board;

(n) To exercise the right of eminent domain pursuant to the provisions of Title 20 of the Revised Statutes to acquire any property or interest therein;

(o) To make and promulgate such rules and regulations, not inconsistent with the provisions of this act or with the rules and regulations of the State board, that are necessary and proper for the administration and operation of a county college and to implement the provisions of this act; and

(p) To exercise all other powers not inconsistent with the provisions of this act or with the rules and regulations of the State board which may be reasonably necessary or incidental to the establish-

ment, maintenance and operation of a county college.

C. 18:22-112. Rights and privileges of personnel.

13. The teaching staff employees and administrative officers other than the president of the county college are hereby held to possess all the rights and privileges of teachers employed by local boards of education. The president and teaching staff members shall be eligible for membership in the Teachers' Pension and Annuity Fund.

For the benefit of its other officers and employees, the county college, as a public agency, may elect to participate in the Public Employees' Retirement System.

C. 18:22-113. Lease of property authorized.

14. Counties, municipalities, school districts or special schools may sell, give or lease any of their property to the board of trustees of a county college pursuant to the rules and regulations of the State board.

C. 18:22-114. Board of school estimate.

15. Each county college shall have a board of school estimate.

In the case of a county college established by one county, such board shall consist of the chairman of the board of chosen freeholders, 2 members of the board of chosen freeholders appointed by that board and 2 members of the board of trustees appointed by that board.

In the case of a county college established by more than one county, such board shall consist of the chairman of the board of chosen freeholders from each participating county, one member of the board of chosen freeholders from each participating county appointed by that board and one member of the board of trustees from each participating county appointed by that board.

C. 18:22-115. Appointed annually; secretary fix and determine amount of money needed.

16. Appointments to the board of school estimate shall be made annually on or before December 1 and any vacancy in the board's membership shall be filled by the board which originally appointed the members. The secretary of the board of trustees shall be the secretary of the board of school estimate but shall receive no additional compensation therefor.

The board of school estimate shall fix and determine the amount of money necessary to be appropriated for use of the county college for the operation and capital outlay expenses for the school year, exclusive of the amount to be received from the State and other sources.

C. 18:22-116. Trustees to submit budget; board of school estimate to certify amount needed.

17. On or before February 1 in each year, the board of trustees of the county college shall prepare and deliver to each member of the board of school estimate an itemized statement of the amount of money estimated to be necessary for the operation and capital outlay expenses for the ensuing year.

Between February 1 and February 15 of each year, the board of school estimate shall fix and determine the amount of money necessary for the operation and capital outlay expenses of the college for the ensuing year, exclusive of the amount to be received from the State and from other sources.

The board of school estimate shall, on or before February 15 of each year, make a certificate of such amount signed by at least a majority of its members. Copies thereof shall be delivered to the commissioner, to the board of trustees of the college and to each participating board of chosen freeholders.

In the case of a county college established by more than one county, the amount to be raised for the annual operation and capital outlay expenses shall be apportioned among the participating counties upon the basis of appropriation valuations, as defined in section 54:4–49 of the Revised Statutes. In such case, the certificate of the board of school estimate shall certify the proportioned part of the total to be raised by each participating county.

C. 18:22-117. Freeholders to make appropriation for operating expenses.

18. The board of chosen freeholders shall, upon receipt of the certificate, appropriate the amount of the operation expenses certified therein, in the same manner as other appropriations are made by said board and the amount shall be assessed, levied and collected in the same manner as moneys ap-

propriated for other purposes in the counties are appropriated, levied and collected.

C. 18:22-118. Appropriation for capital outlay expenses.

19. The board of chosen freeholders shall, upon receipt of the certificate, appropriate the amount of the capital outlay expenses certified therein by either:

(a) The method provided for in section 18 of this act; or

(b) An ordinance authorizing the borrowing of such amount and securing the repayment thereof, together with the interest thereon, by the issuance of bonds in the name of the county. The bonds so issued shall be desginated "county college bonds." They shall be issued and sold pursuant to the Local Bond Law. No county shall issue such bonds if the amount thereof together with the amount of prior outstanding county college bonds shall exceed an amount equal to ½ of 1% of the equalized valuation of property in said county unless such bond issue shall first have been approved by the commissioner and the Division of Local Government.

C. 18:22-119. Raising additional money; purposes; board of estimate to fix and certify the amount.

20. If the board of trustees shall determine that it is necessary in any school year to raise money in addition to the amount in its annual budget for such year for:

(1) current expenses for the operation and maintenance of the college when the amount necessary therefor was underestimated in the budget;

(2) repair or utilization of property destroyed or made unsuitable by accident or other unforeseen cause; or

(3) meeting emergencies arising since the preparation of such budget; the board shall prepare and deliver to each member of the board of school estimate a statement of the amount of money determined to be necessary therefor.

The board of school estimate shall meet within a reasonable time after the delivery of the statement and fix and determine the amount necessary for such purpose or purposes. In the case of a county college established by more than one county, the board shall apportion upon the basis of the appropriation valuations as defined in section 54:4–49 of

the Revised Statutes, such amount among the participating counties. The board shall then certify the amount so determined and apportioned to the and to each participating board of chosen free-commissioner, the board of trustees of the college holders.

The board of chosen freeholders, upon receipt of such certificate, shall appropriate the amount certified therein and shall raise such amount in the manner provided for by sections 18 and 19 of this act.

C. 18:22-120. Financing county college when first established.

21. Notwithstanding the time limitations specified in section 17 of this act, during the calendar year in which the board or boards of chosen freeholders first establish a county college, the board of trustees of the county college may prepare and deliver to the board of school estimate of the college an estimate of the amount necessary to finance the county college until the first regular budget is adopted and available.

The board of school estimate shall meet within a reasonable time after the delivery of said estimate and shall fix and determine the amount necessary to so finance the county college and, if more than one county participated in establishing the county college, shall apportion said amount upon the basis of apportionment valuations as defined in section 54:4–49 of the Revised Statutes. The board shall then certify the amount so determined to the commsisioner, the board of trustees of the college and to the board of chosen freeholders of each participating county.

The board of chosen freeholders shall, upon receipt of the certification, appropriate its share of said amount in the manner provided for by sections 18 and 19 of this act.

C. 18:22-121. State board to formulate annual budget requests for State support.

22. The State board shall formulate annual budget requests for State support of county colleges. Within the limits of funds appropriated to the State board for such purposes and in accordance with rules and regulations prescribed by the State board, the board of trustees of a county college may apply to the State board and receive State support:

(a) For capital projects approved by the State board in amounts not to exceed ½ of the cost of said capital projects, and

(b) For operational costs to the extent of ⅓ thereof or $200.00 per equated full-time student, including such students resident in other counties, whichever is the lesser amount.

State support for the operational costs of county colleges shall be made within limits of State appropriation and only after an annual review and approval by the State board of the financial program for operation of the county college, including the charges to be made for student tuition and fees and the establishment of the county share of said costs.

C. 18:22-122. May pay tuition.

23. The county board of chosen freeholders in any county not operating a county college may, subject to regulations of the State board and in accordance with uniform standards based upon scholarship and financial need, pay the tuition for any of their residents who attend any county college which is financed in part from State funds.

The board of trustees of a county college shall accept pupils from any county which does not have its own county college to the extent that the college's facilities will permit.

C. 18:22-123. May allow additional county or counties to participate in operation of county college.

24. If the board of trustees of a county college shall determine that it is in the best interest of the college to allow one or more additional counties to join in the operation of said county college and the board or boards of chosen freeholders of the county or counties then operating the county college shall approve, said board of trustees and the commissioner, pursuant to the rules and regulations of the State board, shall fix the terms and conditions under which said additional county or counties may participate in the operation of the county college.

C. 18:22-124. Construing.

25. Nothing in this act shall be construed to prohibit or prevent the referenda procedure specified in chapter 37 of Title 19 of the Revised Statutes.

NOTE: Act effective.

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

Approved May 14, 1962.

CHAPTER 42

AN ACT authorizing boards of chosen freeholders of any county to make appropriations for junior colleges.

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

C. 40:23-8.2a. Authorized to make appropriations for junior colleges.

1. It shall be lawful for the board of chosen freeholders of a county having a population in excess of 300,000 and they are hereby authorized and empowered to make appropriations for and pay to any accredited nonprofit junior college established and located in said county for the maintenance, support and operation of said educational institution.

2. This act shall take effect immediately.

Approved May 14, 1962.

CHAPTER 43

AN ACT granting certain emergency powers to the Commissioner of Banking and Insurance.

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

C. 17:2A-1. Terms defined.

1. For the purposes of this act:

(a) "Mortgage loan" means:

(1) A loan made by a financial institution, secured by a mortgage constituting a lien upon real property or upon a lease of the fee of real property; and,

(2) An existing mortgage or part interest thereof purchased by a financial institution and constituting a lien upon real property or upon a lease of the fee of real property.

(b) "Financial institution" means any bank, savings bank, savings and loan association, building and loan association or insurance company organized or doing business under the laws of this State and supervised by the Commissioner of Banking and Insurance.

(c) "Disaster area" means any area of this State which has been proclaimed by the President of the United States or the Governor of this State or any official lawfully succeeding to their respective duties to be a disaster area within the meaning of applicable Federal or State law.

(d) "Period of emergency" means a period terminating one year from the date an area was proclaimed to be a disaster area, unless extended as provided in section 5 of this act.

C. 17:2A-2. Rules and regulations; scope.

2. The Commissioner of Banking and Insurance may adopt rules and regulations affecting financial institutions which hold, make or purchase mortgage loans within a disaster area during a period of emergency.

Such rules and regulations may, to the extent deemed necessary by the commissioner, authorize financial institutions to refinance, compromise, adjust or otherwise relax provisions of mortgage loans held by them on property within a disaster area, or to make or purchase mortgage loans on such property notwithstanding any law of this State concerning ratio of mortgage loans to appraised value, rank of lien, minimum amortization, maximum maturity date, prior appraisals, or other limitations which the commissioner determines should be waived, modified or relaxed during a period of emergency.

C. 17:2A-3. Factors to be considered in promulgating the rules and regulations.

3. In the adoption, implementation and administration of such emergency rules and regulations, the commissioner shall consider the interest of disaster victims, the welfare of the public generally and the safety of the financial institutions involved. The commissioner shall have no power to relax, waive or modify any statutory limitation upon permissible rates or lawful interest charges. He

shall incorporate in such regulations precautions necessary to prevent the use of any broadened mortgage powers permitted by rule or regulation in connection with real property not destroyed, damaged or materially affected by the disaster.

C. 17:2A-4. Rules and regulations operative upon declaration of commissioner.

4. Whenever a disaster area is so proclaimed, the Commissioner of Banking and Insurance shall review promptly conditions in the area in order to determine the extent of destruction and damage to real property. If he shall determine, within the standards set forth in section 3 of this act, that exercise of the emergency powers herein delegated is warranted, he may declare operative for such disaster area all or any portion of the rules and regulations adopted pursuant to section 2 of this act. The declaration shall be publicly announced and circulated in newspapers and financial publications throughout the State. Unless the operative period is sooner terminated by the commissioner, such rules and regulations shall be applicable for mortgage loan transactions entered into with respect to property in the disaster area during the period of emergency.

C. 17:2A-5. Extension of period of emergency.

5. The commissioner may, upon publication and filing of his finding that emergency conditions concerning mortgage loans still prevail in a disaster area, extend for not more than 6 months the termination date of any period of emergency as hereinabove defined.

6. This act shall take effect immediately.

Approved May 14, 1962.

CHAPTER 44

AN ACT concerning municipalities and supplementing "An act concerning civilian defense and disaster control during an emergency," approved May 23, 1942 (P. L. 1942, c. 251), as said Title was amended by P. L. 1953, c. 438.

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

App. A:9-51.1. Terms defined.

1. As used in this act unless a different meaning clearly appears:

(a) "Disaster area" means any area of the State in which an emergency has been proclaimed to exist by the President of the United States or the Governor of the State.

(b) "Period of emergency" means a period terminating 6 months from the date an area was designated a disaster area.

(c) "Prohibited area" means the part or parts of a municipality subject to the municipal ordinance authorized by this act.

App. A:9-51.2. Ordinance prohibiting construction, repair, etc., of buildings in disaster area.

2. The governing body of any municipality in a disaster area may, by ordinance, prohibit the construction, reconstruction or repair of buildings and structures in any part of the municipality if it shall find that:

(a) essential facilities such as roads and water and sewerage systems will not be available and usable during the period of emergency or any part thereof; or

(b) the damage or loss to buildings and structures in the prohibited area exceeds an amount equal to 20% of the total assessed value based at 100% of true value, at the time of the disaster, of the buildings and structures in such area.

App. A:9-51.3. Application of ordinance and provisions.

3. Such ordinance shall designate the specific part or parts of the municipality to which it shall apply and shall further provide that:

(a) repairs may be made to any building or structure within the prohibited area if the cost of such repairs will not exceed an amount equal to 40% of the assessed value of the building or structure based at 100% of true value at the time of damage; and

(b) repairs may be made to any building or structure to the extent necessary to maintain such building or structure in a safe and sound condition. If such repairs are not possible or feasible, the ordinance shall authorize the demolition of the building or structure.

App. A:9-51.4. Ordinance operative.

4. Any ordinance passed pursuant to the provisions of this act shall remain in force and effect for the period of the emergency or such lesser period of time as the ordinance shall provide.

5. This act shall take effect immediately.

Approved May 14, 1962.

CHAPTER 45

AN ACT concerning construction safety and establishing a Construction Safety Council in the Department of Labor and Industry, supplementing Title 34 of the Revised Statutes and repealing sections 34:3–1 to 34:3–20, inclusive, section 34:3–23, sections 34:5–1 to 34:5–23, inclusive, sections 34:5–33 to 34:5–162, inclusive, sections 34:5–164 and 34:5–165, of the Revised Statutes.

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

C. 34:5-166. Short title.

1. This act shall be known and may be cited as the "Construction Safety Act."

C. 34:5-167. Terms defined.

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

a. "Act" means this act and rules and regulations promulgated and adopted hereunder.

b. "Approved" means approved by the commissioner.

c. "Bureau" means Bureau of Engineering and Safety in the Division of Labor, Department of Labor and Industry.

d. "Commissioner" means the Commissioner of the Department of Labor and Industry, or his authorized representative.

e. "Council" means the Construction Safety Council established under this act.

f. "Department" means the Department of Labor and Industry.

g. "Employee" means any person suffered or permitted to work by an employer, having a specific regard to any of the activities included in section 3 of this act.

h. "Employer" means any corporation, partnership, individual proprietorship, joint venture, firm, company or other similar legal entity engaged in activities included in section 3 of this act or any person acting in the direct interest of any of the foregoing in relation to any employee or place of employment, having specific regard to any of the activities included in section 3 of this act.

i. "Place of employment" means any place in or about which an employee is suffered or permitted to work having specific regard to any of the activities included in section 3 of this act.

C. 34:5-168. Employer to comply with requirements.

3. Any employer engaging in any activity related to the erection, construction, alteration, demolition, repair or maintenance of buildings, structures, bridges, highways, roadways, dams, tunnels, sewers, underground buildings or structures, underground pipelines or ducts and all other construction projects or facilities, shall comply with all requirements reasonably necessary for the health and safety of employees and the general public. Such requirements shall be set forth only in rules and regulations adopted under this act.

C. 34:5-169. Making and promulgating rules and regulations.

4. The commissioner shall make and promulgate rules and regulations reasonably necessary to implement the purposes of this act. Such rules and regulations shall go into effect 90 days following promulgation or at such later date as the rules and regulations shall provide unless disapproved by a majority of the council or there is a vote for disapproval pending as provided for herein. The commissioner shall consult and seek the advice of interested and qualified associations, agencies and persons. A notice of intent to promulgate proposed rules and regulations shall be published by the commissioner at least 30 days prior to the promulgation of such rules and regulations. This notice of intent shall state briefly the purpose of the proposed rules and regulations and shall state that a copy of the proposed rules and regulations may be obtained by any person upon written request to the department. A copy of the proposed rules and regulations shall be furnished to every member of the council when such notice is published. Within 30 days after promulgation of proposed rules and regulations and on 10 days' notice, the commissioner shall call a meeting of the council for the purpose of discussing said proposed rules and regulations.

At any time within 90 days after promulgation and upon written request to the commissioner by 2 members of the council asking for a vote of the council to disapprove a proposed rule or regulation, a meeting shall be called by the commissioner within 10 days. At any meeting called for such purpose disapproval shall be by vote of a majority of the members of the council. Pending such meeting and vote of the council, no rules or regulations the subject of a vote may become effective.

C. 34:5-170. Enforcement.

5. The commissioner shall enforce the provisions of this act, make complaints against persons violating its provisions and prosecute violations of the same.

The commissioner shall have the power and authority to examine and inspect any part of any

project or facility included in section 3 of this act, and to make such investigation as is reasonably necessary to carry out the provisions of this act.

No person shall obstruct, hinder or delay or interfere with by force or otherwise the performance by the commissioner of any duty under the provisions of this act.

If upon inspection the commissioner discovers a condition which exists in violation of the provisions of this act he shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. Said order shall state the items which are in violation of the provisions of this act and shall provide a reasonable specified time within which the violations must cease. The person responsible shall make the corrections necessary to comply with the requirements of this act within the time specified in the order.

If the violation constitutes an imminent hazard and the commissioner's order is not obeyed, he shall forthwith order the cessation of work and shall prohibit the employment of any persons within the hazardous area except for the purpose of eliminating the imminent hazard. Upon notice received from the person responsible that the imminent hazard has been eliminated, a reinspection shall be made within one working day. If upon reinspection the commissioner determines that the imminent hazard has been eliminated, work may be resumed immediately. If the reinspection is not made within one working day following said notice, work may be resumed. Where the person responsible denies that a violation constituting an imminent hazard exists, he shall have the right to apply to the commissioner for a hearing which must be afforded and a decision rendered within 48 hours of the request for a hearing. If the commissioner rules against the petitioning party, he shall have the right to apply for injunctive relief against the order to cease work. Jurisdiction for such injunctive relief shall be in the Law Division of the Superior Court of New Jersey, but the only issue to

be determined shall be the existence of a violation constituting an imminent hazard. Such relief may be sought by an Order to Show Cause and may be granted ex parte pending a hearing of the matter.

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.

C. 34:5-171. Commissioner may grant exceptions; application; records.

6. The commissioner shall have the power and authority to grant exceptions from the literal requirements of rules and regulations promulgated under this act. Such exception shall be granted in any particular case only where it is clearly evident that it is necessary to prevent undue hardship or where existing conditions prevent compliance. In no case shall any exception be granted unless in the opinion of the commissioner reasonable protection of the health and safety of workers and the public will be maintained thereby. An application for an exception shall be filed in writing with the commissioner, setting forth specifically the requirements of the rules and regulations from which an exception is desired and the reason why enforcement of the applicable provisions of the rules and regulations is unreasonable. The commissioner shall grant or deny the exception within 30 days from the date of receipt by him of the application. The commissioner shall maintain a record of all exceptions granted and shall make such record reasonably available for public examination and shall mail a copy of all rulings granting exceptions to the members of the council.

C. 34:5-172. Construction safety council established; members; terms; vacancies; expenses; meetings.

7. There is hereby established within the department a Construction Safety Council. The council shall consist of 15 members; 14 appointed by the Governor, and the commissioner who shall serve as chairman. Members appointed by the Governor shall be appointed for a 4-year term commencing on July 1 of the year of appointment except that of those first appointed, 4 shall be appointed for a term of 1 year, 4 for a term of 2 years, 3 for a term of 3 years and 3 for a term of

4 years, which terms shall commence on July 1, 1962. Each member shall hold over after the expiration of his term until his successor has been appointed and has qualified.

Of the members appointed by the Governor; 2 members shall be selected to represent the public, one member shall be selected from a list of names submitted by the Associated General Contractors Association of New Jersey, one member from a list of names submitted by the Building Contractors Association of New Jersey, one member from a list of names submitted by the National Electrical Contractors Association, New Jersey Chapter, Inc., one member from a list of names submitted by the Mechanical Contractors Association of N. J., Inc., one member from a list of names submitted by the New Jersey Home Builders Association, 1 member from a list of names submitted by the Structural Steel & Ornamental Iron Association, 4 members from a list of names submitted by the New Jersey State Building and Construction Trades Council, one member from a list of names submitted by the New Jersey Society of Professional Engineers and one member from a list of names submitted by the New Jersey Society of Architects. At least 3 names shall be submitted by each organization for each member that is to be appointed from its list.

Vacancies shall be filled only for the unexpired term and in the manner provided for the original appointment.

The members of the council shall serve without compensation except for the actual expenses incurred while engaged in their duties as members of the council. It shall be the duty of the council to advise the commissioner in matters relating to the administration of this act. The council shall meet at least every 6 months and at such time as the commissioner may designate at the time and place selected by him. A meeting of the council shall be called by the commissioner when requested by any 3 members of the council. The head of the Bureau

of Engineering and Safety shall serve as secretary of the council.

C. 34:5-173. Construction safety section created.

8. There is hereby created a Construction Safety Section in the Bureau of Engineering and Safety in the Division of Labor, Department of Labor and Industry, the function of which shall be, under the direction of the commissioner, to administer and enforce the provisions of this act, and to perform such other duties as the commissioner may direct or as may be provided by law.

C. 34:5-174. Chief engineer, qualifications; inspectors; civil service.

9. The commissioner shall appoint a licensed professional engineer of this State who has had 5 years experience in any of the construction activities listed in section 3 of this act as chief engineer in charge of the Construction Safety Section established in this act. Construction safety inspectors shall have a minimum of 5 years experience in construction work. All such appointments shall be made in accordance with the provisions of Title 11 of the Revised Statutes, Civil Service.

C. 34:5-175. Fatal accidents to be reported.

10. Whenever loss of life or serious accident shall occur at a place of employment covered by this act, the commissioner may require the person in charge to report such loss of life or serious accident to the department in the quickest manner possible, and, in addition, to report in writing the pertinent facts concerning the accident and the injured or deceased persons within 24 hours after such occurrence in a manner prescribed by the commissioner.

C. 34:5-176. Records, etc., not admissible as evidence.

11. The record or determination of any proceeding under this act or any statement or report of any kind whatsoever obtained or received in connection with the administration or enforcement of the provisions of this act shall be privileged and not admissible as evidence in a court of law in a civil action for any purpose whatsoever, except such actions that may be brought for the enforcement of this act.

C. 34:5-177. Not to increase burden of care.

12. This act shall not in any way increase the burden of care ordinarily imposed by the common law of the State upon those within its jurisdiction.

C. 34:5-178. Penalties.

13. Any employer or any officer, agent or employee thereof who violates any of the provisions of this act shall be liable to a penalty of not less than $25.00 nor more than $500.00 to be collected in a civil action by a summary proceeding under the penalty enforcement law (N. J. S. 2A:58–1 et seq.). Any violation of the act by an officer, agent or employee shall also be a violation of the act by his employer if he had actual control over the cause of such violation. Where the violation is of a continuing nature, each day during which it continues after the date given by which the violation must be eliminated in accordance with the order of the commissioner shall constitute an additional separate and distinct offense, except during the time an appeal from said order may be taken or is pending.

The commissioner is hereby authorized and empowered to compromise and settle any claim for a penalty under this section in such amount in the discretion of the commissioner as may appear appropriate and equitable under all of the circumstances.

C. 34:5-179. Provisions not altered.

14. This act is not intended to alter in any way the duties of persons to take precautions in the proximity of high voltage lines imposed by P. L. 1948, c. 249.

C. 34:5-180. Application of act.

15. This act shall not apply to any employer subject to the provisions of section 34:6–141 of the Revised Statutes, to any employer subject to the provisions of chapter 197 of the laws of 1954, to any public utility subject to the jurisdiction of, control, supervision and regulation by the Board of Public Utility Commissioners in the Department of Public Utilities of this State, to any public utility subject to the jurisdiction of, control, supervision and regulation by a Federal regulatory body, or to natural gas pipeline utilities subject to the provisions of the New Jersey Natural Gas Safety Act (chapter 166 of the laws of 1952).

C. 34:5-181. Repealer; rules and regulations to remain effective for 6 months.

16. Sections 34:3–1 to 34:3–20, inclusive, section 34:3–23, sections 34:5–1 to 34:5–23, inclusive, sections 34:5–33 to 34:5–162, inclusive, sections

34:5–164 and 34:5–165 of the Revised Statutes are hereby repealed; provided, however, that any rules and regulations adopted pursuant to the provisions of any section repealed herein shall remain in force and effect until 6 months following the effective date of this act or until sooner replaced by rules and regulations adopted under the provisions of this act.

17. This act shall take effect immediately.

Approved May 15, 1962.

CHAPTER 46

AN ACT authorizing counties and municipalities to enter into agreements with out-of-State counties and municipalities to establish regional or area advisory councils, regulating the content of such agreements and the membership, powers and functioning of such advisory councils.

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

C. 32:25-1. Short title.

1. This act shall be known and may be cited as the "Regional Advisory Council Act of 1962."

C. 32:25-2. Terms defined.

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

(a) "Commissioner" means the Commissioner of Conservation and Economic Development or his designated representative;

(b) "Governing body" means and includes the board of chosen freeholders of a county and the governing body of a municipality;

(c) "Local unit" means and includes a county or municipality of this State and refers to comparable local public agencies of other States;

(d) "Participating local unit" means a local unit which is a member of a regional or area advisory council established pursuant to this act;

(e) "Regional or area advisory council," "advisory council" or "council" means an advisory council created pursuant to this act or similar boards or councils created pursuant to the laws of any other State.

C. 32:25-3. Regional or area agreements authorized; officials; public hearing.

3. The governing body of any local unit of this State is hereby authorized to enter into regional or area agreements with any local unit or units of this State and any other State or States for the establishment of a regional or area advisory council to recommend programs and policies for the participating local units for co-operative or uniform action in dealing with common governmental and community problems.

The governing body of any local unit of this State may authorize the appropriate officials of such local unit to enter into such an agreement by ordinance or resolution, as the case may be. Prior to the passage of said ordinance or resolution, a public hearing shall be held in the local unit. Notice of such public hearing shall be published at least once in a newspaper having a general circulation in the local unit not less than 10 days prior to the date designated therein for such hearing. The notice shall contain a brief description of the regional or area agreement which shall specify the time and place of the hearing.

C. 32:25-4. Agreements not effective; requirements.

4. A regional or area agreement or any modification, extension or amendment thereof shall not become effective unless:

(a) The commissioner finds that such agreement will serve the general public interest and will not substantially duplicate the services of any existing agreement and approves the provisions thereof;

(b) The Attorney General certifies that the agreement complies with the laws and public policy of New Jersey and with the provisions of this act; and

(c) A copy of the agreement or any modification, extension or amendment thereof is filed with the clerk of the governing body of each participating local unit.

C. 32:25-5. Contents of agreement.

5. Each regional or area agreement shall contain provisions concerning the following:

(a) The purpose or purposes of the agreement and the council created thereunder;

(b) The territorial area to be served by the council. The agreement shall provide that the participating local units shall be located within said area;

(c) The specific functions, powers and duties of the council; and

(d) The representation of the participating local units on the advisory council. Each participating local unit of this State shall have at least one representative on any advisory council to which it is a member. Its representative or representatives shall be appointed by the governing body of the participating local unit or in such other manner as shall be prescribed by such governing body. The qualifications and terms of office of such representatives shall be prescribed by the appointing governing body subject to any applicable provisions in the regional or area agreement. Each representative shall serve without compensation but shall be entitled to receive traveling and other necessary expenses actually incurred in the performance of his duties. In any agreement, it may provide and, in agreements between local units of this State representing a total of more than one million persons in the State of New Jersey, according to the most recent Federal census, it shall provide that the commissioner shall be a nonvoting member of the council.

(e) The apportionment of the costs and expenses of the council between the participating local units. The apportionment of such costs and expenses may be based upon the valuation of property, population or such other factors or combination thereof as shall produce a reasonable apportionment of such costs and expenses. Such apportionment may take into consideration the value of any services or property contributed by any participating local unit.

(f) The permanent staff and employees of the council, if any, including provisions relating to the selection and appointment of personnel, the compensation to be paid and other benefits available to such personnel. The agreement shall provide whether such personnel are employees of the council or of one or more of the participating local units. For the purposes of the Public Employees' Retirement System, an advisory council established pursuant to this act shall be deemed to be a public agency.

(g) The composition of the executive board or body, if any, vested with the duty and responsibility of governing the operation of the council. Such provision shall provide for the annual selection of representatives on such a board or body. If the commissioner is a member of the council, he shall be a permanent member of such board or body but shall not exercise voting privileges.

(h) The duration of the agreement which shall not exceed 20 years and any appropriate provisions relating to the termination of the agreement prior to the designated period of duration.

(i) Such other provision as shall be necessary to implement the provisions of this act and the purposes of the agreement or as shall be required by the commissioner to protect or promote the best interests of the State.

C. 32:25-6. Powers of advisory council.

6. An advisory council established pursuant to the provisions of this act shall have the power to conduct such studies and investigations as may be desirable or necessary to carry out the advisory functions assigned to it but the power and responsibility for implementing or operating any of the programs and policies recommended by the council shall be reserved to the local units and, where appropriate, to the respective States.

C. 32:25-7. Authorized to accept gifts, grants, etc.

7. An advisory council is hereby authorized to accept gifts, grants and contributions from public and private sources, provided, however, that it may not apply for or accept grants from the Federal Government or any agency thereof, until such grant

has been approved by the commissioner and is otherwise authorized by the laws of the respective States of which the participating local units shall be a part thereof.

C. 32:25-8. Annual audit; report.

8. Each advisory council shall have its accounts audited annually by an auditor. A copy of the audit shall be sent to each participating local unit, the commissioner and to the Division of Local Government, Department of the Treasury.

Each advisory council shall submit an annual report to the participating local units, the commissioner and the Governor.

C. 32:25-9. Report of advisory council to attorney general; contents; examination and investigation.

9. Each advisory council shall render to the Attorney General of this State reports concerning the activities of the area or regional council at such time, in such form and manner, and containing such information as shall be prescribed by the Attorney General. The Attorney General may examine and investigate the accounts and records of the staff and employees of the advisory council. For the purpose of such examination and investigation, the Attorney General may compel the appearance and atendance of any persons whose testimony may be required, may administer oaths, take testimony, issue subpœnas and compel the production of books and papers, in the manner prescribed by law. Each area or regional agreement shall expressly provide for the compliance by the staff and employees of the council with the directions of the Attorney General regarding the making of reports and shall expressly provide for the submission of such officers and employees to examinations by and investigations of the Attorney General as herein provided.

10. This act shall take effect immediately.

Approved May 18, 1962.

CHAPTER 47

AN ACT to amend and supplement "An act concerning the Trustees of Rutgers College in New Jersey, the State University of New Jersey, changing its name to Rutgers, the State University, reorganizing the board of trustees thereof, and creating a board of governors having general supervision over and vested with the conduct of the university, amending its charter, and repealing section 3 of chapter 49 of the laws of 1945, approved March 26, 1945 (P. L. 1945, page 115), and all acts and parts of acts inconsistent with this act," approved June 1, 1956 (P. L. 1956, c. 61).

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

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

Section amended.

C. 18:22-15.31. Membership board of governors; classification; terms; succession.

7. The membership of the board of governors shall be classified as follows and consist of

(a) two ex officio members, without vote, serving by virtue of their respective offices during the terms thereof, viz.,

(i) the Commissioner of Education of New Jersey, and

(ii) the president of the corporation; and

(b) eleven voting members,

(i) six of whom shall be appointed by the Governor of the State, with the advice and consent of the Senate, and

(ii) five of whom shall be appointed by the board of trustees from among their members elected and serving under the provisions of section 8 I (c) or (d) of this act.

All members shall serve for terms of 6 years, except that the terms of those initially appointed by the Governor shall begin on September 1, 1956, and expire respectively (as designated by him) 1, 2, 3, 4, 5 and 6 years after June 30, 1956, and the terms of those initially appointed by the board of trustees shall begin on September 1, 1956, and expire respectively (as designated by the board) 2, 3, 4, 5 and 6 years after June 30, 1956; all of whose respective successors shall be appointed to serve 6-year terms. Governors may succeed themselves for not more than one additional term after having served one full 6-year term (including an initial term beginning on September 1, 1956, and expiring on June 30, 1962).

Section amended.

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

C. 18:22-15.32. Membership board of trustees; classification; terms.

8. I. The membership of the board of trustees shall be classified as follows and consist of

(a) two ex-officio trustees, without vote, serving by virtue of their respective offices during the terms thereof, viz.,

(i) The Commissioner of Education of the State of New Jersey, and

(ii) the president of the corporation;

(b) eleven public trustees, appointed and to be appointed by the Governor of the State, with the advice and consent of the Senate, viz.,

(1) five public trustees, serving under section 4 of chapter 49 of the laws of 1945 (R. S. 18:22–15.4) for 5-year terms expiring respectively, 1, 2, 3, 4, and 5 years after June 30, 1956, whose respective successors shall be appointed upon the expiration of such terms and annually thereafter to serve 5-year terms; and

(2) six public trustees appointed governors under section 7 (b) (i) of this act and serving by virtue thereof for and during their respective initial and subsequent terms as governors;

(c) not less than 12 nor more than 20 trustees who shall be alumni or alumnae of Rutgers, the

State University as may be determined from time to time by the board of trustees, elected by the board in accordance with such rules, regulations and schedules, and modifications thereof, as may be prepared and adopted from time to time by the board, the terms of such alumni trustees or alumnae trustees to be 6 years for full terms, with power in the board to provide for shorter or interim terms when deemed by it to be advisable.

(d) Charter trustees (i) in the number of trustees serving as such on August 31, 1956 without definite term, who shall continue to serve indefinitely, provided, that upon the occurrence of any vacancy among such charter trustees, no successor shall be elected to fill such vacancy until such time as the number of such trustees has been reduced below 25, and thereafter vacancies within that number shall be filled by the board subject to the following paragraph II; (ii) 2 women elected by the board of trustees serving 6-year terms expiring respectively on June 30, 1963 and 1965 and one woman elected by the board of trustees serving a 5-year term expiring June 30, 1961, whose respective successors shall be elected by the board upon the expiration of such terms and thereafter to serve 6-year terms.

II. All trustees elected or appointed for terms commencing on or after September 1, 1956, other than those serving ex-officio pursuant to paragraph I (a) and (b) (1) of this section, shall serve for terms of 6 years (subject to the provisions of section 8 I (c) and section 9 (a)), and may succeed themselves for not more than one additional term after having served one full 6-year term.

III. The ex-officio members of the board of trustees as constituted on August 31, 1956, pursuant to the charter, statute, or resolutions of the board from time to time adopted, shall cease to be such members on August 31, 1956, with the exception of the Commissioner of Education, who, with the president of the corporation, shall continue as ex-officio trustees and be ex-officio governors, without voting power as hereinabove provided.

Section amended.

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

C. 18:22-15.33. Beginning and ending dates of terms; filling vacancies.

9. (a) The terms of all governors and trustees which are limited shall, unless otherwise expressly provided herein, commence on July 1 in the first year, and end on June 30 in the last year, of such term.

(b) In case a governor or a trustee is elected president or appointed Commissioner of Education and he thereby becomes a non-voting governor or trustee ex-officio, a vacancy in his prior office as governor or trustee shall thereby occur.

(c) In case a trustee is appointed a governor by the Governor of the State, and he thereby becomes a trustee during his term as governor, a vacancy in his prior office as trustee shall thereby occur.

(d) Any vacancy occurring during the term of any governor or trustee (other than by the expiration of his term) shall be filled for the unexpired term only in the same manner and subject to the same provisions as in the case of his appointment or election, subject, however, to the provisions of section 8 I (d).

C. 18:22-15.62. Act effective upon adoption of joint resolution.

4. This act shall take effect upon the adoption by the board of governors of Rutgers, The State University and the adoption by the board of trustees of Rutgers, The State University of a joint resolution accepting the provisions, benefits and obligations hereof which effectually amend the Charter of Rutgers, The State University so as to conform to the provisions hereof and the filing of a certificate of the adoption thereof in the office of the Secretary of State; provided that if such joint resolution shall not be adopted and such certificate be not filed within 3 months after the approval of this act, it shall thereupon become void and of no effect.

NOTE: Act effective.

5. This act shall take effect immediately, except in so far as herein above otherwise expressly provided.

Approved May 18, 1962.

CHAPTER 48

AN ACT concerning certain municipalities and supplementing "An act concerning civilian defense and disaster control during an emergency," and authorizing payment of claims from the Special Erosion Fund established by chapter 18, P. L. 1962, approved March 29, 1962.

Preamble.

WHEREAS, The shores and beaches of this State have been recently devastated by storms, floods and action of the sea to the extent that large sections of the sand barriers which protect the mainland have been washed away and eroded, thereby leaving the remainder of the sand barriers and the shore municipalities in imminent danger of further serious erosion and destruction with consequent peril to life and property; and

Preamble.

WHEREAS, The existence of this situation has clearly demonstrated the necessity for shore municipalities, under these and similar circumstances, to have clear authority for the undertaking of immediate emergency procedures; and

Preamble.

WHEREAS, The Legislature finds that such procedures may necessitate authority for the exercise of a right of immediate entry upon property for the purpose of demolishing and removing buildings and structures thereon, and for effecting improvements and repairs so as to prevent a recurrence of such condition; now, therefore,

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

App. A:9-51.5. Erection of protective barriers; resolution authorizing; entry before payment of compensation.

1. When the governing body of any municipality bordering on the Atlantic ocean or Delaware bay shall find that there exists a threat or danger to

life and property by reason of the damage to or the destruction of sand barriers and other natural or man-made barriers which protect the municipalities, and that it is necessary to the health, safety and welfare of the municipality to repair, restore, replace or construct such protective barriers, such governing body may, by resolution, as an exercise of the police power of the State designate the properties required for the purpose of providing such protective barriers and authorize the appropriate municipal or governmental officials or agencies or the representatives thereof to enter immediately upon such property to take control and possession thereof, and to do such acts as may be required, including removing, destroying or otherwise disposing of any property located thereon without first paying any compensation therefor.

Such resolution shall provide that no entry shall be made upon such property for a period of at least 10 days following the passage of such resolution, unless the governing body shall find that the public safety and interest requires that entry be made within a shorter period of time. In such case, entry may be made after the expiration of such time period as shall be fixed by the resolution.

App. A:9-51.6. Agreements for State or Federal aid; contents of agreement.

2. The governing body of any municipality subject to the provisions of this act may by resolution or, where required in order to receive aid from the State or the Federal Government to assist in providing protective barriers, by ordinance, authorize and direct the chief executive official of the municipality acting for and on behalf and in the name of the municipality to enter into such agreements with the State or the Federal Government or any agency thereof to do such acts or things as shall be necessary or convenient to secure such aid and assistance.

Such agreement may provide:

(a) That the municipality will hold and save harmless the State and Federal Government or any agency thereof free from damages which may arise out of the construction, repair, restoration

or replacement and the maintenance of such protective barriers undertaken by the State or the Federal Government or agency thereof in connection with any such agreement;

(b) That the municipality will provide, free of cost to the State and Federal Government, all lands, easements, rights of way or other areas within the municipality required in connection with the work undertaken by the State, the Federal Government or agencies thereof in respect of such agreement;

(c) That the municipality will undertake to maintain and preserve the protective barriers constructed, repaired, restored, or replaced by the State or Federal Government or agencies thereof;

(d) That the municipality will do such other acts as may be necessary to carry out the terms of the agreement.

App. A:9-51.7. Not to deny just compensation.

3. Nothing in this act shall be construed to deny to any person who has an interest in any property which has been possessed by the municipality the right to obtain therefor just compensation to the extent that such property shall have been taken by the municipality. No compensation shall be granted to any individual to the extent that the action of the municipality does not amount to a taking of property but to a reasonable regulation of property pursuant to a proper exercise of the police power.

App. A:9-51.8. Provisions to satisfy obligations.

4. (a) The governing body of the municipality to the extent that the municipality may incur a financial obligation by virtue of the provisions of this act shall satisfy such obligations:

(1) By appropriating the amount necessary by an emergency appropriation adopted pursuant to the provisions of the "Local Budget Law," N. J. S. 40A:4–1 et seq.; or

(2) By the adoption of a bond ordinance pursuant to the provisions of the Local Bond Law which ordinance shall be deemed to authorize obligations within the purposes set forth in section 40A:2–7 of the New Jersey Statutes.

(b) The county in which such municipality shall be located may, with the approval of the Director of the Division of Local Government, pursuant to resolution duly adopted, by its governing body, after notice published in a manner provided for by a resolution authorizing bonds of such county pursuant to the aforesaid Local Bond Law and with or without consideration and upon such terms and conditions as may be agreed to by and between any such county and municipality unconditionally guaranty to the punctual payment of the principal of and interest on any bonds of the municipality so issued for the purposes set forth in this act. Any guaranty of bonds of the municipality made pursuant to this section shall be evidenced by endorsement thereof on such bonds executed in the name of the county and on its behalf by such official thereof as may be designated in the resolution authorizing such guaranty and such county shall thereupon and thereafter be obligated to pay the principal of and interest on said bonds in the same manner and to the same extent as in the case of bonds issued by it. Any such guaranty of bonds of a municipality may be made, and any resolution authorizing such guarantee may be adopted notwithstanding statutory or other debt limitations, including particularly any limitation or requirement under or pursuant to the said Local Bond Law but the principal amount of bonds so guaranteed shall, after their issuance, be included in the gross debt of such county for the purposes of determining the indebtedness of such county under or pursuant to said Local Bond Law.

In order to meet the obligation for payment of principal of or interest on any such bonds by virtue of such guaranty, a county is hereby authorized to borrow the funds necessary to meet such obligation and to issue such promissory note or notes therefor payable within 2 years from the date of such borrowing to the extent that funds of such county are not otherwise available for such purpose.

The municipality shall repay to the county as soon as practicable all sums paid by the county by virtue of the aforesaid bond guaranty.

App. A:9-51.9. Commissioner authorized to accept claims; limitation; conditions for approval of claim.

5. The Commissioner of Conservation and Economic Development is hereby authorized to accept claims submitted to him by any municipality which has taken action pursuant to the provisions of this act for payment from the Special Beach Erosion Fund established by chapter 18, P. L. 1962, approved March 29, 1962, and to process such claims in accordance with the provisions of said chapter 18, P. L. 1962, but in no event shall the total amount of money paid out of such fund for such claims exceed the amount of $400,000.00. The commissioner may require as a condition of the approval of such claim that the municipality enter into an agreement with the commissioner on behalf of the State of New Jersey by which it will permit the beaches of the municipality to be used by the general public upon such reasonable terms and conditions as shall be established by the municipality and approved by the commissioner.

6. This act shall take effect immediately.

Approved May 21, 1962.

CHAPTER 49

AN ACT concerning unemployment compensation and amending section 43:21–19 of the Revised Statutes.

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

Section amended.

1. Section 43:21–19 of the Revised Statutes is amended to read as follows:

Terms defined.

43:21–19. As used in this chapter (R. S. 43:21–1 et seq.), unless the context clearly requires otherwise:

(a) (1) "Annual payroll" means the total amount of wages paid during a calendar year (regardless of when earned) by an employer for employment.

(2) "Average annual payroll" means the average of the annual payrolls of any employer for the last 3 or 5 preceding calendar years, whichever average is higher, except that any year or years throughout which an employer has had no "annual payroll" because of military service shall be deleted from the reckoning; the "average annual payroll" in such case is to be determined on the basis of the prior 3 or 5 calendar years in each of which the employer had an "annual payroll" in the operation of his business, if the employer resumes his business within 12 months after separation, discharge or release from such service, under conditions other than dishonorable, and makes application to have his "average annual payroll" determined on the basis of such deletion within 12 months after he resumes his business; provided, however, that "average annual payroll" solely for the purposes of paragraph (3) of subsection (e) of section 43:21–7 of this Title means the average of the annual payrolls of any employer, on which he paid contributions to the State disability benefits fund, for the last 3 or 5 preceding calendar years, whichever average is higher; provided further, that only those wages be included on which employer contributions have been paid on or before January 31 (or the next succeeding day if such January 31 is a Saturday or Sunday) immediately preceding the beginning of the 12 months' period for which the employer's contribution rate is computed.

(b) "Benefits" means the money payments payable to an individual, as provided in this chapter (R. S. 43:21–1 et seq.), with respect to his unemployment.

(c) "Base year" with respect to benefit years commencing on or after January 1, 1953, shall mean the 52 calendar weeks ending with the second

week immediately preceding an individual's benefit year.

(d) "Benefit year" with respect to any individual means the 364 consecutive calendar days beginning with the day on, or as of, which he first files a valid claim for benefits, and thereafter beginning with the day on, or as of, which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with subsection (a) of section 43:21–6 of this Title shall be deemed to be a "valid claim" for the purpose of this subsection if (1) no remuneration was paid or is payable for the day on which, or as of which he files a claim for benefits, and no work is available to him with his current employing unit on such day, or, he is unemployed for the week in which, or as of which, he files a claim for benefits; and (2) he has fulfilled the conditions imposed by subsection (e) of section 43:21–4 of this Title.

(e) "Division" means the Division of Employment Security of the Department of Labor and Industry established by chapter 446, P. L. 1948, and any transaction or exercise of authority by the director of the division thereunder, or under this chapter (R. S. 43:21–1 et seq.), shall be deemed to be performed by the division.

(f) "Contributions" means the money payments to the State unemployment compensation fund required by this chapter (R. S. 43:21–1 et seq.).

(g) "Employing unit" means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or subsequent to January 1, 1936, had in its employ one or more individuals performing services for it within this State. All individuals performing services within this State for any employing unit which

maintains 2 or more separate establishments within this State shall be deemed to be employed by a single employing unit for all the purposes of this chapter (R. S. 43:21–1 et seq.). Whenever any employing unit contracts with or has under it any contractor or subcontractor for any employment which is part of its usual trade, occupation, profession, or business, unless the employing unit as well as each such contractor or subcontractor is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, the employing unit shall for all the purposes of this chapter be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which such individual is engaged in performing such employment; except that each such contractor or subcontractor who is an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, shall alone be liable for the contributions measured by wages payable to individuals in his employ, and except that any employing unit who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer by reason of subsection (c) of section 43:21–8 of this Title or subsection (h) of this section, may recover the same from such contractor or subcontractor. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all the purposes of this chapter (R. S. 43:21–1 et seq.), whether such individual was hired or paid directly by such employing unit or by such agent or employee; provided, the employing unit had actual or constructive knowledge of the work.

(h) "Employer" means:

(1) Any employing unit which for some portion of a day, but not necessarily simultaneously, in each of 20 different weeks, whether or not such weeks are or were consecutive, within either the current

or the preceding calendar year, has or had in employment 4 or more individuals (irrespective of whether the same individuals are or were employed in each such day);

(2) Any employing unit (whether or not an employing unit at the time of acquisition) which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter (R. S. 43:21–1 et seq.);

(3) Any employing unit which acquired the organization, trade or business, or substantially all the assets thereof, of another employing unit and which, if treated as a single unit with such other employing unit, would be an employer under paragraph (1) of this subsection;

(4) Any employing unit which together with one or more other employing units is owned or controlled (by legally enforcible means or otherwise), directly or indirectly by the same interests, or which owns or controls one or more other employing units (by legally enforcible means or otherwise), and which, if treated as a single unit with such other employing unit or interest, would be an employer under paragraph (1) of this subsection;

(5) Any employing unit which, having become an employer under paragraphs (1), (2), (3) or (4) has not, under section 43:21–8 of this chapter (R. S. 43:21–1 et seq.) ceased to be an employer subject to this chapter (R. S. 43:21–1 et seq.); or

(6) For the effective period of its election pursuant to subsection (c) of section 43:21–8 of this chapter (R. S. 43:21–1 et seq.) any other employing unit which has elected to become fully subject to this chapter (R. S. 43:21–1 et seq.).

(i) (1) "Employment" means service, including service in interstate commerce performed for remuneration or under any contract of hire, written or oral, express or implied.

(2) The term "employment" shall include an individual's entire service performed within or both within and without this State if:

(A) The service is localized in this State; or

(B) The service is not localized in any State but some of the service is performed in this State, and (i) the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this State; or (ii) the base of operations or place from which such service is directed or controlled is not in any State in which some part of the service is performed, but the individual's residence is in this State.

(3) Services performed within this State but not covered under paragraph (2) of this subsection shall be deemed to be employment subject to this chapter (R. S. 43:21–1 et seq.) if contributions are not required and paid with respect to such services under an unemployment compensation law of any other State or of the Federal Government.

(4) Services not covered under paragraph (2) of this subsection, and performed entirely without this State, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other State or of the Federal Government, shall be deemed to be employment subject to this chapter (R. S. 43:21–1 et seq.) if the individual performing such services is a resident of this State and the division approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter (R. S. 43:21–1 et seq.); provided, written objections on the part of a substantial proportion of such individuals affected are not presented to the division within 10 days following the filing of such election.

(5) Service shall be deemed to be localized within a State if

(A) the service is performed entirely within such State; or

(B) the service is performed both within and without such State, but the service performed without such State is incidental to the individual's service within the State, for example, is temporary or transitory in nature or consists of isolated transactions.

(6) Services performed by an individual for remuneration shall be deemed to be employment subject to this chapter (R. S. 43:21–1 et seq.) unless and until it is shown to the satisfaction of the division that

(A) such individual has been and will continue to be free from control or direction over the performance of such service, both under his contract of service and in fact; and

(B) such service is either outside the usual course of the business for which such service is performed, or that such service is performed outside of all the places of business of the enterprise for which such service is performed; and

(C) such individual is customarily engaged in an independently established trade, occupation, profession or business.

(7) The term "employment" shall not include:

(A) Agricultural labor;

(B) Domestic service in a private home;

(C) Service performed by an individual in the employ of his son, daughter or spouse, and service performed by a child under the age of 21 in the employ of his father or mother;

(D) Service performed in the employ of this State or of any political subdivision thereof or of any instrumentality of this State or its political subdivisions;

(E) Service performed in the employ of any other State or its political subdivisions, or of the United States Government, or of an in-

strumentality of any other State or States or their political subdivision, or of the United States;

(F) Services performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, hospital, benevolent, philanthropic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(G) Services performed in the employ of fraternal beneficiary societies, orders, or associations operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system and providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association, or their dependents;

(H) Services performed as an officer or other employee of any building and loan association of this State, except where such services constitute the principal employment of the individual; services performed as an officer or other employee of any building and loan association where such association is a member of the Federal Home Loan Bank System; services performed as an officer or other employee of any bank which is a member of the Federal Reserve System;

(I) Service with respect to which unemployment insurance is payable under an unemployment insurance program established by an Act of Congress;

(J) Service heretofore or hereafter performed by agents of mutual fund brokers-dealers or insurance companies, exclusive of industrial insurance agents, or by agents of investment companies, who are compensated wholly on a commission basis;

(K) Services performed by real estate salesmen or brokers who are compensated wholly on a commission basis;

(L) Services performed in the employ of any veterans' organization chartered by Act of Congress or of any auxiliary thereof, no part of the net earnings of which organization, or auxiliary thereof, inures to the benefit of any private shareholder or individual;

(M) Service heretofore or hereafter performed for or in behalf of the owner or operator of any theatre, ballroom, amusement hall or other place of entertainment, not in excess of 10 weeks in any calendar year for the same owner or operator, by any leader or musician of a band or orchestra, commonly called a "name band," entertainer, vaudeville artist, actor, actress, singer or other entertainer;

(N) Services performed by an individual for a labor union organization, known and recognized as a union local, as a member of a committee or committees reimbursed by the union local for time lost from regular employment, or as a part-time officer of a union local and the remuneration for such services is less than $250.00 in a calendar year.

(j) "Employment office" means a free public employment office, or branch thereof operated by this State or maintained as a part of a State-controlled system of public employment offices.

(k) "Fund" means the unemployment compensation fund established by this chapter (R. S. 43:21–1 et seq.), to which all contributions required and from which all benefits provided under this chapter (R. S. 43:21–1 et seq.) shall be paid.

(l) "State" includes, in addition to the States of the United States of America, the District of Columbia.

(m) Unemployment.

(l) An individual shall be deemed "unemployed" for any week during which he is not engaged in full-time work and with respect to which his remuneration is less than his weekly benefit rate, including any week during which he is on vacation without pay; provided, such vacation is not the result of the individual's voluntary action.

(2) The term "remuneration," with respect to any individual for benefit years commencing on or after July 1, 1961, and as used in this subsection, shall include only that part of the same which in any week exceeds 20% of his weekly benefit rate (fractional parts of a dollar omitted) or $5.00, whichever is the larger.

(3) An individual's week of unemployment shall be deemed to commence only after his registration at an employment office, except as the division may by regulation otherwise prescribe.

(n) "Unemployment compensation administration fund" means the unemployment compensation administration fund established by this chapter (R. S. 43:21–1 et seq.), from which administrative expenses under this chapter (R. S. 43:21–1 et seq.) shall be paid.

(o) "Wages" means remuneration paid subsequent to December 31, 1946, by employers for employment; provided, however, that for eligibility and benefit purposes wages earned but not paid when the amount thereof has been calculated and is due as determined by the established and customary practices of the employer shall be construed as having been paid when earned.

(p) "Remuneration" means all compensation for personal services, including commissions and bonuses and the cash value of all compensation in any medium other than cash.

(q) "Week" means such period or periods of 7 consecutive days ending at midnight, as the division may by regulation prescribe.

(r) "Calendar quarter" means the period of 3 consecutive calendar months ending on March 31, June 30, September 30, or December 31.

(s) "Investment company" means any company as defined in paragraph 1-a of chapter 322 of the laws of 1938, entitled "An act concerning investment companies, and supplementing Title 17 of the Revised Statutes by adding thereto a new chapter entitled 'investment companies.' "

(t) "Base week" means any calendar week of an individual's base year during which he earned in employment from an employer remuneration equal to not less than $15.00; provided, if in any calendar week, an individual is in employment with more than one employer, he may in such calendar week establish a base week with respect to each such employer from whom the individual earns remuneration equal to not less than $15.00 during such week.

(u) "Average weekly wage" means the amount derived by dividing an individual's total wages received during his base year base weeks (as defined in subsection (t) of this section) from that most recent base year employer with whom he had established at least 17 base weeks, by the number of base weeks in which such wages were earned. In the event that such claimant had no employer in his base year with whom he had established at least 17 base weeks, then such individual's average weekly wage shall be computed as if all of his base week wages were received from one employer and as if all his base weeks of employment had been performed in the employ of one employer.

If on application of a claimant it is determined that he has been employed during at least the 4 weeks immediately preceding his separation from employment by an employer on a substantially reduced schedule of weekly hours due to lack of work, all weeks of substantially reduced schedule within the base period and his wages therefor shall be disregarded in computing his average weekly wage.

(v) "Initial determination" means, subject to the provisions of R. S. 43:21–6 (b) (2) and (3), a determination of benefit rights as measured by an eligible individual's base year employment with a single employer covering all periods of employment

with that employer during the base year. Subject to the provisions of R. S. 43:21–3 (d) (3) if an individual has been in employment in his base year with more than one employer, no benefits shall be paid to that individual under any successive initial determination until his benefit rights have been exhausted under the next preceding initial determination.

(w) "Last date of employment" means the last calendar day in the base year of an individual on which he performed services in employment for a given employer.

(x) "Most recent base year employer" means that employer with whom the individual most recently, in point of time, performed services in employment in the base year.

2. This act shall take effect immediately.

Approved May 28, 1962.

CHAPTER 50

AN ACT creating an Eminent Domain Revision Commission (1962), prescribing its powers and duties, and repealing "An act creating an Eminent Domain Revision Commission and prescribing its powers and duties," approved May 17, 1960 (P. L. 1960, c. 29).

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

C. 1:16-9. Creates Eminent Domain Revision Commission (1962); members; terms; expenses; vacancies.

1. There is hereby created an Eminent Domain Revision Commission (1962) 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 one 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. 1:16-10. 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 commission may appoint a secretary who need not be a member of the commission.

C. 1:16-11. Duties.

3. 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. 1:16-12. Staff; supervision.

4. 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. 1:16-13. Assistance by other State agencies.

5. 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. 1:16-14. Report; contents.

6. 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.

C. 1:16-15. C. 29, L. 1960 repealed.

7. "An act creating an Eminent Domain Revision Commission and prescribing its powers and duties," approved May 17, 1960 (P. L. 1960, c. 29) is repealed.

8. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 51

AN ACT concerning taxation, and amending section 54:3–6 of the Revised Statutes.

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

Section amended.

1. Section 54:3–6 of the Revised Statutes is amended to read as follows:

Salaries members of county tax boards; paid bi-weekly; president to receive additional amount.

54:3–6. The salaries of the members of the several boards shall be paid bi-weekly in a bi-weekly amount by the State Treasurer upon warrants drawn by the Director of the Division of Budget and Accounting in the Department of the Treasury. Each bi-weekly payment shall be made at a time fixed by the State Treasurer and the Director of the Division of Budget and Accounting, but not later than the tenth working day following the bi-weekly period for which the salary is due. Salaries shall be as follows: In counties having a population of more than 500,000, an annual salary of $8,125.00; in counties having between 275,000 and 500,000 inhabitants, an annual salary $6,250.00; in counties having between 200,000 and 275,000 inhabitants, an annual salary of $5,625.00; in counties having between 150,000 and 200,000 inhabitants, an annual salary of $5,000.00; except as hereinafter provided, in counties having between 75,000 and 150,000 inhabitants, an annual salary of $4,375.00; except as hereinafter provided, in counties having not more than 75,000 inhabitants, an annual salary of $3,750.00; in counties bordering upon the Atlantic ocean, and having not less than 50,000 nor more than 150,000 inhabitants, an annual salary of $5,000.00.

The president of each county board shall, in addition to the above, receive the further sum of $625.00 per annum.

Act effective.

2. This act shall take effect July 1, 1962.

Approved May 29, 1962.

CHAPTER 52

AN ACT to amend an act entitled "An act concerning fraternal benefit societies, defining certain terms relative thereto, providing for the enforcement of the act, providing penalties for violations, repealing chapters 39 to 44, both inclusive, of Title 17 and supplementing Title 17, of the Revised Statutes," approved November 12, 1959 (P. L. 1959, c. 167).

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. 17:44A-10. Qualifications for membership.

10. Qualifications for membership. A society may admit to benefit membership any person not less than 15 years of age, nearest birthday, who has furnished evidence of insurability acceptable to the society. Any such member who shall apply for additional benefits more than 6 months after becoming a benefit member shall furnish additional evidence of insurability acceptable to the society, unless such additional benefits are issued under a certificate provision which grants the privilege to purchase additional insurance at some future time without furnishing evidence of insurability.

Any person admitted prior to attaining the full age of 21 years shall be bound by the terms of the application and certificate and by all the laws and rules of the society and shall be entitled to all the rights and privileges of membership therein to the same extent as though the age of majority had been attained at the time of application. A society may also admit general or social members who shall have no voice or vote in the management of its insurance affairs.

Section amended.

2. Section 17 of the act of which this act is amendatory is amended to read as follows:

17:44A-17. Nonforfeiture benefits, cash surrender values, certificate loans and other options.

17. Nonforfeiture benefits, cash surrender values, certificate loans and other options. A society may grant paid-up nonforfeiture benefits, cash surrender values, certificate loans and such other options as its laws may permit. As to certificates issued 1 year from the effective date of this act, and thereafter, a society shall grant at least one paid-up nonforfeiture benefit, except in the case of pure endowment, annuity or reversionary annuity contracts, reducing term insurance contracts or contracts of term insurance of uniform amount of 15 years or less expiring before age 66.

In the case of certificates other than those for which reserves are computed on the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1958 Standard Ordinary Mortality Table or the 1941 Standard Industrial Table, the value of every paid-up nonforfeiture benefit and the amount of any cash surrender value, loan or other option granted shall not be less than the excess, if any, of (a) over (b) as follows:

(a) The reserve under the certificate determined on the basis specified in the certificate; and

(b) the sum of any indebtedness to the society on the certificate, including interest due and accrued, and a surrender charge equal to 2½% of the face amount of the certificate, which, in the case of insurance on the lives of children, shall be the ultimate face amount of the certificate, if death benefits provided therein are graded.

However, in the case of certificates issued on a substandard basis or in the case of certificates, the reserves for which are computed upon the American Men Ultimate Table of Mortality, the term of any extended insurance benefit granted including accompanying pure endowment, if any, may be computed upon the rates of mortality not greater than 130% of those shown by the mortality table specified in the certificate for the computation of the reserve.

In the case of certificates for which reserves are computed on the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1958 Standard Ordinary Mortality Table or the 1941 Standard Industrial Table, every paid-up nonforfeiture benefit available under the certificate 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 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 certificate, including any existing paid-up additions, if there had been no default, over the sum of (1) the then present value of the adjusted premiums as hereinafter defined, corresponding to premiums which would have fallen due on and after such anniversary, and (2) the amount of any indebtedness to the society on the certificate. Any cash surrender value available within 30 days after any policy anniversary under any certificate paid up by completion of all premium payments or any certificate continued under any paid-up nonforfeiture benefit shall be an amount not less than the present value, on such anniversary, of the future guaranteed benefits provided for by the certificate, including any existing paid-up additions, decreased by any indebtedness to the society on the certificate.

The adjusted premiums for any certificate shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the certificate for each policy year that the present value, at the date of issue of the certificate, of all such adjusted premiums shall be equal to the sum of (1) the then present value of the future guaranteed benefits provided for by the certificate; (2) 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 certificate; (3) 40% of the adjusted premium for the first policy year; (4) 25% of either the adjusted

premium for the first policy year or the adjusted premium for a whole life certificate 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 percentage specified in (3) and (4) 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 certificate for the purpose of this paragraph shall be the date as of which the rated age of the insured is determined. In the case of a certificate providing an amount of insurance varying with duration of the policy, the equivalent level amount thereof for the purpose of this paragraph shall be deemed to be the level amount of insurance provided by an otherwise similar certificate, 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 certificate.

All adjusted premiums and present values referred to above shall be calculated on the basis of the Commissioners 1941 Standard Ordinary Table, the Commissioners 1958 Standard Ordinary Mortality Table or the 1941 Standard Industrial Table and the rate of interest, not exceeding 3½% per annum, specified in the certificate 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 where the Commissioners 1958 Standard Ordinary Mortality Table is used, such rates of mortality assumed may be not more than those shown in the Commissioners 1958 Extended Term

Insurance Table; provided, further, that for any category of such certificates issued on female risks adjusted premiums and present values, referred to in this section, may be calculated at the option of the society with the approval of the commissioner, according to an age not more than 3 years younger than the actual age of the insured. Any cash surrender value and any paid-up nonforfeiture benefit, available under the certificate 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 above 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 not be less than the dividends used to provide such additions. 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 reducing term insurance benefits provided by a rider or supplemental policy provision, 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 and nonforfeiture benefits as described above and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits. Notwithstanding any other provisions of this section, 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 as described in this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.

3. Section 34 of the act of which this act is amendatory is amended to read as follows: Section amended.

34. Reports and valuations. Reports shall be filed and synopses of annual statements shall be published in accordance with the provisions of this section. C. 17:44A-34. Reports and valuations.

(1) Every society transacting business in this State shall annually, on or before March 1, unless for cause shown such time has been extended by the commissioner, file with the commissioner a true statement of its financial condition, transactions and affairs for the preceding calendar year and pay a fee of $20.00 for filing same. The statement shall be in general form and context as approved by the National Association of Insurance Commissioners for fraternal benefit societies and as supplemented by additional information required by the commissioner.

(2) A synopsis of its annual statement providing an explanation of the facts concerning the condition of the society thereby disclosed shall be printed and mailed to each benefit member of the society not later than June 1 of each year, or, in lieu thereof, such synopsis may be published in the society's official publication.

(3) As a part of the annual statement herein required, each society shall, on or before March 1, file with the commissioner a valuation of its certificates in force on December 31 last preceding provided, the commissioner may, in his discretion for cause shown, extend the time for filing such valuation for not more than 2 calendar months. Such report of valuation shall show, as reserved liabilities, the difference between the present mid-year value of the promised benefits provided in the certificates of such society in force and the present mid-year value of the future net premiums as the same are in practice actually collected, not including therein any value for the right to make extra assessments and not including any amount by which the present mid-year value of future net premiums exceeds the

present mid-year value of promised benefits on individual certificates. At the option of any society, in lieu of the above, the valuation may show the net tabular value. Such net tabular value as to certificates issued prior to 1 year after the effective date of this act shall be determined in accordance with the provisions of law applicable prior to the effective date of this act and as to certificates issued 1 year from the effective date of this act, and thereafter, shall not be less than the reserves determined according to the Commissioners Reserve Valuation method as hereinafter defined. If the premium charged is less than the tabular net premium according to the basis of valuation used, an additional reserve equal to the present value of the deficiency in such premiums shall be set up and maintained as a liability. The reserve liabilities shall be properly adjusted in the event that the mid-year or tabular values are not appropriate.

(4) Reserves according to the Commissioners' Reserve Valuation method, for the life insurance and endowment benefits of certificates 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 certificates, over the then present value of any future modified net premiums therefor. The modified net premiums for any such certificate shall be such uniform percentage of the respective contract premiums for such benefits that the present value, at the date of issue of the certificate, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the certificate and the excess of (a) over (b) as follows:

(a) a net level premium equal to the present value, at the date of issue, of such benefits provided for after the first certificate year, divided by the present value, at the date of issue, of an annuity of one per annum payable

on the first and each subsequent anniversary of such certificate 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 certificate; and

(b) a net 1-year term premium for such benefits provided for in the first certificate year.

Reserves according to the Commissioners' Reserve Valuation method for (1) life insurance benefits for varying amounts of benefits or requiring the payment of varying premiums, (2) annuity and pure endowment benefits, (3) disability and accidental death benefits in all certificates and contracts, and (4) all other benefits except life insurance and endowment benefits, shall be calculated by a method consistent with the principles of this subsection.

(5) The present value of deferred payments due under incurred claims or matured certificates shall be deemed a liability of the society and shall be computed upon mortality and interest standards prescribed in the following subsection.

(6) Such valuation and underlying data shall be certified by a competent actuary, or at the expense of the society, verified by the actuary of the Department of Insurance of the State of domicile of the society, if such department consents to undertake the valuation.

The minimum standards of valuation for certificates issued prior to 1 year from the effective date of this act shall be for adult certificates the "National Fraternal Congress Table of Mortality" and 4% interest and for certificates on the lives of children the "Standard Industrial Mortality Table" or the "English Life Table Number 6" and 4% interest, but the minimum standards shall not be lower than the standards used in the calculating of rates for such certificates.

The minimum standard of valuation for certificates issued 1 year from the effective date of this act, and thereafter, shall be 3½% interest and the following tables:

(a) for certificates of life insurance—American Men Ultimate Table of Mortality, with Bowerman's or Davis' Extension thereof or, with the consent of the commissioner, the Commissioners 1941 Standard Ordinary Mortality Table, the Commissioners 1958 Standard Ordinary Mortality Table or the Commissioners 1941 Standard Industrial Table of Mortality, provided that for any category of such certificates issued on female risks modified net premiums and present values, referred to in this section, may be calculated at the option of the society with approval of the commissioner, according to an age not more than 3 years younger than the actual age of the insured;

(b) for annuity and pure endowment certificates, excluding any disability and accidental death benefits in such certificates and including life annuities provided or available under optional modes of settlement in any certificates—the 1937 Standard Annuity Table or the Annuity Mortality Table for 1949, Ultimate, or any modification of either of these tables approved by the commissioner;

(c) for total and permanent disability benefits in or supplementary to life insurance certificates—Hunter's Disability Table, except that either the Class III Disability Table (1926) modified to conform to the contractual waiting period or the tables of Period 2 disablement rates and the 1930 to 1950 termination rates of the 1952 Disability Study of the Society of Actuaries with due regard to the type of benefit shall be used in computing reserves for disability benefits under a contract which presumes that total disability shall

be considered to be permanent after a specified period. Any such table shall, for active lives, be combined with a mortality table permitted for calculating the reserves for life insurance certificates;

(d) for accidental death benefits in or supplementary to life insurance certificates—the Inter-Company Double Indemnity Mortality Table or the 1959 Accidental Death Benefits Table. Either table shall be combined with a mortality table permitted for calculating the reserves for life insurance certificates;

(e) for noncancelable accident and health benefits—the Class III Disability Table (1926) with conference modifications or, with the consent of the commissioner, tables based upon the society's own experience; and

(f) for 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.

The commissioner may, in his discretion, accept other standards for valuation if he finds that the reserves produced thereby will not be less in the aggregate than reserves computed in accordance with the minimum valuation standard herein prescribed. The commissioner may, in his discretion, vary the standards of mortality applicable to all certificates of insurance on substandard lives or other extra hazardous lives by any society authorized to do business in this State. Whenever the mortality experience under all certificates valued on the same mortality table is in excess of the expected mortality according to such table for a period of 3 consecutive years, the commissioner may require additional reserves when deemed necessary in his judgment on account of such certificates.

Any society, with the consent of the commissioner of the State of domicile of the society and under such conditions, if any, which he may impose,

may establish and maintain reserves on its certificates in excess of the reserves required thereunder, but the contractual rights of any insured member shall not be affected thereby.

(7) A society neglecting to file the annual statement in the form and within the time provided by this section shall be penalized $100.00 for each day during which such neglect continues, and, upon notice by the commissioner to that effect, its authority to do business in this State shall cease while such default continues.

4. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 53

AN ACT concerning Lutheran churches, supplementing chapter 5 of Title 16 of the Revised Statutes and revising parts of the statutory law.

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

Section amended.

1. Section 16:5–1 of the Revised Statutes is amended to read as follows:

Incorporation.

16:5–1. Any Lutheran Church Congregation may, at the option of a majority of the adult members thereof, incorporate under the provisions of this chapter as amended and supplemented.

Section amended.

2. Section 16:5–3 of the Revised Statutes is amended to read as follows:

Certain provisions of title extended to Lutheran churches; subject to laws and discipline of synod.

16:5–3. The provisions of article 1 of chapter 1 of this Title relating to the incorporation, and the rights, privileges and duties of religious societies and congregations, shall be applicable to all Lutheran Church Congregations except as otherwise provided in this chapter, and in the event of any inconsistency between the provisions of article

1 of chapter 1 of this Title and this chapter of this Title, the provisions of this chapter, as amended and supplemented, shall govern. Each incorporated Lutheran Church Congregation shall be subject to the laws and discipline of the synod and church with which it is affiliated.

Section amended.

3. Section 1 of chapter 84 of the laws of 1950 is amended to read as follows:

C. 16:5-4. Lutheran synod; formation.

1. Any general organization for this State formed by ordained ministers and congregations of the Lutheran Church, at a convention, conference or meeting, attended by said ordained ministers and accredited delegates or representatives of such congregations, and in which organization all the congregations of that denomination, holding and confessing the doctrine of the Unaltered Augsburg Confession, are, or are entitled to be, represented at such convention, conference or meeting, may, by resolution, form a Lutheran Synod and any such synod may be incorporated in the manner provided in this act.

Section amended.

4. Section 4 of chapter 84 of the laws of 1950 is amended to read as follows:

C. 16:5-7. Contents of certificate.

4. Any such certificate shall set forth:

(a) The name or title of such corporation, which shall include the name "Lutheran Synod of New Jersey," and may include other words or initials to identify such corporation;

(b) The names and addresses of the trustees constituting the first board of trustees of the corporation;

(c) The object of the corporation;

(d) The location of the corporation's principal office or of its customary activities and, if so desired, the place of its annual convention, conference or meeting;

(e) Such other provisions as may be determined upon at the said convention, conference or meeting as may be proper to carry out the object of the corporation and which are not inconsistent with the general laws of this State relating to religious corporations nor with the doctrines held and confessed by the said Lutheran churches.

Section amended.

5. Section 9 of chapter 84 of the laws of 1950 is amended to read as follows:

C. 16:5-12. Powers of corporation.

9. Every such corporation shall have the general powers conferred by law upon incorporated religious societies and, in addition, shall have the following powers:

(a) To establish, erect, maintain and manage churches, colleges, seminaries, and all other religious, educational and eleemosynary institutions and agencies;

(b) To acquire by deed, gift, purchase, bequest, devise, merger, consolidation, combination, reversion, or by judicial order or judgment, or otherwise, real or personal property, in fee, trust, or otherwise, and to hold, grant, sell, convey, lease, mortgage, invest, improve or dispose of the same for the uses and purposes of the corporation;

(c) To sue and be sued and to be impleaded in any court;

(d) To adopt and use a common seal;

(e) To have perpetual succession as such corporation;

(f) To have all other powers necessary and proper to the carrying out of the above enumerated powers, and the purposes of such corporation and its institutions.

(g) To combine, consolidate or merge with any incorporated conference of ministers and congregations of similar doctrine and confession in the same manner as in the case of combinations, consolidations or mergers of corporations organized for purposes other than for pecuniary profit.

Section amended.

6. Section 10 of chapter 84 of the laws of 1950 is amended to read as follows:

C. 16:5-13. Strife and division in congregation; settlement; title and disposition of property.

10. Any such corporation, by its constitution or other agreement with its constituent and affiliated congregations, may provide for the settlement and determination of strife and division in any congregation which is a member of or is affiliated with said corporation, and in case of any such strife and division, such settlement and determination shall provide for a continuation in possession and title

of all the property of the congregation represented by that part of the congregation's membership which continues in unity with the said synod and its faith, whether such part of the said membership constitutes a majority or a minority of its total membership. In similar manner, the said corporation may provide for the acquisition by the corporation of all of the real and personal property of any constituent or affiliated congregation which shall be dissolved by voluntary or involuntary action or which shall become inactive or extinct. In the event of any such acquisition, the Lutheran Synod incorporated under this act may manage, use, sell, convey, mortgage or otherwise dispose of all such real and personal property so acquired for the uses and purposes of the said corporation. Any sale, conveyance or other disposition of any such property so acquired shall be sufficient and as effectual as if made by the former congregation or its proper trustees, officers, agents or legal representatives, and shall vest in the grantee, vendee, purchaser, or person acquiring an interest therein, all the right, title and interest in and to such property theretofore vested in the said congregation, or in its trustees, officers, agents or legal representatives.

C. 16:5-14. Section repealed.

7. Section 11 of chapter 84 of the laws of 1950 is repealed.

Section amended.

8. Section 3 of chapter 82 of the laws of 1957 is amended to read as follows:

C. 16:5-15. Lutheran church congregation; incorporation; organizational meeting; notice.

3. The incorporation of a Lutheran Church Congregation shall be secured in the following manner:

An organization meeting or a special meeting of the members of the congregation, or of the intended charter members of the congregation, shall be called either by the council of the congregation or by 5 or more of the said intended charter members. Notice of any such meeting shall be given at least 10 days previous to the date of the meeting by posting such notice in a conspicuous place on or near to the premises where the congregation customarily conducts its public worship or, instead of

such posting, notice may be given by ordinary mail addressed to each confirmed member of the congregation in good standing, at least 10 days before the date of the meeting, or to each of the intended charter members of the congregation, as the case may be. If the congregation shall have by-laws or other rules and regulations pertaining to the giving of notice of an organization or special meeting of the congregation, such by-laws, rules and regulations shall be complied with. The said notice shall state that the purpose, or one of the purposes, of the meeting is to decide whether the congregation shall be incorporated.

Section amended.

9. Section 12 of chapter 82 of the laws of 1957 is amended to read as follows:

C. 16:5-24. Affiliation with constituent synod; acceptance of act by previously incorporated churches; certificate.

12. Every such incorporated congregation may affiliate itself with a constituent synod or district of the Lutheran Church or its successor but, after any such affiliation, may not withdraw therefrom except as provided in the constitution and by-laws of the synod or district or the laws of the church. Any Lutheran Church which has heretofore been incorporated under any law of this State, by a majority vote of its members at a regular, annual or at a special meeting to be called for the purpose, may accept the provisions of this act and thereby and thereafter become subject to the provisions of tihs act. Any such acceptance shall be evidenced by the filing of a certificate in the office of the Secretary of State, which shall substantially set forth the proceedings of the meeting of acceptance. Any such certificate shall be filed and acknowledged in manner similar to that required by this act for the execution, filing and recording of a certificate of incorporation, as provided in this act. The Secretary of State and the county clerk shall be entitled to the same fees as in the case of the filing and recording of certificates of incorporation under this act.

Section amended.

10. Section 13 of chapter 82 of the laws of 1957 is amended to read as follows:

C. 16:5-25. Merger; consent; certificate.

13. Any incorporated Lutheran Church or congregation may merge, with the consent of the synod with which it is affiliated, with any other incorporated Lutheran Church or congregation with the consent of ⅔ of the members of each such church or congregation. All such consents shall be evidenced by votes cast at regular or special meetings called for the purpose and ⅔ of the members present and voting upon the proposition shall be deemed to be the ⅔ required by this section. A certificate evidencing the merger and substantially setting forth the proceedings of such meeting shall be executed by the trustees or designated officers of each of the churches or congregations so merging and shall be filed in the office of the Secretary of State. All such certificates shall be executed, acknowledged, filed and recorded in the same manner as is required for the execution, filing and recording of certificates of incorporation under this act.

Section amended.

11. Section 14 of chapter 82 of the laws of 1957 is amended to read as follows:

C. 16:5-26. Disbanding or ceasing to function; passage of title to synod or district.

14. In the event that any incorporated Lutheran Church or congregation disbands, or ceases to function or to conduct public worship or fails to elect a board of trustees for more than 2 years after such election should have been held pursuant to this act or to the by-laws of the corporation and the property of such church or congregation is not properly maintained the title to all such property shall pass to and be vested in the synod or district or its successor with which the said church or congregation is affiliated at the time of such default, nonuser or abandonment, and thereupon the said synod or district shall have the unrestricted right to use or dispose of such property.

C. 16:5-27. Combinations; consolidations; mergers under provisions of this act.

12. Any 2 or more organizations incorporated under the provisions of this chapter as amended and supplemented may combine, consolidate or merge in the same manner as in the case of combinations, consolidations or merger of corporations organized for purposes other than for pecuniary profit. Any organization incorporated under the

provisions of this chapter as amended and supplemented may combine, consolidate or merge with any organization having a similar purpose and incorporated under the laws of any other State if the said other incorporated organization is authorized so to do by the laws of the State of its incorporation.

13. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 54

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

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

Validates proceedings and bonds.

1. All proceedings heretofore had or taken by any school district or at any school district meeting or election held prior to December 31, 1961 for or with respect to the authorization or issuance of bonds of the school district, and any bonds or other obligations of the school district 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 such proposal as adopted and as set forth in the ballots used at such meeting or election was different from the proposal framed by the board of education of the school district for submission at such meeting or election and as set forth in the notices of such meeting or election which were posted and published pursuant to section 18:7–15 of the Revised Statutes, or that such proposal did not specifically authorize the board of education of the school district to issue bonds of the school district, provided,

however, that notices specifying the day, time and place of such school district meeting or election were published and posted within the time and in the manner required by said section 18:7–15 and did therein set forth a proposal to be submitted to the legal voters to authorize the issuance of bonds of the school district, and provided further, that the proposal adopted at such school district meeting or election contained a reference to the requirement of a bond issue in a stated dollar amount which was not in excess of the dollar amount of bonds of the school district referred to in the aforesaid published and posted notices; and provided further, that no bonds or notes of the school district have heretofore been issued pursuant to any such proposal as adopted and that the board of education of such school district shall have adopted a resolution prior to the issuance of any bonds of the school district pursuant to such proposal and not sooner than 10 days after the date of filing of a proposed copy thereof in the office of the State Commissioner of Education and in the office of the Division of Local Government in the Department of the Treasury, ratifying and confirming such proposal as authority for the issuance of bonds of the school district in the dollar amount of the required bond issue stated in such proposal as adopted; and provided further, that the supplemental debt statements have been heretofore made, sworn to and filed in the places required by section 18:5–87 of the Revised Statutes and that the percentage of net debt as stated in any such supplemental debt statement does not exceed 7%; and provided further, that no action, suit or other proceeding of any nature to contest the validity of such meeting or election has heretofore been instituted prior to the date on which this act takes effect and within the time fixed therefor by or pursuant to law or rule of court or, when such time has not heretofore expired, is instituted within 30 days after the effective date of this act.

2. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 55

AN ACT relating to the definitions of and standards for special frozen dietary food and otherwise providing for the regulations of such product, amending sections 24:10–63, 24:10–65, 24:10–66, 24:10–67, 24:10–68 and 24:10–72 of the Revised Statutes and supplementing article 7 of chapter 10 of Title 24 of the Revised Statutes.

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

C. 24:10-62.1. Special frozen dietary food defined.

1. For the purpose of this article special frozen dietary foods are defined as any frozen, milk product which includes a combination of one or more of the ingredients used in the manufacture of ice cream, no matter under what trade or coined name it may be sold or offered for sale, the process of manufacture of which is similar to the process of manufacture of ice cream, and which contains added vitamins and minerals, provided such vitamins and minerals are acceptable to the Department of Health of the State of New Jersey.

Section amended.

2. Section 24:10–63 of the Revised Statutes is amended to read as follows:

Imitation ice cream, ice cream substitute and coated imitation defined.

24:10–63. For the purpose of this article, "imitation ice cream," "ice cream substitute" or "coated imitation ice cream" are defined as:

(1) any frozen sweetened product regardless of the name under which it is manufactured, sold or offered for sale which is made in imitation or semblance of or is manufactured in a manner similar to the process used in manufacturing but is not ice cream, custard ice cream, French ice cream, French custard, frozen custard, ice milk, sherbet, ice, fruit ice or special frozen dietary food as defined in this chapter or

(2) any frozen sweetened product labeled as a product defined in this chapter but which does not comply with such defined standards.

3. Section 24:10–65 of the Revised Statutes is amended to read as follows: Section amended.

24:10–65. No person by himself or by his agent, servant or employee shall sell, offer or expose for sale or have in his possession with intent to sell ice cream, custard ice cream, French ice cream, French custard, frozen custard, ice milk, sherbet, ice, fruit ice, or special frozen dietary food including coated ice cream and the coating thereof, which is adulterated within the meaning of this article, or sell, offer or expose for sale or have in his possession with intent to sell, any imitation ice cream, ice cream substitute or coated imitation ice cream as defined in section 24:10–63 of this Title. Sale of adulterated products and imitation ice cream prohibited.

4. Section 24:10–66 of the Revised Statutes is amended to read as follows: Section amended.

24:10–66. Ice cream, custard ice cream, French ice cream, French custard, frozen custard, ice milk, sherbet, ice, fruit ice and special frozen dietary food shall be deemed to be adulterated within the meaning of this article: When products deemed adulterated.

First: Except as provided in section 1 of this amendatory and supplementary act, if it contains any added preservative including boric acid, formaldehyde, any artificial sweetener including saccharin, dulcin or any substance or compound that is deleterious to health.

Second: If it contains salts of copper, iron, ochres or any coloring substance deleterious to health, but this paragraph shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes.

Third: If it contains any deleterious flavoring matter or flavoring matter not true to name.

Fourth: If it contains any fats, oils, or paraffin other than milk fats added to or blended or compounded with it, but the coating of coated ice cream may contain cocoa butter or cocoanut oil, or both; and chocolate ice cream may contain cocoa butter.

Fifth: If it is an imitation ice cream, ice cream substitute or coated imitation ice cream as defined in section 24:10–63 of this Title.

Sixth: If it is offered for sale from any container, compartment or cabinet which contains any article other than ice cream, custard ice cream, French ice cream, French custard, frozen custard, ice milk, sherbet, ice, fruit ice or special frozen dietary food.

Seventh: If it falls below the standards or any of them fixed for the particular product by the definition thereof contained in this article or is falsely labeled or labeled contrary to the provisions of this article.

Eighth: If it is ice milk and contains less than 1.4 pounds total food solids per gallon in the finished product or weighs less than 4.5 pounds per gallon or if any package or container of a different unit contains less than a proportionate amount of total food solids or weighs proportionately less.

Section amended.

5. Section 24:10–67 of the Revised Statutes is amended to read as follows:

Sanitary requirements for ice cream plants.

24:10–67. Every ice cream plant shall be maintained and operated with strict regard for the purity and wholesomeness of the ice cream, sherbet, ice, or other product produced therein. The entire establishment and its appertaining premises including fixtures, furnishings, machinery, apparatus, implements, utensils, receptacles and all equipment used in the production, keeping, storing, handling or distribution shall be maintained and operated in a clean sanitary manner.

All equipment and utensils used in the production of ice cream, custard ice cream, French ice cream, French custard, frozen custard, ice milk, sherbet, ice, fruit ice and special frozen dietary food shall be cleaned by washing with a solution of at least 1% alkali, scrubbed inside and out with suitable brushes, then rinsed with warm water, then scalded with hot water or steam. If any other method is used, such method shall result in the same degree of cleanliness as the method described.

The clothing, habits and conduct of the employees shall be conducive to and promote cleanliness and sanitation.

There shall be proper suitable and adequate toilets and lavatories and equipment for cleansing, constructed, maintained and operated in a clean and sanitary manner.

Section amended.

6. Section 24:10–68 of the Revised Statutes is amended to read as follows:

License required; brands or products registered; annual license fee.

24:10–68. Every person operating a plant for the manufacture of ice cream, ice milk, sherbet, ices, fruit ices or special frozen dietary foods intended for sale and distribution within this State shall, before July 1 in each year, apply to the State department for a license to sell or distribute such products within this State and register with the department each branch or product produced or manufactured or sold in or from such plant.

At the same time such application for a license and registration is filed the applicant shall pay to the department an annual license fee as follows: For each ice cream manufacturer producing or distributing annually within this State not in excess of 10,000 gallons, $5.00; in excess of 10,000 gallons and not in excess of 25,000 gallons, $10.00; in excess of 25,000 gallons and not in excess of 50,000 gallons, $25.00; in excess of 50,000 gallons and not in excess of 100,000 gallons, $50.00; in excess of 100,000 gallons, $100.00.

Section amended.

7. Section 24:10–72 of the Revised Statutes is amended to read as follows:

Illegal sale and distribution of products.

24:10–72. (1) It shall be illegal for any person to sell or distribute any ice cream, ice milk, sherbet, ices, fruit ices or special frozen dietary food in this State unless such products have been manufactured in a plant, the owner or operator of which is licensed under the provisions of this article to sell or distribute such products in this State.

(2) It shall be unlawful for any person personally or by or through an agent, servant, or employee to sell, offer for sale, expose for sale or have in possession with intent to sell, special frozen dietary food packaged in containers of greater than 1 quart capacity, or ice milk packaged in containers of greater than ½ gallon capacity, if the ice milk

or any of its ingredients contains added color or any ingredient added for the purpose of imparting a characterizing flavor.

(3) It shall be unlawful for any person, personally or by or through an agent, servant or employee to sell, offer for sale, expose for sale or have in possession with intent to sell, any special frozen dietary food unless its label bears such information concerning its vitamin, mineral and other dietary properties as the Department of Health of the State of New Jersey determines to be and by regulations prescribes as necessary in order to fully inform purchasers as to its value for such uses and unless such label contains also the words "Use this product only after consultation with a physician," or such other similar warning as the Department of Health of the State of New Jersey may accept. Provided further, however, that neither the label nor the package shall in any way represent that the special dietary frozen food contained therein is a dessert. In order to implement these provisions it is further provided that any label proposed for use on containers of special frozen dietary foods be submitted and be acceptable to the Department of Health of the State of New Jersey prior to use and that the Department of Health shall a reasonable number of times each year, upon request, be furnished with assays of special frozen dietary foods made in laboratories acceptable to the Department of Health.

8. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 56

AN ACT relating to certain appointments to municipal police departments and to the eligibility of such appointees to membership in the police and firemen's retirement system.

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

C. 40:47-20.10. Validates appointment.

1. Any appointment to the police department of a municipality heretofore made of an individual otherwise qualified who on the date of appointment exceeded the maximum age for appointment by less than 10 months, after the allowance of credit for his military service in time of war, is hereby validated and confirmed and the continued employment of such person as a member of the police department is authorized, provided said appointment is confirmed by resolution of the governing body adopted within 30 days after the effective date of this act.

C. 40:47-20.11. Membership in retirement system.

2. The board of trustees of the police and firemen's retirement system of New Jersey shall accept as a member of the retirement system any policeman, otherwise eligible for membership, whose appointment is confirmed pursuant to this act provided there is paid into the retirement system, in such manner as the board shall prescribe, the contributions that would have been payable had he been so appointed at the age of 30 years.

3. This act shall take effect immediately.

Approved May 29, 1962.

CHAPTER 57

AN ACT concerning workmen's compensation, and amending section 34:15–12 of the Revised Statutes.

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

Section amended.

1. Section 34:15–12 of the Revised Statutes is amended to read as follows:

Schedule of compensation.

34:15–12. Following is a schedule of compensation:

a. For injury producing temporary disability, weekly compensation shall be paid based upon the weekly wage received at the time of the injury, subject to a maximum compensation of $45.00 per week and a minimum of $10.00 per week in accordance with the following "wage and compensation schedule," but expressly subject to the provisions of Revised Statutes 34:15–37:

WAGE AND COMPENSATION SCHEDULE

Weekly Wage	Weekly Compensation
$15.00 or less	$10.00 min.
15.01–16.50	11.00
16.51–18.00	12.00
18.01–19.50	13.00
19.51–21.00	14.00
21.01–22.50	15.00
22.51–24.00	16.00
24.01–25.50	17.00
25.51–27.00	18.00
27.01–28.50	19.00
28.51–30.00	20.00
30.01–31.50	21.00
31.51–33.00	22.00
33.01–34.50	23.00
34.51–36.00	24.00

Weekly Wage	Weekly Compensation
36.01–37.50	25.00
37.51–39.00	26.00
39.01–40.50	27.00
40.51–42.00	28.00
42.01–43.50	29.00
43.51–45.00	30.00
45.01–47.50	31.00
47.51–50.00	32.00
50.01–52.50	33.00
52.51–55.00	34.00
55.01–57.50	35.00
57.51–60.00	36.00
60.01–62.50	37.00
62.51–65.00	38.00
65.01–67.50	39.00
67.51–70.00	40.00
70.01–72.50	41.00
72.51–75.00	42.00
75.01–77.50	43.00
77.51–80.00	44.00
80.01 and over	45.00 max.

This compensation shall be paid during the period of such disability, not, however, beyond 300 weeks.

b. For disability total in character and permanent in quality, weekly compensation shall be paid based upon the weekly wage received at the time of injury, subject to a maximum compensation of $45.00 per week and a minimum of $10.00 per week in accordance with the "wage and compensation schedule" set forth in paragraph "a" of this section but expressly subject to the provisions of Revised Statutes 34:15-37. This compensation shall be paid for a period of 450 weeks, at which time compensation payments shall cease unless the employee shall have submitted to such physical or educational rehabilitation as may have been ordered by the rehabilitation commission, and can show that because of such disability it is impossible

for him to obtain wages or earnings equal to those earned at the time of the accident, in which case further weekly payments shall be made during the period of such disability the amount thereof to be the previous weekly compensation payment diminished by that portion thereof that the wage, or earnings, he is then able to earn, bears to the wages received at the time of the accident. If his wages or earnings equal or exceed wages received at the time of the accident, then his compensation rate shall be reduced to $5.00. In calculating compensation for this extension beyond 450 weeks the minimum provision of $10.00 shall not apply. This extension of compensation payments beyond 450 weeks shall be subject to such periodic reconsiderations and extensions as the case may require, and shall apply only to disability total in character and permanent in quality, and shall not apply to any accident occurring prior to July 4, 1923.

c. For disability partial in character and permanent in quality, weekly compensation shall be paid based upon the weekly wages received at the time of the injury, subject to a maximum compensation of $40.00 per week and a minimum of $10.00 per week in accordance with the "wage and compensation schedule" set forth in paragraph "a" of this section, but expressly subject to the provisions of Revised Statutes 34:15–37, and shall be paid to the employee for the period named in the following schedule (subparagraphs 1 to 23 inclusive).

Member Lost	Number of Weeks' Compensation
1. Thumb	75
2. First finger (commonly called index finger)	50
3. Second finger	40
4. Third finger	30
5. Fourth finger (commonly called little finger)	20
6. Great toe	40
7. Toe, other than a great toe	15

Member Lost	Number of Weeks' Compensation
8. Hand, or thumb and first and second fingers (on 1 hand) or 4 fingers (on 1 hand)	230
9. Arm	300
10. Foot	200
11. Leg	275

12. The loss of the first phalange of the thumb or of any finger shall be considered to be equal to the loss of ½ of such thumb or finger, and the compensation shall be for ½ of the periods of time above specified. The loss of any portion of the thumb or any finger between the terminal joint and the end thereof shall be compensated for a like proportion of the period of time prescribed for the loss of the first phalange of such member.

13. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire finger or thumb, but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

14. The loss of the first phalange of any toe shall be considered to be equal to the loss of ½ of such toe, and compensation shall be for ½ of the period of time above specified.

15. The loss of the first phalange and any portion of the second shall be considered as the loss of the entire toe.

16. For the loss of vision of an eye, 200 weeks.

17. For the enucleation of an eye, 25 weeks, in addition to such compensation, if any, as may be allowable under subparagraph 16.

18. For the loss of a natural tooth, 4 weeks for each tooth lost.

19. For the total loss of hearing in one ear, 60 weeks. For the total loss of hearing in both ears by one accident, 200 weeks.

20. The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any 2 thereof as

the result of any one accident, shall constitute total and permanent disability to be compensated according to the provisions of paragraph "b."

21. Amputation between the elbow and the wrist shall be considered as the equivalent of the loss of a hand and amputation at the elbow shall be considered equivalent to the loss of the arm. Amputation between the knee and ankle shall be considered as the equivalent of the loss of a foot, and amputation at the knee shall be considered equivalent to the loss of the leg.

22. In all lesser or other cases involving permanent loss, or where the usefulness of a member or any physical function is permanently impaired, the duration of compensation shall bear such relation to the specific periods of time stated in the above schedule as the disabilities bear to those produced by the injuries named in the schedule. In cases in which the disability is determined as a percentage of total and permanent disability the duration of the compensation shall be a corresponding portion of 550 weeks. Should the employer and employee be unable to agree upon the amount of compensation to be paid in cases not covered by the schedule, either party may appeal to the Division of Workmen's Compensation for a settlement of the controversy.

23. Where there is a traumatic hernia compensation will be allowed if notice thereof is given by the claimant to the employer within 48 hours after the occurrence of the hernia but any Sunday, Saturday or holiday shall be excluded from this 48-hour period.

d. If previous loss of function to the body, head, a member or an organ, due to any previous compensable accident or accidents, is established by competent evidence, and subsequently an injury arising out of and in the course of an employment occurs to that part of the body, head, member or organ, where there was a previous loss, then and in such case, the employer or his insurance carrier at the time of the subsequent injury shall not be

liable for any loss for which compensation has previously been paid or awarded. In either event, credit shall be given the employer or his insurance carrier to the extent of the previous loss for which compensation has been paid.

e. In case of the death of the person from any cause other than the accident or occupational disease, during the period of payments for permanent injury, the remaining payments shall be paid to such of his or her dependents as are included in the provisions of said section 34:15–13 or, if no dependents, the remaining amount due, but not exceeding $400.00, shall be paid in a lump sum to the proper person for funeral expenses; but no compensation shall be due any other person than the injured employee on account of compensation being paid in excess of 450 weeks on account of disability total in character and permanent in quality as provided by paragraph "b" of this section.

2. This act shall take effect July 1, 1962. Act effective.

Approved June 1, 1962.

CHAPTER 58

AN ACT to amend "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

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

1. Section 4 of the act of which this act is amendatory is amended to read as follows: Section amended. C. 43:16A-4.

4. Only service as a policeman or fireman paid for by an employer, which was rendered by a mem- Creditable service as a policeman or fireman.

ber since he became a member, or, since he last became a member in case of a break in service, plus service, if any, covered by a prior service certificate, shall be considered as creditable service for the purposes of this act, except that temporary service as a policeman or fireman may also be considered as creditable service if it results, without interruption, in a permanent or probational appointment as a policeman or fireman and the member agrees within 1 year after the effective date of this act or during his first year of membership in the retirement system, to make contributions covering such temporary service on the basis of rates established by the actuary and in accordance with rules and regulations established by the board of trustees.

2. This act shall take effect immediately.

Approved June 1, 1962.

CHAPTER 59

AN ACT to amend "An act concerning the operation of stands in State, county and municipal buildings, by the blind, under the supervision of the New Jersey State Commission for the Blind," approved June 14, 1938 (P. L. 1938, c. 349).

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. 30:6-15.1. Permit for operation of stand in public buildings or premises by blind person.

1. It shall be lawful for the head of any department, board, agency, or governing body in charge of any State, county or municipal building, grounds and premises, to grant priority and preference to the New Jersey State Commission for the Blind a permit to operate in such building, grounds and premises, under their control, a stand, with or with-

out mechanical machines, for the vending of newspapers, periodicals, confections, tobacco products, and such other articles as may be approved; provided, however, that such stand, with or without mechanical machines, shall be operated by a blind person under the supervision and control of the said New Jersey Commission for the Blind. Such blind person must be 21 years of age, a citizen of the United States and a resident of the State for 1 year immediately prior to the date of his application for a stand, with or without mechanical machines. In buildings, grounds and premises where a stand, with or without mechanical machines, now exists the present operator shall not be removed, but when such operator ceases to operate such stand, with or without mechanical machines, priority and preference for the further operation of the stand, with or without mechanical machines, shall be granted to the New Jersey Commission for the Blind.

2. This act shall take effect immediately.

Approved June 1, 1962.

CHAPTER 60

AN ACT to amend "An act concerning legal investments," approved June 19, 1947 (P. L. 1947, c. 308).

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 following may, in addition to other investments allowed by law, properly and legally invest any funds, including capital, belonging to them or within their control in obligations issued or guaranteed by the International Bank for Reconstruction and Development, or by the Inter-American Development Bank; that is to say: C. 17:2-9.3. Legal investments.

(a) Insurance companies, insurance associations, and all other persons carrying on an insurance business.

(b) Executors, administrators, guardians, committees, conservators, liquidators, rehabilitators, receivers, trustees, and all other persons occupying similar fiduciary positions.

(c) Banks, trust companies, bankers and savings banks.

(d) Savings and loan, and building and loan associations, investment companies, and other financial institutions.

(e) Credit unions, cemetery associations, mutual benevolent and benefit associations.

(f) Firemen's, police, and teacher's association pension and relief funds.

(g) Other pension, retirement, compensation, and sinking fund systems.

(h) The State and its counties, and municipalities and their subdivisions and agencies.

(i) All public officers, officials, boards, commissions, bodies and agencies of the State and its counties, and municipalities and their subdivisions and agencies.

(j) Any other individual, firm, group, corporation, association, institution, and fund of any nature whatsoever.

2. This act shall take effect immediately.

Approved June 1, 1962.

CHAPTER 61

AN ACT relating to transfer inheritance taxes, and amending sections 54:34–2 and 54:34–4 of the Revised Statutes.

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

1. Section 54:34–2 of the Revised Statutes is amended to read as follows: Section amended.

54:34–2. a. The transfer of property to a father, mother, grandparent, husband, wife, child or children of a decedent, or to any child or children adopted by the decedent in conformity with the laws of this State, or of any of the United States or of a foreign country, or the issue of any child or legally adopted child of a decedent, shall be taxed at the following rates: Rate of tax.

On any amount in excess of $5,000, up to $15,000	1%
On any amount in excess of $15,000, up to $50,000	2%
On any amount in excess of $50,000, up to $100,000	3%
On any amount in excess of $100,000, up to $150,000	4%
On any amount in excess of $150,000, up to $200,000	5%
On any amount in excess of $200,000, up to $300,000	6%
On any amount in excess of $300,000, up to $500,000	7%
On any amount in excess of $500,000, up to $700,000	8%
On any amount in excess of $700,000, up to $900,000	9%
On any amount in excess of $900,000, up to $1,100,000	10%
On any amount in excess of $1,100,000, up to $1,400,000	11%

On any amount in excess of $1,400,000, up to $1,700,000 ..... 12%
On any amount in excess of $1,700,000, up to $2,200,000 ..... 13%
On any amount in excess of $2,200,000, up to $2,700,000 ..... 14%
On any amount in excess of $2,700,000, up to $3,200,000 ..... 15%
On any amount in excess of $3,200,000 ... 16%

b. (Deleted by amendment.)

c. The transfer of property to a brother or sister of a decedent, wife or widow of a son of a decedent, or husband or widower of a daughter of a decedent shall be taxed at the following rates:

On any amount up to $1,100,000 ..... 11%
On any amount in excess of $1,100,000, up to $1,400,000 ..... 13%
On any amount in excess of $1,400,000, up to $1,700,000 ..... 14%
On any amount in excess of $1,700,000.... 16%

d. The transfer of property to every other transferee, distributee or beneficiary not hereinbefore classified shall be taxed at the following rates:

On any amount up to $700,000 ..... 15%
On any amount in excess of $700,000 ..... 16%

For every purpose of this subtitle all persons, including the decedent, shall be deemed to have been born in lawful wedlock and this provision shall apply to the estate of every decedent whether said decedent died before March 25, 1935, or shall die thereafter, but it shall not entitle any person to a refund of any tax paid before the aforementioned date.

Section amended.

2. Section 54:34–4 of the Revised Statutes is amended to read as follows:

Transfers of property that are tax exempt.

54:34–4. The following transfers of property shall be exempt from taxation:

a. Property passing to or for the use of the State of New Jersey, or to or for the use of a municipal corporation within the State or other political subdivision thereof, for exclusively public purposes.

b. Property passing to a beneficiary or beneficiaries having any present or future, vested, contingent or defeasible interest under any trust deed or agreement heretofore or hereafter executed by a resident or nonresident decedent, to the extent that the trust fund results from the proceeds of contracts of insurance heretofore or hereafter in force, insuring the life of such decedent, and paid or payable, at or after the death of such decedent, to the trustee or trustees under such trust deed or agreement.

c. Property passing to a trustee or trustees of any trust deed or agreement heretofore or hereafter executed, by virtue of any contract of insurance heretofore or hereafter in force insuring the life of a resident or nonresident decedent and the proceeds of which are paid or payable at or after the death of such decedent to such trustee or trustees for the benefit of a beneficiary or beneficiaries having any present or future, vested, contingent or defeasible interest under such trust deed or agreement.

d. That part of the estate of any decedent which passes to, for the use of or in trust for any educational institution, church, hospital, orphan asylum, public library or bible and tract society or to, for the use of or in trust for any institution or organization organized and operated exclusively for religious, charitable, benevolent, scientific, literary or educational purposes, including any institution instructing the blind in the use of dogs as guides, no part of the net earnings of which inures to the benefit of any private stockholder or other individual or corporation; provided, that this exemption shall not extend to transfers of property to such educational institutions and organizations of other States, the District of Columbia, territories and foreign countries which do not grant an equal, and like exemption of transfers of property for the benefit of such institutions and organizations of this State.

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e. That part of the estate of any decedent who has heretofore died, or may hereafter die, received, either heretofore or hereafter, by the legal representatives of such decedent, whether directly from the United States or through any intervening estate or estates, by reason of any war risk insurance certificate or policy, either term or converted, or any adjusted service certificate, issued by the United States. Nothing contained in this paragraph (e) shall entitle any person to a refund of any tax heretofore paid on the transfer of property of the nature aforementioned; and provided further, that the exemption provided for in this paragraph (e) shall not extend to that part of the estate of any decedent composed of property of the nature aforementioned, when such property was received by the decedent before death.

f. The proceeds of any contract of insurance heretofore or hereafter in force insuring the life of a resident or nonresident decedent paid or payable at or after the death of such decedent to any beneficiary or beneficiaries other than the estate or the executor or administrator of such decedent.

g. Any transfer, relinquishment, surrender or exercise at any time or times by a resident or nonresident of any right to nominate or change the beneficiary or beneficiaries of any contract of insurance heretofore or hereafter in force insuring the life of such resident or nonresident irrespective of whether such transfer, relinquishment, surrender or exercise of such right took place or whether the proceeds of such policy were paid or payable, before or after the taking effect of this act.

NOTE: Act effective.

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

Approved June 1, 1962.

CHAPTER 62

AN ACT concerning the storage of agricultural commodities and supplementing chapter 10 of Title 4 of the Revised Statutes.

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

C. 4:10-26. Short title.

1. This act shall be known as "Controlled Atmosphere Storage Act."

C. 4:10-27. Terms defined.

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

"Controlled Atmosphere Storage," "Modified Atmosphere Storage," "Crisp Air," "CA" or other terms or abbreviations of similar import shall mean the storage of agricultural commodities under conditions which comply with the provisions of this act and the rules and regulations adopted pursuant thereto.

"Agricultural commodities" shall mean fruit, vegetable, ornamental, horticultural and floricultural products.

"Person" shall mean a natural person, firm, partnership, association or corporation.

C. 4:10-28. License; fee; term.

3. Any person desiring to operate a controlled atmosphere storage facility for the storage of agricultural commodities may apply to the Secretary of Agriculture for a license. A fee of $5.00 per room shall accompany the application. Prior to the issuance of the license, the secretary or his authorized agent shall inspect the storage facilities to determine whether they comply with the applicable rules. A license shall expire 1 year after the issuance thereof and may be renewed annually upon payment of a fee of $5.00 per room unless suspended or revoked for violation of this statute or regulations issued pursuant thereto. When agricultural commodities are not represented as having been ex-

posed to controlled atmosphere storage, it shall not be necessary to comply with the requirements of this act.

C. 4:10-29. Permit required; term.

4. Any person desiring to pack or repack an agricultural commodity which is represented as having been exposed to controlled atmosphere storage shall apply to the secretary for a permit. Permits shall expire 1 year after the issuance thereof and may be renewed annually unless revoked or suspended for violation of this statute or regulations issued pursuant thereto.

C. 4:10-30. Rules and regulations; scope.

5. The board of agriculture is authorized to promulgate reasonable rules and regulations governing, among other factors, the following:

(a) Record keeping,

(b) Reports,

(c) Construction and maintenance of storage facilities,

(d) Length of storage time including the maximum time allowed to reach the prescribed at mospheric conditions,

(e) Temperature,

(f) Humidity,

(g) Atmospheric composition, and

(h) Packing and repacking.

C. 4:10-31. Forbidden acts.

6. No person shall:

(a) Advertise, label or otherwise represent that any agricultural commodity has been exposed to controlled atmosphere storage unless the agricultural commodity has been stored in a facility licensed by the secretary under the provisions of this act and under the rules and regulations issued pursuant thereto or under the provisions of section 7 of this act;

(b) Sell, exchange, expose or offer for sale any agricultural commodity represented as having been exposed to controlled atmosphere storage unless the commodity has been stored in a facility licensed by the secretary under the provisions of this act and the rules and regulations issued pursuant thereto or under the provisions of section 7 of this act;

(c) Operate a facility for the storage of agricultural commodities that is represented as being a controlled atmosphere storage facility unless it has been licensed by the secretary under the provisions of this act and the rules and regulations issued pursuant thereto; or

(d) Pack or repack any agricultural commodity which is represented as having been exposed to controlled atmosphere storage unless he holds a permit issued by the secretary under the provisions of this act and the rules and regulations issued pursuant thereto.

C. 4:10-32. Reciprocity.

7. (a) When an agricultural commodity has been stored in another State which has laws governing controlled atmosphere storage similar to the provisions in effect in New Jersey and the agricultural commodity has been stored in compliance with those provisions, it may be represented as having been exposed to controlled atmosphere storage when sold in New Jersey, if the State in which it was stored permits agricultural commodities stored in New Jersey in compliance with New Jersey law to be represented as having been exposed to controlled atmosphere storage when sold in that State.

(b) When an agricultural commodity has been stored in another State which does not have laws governing controlled atmosphere storage similar to the provisions in effect in New Jersey but the agricultural commodity has been stored in facilities and under conditions comparable to that required under this act, they may be represented as having been exposed to controlled atmosphere storage when sold in New Jersey. The board of agriculture may, by rule or regulation, determine any necessary procedures to implement this section.

C. 4:10-33. Penalty; injunctive relief.

8. Any person who violates any provision of this act or the rules and regulations issued pursuant thereto shall be liable to a penalty of not less than $100.00 nor more than $500.00 for each offense.

Each day of violation shall be deemed a separate offense.

Penalties set forth in this act shall be sued for by and in the name of the secretary and shall be recoverable with costs. County district courts and municipal courts shall have jurisdiction to enforce the provisions of this act or of any rule or regulation issued pursuant thereto. Any proceeding for a violation of this act may be brought in the county or municipality where the violator resides, has a place of business or principal office or where the act or omission or part thereof complained of occurred. The proceeding shall be summary in nature and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

The secretary may institute an action in the Superior Court for injunctive relief to prevent and restrain any violation of this act or of any rules or regulations issued pursuant thereto.

9. This act shall take effect immediately.

Approved June 1, 1962.

CHAPTER 63

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 assessor; 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, 1961, 1962, or 1963 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 of 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 June 1, 1962.

CHAPTER 64

AN ACT to amend "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

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

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

5. (1) Any member shall have the right prior to January 1, 1962, to select additional death benefit coverage as follows: C. 43:16A-9.1 Additional death benefit coverage.

(a) Upon the receipt of proper proofs of the death of a member selecting coverage under this section who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount, established by rules and regulations of the board of trustees, which shall be not less than 3/16 nor more than 1/2 of the compensation received by the member in the last year of creditable service.

(b) Upon the receipt of proper proofs of the death of a member selecting coverage under this section who has retired on an ordinary disability retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount, established by rules and regulations of the board of trustees, which shall be not less than 3/16 nor more than 1/2 of the compensation received by the member in the last year of creditable service.

(c) Upon the receipt of proper proofs of the death in service of a member selecting coverage under this section, on account of which no accidental death benefit is payable under section 10, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate, an amount, established by rules and regulations of the board of trustees, which shall be not less than 1½ times nor more than 2 times the compensation received by the member in the last year of creditable service. In the event the member had less than one year of creditable service, the benefit payable under this subsection shall be an amount, established by rules and regulations of the board of trustees, which shall be not less than 1½ times nor more than 2 times the member's annual rate of compensation.

(2) Each member selecting the additional death benefit coverage under this section shall agree to the deduction of a percentage of his compensation in addition to that required under section 15. The actuary of the retirement system shall determine the uniform and constant percentage of contributions which, if deducted from each payment of the prospective earnable compensation throughout active service of all members selecting coverage under this section, is computed to be sufficient to provide for all benefits of this section.

(3) The percentage rate of contribution payable by members selecting coverage under this section shall be subject to adjustment from time to time by the board of trustees on the basis of annual actuarial valuations and experience investigations as provided under section 13, so that the value of future contributions of members selecting the additional death benefit coverage under this section when taken with present assets held for such additional death benefits, shall be equal to the value of prospective benefit payments.

(4) All other provisions of this section notwithstanding, this section and the benefits provided under this section shall not come into effect until a required percentage of the members shall have applied for the additional death benefit coverage under this section. This required percentage shall be fixed by the board of trustees and shall not be less than 65% nor more than 75% of the members. Such application shall be made with the secretary of the board of trustees in such manner and upon such forms as the board of trustees shall provide.

(5) Any other provision of this act notwithstanding, the additional contributions of members selecting the additional death benefit coverage under this section shall not be returnable to the member or his beneficiary in any manner, or for any reason whatsoever, nor shall such contributions be included in any annuity payable to any such member or his beneficiary.

(6) A member selecting the additional death benefit coverage under this section may file, and alter from time to time during his lifetime, as desired, a request with the board of trustees naming the payee of the death benefit provided under this section. Such member may also file and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such a member, a beneficiary to whom a benefit is payable in one sum may elect to

receive the amount payable in equal annual installments over a period of years or as a life annuity.

(7) For the purposes of this section, a member shall be deemed to be in service for a period of no more than 93 days while on official leave of absence without pay when such leave is due to any reason other than illness, and for a period of no more than 2 years if satisfactory evidence is presented to the board of trustees establishing the fact that such leave of absence without pay is due to illness.

In order to continue coverage under this section while on official leave of absence without pay, the member must continue to make contributions for such coverage during the period of such leave of absence without pay in accordance with the rules and regulations established by the board of trustees.

2. This act shall take effect immediately.

Approved June 1, 1962.

CHAPTER 65

AN ACT concerning the salaries of certain officers and employees of this State and revising, repealing and supplementing parts of the Revised Statutes and supplements thereto.

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

Section amended.

1. Section 4:1–15 of the Revised Statutes is amended to read as follows:

Appointment; salary; duties.

4:1–15. The Secretary of Agriculture shall be appointed by the board, with the approval of the Governor. He shall receive such salary as shall be provided by law. The Secretary of Agriculture shall administer, direct and cause to be performed the functions and duties of the department.

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

18:3–1. A Commissioner of Education shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of 5 years, commencing July 1, and until his successor is appointed. Appointment; term; salary.

The commissioner shall be selected without regard to residence within or without this State.

He shall receive such salary as shall be provided by law.

3. Section 18:4–2 of the Revised Statutes is amended to read as follows: Section amended.

18:4–2. A county superintendent of schools shall receive such salary as shall be approved by the commissioner and the president of the Civil Service Commission, subject to availability of funds. Salary.

4. Section 27:1–15 of the Revised Statutes is amended to read as follows: Section amended.

27:1–15. The commissioner shall appoint an assistant State Highway Engineer, whose qualifications shall be the same as those prescribed for the State Highway Engineer. He shall receive such salary as shall be approved by the commissioner and the president of the Civil Service Commission, subject to availability of funds. He shall, unless sooner removed by the commissioner in accordance with the provisions of section 27:1–16 of the Revised Statutes, serve during the continuance in office of the State Highway Commissioner appointing him and until the assistant State Highway Engineer's successor is appointed and has qualified, and shall furnish a bond to the State in the sum of $5,000.00 conditioned for the faithful performance of his duties. Qualifications; salary; term; bond.

5. Section 30:4–3 of the Revised Statutes is amended to read as follows: Section amended.

30:4–3. Unless and until otherwise provided by the State board by rule, regulation or order formally adopted, each board of managers may determine the number, qualifications, powers and duties of the officers and employees of the institu- Institutional officers and employees.

tions or agencies committed to its charge, and their compensation except as the same is fixed by statute or otherwise determinable by law. Each board, with the approval of the State board, shall appoint the chief executive officer of each institution or agency in its charge, and determine his official title. The chief executive officer shall appoint, with the approval of the board of managers, all officers and employees of the institution or agency.

Sections repealed.

6. Section 30:4–137 and section 30:4–138 of the Revised Statutes are hereby repealed.

Section amended.

7. Section 33:1–4 of the Revised Statutes is amended to read as follows:

Director's powers as to appointing deputies, employees, inspectors, experts and counsel.

33:1–4. The director is hereby empowered:

a. To maintain suitable headquarters for said department and such other offices and establishments within the State as he may determine necessary; to organize said department, creating such divisions and altering them in such manner and at such times as he considers advisable.

b. To appoint and have at all times 3 deputy directors who shall each receive such salary as shall be approved by the director and the president of the Civil Service Commission, subject to availability of funds and who shall be removable by the director for cause, and who shall be respectively in charge of the divisions assigned to them by the director. Each such deputy shall, before entering upon the duties of his office, if required by the director, give bond, to be approved by the director, in the sum of $12,000.00. Deputy directors shall not be subject to the provisions of Title 11, Civil Service.

c. To appoint such clerical force and employees as he may deem necessary and to fix their duties, all of whom shall be subject to the provisions of Title 11, Civil Service.

d. To appoint such inspectors, investigators, and executive assistants as he may deem necessary and to fix their duties and compensation. Inspectors, investigators, and executive assistants shall (1) not

be subject to the provisions of Title 11, Civil Service, and (2) shall be removable by the director at will; provided, however, that any person who has been employed as such inspector, investigator, or executive assistant for a period of 3 years shall serve during good behavior and shall not be removed except for cause. The director, deputies, inspectors and investigators shall have authority to arrest, without warrant, for violations of this chapter committed in their presence, and shall have all the authority and powers of peace officers to enforce this chapter. Investigators shall have full authority to conduct any investigation ordered by the director.

e. To appoint for short-time employment or for the purpose of performing specified expert or specialist service such experts and specialists as from time to time he shall deem necessary to carry out the provisions of this chapter, and to determine the specified duty, salary or fee and term of service. Such experts or specialists shall not be subject to the provisions of Title 11, Civil Service.

f. To appoint such counsel and other legal assistants as he shall deem necessary to carry out the provisions of this chapter and to fix their powers, duties, salaries and terms of office. Such counsel and assistants shall not be subject to the provisions of Title 11, Civil Service.

Section amended.

8. Section 39:2–2 of the Revised Statutes is amended to read as follows:

Director of the division of motor vehicles; appointment; salary; bond; oath; vacancies.

39:2–2. The department shall be administered by the Director of the Division of Motor Vehicles.

The director shall be appointed by the Governor by and with the advice and consent of the Senate for a term of 4 years but he shall continue in office after the expiration of his term until his successor shall be appointed and shall qulaify.

The director shall receive such salary as shall be provided by law.

The director shall give bond, conditioned for the faithful discharge of his duties, in the sum of $50,000.00, which bond shall be approved by a justice of the Supreme Court or a judge of the Su-

perior Court, and shall be filed with the State Treasurer.

The director shall take an oath before one of the Supreme Court justices or Superior Court judges, in form similar to that now required by the State Treasurer, which oath shall be filed with the Secretary of State.

Vacancies in the office of the director shall be filed by the Governor by and with the advice and consent of the Senate for the unexpired term only.

Section amended.

9. Section 39:2–4 of the Revised Statutes is amended to read as follows:

Deputy director; appointment; term; powers; salary; bond; oath.

39:2–4. The director shall appoint a deputy director for a term to correspond with his term of office. He shall assist the director in the administration and enforcement of this subtitle and have all the powers of the director when deputized by the director in the performance of such duties as the director may assign to him. He shall receive such compensation as shall be approved by the director and the president of the Civil Service Commission subject to availability of funds.

The deputy director shall give bond, conditioned for the faithful discharge of his duties, in the sum of $50,000.00, which bond shall be approved by a judge of the Superior Court and filed with the State Treasurer. He shall also take an oath of office before a judge of the Superior Court, in form similar to that now required of the State Treasurer, which oath shall be filed with the Secretary of State.

Section amended.

10. Section 48:2–5 of the Revised Statutes is amended to read as follows:

Salary.

48:2–5. The members of the board shall each receive such compensation as shall be provided by law.

Section amended.

11. Section 52:15–1 of the Revised Statutes is amended to read as follows:

Salary.

52:15–1. The Governor shall receive such salary as shall be provided by law.

Section amended.

12. Section 52:15–3 of the Revised Statutes is amended to read as follows:

52:15–3. The Governor may appoint and commission a person to be known as the secretary to the Governor who shall hold his office during the pleasure of the Governor and shall keep a correct record of all executive proceedings and decisions and do all other acts appertaining to his office which shall be required of him by the Governor.

Secretary to the Governor; duties; salary; not to pursue other occupation.

The secretary to the Governor shall receive such salary as shall be provided by law. He shall pursue no other occupation during his incumbency that will interfere with the daily discharge of the duties of his office.

13. Section 4 of Article 7 of c. 112, P. L. 1944 is amended to read as follows:

C. 52:27B-72. Salary.

4. The members of the Local Government Board shall each receive such compensation as shall be provided by law.

Section amended.

14. Section 53:1–2 of the Revised Statutes is amended to read as follows:

Superintendent; appointment; term; salary; bond.

53:1–2. The Superintendent of State Police, hereinafter referred to as the superintendent, shall be appointed by the Governor, by and with the advice and consent of the Senate, for a term of 5 years, and shall be removable by the Governor after charges have been preferred and a hearing granted.

The superintendent shall receive such salary as shall be provided by law, and shall, before entering upon the duties of his office, give a bond to the State of New Jersey in the sum of $20,000.00 for the faithful performance of his duties.

Section amended.

15. Section 53:1–3 of the Revised Statutes is amended to read as follows:

Deputy superintendent; salary.

53:1–3. The superintendent may appoint a deputy superintendent with the rank of major. He shall receive such salary as shall be provided by law.

Section amended.

16. Section 3 of c. 65, P. L. 1947 is amended to read as follows:

C. 53:1-3.1. Executive officer; salary.

3. The superintendent may appoint an executive officer, with the rank of major. He shall receive such salary as shall be provided by law.

NOTE: Act effective.

17. This act shall take effect July 1, 1962.

CHAPTER 66

AN ACT concerning municipalities in relation to the regulation of buildings and structures and their use and occupancy, and supplementing Title 40 of the Revised Statutes.

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

C. 40:48-2.12a. Ordinances regulating the use of buildings.

1. The governing body of any municipality may make, amend, repeal and enforce ordinances to regulate buildings and structures and their use and occupation to prevent and abate conditions therein harmful to the health and safety of the occupants of said buildings and structures and the general public in the municipality.

C. 40:48-1.12b. Authority additional.

2. The authority conferred by this act shall be in addition to authority heretofore or hereafter conferred on the governing bodies of municipalities in respect to the construction and maintenance of buildings and structures, local health ordinances and the removal or destruction of buildings and structures and parts thereof endangering the public health and safety.

C. 40:48-2.12c. Provisions of ordinance may require registration of owner.

3. Any ordinance adopted pursuant to this act may provide for the registration of the owners and management of every building and structure in the municipality which is occupied by 2 or more families as tenants of the owner or lessor. Such registration shall be with the clerk of the municipality upon forms prescribed by and furnished by the municipality. Every such registration form shall include the name and address of the owner, the name and address of the lessor if other than the owner, and the name and address of an agent in charge of the premises residing in the municipality.

C. 40:48-2.12d. Service of notice.

4. Any ordinance adopted pursuant to this act may provide for the service of notices under any ordinance of the municipality or under any State

law applicable to the municipality, upon the said owner, lessor and agent, as being sufficient notice to the owner or lessor, and for the service of any such notice by posting it upon the premises in a conspicuous place where the owner or lessor has failed to register his premises with the municipal clerk as required by the ordinance, and designate an agent in respect to the premises, residing in the municipality or where such an agent has been designated but cannot be found at the address given in the registration.

C. 40:48-2.12e. Collection of fine or penalty.

5. Any ordinance adopted pursuant to this act may provide that in the event of the imposition of a fine or penalty by the municipal court of the municipality or any other court of competent jurisdiction against the owner or lessor of any such building or structure in the municipality for the violation of any ordinance of the municipality or of any State law applicable to the municipality, any such fine or penalty shall be collectible as provided in this act.

C. 40:48-2.12f. Abatement of nuisance, etc., at owner's expense.

6. Any ordinance adopted pursuant to this act may also provide that the municipality, by resolution of its governing body, may abate a nuisance, correct a defect, or put the premises in proper condition so as to comply with the requirements of any municipal ordinance or State law applicable thereto, at the cost of the owner or lessor, and expend municipal funds for such purpose and charge the same against the premises, and the amount thereof as determined by the governing body of the municipality shall be a lien against the premises and collectible as provided in this act.

C. 40:48-2.12g. Appointment of custodian.

7. Any ordinance adopted pursuant to this act may also provide for the appointment of a custodian of any such building or structure on behalf of the municipality, who may be either an officer of the municipality or any other person specially designated to enter into and take charge of the premises and supervise abatement of the nuisance, the correction of the defective condition, or the maintenance of the premises in a proper condition so as to conform to the requirements of municipal ordi-

nances and State laws applicable thereto. In any such case, the compensation of the custodian shall be as provided in the ordinance and the costs and expenses shall be collectible as provided in this act.

C. 40:48-2.12h. Appointment of receiver.

8. Upon the adoption of an ordinance pursuant to this act and in the event that any owner of a building or structure in the municipality shall violate such ordinance or fail to abate a condition harmful to the health and safety of the occupants of the building or structure and the general public in the municipality after notice and opportunity so to do, the municipal officer designated by the governing body of the municipality to administer and enforce such ordinance may, by and with the approval of the governing body of such municipality, bring an action in the Superior Court to be appointed receiver ex officio of the rents and income of such real property for the purpose of collecting the rents and income from such property and expend the same for the purpose of abating said conditions. The said rents and income so collected by the said receiver shall also be available for the payment of such costs and expenses of the receivership, as may be adjudged by the court, and for the payment to the municipality of any fines or penalties which may have been imposed on the owner for violations of the ordinance and which have not been paid by the person liable therefor. The court may proceed in the action in a summary manner or otherwise. Such receiver shall not be required to give bond and shall be appointed only for the said purposes.

C. 40:48-2.12i. Mortgagee to act as receiver's agent.

9. Upon his appointment, the receiver, by and with the approval of the governing body of such municipality, in all cases where the real property in question is encumbered by a first mortgage shall appoint such first mortgagee, if such mortgagee is a proper person and is willing to accept such appointment, as the receiver's agent to collect the rents and income from such real property and manage the same and in all other cases the receiver, by and with the approval of the governing body of

such municipality may designate the person in charge or management of such real property or some other competent person as the receiver's agent to collect the rents and income from such real property and manage the same, which mortgagee or other person shall account promptly to the receiver for the rents and income so collected; provided, however, that if the mortgagee or other person so designated is derelict in collecting or accounting for such rents and income or in the management of such real property, the receiver shall apply to the court for the removal of such designated mortgagee or other person, upon notice in writing to him, and the court upon removing such designated mortgagee or other person, in its discretion, may designate another person to collect the rents and income from such real property and manage the same and account to the receiver for the rents and income of such real property as aforesaid.

C. 40:48-2.12j. No fees allowed.

10. In any such receivership no fees shall be allowed the receiver or his counsel for action as such receiver or counsel.

C. 40:48-2.12k. Procedure in respect to receivership proceedings.

11. Except as otherwise provided herein, the procedure in respect to any such receivership shall be as in the case of receiverships to secure the payment of delinquent taxes, penalties, interest, costs and expenses wherein a collector of taxes of a municipality or other officer of the municipality is such receiver. In any receivership proceeding under this act, the court shall have jurisdiction to make such orders and directions to the receiver as may be necessary to effectuate the purposes of this act and to conserve the real property during the pendency of the receivership.

C. 40:48-2.12l. Penalties.

12. Any ordinance adopted pursuant to this act shall provide penalties for a failure to comply with the registration provisions of the ordinance within the limitations prescribed in article 2 of chapter 49 of the Title to which this act is a supplement.

13. This act shall take effect immediately.

Approved June 4, 1962.

CHAPTER 67

AN ACT concerning education, authorizing the State Board of Education to lease the A. Harry Moore School from the Jersey City Board of Education for use as a demonstration school for Jersey City State College, amending the State School Aid Act of 1954, and making an appropriation to the Jersey City State College.

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

Authorized to lease school.

1. The State Board of Education is hereby authorized to enter into a lease with the Jersey City Board of Education, for a term not to exceed 20 years, for use of the A. Harry Moore School in Jersey City as a demonstration school for use of Jersey City State College. Terms of the lease shall be subject to the approval of the State Treasurer, the Director of Budget and Accounting, the Legislative Budget and Finance Director, the President of the Senate, and the Speaker of the General Assembly.

The execution of said lease shall be deemed to constitute a transfer of use of the said A. Harry Moore School from the Jersey City Board of Education to the State Board of Education within the contemplation of subtitle 5 of Title 11, Civil Service, of the Revised Statutes.

Section amended.

2. Section 6 of chapter 85 of the laws of 1954 is amended to read as follows:

C. 18:10-29.35. Atypical pupils.

6. (a) In addition to all other aid, each school district or State college operating an approved special class or classes shall be paid $2,000.00 per class for such classes, and each school district sending atypical children to special classes outside the district of residence shall be paid ½ the amount by which the tuition charged for such pupils exceeds $200.00.

(b) For every mentally retarded or physically handicapped pupil furnished individual instruction or training at home or in school, by reason of the fact that there are too few mentally retarded or physically handicapped pupils in the district to form a class or by reason of the impracticability of transporting such a pupil to a class maintained in another district, the school district shall be paid ½ the cost of such education as determined by the Commissioner of Education.

Appropriation.

3. There is hereby appropriated to the Jersey City State College, in addition to sums heretofore or hereafter appropriated for the year 1962-63, the sum of $200,000.00 for the operation of said demonstration school. In addition thereto, all funds received by the Jersey City State College as tuition payments or from other sources from the operation of said school are hereby appropriated to the Jersey City State College for operational expenses of said school.

4. This act shall take effect immediately.

Approved June 4, 1962.

CHAPTER 68

AN ACT concerning tenure in office, position or employment of certain State employees.

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

C. 52:11-2.1. Tenure of office granted.

1. Any person holding or who shall hold the office, position or employment of journal clerk to the Senate of this State and who has served or shall have served for 20 consecutive years or more, shall continue to hold such office, position or employment during good behavior and efficiency and shall not be removed therefrom, except for good cause shown after a fair and impartial hearing.

2. This act shall take effect immediately.

Approved June 4, 1962.

CHAPTER 69

AN ACT concerning tenure in office, position or employment of certain State employees.

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

C. 52:11-2.2. Tenure of office granted.

1. Any person holding or who shall hold the office, position or employment of sergeant-at-arms of the Senate of this State and who has served or shall have served for 20 years or more either consecutively or in the aggregate, shall continue to hold such office, position or employment during good behavior and shall not be removed therefrom, except for good cause shown after a fair and impartial hearing.

2. This act shall take effect immediately.

Approved June 4, 1962.

CHAPTER 70

AN ACT to amend "The Emergency Transportation Tax Act," approved May 29, 1961 (P. L. 1961, chapter 32), and repealing certain sections thereof.

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. 54:8A-3. "Resident" defined.

3. The word "resident" applies only to natural persons and includes any person domiciled in the State, except a person who, though domiciled in the State, maintains no permanent place of abode within the State, but does maintain a permanent

place of abode without the State, and who spends in the aggregate not to exceed 30 days of the taxable year within the State. In addition, it includes any person who maintains a permanent place of abode within the State and spends in the aggregate more than 183 days of the taxable year within the State, whether or not domiciled in the State during any portion of said period, and such a person shall be taxed the same as though he had been domiciled in the State during the entire taxable year. However, it does not include a person in the Armed Forces of the United States, whether in a land, sea or air service or any auxiliary corps or guard thereof, during any period when individuals are liable for induction for training and service under applicable law, if not domiciled in the State notwithstanding his maintenance of a permanent place of abode within the State and his spending an aggregate of more than 183 days in the State.

Section amended.

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

C. 54:8A-8. "Taxpayer" defined.

8. "Taxpayer" means any person subject to a tax imposed by this act, or whose income is in whole or in part subject to a tax imposed by this act, and does not include corporations.

Section amended.

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

C. 54:8A-9. Standard deduction.

9. Any taxpayer may elect to deduct 10% of his gross income, or $1,000.00, whichever is less, in lieu of all deductions otherwise permitted under this act. The deduction provided for by this section shall become known as the "standard deduction."

A husband and wife shall not be entitled to a standard deduction in an amount greater than one computed on their aggregate gross income, whether they file separate or joint returns. If they file separate returns, neither may elect the standard deduction unless the other also so elects. If both so elect, either may take such deduction, or they may divide it.

Such election may be changed for a taxable year after the filing of the return, subject to regulations

issued under this act. If a taxpayer wishing to make such change has a spouse who filed a separate return, the change shall not be allowed unless (1) such spouse also makes a change consistent with the change desired by the taxpayer and (2) both consent in writing to the assessment of any additional tax resulting from such change without regard to time limits otherwise preventing such assessment.

Section amended.

4. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 54:8A-16. Credit against tax; payments of non-residents; reciprocal allowance; exemptions.

16. (A) (1) A nonresident of this State shall be allowed a credit against the tax otherwise due under this act for any income tax imposed for the taxable year by another critical area State, of which the taxpayer is a resident but such credit shall not exceed either:

(a) the percentage of the other tax determined by dividing the portion of the taxpayer's income subject to taxation under this act which is also subject to the other tax by the total amount of his income subject to such other tax, or

(b) the percentage of the tax otherwise due under this act, determined by dividing the portion of the taxpayer's income subject to taxation under this act which is also subject to the other tax by the total amount of the taxpayer's income which is taxable under this act.

(2) No credit shall be allowed under this section unless the jurisdiction of which the taxpayer is a resident:

(a) grants a substantially similar credit to residents of this State, or

(b) imposes an income tax on its own residents with respect to income derived from this State, and exempts from income tax the income of residents of this State.

(B) A resident of this State shall be allowed a credit against the tax otherwise due under this act for any income tax imposed for the taxable year by another critical area State, upon income both derived therefrom and subject to tax under this act.

(1) The credit allowable under this subsection shall not exceed the percentage otherwise due under this act determined by dividing the portion of the taxpayer's income subject to taxation by such other jurisdiction by the total amount of the taxpayer's income subject to taxation under this act.

(2) The credit allowable under this subsection shall not reduce the tax otherwise due under this act to an amount less than would have been due if the income subject to taxation by such other jurisdiction were excluded from the taxpayer's income subject to tax under this act.

(3) No credit shall be allowed under this subsection for a tax of a jurisdiction which allows residents of this State a credit against the taxes imposed by such other jurisdiction for the tax under this act, if such other credit is substantially similar to the credit granted to nonresident taxpayers by subsection (A) of this section.

Section amended.

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

C. 54:8A-18. Returns; time of filing; farm and contents; extension of time.

18. With respect to each taxpayer, the tax imposed by this act shall be due and payable annually hereafter, in the manner provided in this section:

(a) Every taxpayer shall annually pay the tax imposed by this act with respect to all or any part of each of his fiscal or calendar accounting years beginning after January 1, 1961, to be computed as in this act provided, for such fiscal or calendar accounting year or part thereof, on a return which shall be filed, in the case of a taxpayer reporting on a calendar year basis, on or before April 15 following the close of such calendar year, or, in the case of a taxpayer reporting on a fiscal year basis, on or before the fifteenth day of the fourth month following the close of such fiscal year, and the full amount of the tax shall be due and payable on or

before the date prescribed herein for the filing of the return.

(b) Every taxpayer shall pay a like tax with respect to all or any part of the period beginning January 1, 1961 and extending through any subsequent part of its first fiscal or calendar accounting year ending after said date, to be computed as in this act provided, for such period, on a return which shall be filed on or before April 1, 1962, and the full amount of the tax shall be due and payable on or before the date prescribed herein for the filing of the return.

(c) Each return shall carry a certificate signed by the taxpayer to the effect that all statements contained therein are true, under the same penalties as for perjury committed. Blank forms of return shall be furnished on application, but failure to secure the form shall not relieve any taxpayer of the obligation of making any return herein required. Subject to regulations under this act and in such form as may be indicated thereby, taxpayers whose net income taxable under this act is or may be subject to tax under a similar law of another jurisdiction may be permitted to file a simple, short form return attached to a copy of his return as filed or about to be filed by him in such other jurisdiction.

Subject to regulations under this act, reasonable extensions of time for good cause shown, may be granted for not more than 6 months unless exceptional circumstances justify a longer period, within which returns may be filed.

In addition, persons in active service with the Armed Forces of the United States, who may be prevented by distance or injury or hospitalization arising out of such service, may be allowed such extension of time for the filing of returns, without interest or penalty, as may be fixed by regulations under this act.

Section amended.

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

C. 54:8A-19. Assignment of claim for refund of money paid or withheld in other jurisdiction; return may not be required.

19. (a) Every resident of this State who is subject to tax in some other jurisdiction for income and gains derived from sources within such other jurisdiction, which jurisdiction grants to residents of this State a credit substantially similar to that allowed to nonresidents of this State by section 16 (A) of this act, and who is subject to tax under this act and who has made payment on the estimated amount of such tax, or who has, in such jurisdiction, been subject to deduction and withholding of money, otherwise payable to him, for the purpose of crediting the same to the payment of such tax, shall be entitled to satisfy his obligation to pay the tax due under this act by entering into an agreement with the division, in such form and containing such provisions as may be fixed by regulation, which shall constitute an assignment and transfer to the State of New Jersey of the chose in action consisting of his claim for refund of moneys so paid or deducted and withheld, as well as an agreement to pay to the division so much of any refund as may be received by him as equals the tax under this act, within such period, to be not longer than 1 month after receipt by him of any such refund, as may be fixed by regulation; and for said purposes shall execute, deliver and file such document or documents, in such forms, in such place or places and at such times as may be provided by regulation; and upon the making of any such assignment the State of New Jersey shall thereupon become the owner and holder of all such claims and shall be entitled to assert the same in its own right and as its own property, whether it asserts the same in its own name or in the name of the assigning taxpayers or otherwise.

In the event that the amount so paid or deducted and withheld, and received by the State of New Jersey pursuant to such agreement, shall exceed the amount necessary to satisfy the obligation of taxpayer under this act, the excess shall be repaid to taxpayer upon application therefor in accordance with procedures and forms fixed by regulation.

Every taxpayer exercising any option under this subsection shall be obliged to co-operate fully in any proceedings which may be taken for recovery of the claim for refund, and for that purpose shall execute and deliver such papers, affidavits, forms or other documents, shall appear and be available to give testimony at such place or places and at such time or times, shall furnish such information, shall permit the institution of such proceeding or proceedings in his name or otherwise, but at the sole cost and expense of the State, and do all other things, as the division shall deem appropriate or desirable for the effective recovery of any sum due and payable on such claim.

The provisions of this subsection shall not apply to any tax, or to any payment or deduction and withholding for the satisfaction of the same, imposed by any Federal law.

(b) If it shall appear to the satisfaction of the division, based upon an opinion of the Attorney General of this State, that any residents of this State, or class of residents of this State, who are subject to the tax imposed by this act, are liable for tax upon the same income under the law imposed for the taxable year by another critical area State and are thereby entitled to the credit allowed by section 16(B) of this act against the tax otherwise due under this act and that said credit is substantially sufficient to offset the taxes imposed hereunder, the division may by regulation relieve such residents or class of residents from being required to make any return under this act.

Section amended.

7. Section 39 of the act of which this act is amendatory is amended to read as follows:

C. 54:8A-39. Net capital gain; deductions; net capital loss carryover.

39. (a) The net capital gain or loss of a taxpayer shall be computed by totaling the gains from sales or other dispositions during the taxable year of capital assets having an actual situs within the source State and subtracting therefrom the losses from sales or other dispositions of capital assets having an actual situs in the source State.

(b) (1) In any taxable year in which a taxpayer has a net capital loss such loss shall be allowed as a deduction from gross income only to the extent of $1,000.00 or the taxpayer's net income whichever is lower.

(2) Subject to the limitation of paragraph (1) hereof, if for any taxable year the taxpayer has a net capital loss, the amount thereof shall be treated as a capital loss and deductible from gross income in each of the 5 succeeding taxable years to the extent that such amount exceeds the total of any net capital gains of any taxable years intervening between the taxable year in which the net capital loss arose and such succeeding taxable year. For purposes of this section, a net capital gain shall be computed without regard to such net capital loss or to any net capital losses arising in any such intervening taxable years.

(c) In any taxable year in which the net capital gain exceeds the net capital loss, 50% of the amount of such excess shall be a deduction from gross income.

Section amended.

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

C. 54:8A-44. Returns; amended returns.

44. (a) On or before the filing date prescribed in section 18 of this act, an income tax return shall be made and filed by or for every individual having a gross income derived from sources within his source State in excess of the sum of his personal exemptions allowed in section 10 of this act.

(b) (1) If the Federal income tax liability of husband or wife is determined on a separate Federal return, their New Jersey income tax liabilities and returns shall be separate.

(2) If the Federal income tax liabilities of husband and wife (other than a husband and wife described in paragraph (3)) are determined on a joint Federal return, or if neither files a Federal return:

(A) they shall file a joint New Jersey income tax return, and their tax liabilities shall be joint and several, or

(B) they may elect to file separate New Jersey income tax returns on a single form if they comply with the requirements of the Division of Taxation in setting forth information, and in such event their tax liabilities shall be separate.

(3) If either husband or wife is a resident and the other is a nonresident, they shall file separate New Jersey income tax returns on such single or separate forms as may be required by the Division of Taxation, and in such event their tax liabilities shall be separate.

(c) The return for any deceased individual shall be made and filed by his fiduciary or other person charged with his property.

(d) The return for an individual who is unable to make a return by reason of minority or other disability shall be made and filed by his fiduciary or other person charged with the care of his person or property (other than a receiver in possession of only a part of his property), or by his duly authorized agent.

(e) Any tax under this act, and any increase, interest or penalty thereon, shall, from the time it is due and payable, be a personal debt of the person liable to pay the same, to the State of New Jersey.

(f) If the amount of net income for any year of any taxpayer as returned to the United States Treasury Department or to an appropriate State officer is changed or corrected by the taxpayer or the Commissioner of Internal Revenue or other officer of the United States or other competent authority, or where a renegotiation of a contract or subcontract with the United States results in a change in net income, such taxpayer shall report such change or corrected net income, or the results of such renegotiation, within 90 days after the final determination of such change or correction or renegotiation, or as required by regulation, and shall concede the accuracy of such determination or state wherein it is erroneous. Any taxpayer filing an amended return with such department or officer shall also file within 90 days thereafter an amended

return in this State which shall contain such information as the regulations shall require.

Section amended.

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

C. 54:8A-46. Attorney General to institute suit; courts to recognize and enforce claims of other states; use of words.

46. (a) At the request of the Division of Taxation, the Attorney General may bring suit, in the name of this State, in the appropriate court of any other State to collect any tax legally due this State under this act.

(b) The courts of this State shall recognize and enforce liabilities for taxes lawfully imposed by any other State, upon incomes, which extends a like comity to this State, and the duly authorized officer of any such State may sue for the collection of such a tax in the courts of this State. A certificate by the Secretary of State of such other State that an officer suing for the collection of such a tax is duly authorized to collect the same shall be conclusive proof of such authority.

(c) For the purposes of this section, the words "tax" and "taxes" shall include interest and penalties due under this act, and liability for such interest or penalties or both, due under a taxing statute of another State shall be recognized and enforced by the courts of this State to the same extent that the laws of such other State permit the enforcement in its courts of liability for such interest or penalties or both, due under this act.

Section amended.

10. Section 51 of the act of which this act is amendatory is amended to read as follows:

C. 54:8A-51. Tax not to be collected from employer on payment; liability for penalties; interest; failure to pay tax withheld.

51. (a) If an employer fails to deduct and withhold tax as required, and thereafter the tax against which such tax may be credited is paid, the tax so required to be deducted and withheld shall not be collected from the employer, but the employer shall not be relieved from liability for any penalties, interest, or additions to the tax otherwise applicable in respect of such failure to deduct and withhold.

(b) If any employer shall fail to make a return and pay a tax withheld by him at the time required by or under the provisions of this act, such employer shall be liable for such tax and shall pay

the same together with all penalties and interest charges thereon as provided in the case of any taxpayer under section 53 of this act, and such additional amount of penalties and interest shall in no case be charged to or collected from the taxpayer by said employer. The Division of Taxation shall have the same rights and powers for the collection of such tax, penalties and interest against such employer as are now prescribed by this act for the collection of a tax against a taxpayer.

Section amended.

11. Section 53 of the act of which this act is amendatory is amended to read as follows:

C. 54:8A-53. Penalties; interest; abatement or remission; may abate or remit interest.

53. Any taxpayer who shall fail to file his return when due shall be liable to a penalty of $2.00 for each day of delinquency, which penalty shall be payable to, and recoverable by, the Division of Taxation as a part of the tax herein imposed. If any tax be not paid when the same becomes due, as herein provided, there shall be added to the amount of the tax a sum equivalent to 5% thereof, as a penalty, and, in addition thereto, interest at the rate of 1% per month or fraction thereof from the date the tax became due until the same be paid. If the Division of Taxation determines that the failure to comply with any provision of this act was excusable under the circumstances, it may abate or remit such part or all of the penalty as shall be appropriate under such circumstances.

With respect to taxes paid not later than October 1, 1962, the Division of Taxation may also abate or remit such part or all of the interest as shall be appropriate under such circumstances.

Sections repealed.

12. Sections 24, 25, 26, 27, 28 and 45 of the act of which this act is amendatory are hereby repealed in their entirety.

Application of act.

13. This act shall take effect immediately and shall apply to all taxable years, including taxable years of less than 12 months beginning on or after January 1, 1961.

Approved June 5, 1962.

CHAPTER 71

AN ACT to supplement an act entitled "An act making appropriations for the support of State Government and for the several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof."

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

State treasurer authorized to accept application.

1. The State Treasurer is hereby authorized to accept and process applications filed with him on or before October 1, 1962, for participation in the allocation of funds in Account 845-100 Storm Relief Fund, the unexpended balance in which is appropriated for the purposes defined in chapter 16, P. L. 1962.

Commissioner authorized to accept applications.

2. The Commissioner of Conservation and Economic Development is hereby authorized to accept and process applications filed with him on or before October 1, 1962, for participation in the allocation of funds in the "Special Beach Erosion Fund" the unexpended balance in which is appropriated for the purposes defined in chapter 18, P. L. 1962.

3. This act shall take effect July 1, 1962.

Approved June 5, 1962.

CHAPTER 72

AN ACT concerning certain transfers of State funds and supplementing "An act making appropriations for the suport of the State Government and for several public purposes for the fiscal year ending June 30, 1962, and regulating the disbursement thereof," aproved June 1, 1961 (P. L. 1961, c. 38).

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

Transfer of appropriation.

1. The State Treasurer is directed to transfer from the appropriation to the Department of Conservation and Economic Development for capital construction, the sum of $125,000.00 from Account 420-100—Division of Planning and Development—allocated for forests, parks and recreational area developments to Account 420-402—Morris Canal and Banking Company—for the construction of an office and service building at Hopatcong State Park.

2. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 73

AN ACT concerning the numbering of power vessels on waters of the State, establishing a Boat Regulation Commission, establishing procedures for reporting boating accidents and furnishing accident statistics, and repealing sections 2, 3, 5, 8, 10, 11, 12, 15, 16, 17, 21, 24, 26 and 32 of the Power Vessel Act (1954) being chapter 236 of the laws of 1954, and supplementing Title 12 of the Revised Statutes.

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

C. 12:7-34.36. Short title.

1. This act may be cited as the "New Jersey Boat Numbering Act of 1962."

C. 12:7-34.37. Terms defined.

2. As used in this act, unless the context clearly requires a different meaning:

(a) "Vessel" means watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(b) "Power vessel" shall mean a vessel temporarily or permanently equipped with machinery for propulsion, and shall not include a vessel propelled wholly by sails or by muscular power.

(c) "Owner" means a person, other than a lien holder, having the property in or title to a power vessel. The term includes a person entitled to the use or possession of the vessel subject to an interest of another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.

(d) "Operate" means to navigate or otherwise use a vessel.

(e) "Department" means the Department of Conservation and Economic Development or its duly constituted successor.

(f) "Commissioner" shall refer to the Commissioner of the Department of Conservation and Economic Development.

(g) "Commission" shall refer to the Boat Regulation Commission established in this act.

(h) "Waters of this State" means all waters within the jurisdiction of this State, both tidal and nontidal, and the marginal sea adjacent to this State.

(i) "Number," "Numbering" and "Certificates of number" as used in this act are the equivalent of the terms "register," "registration" and "Certificate of Registration" as used in the Power Vessel Act (1954) being chapter 236 of the laws of 1954.

C. 12:7-34.38. Power vessels to be numbered; exceptions.

3. Every power vessel, except as herein provided, which is upon the waters of this State shall be numbered in accordance with the provisions of this act, and no person shall operate or give permission to operate any power vessel on such waters unless it is so numbered.

A power vessel shall not be required to be numbered under this act if it is:

(a) A vessel which has a valid Marine Document issued by the Bureau of Customs of the United States Government or any Federal agency successor thereto;

(b) Being legally operated pursuant to applicable Federal law or a Federally-approved numbering system of another State; provided, that such vessel shall not have been within this State for a period in excess of 180 consecutive days, unless it is in New Jersey for the purpose of set or dry storage, or for repairs, in which case the actual time for said storage or repair shall not be counted as included within the 180 days aforesaid.

(c) From a country other than the United States temporarily using the waters of this State;

(d) Public vessels of the United States, a State or subdivision or agency thereof;

(e) A ship's lifeboat;

(f) Any power vessel used exclusively for racing while actually competing in an authorized race held under the auspices of a duly incorporated yacht club or racing association in accordance with the rules and regulations prescribed by the department and pursuant to a permit duly issued by the department.

(g) Any power vessel powered by a motor developing 10 horse power or less.

C. 12:7-34.39. Application; fee; record made; certificate issued; available for inspection; number displayed.

4. (a) The owner of a power vessel required to be numbered in this State shall file an application with the department on forms approved by it. The application shall be signed by the owner and shall be accompanied by the fee prescribed by this act for such power vessel. Upon receipt of the application in the approved form and the prescribed fee, the department shall enter the same upon the records of its office and issue to the applicant, a pocket-size, waterproof, certificate of number, which shall state the name and address of the owner, a description of the power vessel, its use, and the number assigned.

(b) The certificate of number shall be available at all times for inspection on the power vessel for which issued whenever such vessel is in operation.

(c) The number assigned to a vessel shall be displayed on each side of the bow thereof, as prescribed by regulations of the department, using letters and numerals not less than 3 inches in height. No other number shall be displayed on the bow.

C. 12:7-34.40. Rules and regulations.

5. The department shall make and promulgate rules and regulations concerning the numbering system to be used, which system shall conform as near as possible with any over-all system of identification numbering for power vessels which is being used by the United States Government or its agencies. Such rules and regulations shall go into effect immediately upon promulgation.

C. 12:7-34.41. Out of state owners to record description of vessel with department.

6. The owner of any power vessel identified by a number in full force and effect which has been awarded to it pursuant to a then operative Federal

law or Federally-approved numbering system or another State shall record with the department the vessel's description and number prior to using such power vessel upon the waters of this State in excess of the 180-day reciprocity period provided for in section 3 of this act. Such recording shall be in the same manner and pursuant to the same procedure prescribed in section 4 of this act except that no additional or substitute number shall be assigned.

C. 12:7-34.42. Term of certificate of number.

7. Unless otherwise provided herein, every certificate of number shall expire and become void on the last day of the thirty-sixth calendar month following the calendar month in which the certificate was issued.

C. 12:7-34.43. Number assigned upon expiration of U. S. C. G. certificate.

8. Certificates of number issued by the United States Coast Guard after April 1, 1960, to undocumented vessels principally used in New Jersey shall be valid until the expiration date shown thereon. Upon such expiration the owner of the vessel shall apply to the department in the manner prescribed in section 4 of this act, and the department shall assign the same number as that which had been asigned to the vessel by the coast guard.

C. 12:7-34.44. Misstatements.

9. No person shall make any misstatement of fact in an application for the numbering of a power vessel or give a fictitious name or address.

C. 12:7-34.45. Notice given of address change; notice of sale, transfer or abandonment.

10. (a) Whenever the owner of a vessel numbered under this act changes his address from that shown on his certificate of number, he shall, within 10 days thereof, notify the department, in writing, of his new address. The department may provide, by regulation, for showing the new address by the alteration of the certificate or for its surrender and replacement by a corrected certificate.

(b) Whenever a vessel numbered under this act is sold, transferred, lost, destroyed or abandoned, the owner of record shall, within 10 days thereof, notify the department in writing of the change in the status of the vessel. The department may, by regulation, also require the surrender of the cer-

tificate of number, if it was not destroyed by the occurrence.

C. 12:7-34.46. Accidents; duties of operator; notice to department; report within 48 hours; use of information in judicial proceedings.

11. (a) Whenever any vessel upon the waters of this State is involved in an accident, it shall be the duty of the operator, so far as he can do so without serious danger to his own passengers, guests, crew, himself or his vessel, to render to all other persons affected by the accident such assistance as may be necessary in order to save them from or to minimize any danger caused by the accident. He shall also give his name, address, and identifying information regarding his vessel to any person injured and to the owner of any property damaged in the accident.

(b) Whenever an accident involves any vessel subject to this act and results in the death, disappearance, or injury of any person, or in property damage in excess of $100.00, the operator or operators thereof shall file, with the department, a full description of the accident, including such information as the department may, by regulation, require within the times specified in subsection (c) of this section.

(c) All boating accidents which occur on the waters of this State shall be reported within 48 hours of the happening thereof, if said accident has caused the death or the disappearance of any person; all other reportable boating accidents that may result in personal injury or property damage shall be reported within 15 days.

(d) The report of a boating accident herein required to be made shall not, during any judicial proceeding, be referred to in any way; it shall not be subject to subpœna nor admissible as evidence in any proceeding. Subject to these restrictions, information contained in a boating accident report and any statistical information based thereon will be made available upon request for official purposes to the United States Coast Guard or any Federal agency successor thereto.

C. 12:7-34.47. Fees; special numbers boat dealers; fee.

12. The fees for the initial numbering of all power vessels and for each renewal of the certificate

of number issued thereto, unless otherwise provided by law, shall be:

(a) $6.00 for 3 years.

(b) Special numbers shall be assigned to boat dealers and manufacturers, as provided for under rules and regulations to be promulgated by the department, and such numbers shall be displayed temporarily upon boats being tested, demonstrated, photographed or transported, said display to be as prescribed in the rules and regulations aforementioned.

For each number so assigned the fee shall be $5.00 for one year.

C. 12:7-34.48. Use of fees.

13. All fees received pursuant to this act shall be deposited as part of the State's general funds with the State Treasurer, who shall keep a record of the same. The said sums shall be credited to a permanent revolving fund for the then current fiscal year and thereafter, from year to year, as a replacement thereof, and shall not lapse into the unappropriated funds of the State Treasury, for the purposes of meeting necessary expenses to assure a continuous administration of this act, except that at the end of each fiscal year all revenue in excess of a sum calculated to meet the projected annual costs for its administration, shall be used and are hereby appropriated for the purpose of dredging and maintaining lakes, waterways and streams of this State.

C. 12:7-34.49. Boat regulation commission established; members; terms; chairman; no compensation; rules and regulations; meetings.

14. (a) There is established within the department a 7 member Boat Regulation Commission which shall consist of the commissioner of the department as ex officio member and 6 public members. The public members shall be appointed by the Governor with the advice and consent of the Senate for 4-year terms commencing on April 1 of the year of the appointment, except that of those first appointed, 2 shall be appointed for a term of 1 year, 2 for a term of 2 years, one for a term of 3 years and one for a term of 4 years. As far as possible the public members shall be experienced boatmen

and shall represent the various geographical sections and boating interests of the State.

The chairman shall be designated by the Governor. Each member of the commission shall serve at the pleasure of the Governor during his term and until the successor of the commission member has been appointed and has qualified. Vacancies shall be filled only for the unexpired term.

(b) The members of the commission shall serve without compensation except for the actual expenses incurred while engaged in their duties as members of the commission.

(c) The commission will promulgate rules and regulations, subject to the approval of the commissioner of the department, not inconsistent with the provisions of this act and including, but not limited to the inspection, operation, equipping, anchorage, racing and safety of vessels upon the waters of this State.

Said rules and regulations shall be such as are reasonably necessary for the protection of the health, safety and welfare of the public and for the free and proper use of said waters by any persons or vessels in, on or about such waters. Said regulations shall be in conformity with regulations issued by the agency or agencies of the United States having jurisdiction with respect to power vessels upon the waters of this State.

The commission shall meet monthly or at the call of the commissioner of the department or the chairman of the commission or when requested by any 3 members of the commission. The commissioner of the department shall designate a staff from the department to handle administrative matters for the commission.

C. 12:7-34.50. Rules and regulations effective; filing.

15. (a) Rules and regulations, other than emergency rules and regulations or rules and regulations promulgated pursuant to the provisions of section 5 of this act, shall go into effect 60 days following promulgation or at such later date as the rules and regulations shall provide.

(b) No changes in the rules and regulations shall go into effect from May 1 to September 30 of any year unless the Boat Regulation Commission shall find a need for the adoption of emergency rules and regulations. Such emergency rules and regulations after approval by the commissioner shall go into effect 15 days after publication in at least one newspaper in every county of the State and shall remain in effect for 120 days or such shorter period as such rules and regulations shall provide.

(c) A copy of the rules and regulations adopted pursuant to this act, and of any amendments thereto, shall be filed in the office of the Secretary of State.

C. 12:7-34.51. Violations.

16. Any person who violates any provisions of this act or any rule or regulation authorized hereby, shall be a disorderly person and shall be subject to a fine not to exceed $100.00 for the first offense or imprisonment of 10 days or both. Any person who violates any provisions of this act for a second time, and for all subsequent offenses, shall be subject to a fine not to exceed $200.00 or imprisonment for 20 days or both.

C. 12:7-34.52. Enforcement.

17. The department shall be responsible for the enforcement of this act.

A supervisory force of marine patrolmen shall be formed and their appointments, rank and pay shall be regulated by the Civil Service Commission in compliance with the provisions of Title 11. Harbor Masters and Power Vessel Inspectors shall hereafter be known as marine patrolmen and those appointed in accordance with Title 12 of the Revised Statutes will serve in accordance with rules and regulations to be promulgated by the commission.

C. 12:7-34.53. Construing as to local ordinances; special rules and regulations.

18. Nothing in this act shall be construed to prevent the adoption of any ordinance or local law relating to operation and equipment of vessels the provisions of which are identical to the provisions of this act, amendments thereto or regulations issued thereunder: Provided, that such ordinance or local laws shall be operative only so long as and to the extent that they continue to be identical to pro-

visions of this act, amendments thereto or regulations issued thereunder.

(a) Any subdivision of this State may, at any time, but only after public notice, make formal application to the department for special rules and regulations with reference to the operation of vessels on any waters within its territorial limits and shall set forth herein the reasons which make such special rules and regulations necessary or appropriate.

(b) The commission is hereby authorized to make, adopt and promulgate special rules and regulations, subject to the approval of the commissioner, with reference to the operation of vessels on any waters within the territorial limits of any subdivision of this State.

C. 12:7-34.54. Sections repealed.

19. The following sections of P. L. 1954, c. 236 are repealed: Sections 2, 3, 5, 8, 10, 11, 12, 15, 16, 17, 21, 24, 26 and 32.

C. 12:7-34.55. Certain fees continued.

20. The fee of $1.50 now payable for an operator's license on nontidal waters shall be continued and the registration of any power vessel or motor operated on nontidal waters as required by section 4 of P. L. 1954, c. 236, shall be continued as heretofore.

21. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 74

AN ACT to validate certain proceedings in connection with school district meetings or elections, and the bonds or other obligations issued or to be issued pursuant to such proceedings.

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

Validates proceedings, elections and bonds.

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

2. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 75

AN ACT to amend the "Cigarette Tax Act," approved April 29, 1948 (P. L. 1948, c. 65) and to repeal certain amendments and supplements thereto.

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

1. Section 301 of the act of which this act is amendatory is amended to read as follows: Section amended.

301. Tax imposed; rate. C. 54:40A-8. 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 $0.03½ 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: Section amended.

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. 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 3% 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.

Sections repealed.

3. Sections 3 and 4 of chapter 158, P. L. 1960, approved December 28, 1960, and section 1 of chapter 28, P. L. 1961, approved May 22, 1961 are hereby repealed.

NOTE: Act effective.

4. This act shall take effect on July 1, 1962.

Approved June 11, 1962.

CHAPTER 76

AN ACT concerning crimes, and amending sections 2A:111–2 and 2A:111–3 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:111–2 of the New Jersey Statutes is amended to read as follows:

Obtaining money or property by falsely pretending to be poor or unemployed.

2A:111–2. Any person who, knowingly or designedly, by means of any false statement made orally or in writing, or by means of concealing or failing to disclose a material fact which it is his duty to reveal, obtains for himself or for any other person from any agency of the State or from any county or municipality, or from any agency of such county or municipality, or from any private or charitable organization or association of any kind, under pretense that he or such other person is poor and needy or out of employment, any money, property or other thing of value, is guilty of a misdemeanor.

Section amended.

2. Section 2A:111–3 of the New Jersey Statutes is amended to read as follows:

Obtaining medical treatment.

2A:111–3. Any person who, by false representations with respect to ability to pay the usual and reasonable cost of medical or surgical treatment, or by concealing or failing to disclose a material fact which it is his duty to reveal, secures for himself or for any other person such medical or surgical

treatment from any State, county, municipal or charitable hospital or institution, free or at reduced rates, or who by false representations as to income or other financial resources, or by concealing or failing to disclose a material fact which it is his duty to reveal, obtains for himself or for any other person from any agency of the State or from any county or municipality, or any agency of such county or municipality, financial or other assistance in any form, is guilty of a misdemeanor.

3. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 77

AN ACT to amend "An act creating a Division of Railroad Transportation, and prescribing its functions, powers and duties," approved March 12, 1959 (P. L. 1959, c. 14).

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

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

8. This act shall take effect immediately and shall cease to be in effect on December 31, 1965. C. 27:24-8. Duration of act.

2. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 78

AN ACT to amend "An act concerning the application for return of and future administration of assets of the New Jersey Rural Rehabilitation Corporation, now dissolved," approved July 17, 1951 (P. L. 1951, c. 321).

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. 4:18A-3. Uses of fund.

3. The fund shall be available to the secretary for:

(a) Such rural rehabilitation purposes which were permissible under the Certificate of Incorporation of the now dissolved New Jersey Rural Rehabilitation Corporation as may from time to time be agreed upon by the secretary and the Secretary of Agriculture of the United States or his delegate, including but not limited to, loans to farmers for the purpose of leasing, purchasing and acquiring title in land, and making improvements thereon, for the purchase of farm equipment, livestock, materials and supplies needed for the production of crops, livestock and poultry, and to finance the employment of farm labor, and for any other costs incidental to the production, processing, distribution and marketing of food. Loans shall be made at such rates of interest and upon such security and other terms and conditions as the secretary may prescribe.

(b) Loans to be insured by the Secretary of Agriculture of the United States under Subtitle A of the Consolidated Farmers Home Administration Act of 1961 (P. L. 87–128), as now or hereafter amended, subject to all of the provisions of said Subtitle A and the applicable provisions of Subtitle D of that act as now or hereafter amended.

(c) For transfer to the Secretary of Agriculture of the United States pursuant to section 5 of this act, and

(d) For administrative expenses which shall not, without the approval of the Secretary of Agriculture of the United States, exceed 3% annually of the then book value of the assets.

Section amended.

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

C. 4:18A-5. Agreements authorized.

5. The Secretary is authorized, with the approval of the State Board of Agriculture, to enter into agreements with the Secretary of Agriculture of the United States, pursuant to section 2 (f) of Public Law 499, 81st Congress, approved May 3, 1950, upon such terms and conditions and for such periods of time as may be mutually agreed upon, pursuant to which the Secretary of Agriculture of the United States will accept, administer, expend and use with respect to loans to farmers only in the State of New Jersey all or any part of the trust assets referred to in section 1 of this act or any funds from any other source which may be available for such uses, for carrying out the purposes of Subtitles A and B of the Consolidated Farmers Home Administration Act of 1961 and in accordance with the applicable provisions of Subtitle D thereof, as now or hereafter amended.

Section amended.

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

C. 4:18A-6. Powers of secretary; delegation of authority.

6. The secretary, pursuant to regulations to be promulgated by him, subject to the approval of the Attorney General of this State, is authorized and empowered to:

(a) collect, compromise, adjust or cancel claims and obligations heretofore or hereafter arising out of or administered under this act or under any mortgage, lease, contract or agreement heretofore or hereafter entered into or administered pursuant to this act and, if in his judgment, necessary and advisable, pursue the same to final collection in any court having jurisdiction; and

(b) Bid for and purchase at any execution, foreclosure or other sale, or otherwise to acquire property upon which the secretary has a judgment lien by reason of, or which is pledged, mortgaged, conveyed or which otherwise secures any loan or other indebtedness heretofore or hereafter owing to or acquired by the secretary under this act.

The foregoing authorities may be delegated to the Secretary of Agriculture of the United States with respect to assets heretofore or hereafter transferred to him pursuant to section 5 of this act.

4. This act shall take effect immediately.

Approved June 11, 1962.

CHAPTER 79

AN ACT making appropriations for the support of the State Government and for several public purposes for the fiscal year ending June 30, 1963, and regulating the disbursement thereof.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR 1962-63

Surplus

Anticipated revenue.

Estimated balance, July 1, 1962 ...	$2,507,222 72

Major Taxes and Fee Revenues

Transfer inheritance taxes	$29,800,000 00
Main stem and franchise-excise taxes	2,500,000 00
Miscellaneous corporation taxes, domestic and foreign	69,500,000 00
Domestic life insurance corporation taxes	600,000 00
Foreign insurance corporation taxes	19,000,000 00
Beverage taxes	24,000,000 00

Taxes on cigarettes	63,000,000 00
Revenue from pari-mutuel racing	32,400,000 00
Tax on motor fuels	124,500,000 00
Motor vehicle fees, fines, et cetera	81,474,762 00
Motor vehicle fees—(Administering Security-Responsibility Law)	777,791 00
Commuters Benefits Tax	6,000,000 00

Other Taxes, Licenses, Fees and Departmental Revenue

Department of Law and Public Safety:	
Bureau of Securities—License Fees	283,000 00
Special investigation refunds	20,000 00
Beverage licenses	890,000 00
Amusement Games Control Fees	67,500 00
Professional Examining Boards Fees	549,616 00
Beauty Culture Control Licenses	230,000 00
Tenement House Supervision	48,000 00
Hotel Fire Safety Inspection Fees	40,000 00
Division of Weights and Measures	42,000 00
Bus Excise taxes	283,025 00
Department of the Treasury:	
Investment earnings	1,000,000 00
Interest on deposits	225,000 00
Escheats, Personal Property (14-year law)	100,000 00
Outdoor advertising permits	143,000 00
Dividends	18,870 00
Division of Local Government	100,000 00
Public Utility Tax (Administration)	43,000 00
State cafeterias receipts	143,639 00
Receipts for pension and Social Security Administration	425,000 00
Pension contributions from special funds	1,025,000 00

Social Security contributions from special funds	400,000 00
Federal Aid: Unemployment Benefits Section—Treasury Department	67,776 00
Department of State:	
General revenue, fees	975,000 00
Uniform Commercial Codes—Fees	25,000 00
Commissions	96,000 00
Athletic commissioner	46,000 00
Department of Banking and Insurance:	
Examining and other fees	2,375,000 00
Real Estate Commission	500,000 00
Department of Agriculture:	
General fees	80,000 00
Milk control licenses and fees ...	225,000 00
Department of Defense:	
Armory rentals	95,000 00
Federal Aid, General	180,000 00
Federal Aid, Civil Defense	157,529 00
Department of Public Utilities:	
Fees	425,000 00
Department of Health:	
General fees	100,000 00
Rabies control licenses	96,132 00
Board of Barber Examiners, licenses and fees	100,000 00
Department of Labor and Industry:	
Permits, fees and other revenue	300,000 00
1% workmen's compensation insurance tax	489,832 00

1% workmen's compensation administration fund	50,000 00
Federal Aid, Vocational Rehabilitation	1,348,565 00
Department of Conservation and Economic Development:	
Hunters' and anglers' licenses	1,872,423 00
Federal Aid, Public Hunting and Fishing Grounds	132,000 00
Division of Planning and Development, general revenue, licenses, fees, et cetera	525,000 00
Federal Aid, Forest Nursery and Farm Forestry	172,900 00
Receipts, Commissioners of Pilotage	20,360 00
Excess water diversion fees	200,000 00
Well drillers' licenses and permits	15,000 00
Delaware and Raritan canal rentals and sales	275,000 00
Division of Shell Fisheries, licenses and fees	80,000 00
Receipts, Morris canal fund	49,260 00
Emergency housing rentals	25,000 00
Department of Education:	
Academic certificate fees	38,000 00
State Board of Examiners, fees	60,000 00
State Museum, service charges	15,000 00
Federal Aid, Smith-Hughes, George-Barden Funds	191,000 00
State Colleges—	
Glassboro:	
Tuition—Regular	300,000 00
Demonstration school	77,000 00
Miscellaneous	7,000 00
Cafeteria and boarding halls fees	514,960 00

Summer, extension, field, graduate fees	193,000 00
Jersey City:	
Tuition—Regular	288,750 00
Miscellaneous	6,200 00
Summer, extension, field, graduate fees	100,460 00
Newark:	
Tuition—Regular	281,400 00
Miscellaneous	5,000 00
Cafeteria and boarding halls fees	92,200 00
Summer, extension, field, graduate fees	400,000 00
Paterson:	
Tuition—Regular	315,000 00
Cafeteria and boarding halls fees	92,000 00
Summer, extension, field, graduate fees	225,000 00
Montclair:	
Tuition—Regular	330,000 00
Miscellaneous	5,000 00
Cafeteria and boarding halls fees	244,000 00
Summer, extension, field, graduate fees	207,970 00
Trenton:	
Tuition—Regular	330,000 00
Miscellaneous	4,000 00
Cafeteria and boarding halls fees	596,000 00
Summer, extension, field, graduate fees	246,400 00
School for the Deaf, board and fees	15,000 00
School of Conservation, tuition and fees	149,616 00

Agricultural Experiment Station, fees	80,000 00
Fertilizer inspection fees, Agricultural Experiment Station	125,000 00
State Highway Department:	
Miscellaneous receipts	100,000 00
Department of Institutions and Agencies:	
Board of patients and other income	21,000,000 00
Adoption law fees	85,000 00
Federal aid, soldiers' homes	191,900 00
Federal aid, administration of bureau of assistance and central office	325,000 00
Federal aid, administration of blind	265,000 00
Delaware River Joint Toll Bridge Commission:	
Pennsylvania share	156,297 00
Rentals and miscellaneous income	1,251 00
Judiciary:	
Court fees	1,700,000 00
Unclassified:	
Miscellaneous revenues	250,000 00
Total Revenues	$500,337,384 00

Interfund Transfers

Unclaimed Bank Deposits Escheat Fund	$100,000 00
Unclaimed Life Insurance Escheat Fund	112,500 00

Unclaimed Personal Property Trust Fund	150,000 00
School Fund Income	660,000 00
1837 Surplus Revenue Fund Income	22,000 00
State Higher Education Fund	1,500,000 00
Unsatisfied Claim and Judgment Fund	164,754 00
State Water Development Fund	600,000 00
State Disability Benefits Fund	1,615,746 00
Total Interfund Transfers	$4,925,000 00
Total Resources Available for Appropriations	$507,769,606 72

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, 1963. The appropriations herein made shall be available for expenditure during said fiscal year and for a period of 2 months thereafter to pay obligations incurred during said fiscal year. At the expiration of said 2 months' period all unexpended balances except those specifically held by contracts on file with the Director, Division of Budget and Accounting shall lapse into the State treasury or, in cases of appropriations from special funds, shall lapse to the credit of such special funds. Nothing in this section or in this act contained shall be construed to prohibit the payment due upon any contract made under any appropriation contained in any appropriation bill of the previous year or years.

GENERAL STATE PURPOSES

001-100 and 002-100. LEGISLATURE

001-100. *Senate* Legislature.

Salaries:		
Senators (21)	$106,667 00	
Members' Secretaries	10,500 00	
Other employees	78,875 00	
Special services	7,070 00	
		$203,112 00
Materials and Supplies:		
Office	$12,900 00	
Printing	94,000 00	
Education and rehabilitation	1,620 00	
		108,520 00
Services Other Than Personal:		
Travel	$600 00	
Telephone	4,200 00	
Household	100 00	
Subscriptions and memberships	21,400 00	
Postage	3,200 00	
All other	7,200 00	
		36,700 00
Maintenance of Property:		
Office equipment		175 00
Extraordinary:		
"Legislative Report"—Radio program		10,400 00
Additions and Improvements:		
Office equipment		500 00
Total Appropriation, Senate		$359,407 00

002-100. *General Assembly*

Salaries:		
Assemblymen (60) ..	$301,667 00	
Members' secretaries.	22,600 00	
Other employees	48,200 00	
Special services	31,400 00	
		$403,867 00
Materials and Supplies:		
Office	$8,500 00	
Printing	125,000 00	
Education and rehabilitation	5,400 00	
		138,900 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	10,900 00	
Household	100 00	
Subscriptions and memberships	81,700 00	
Postage	9,200 00	
All other	9,000 00	
		111,600 00
Maintenance of Property:		
Office equipment		3,000 00
Additions and Improvements:		
Office equipment		600 00
Total Appropriation, General Assembly		$657,967 00
Total Appropriation, Legislature		$1,017,374 00

003-100. LAW REVISION AND LEGISLATIVE SERVICES COMMISSION

Salaries:		
Executive director and chief counsel	$17,500 00	
Other employees	113,644 00	
New positions	11,809 00	
Special services	6,500 00	
		$149,453 00
Materials and Supplies:		
Office	$2,400 00	
Printing	1,500 00	
Education and rehabilitation	1,200 00	
		5,100 00
Services Other Than Personal:		
Travel	$5,800 00	
Telephone	2,000 00	
Household	75 00	
Postage	350 00	
Rent—All other	1,824 00	
All other	200 00	
		10,249 00
Maintenance of Property:		
Office equipment	$200 00	
Office equipment—Special	200 00	
		400 00
Extraordinary:		
Statute revision		25,000 00
Additions and Improvements:		
Office equipment		500 00
Total Appropriation, Law Revision and Legislative Services Commission		$190,702 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Legislative Budget and Finance Director.

004-100. LEGISLATIVE BUDGET AND FINANCE DIRECTOR

Salaries:		
Other employees	$66,516 00	
New position	7,369 00	
		$73,885 00
Materials and Supplies:		
Office	$700 00	
Vehicular	800 00	
		1,500 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	1,200 00	
Insurance—Other ...	86 00	
Household	25 00	
Postage	200 00	
Rent—All other	25 00	
All other	1,000 00	
		4,536 00
Maintenance of Property:		
Office equipment	$50 00	
Vehicular equipment.	200 00	
		250 00
Additions and Improvements:		
Office equipment		250 00
Total Appropriation, Legislative Budget and Finance Director		$80,421 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

005-100. STATE AUDITOR'S DEPARTMENT State Auditor.

Salaries:		
State Auditor	$12,000 00	
Other employees	383,046 00	
		$395,046 00
Materials and Supplies:		
Office	$700 00	
Printing	850 00	
Vehicular	450 00	
Household and security	25 00	
		2,025 00
Services Other Than Personal:		
Travel	$20,800 00	
Telephone	770 00	
Insurance—Other ...	35 00	
Subscriptions and memberships	114 00	
Postage	375 00	
		22,094 00
Maintenance of Property:		
Office equipment		800 00
Total Appropriation, State Auditor's Department ...		$419,965 00

010-100. COMMISSION ON INTERSTATE CO-OPERATION Interstate Co-operation.

Salaries:	
Special services	$600 00

Materials and Supplies:		
Office	$40 00	
Printing	200 00	
		240 00
Services Other Than Personal:		
Travel	$3,900 00	
Telephone	50 00	
Postage	50 00	
All other	150 00	
		4,150 00
Extraordinary:		
Commitments to Interstate Agencies:		
The Council of State Governments	$19,250 00	
Atlantic States Marine Fisheries Commission	2,500 00	
National Conference of Commissioners on Uniform State Laws	1,200 00	
		22,950 00
		$27,940 00

State Tax Policy.

011-100. COMMISSION ON STATE TAX POLICY

Extraordinary:	
Expenses of the Commission	$30,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

013-100. Legislative Commission on Statute Revision

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

014-100. County and Municipal Law Revision Commission

Extraordinary:
Expenses of the Commission $15,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

019-100. Commission on Narcotic Control

Narcotic Control.

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

020-100. Uniform Commercial Code Study Commission

Uniform Commercial Code.

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

023-100. Corporation Law Revision Commission

Corporation Law Revision.

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Insurance Law Revision.

024-100. INSURANCE LAW REVISION COMMISSION

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Election Law Revision.

026-100. ELECTION LAW REVISION COMMISSION

The unexpended balance of the appropriation made pursuant to chapter 81, P. L. 1961 to carry out the provisions thereof is hereby appropriated.

State Capitol Development.

027-100. STATE CAPITOL DEVELOPMENT COMMISION

Extraordinary:	
Expenses of the Commission	$15,000 00
Total Appropriation, Miscellaneous Legislative Commissions	$87,940 00

Governor's Office.

080-100. CHIEF EXECUTIVE'S OFFICE

Salaries:		
Governor	$35,000 00	
Secretary to the Governor	18,000 00	
Other employees	139,600 00	
		$192,600 00
Materials and Supplies:		
Office	$3,500 00	
Printing	1,500 00	
Vehicular	3,500 00	
		8,500 00

Services Other Than Personal:		
Travel	$2,000 00	
Telephone	12,500 00	
Subscriptions and memberships	1,200 00	
Postage	2,400 00	
All other	500 00	
		18,600 00
Maintenance of Property:		
Office equipment	$750 00	
Office equipment—Special	500 00	
		1,250 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		25,000 00
Total Appropriation, Chief Executive's Office		$245,950 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Department of Law and Public Safety

Law and Public Safety.

100-100. *Office of the Attorney General*

Salaries:		
Attorney General	$22,000 00	
Other employees	71,967 00	
		$93,967 00

Materials and Supplies:		
Office	$700 00	
Printing	100 00	
Vehicular	225 00	
Household and security	45 00	
		1,070 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	3,200 00	
Insurance—Other	76 00	
Subscriptions and memberships	200 00	
Postage	300 00	
All other	20 00	
		4,496 00
Maintenance of Property:		
Office equipment	$125 00	
Vehicular equipment.	75 00	
Office equipment—Special	140 00	
		340 00
Total Appropriation, Office of the Attorney General		$99,873 00

There are hereby appropriated out of the Veterans' Guaranteed Loan Fund such sums as may be necessary to pay for the administration thereof.

110-100. *Division of Law*

Salaries:		
Other employees	$726,564 00	
New positions	35,877 00	
Special services	6,000 00	
		$768,441 00

Materials and Supplies:		
Office	$7,500 00	
Printing	16,000 00	
Vehicular	4,500 00	
Household and security	200 00	
		28,200 00
Services Other Than Personal:		
Travel	$18,000 00	
Telephone	16,000 00	
Insurance—Other	484 00	
Household	200 00	
Advertising	200 00	
Subscriptions and memberships	1,900 00	
Legal and investigative	1,800 00	
Postage	4,500 00	
All other	250 00	
		43,334 00
Maintenance of Property:		
Office equipment	$700 00	
Vehicular equipment.	1,200 00	
Office equipment—Special	815 00	
Vehicular equipment—Special	8,505 00	
		11,220 00
Additions and Improvements:		
Office equipment		1,408 00
Total Appropriation, Division of Law		$852,603 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, 1962 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 1962-63; 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.

120-100. *Division of State Police (General)*

Salaries:		
Colonel and superintendent	$16,000 00	
Deputy superintendent	13,477 00	
Executive officer	12,959 00	
Other employees	5,261,653 00	
New positions	80,866 00	
Positions transferred from another division	46,363 00	
Cash in lieu of maintenance	881,250 00	
Cash in lieu of maintenance—New positions	27,072 00	
Special services	33,000 00	
		$6,372,640 00
Materials and Supplies:		
Food	$16,000 00	
Fuel and utilities	70,000 00	
Office	28,000 00	
Printing	18,000 00	

Agricultural and conservation	500 00	
Vehicular	222,000 00	
Household and security	33,000 00	
Clothing	83,775 00	
Medical	8,500 00	
Scientific	11,000 00	
Education and rehabilitation	1,860 00	
All other	3,800 00	
		496,435 00

Services Other Than Personal:

Travel	$6,000 00	
Insurance—Fire	4,192 00	
Insurance—Other	18,719 00	
Household	3,200 00	
Subscriptions and memberships	1,000 00	
Legal and investigative	20,000 00	
Postage	8,000 00	
Rent—Equipment, Data processing	12,060 00	
Rent—All other	310,000 00	
Staff training	1,000 00	
All other	1,425 00	
		385,596 00

Maintenance of Property:

Buildings and grounds	$18,000 00	
Office equipment	2,500 00	
Vehicular equipment.	85,000 00	
Household and security equipment	1,000 00	
Scientific equipment	1,000 00	
Education and rehabilitation equipment	250 00	
All other equipment	3,000 00	
Buildings and grounds —Special	22,855 00	

Office equipment—Special	7,500 00	
Vehicular equipment—Special	295,000 00	
Household and security equipment—Special	6,000 00	
Scientific equipment—Special	6,000 00	
All other equipment—Special	1,500 00	
		449,605 00
Extraordinary:		
Compensation awards		9,900 00
Additions and Improvements:		
Buildings and grounds	$3,000 00	
Office equipment	13,000 00	
Vehicular equipment	9,700 00	
Household and security equipment	4,500 00	
Scientific equipment	14,000 00	
Education and rehabilitation equipment	2,500 00	
		46,700 00
		$7,760,876 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 also 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.

121-100. *Bureau of Tenement House Supervision*

Salaries:		
Other employees	$176,608 00	
New positions	9,546 00	
		$186,154 00
Materials and Supplies:		
Office	$900 00	
Printing	600 00	
Vehicular	1,350 00	
Household and security	15 00	
Clothing	1,000 00	
		3,865 00
Services Other Than Personal:		
Travel	$9,000 00	
Telephone	1,500 00	
Insurance—Other ...	110 00	
Household	150 00	
Subscriptions and memberships	165 00	
Postage	1,000 00	
Rent—All other	768 00	
		12,693 00
Maintenance of Property:		
Office equipment	$150 00	
Vehicular equipment.	300 00	

Office equipment—Special	388 00	
Vehicular equipment—Special	1,400 00	
		2,238 00
Additions and Improvements:		
Office equipment		100 00
		$205,050 00
Total Appropriation, Division of State Police		$7,965,926 00

125-100. *Police Training Commission*

Salaries:		
Other employees		$21,715 00
Materials and Supplies:		
Office	$200 00	
Printing	1,000 00	
		1,200 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	250 00	
Postage	300 00	
All other	100 00	
		1,650 00
Total Appropriation, Police Training Commission		$24,565 00

130-100. *Division of Alcoholic Beverage Control*

Salaries:		
Director	$18,000 00	
Other employees	877,999 00	
Special services	4,000 00	
		$899,999 00
Materials and Supplies:		
Food	$675 00	
Fuel and utilities	125 00	
Office	6,000 00	
Printing	8,000 00	
Microfilming	400 00	
Vehicular	400 00	
Household and security	800 00	
Medical	500 00	
All other	50 00	
		16,950 00
Services Other Than Personal:		
Travel	$73,000 00	
Telephone	6,700 00	
Insurance—Fire	12 00	
Insurance—Other	465 00	
Household	400 00	
Advertising	1,600 00	
Subscriptions and memberships	3,200 00	
Legal and investigative	800 00	
Postage	7,000 00	
Rent—All other	170 00	
All other	2,500 00	
		95,847 00
Maintenance of Property:		
Office equipment	$3,000 00	
Vehicular equipment.	400 00	
Office equipment—Special	1,700 00	
		5,100 00

Extraordinary:		
Compensation awards		1,176 00
		$1,019,072 00

131-100. *Office of Amusement Games Control Commissioner*

Salaries:		
Other employees	$8,700 00	
Special services	200 00	
		$8,900 00
Materials and Supplies:		
Office	$400 00	
Printing	500 00	
All other	50 00	
		950 00
Services Other Than Personal:		
Travel	$1,500 00	
Legal and investigative	50 00	
Postage	500 00	
		2,050 00
Maintenance of Property:		
Office equipment		100 00
		$12,000 00
Total Appropriation, Division of Alcoholic Beverage Control		$1,031,072 00

140-100. *Division of Motor Vehicles*

Salaries:		
Director	$16,000 00	
Deputy Director	14,000 00	
Other employees	7,153,027 00	
New positions	57,509 00	
		$7,240,536 00
Materials and Supplies:		
Fuel and utilities	$68,000 00	
Office	50,000 00	
Printing	250,000 00	
Microfilming	5,000 00	
Vehicular	48,100 00	
License plates	210,000 00	
Household and security	10,500 00	
Clothing	50,000 00	
Scientific	2,000 00	
		693,600 00
Services Other Than Personal:		
Travel	$10,000 00	
Telephone	70,000 00	
Insurance—Fire	8,947 00	
Insurance—Other	9,906 00	
Household	5,000 00	
Subscriptions and memberships	3,000 00	
Legal and investigative	2,000 00	
Postage	400,000 00	
Rent—Equipment, Data processing	165,648 00	
Rent—All other	88,500 00	
Education and rehabilitation	30,000 00	
Staff training	3,000 00	
All other	18,000 00	
		814,001 00

Maintenance of Property:		
Buildings and grounds	$29,000 00	
Office equipment	16,000 00	
Vehicular equipment.	21,450 00	
Scientific equipment .	12,000 00	
Buildings and grounds —Special	3,500 00	
Office equipment—Special	5,887 00	
Vehicular equipment—Special	63,800 00	
Scientific equipment—Special	13,612 00	
		165,249 00
Extraordinary:		
Compensation awards		1,300 00
Additions and Improvements:		
Buildings and grounds	$9,195 00	
Office equipment	14,048 00	
Vehicular equipment.	1,750 00	
Household and security equipment ..	675 00	
		25,668 00
		$8,940,354 00

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.

So much as may be necessary of the revenues derived from fees charged by the Division of Motor Vehicles for furnishing driver record abstracts under the Safe Driver In-

surance Plan filed with the Commissioner of Banking and Insurance under the provisions of P. L. 1944, c. 27, Sec. 14, together with the unexpended balance of such revenues as of June 30, 1962, are hereby appropriated, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

141-100. *Security-Responsibility Bureau*

Salaries:		
Other employees	$624,286 00	
New positions	16,909 00	
		$641,195 00
Materials and Supplies:		
Office	$6,000 00	
Printing	18,000 00	
		24,000 00
Services Other Than Personal:		
Travel	$150 00	
Telephone	6,000 00	
Insurance—Fire	144 00	
Postage	20,000 00	
Rent—Buildings and grounds	81,985 00	
All other	100 00	
		108,379 00
Maintenance of Property:		
Office equipment	$1,500 00	
Office equipment—Special	1,905 00	
		3,405 00

Additions and Improvements:		
Office equipment		812 00
		$777,791 00

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

(Payable Out of Unsatisfied Claim and Judgment Fund)

Salaries:		
Other employees	$117,426 00	
New positions	18,198 00	
Special services	1,000 00	
		$136,624 00
Materials and Supplies:		
Office	$1,000 00	
Printing	5,000 00	
		6,000 00
Services Other Than Personal:		
Travel	$650 00	
Telephone	1,250 00	
Insurance—Fire	18 00	
Postage	1,600 00	
Data processing	1,900 00	
Rent—Buildings and grounds	10,910 00	
All other	500 00	
		16,828 00
Maintenance of Property:		
Office equipment		200 00
Additions and Improvements:		
Office equipment		5,102 00
		$164,754 00

There are hereby appropriated out of the Unsatisfied Claim and Judgment Fund the amounts hereinabove set forth for administration of the Unsatisfied Claim and Judgment Fund Bureau, together with such sums as may be necessary for the payment of claims and a sum not to exceed $10,000.00 to cover such expenses as may be required to implement Chapter 69, P. L. 1961.		
Total Appropriation, Division of Motor Vehicles ..		$9,882,899 00

150-100. *Division of Weights and Measures*

Salaries:		
State Superintendent.	$11,000 00	
Other employees	240,647 00	
		$251,647 00
Materials and Supplies:		
Fuel and utilities	$2,600 00	
Office	1,000 00	
Printing	3,000 00	
Vehicular	5,000 00	
License plates	1,500 00	
Household and security	600 00	
Clothing	150 00	
All other	200 00	
		14,050 00
Services Other Than Personal:		
Travel	$15,000 00	
Telephone	3,000 00	
Insurance—Other ...	463 00	
Subscriptions and memberships	200 00	

Legal and investigative	750 00	
Postage	1,200 00	
Rent—All other	300 00	
All other	250 00	
		21,163 00
Maintenance of Property:		
Buildings and grounds	$650 00	
Office equipment	100 00	
Vehicular equipment.	2,000 00	
Scientific equipment .	1,500 00	
All other equipment .	150 00	
Buildings and grounds —Special	750 00	
Office equipment—Special	1,800 00	
Vehicular equipment—Special	3,910 00	
Scientific equipment—Special	2,400 00	
		13,260 00
Extraordinary:		
Compensation awards		500 00
Additions and Improvements:		
Vehicular equipment .	$3,510 00	
Scientific equipment..	10,400 00	
		13,910 00
Total Appropriation, Division of Weights and Measures		$314,530 00

Division of Professional Boards

160-100. *Administrative Bureau*

Salaries:		
Other employees		$136,543 00
Materials and Supplies:		
Office	$200 00	
Printing	390 00	
Vehicular	4,000 00	
		4,590 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	1,400 00	
Household	50 00	
Legal and investigative	1,500 00	
Postage	300 00	
Rent—Buildings and grounds	781 00	
Rent—All other	120 00	
All other	50 00	
		9,201 00
Maintenance of Property:		
Office equipment	$250 00	
Vehicular equipment	1,000 00	
		1,250 00
		$151,584 00

161-100. *State Board of Public Accountants*

Salaries:		
Other employees	$11,617 00	
Special services	9,000 00	
		$20,617 00

Materials and Supplies:		
Office	$70 00	
Printing	250 00	
		320 00
Services Other Than Personal:		
Telephone	$250 00	
Insurance—Other	150 00	
Advertising	60 00	
Subscriptions and memberships	600 00	
Postage	350 00	
Rent—Buildings and grounds	2,200 00	
All other	400 00	
		4,010 00
Maintenance of Property:		
Office equipment		90 00
		$25,037 00

162-100. *State Board of Architects*

Salaries:		
Other employees		$28,774 00
Materials and Supplies:		
Office	$1,200 00	
Printing	1,500 00	
		2,700 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	600 00	
Insurance—Other	90 00	
Household	100 00	
Advertising	50 00	
Subscriptions and memberships	300 00	

Postage	1,000 00	
Rent—Buildings and grounds	5,446 00	
Education and rehabilitation	1,500 00	
All other	100 00	
		10,686 00
Maintenance of Property:		
Office equipment		150 00
		$42,310 00

163-100. *State Board of Dentistry*

Salaries:		
Other employees	$25,479 00	
Special services	50 00	
		$25,529 00
Materials and Supplies:		
Office	$400 00	
Printing	1,100 00	
Education and rehabilitation	350 00	
		1,850 00
Services Other Than Personal:		
Travel	$6,000 00	
Telephone	400 00	
Insurance—Fire	10 00	
Insurance—Other ...	85 00	
Advertising	80 00	
Subscriptions and memberships	600 00	
Postage	1,000 00	
Rent—Buildings and grounds	3,480 00	
Rent—All other	500 00	
All other	200 00	
		12,355 00

Maintenance of Property:		
Office equipment		175 00
		$39,909 00

164-100. *State Board of Mortuary Science*

Salaries:		
Other employees		$20,609 00
Materials and Supplies:		
Office	$225 00	
Printing	400 00	
Education and rehabilitation	25 00	
		650 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	900 00	
Insurance—Fire	5 00	
Insurance—Other ...	167 00	
Household	200 00	
Subscriptions and memberships	239 00	
Postage	500 00	
Rent—Buildings and grounds	4,527 00	
Rent—All other	175 00	
Education and rehabilitation	50 00	
		7,763 00
Maintenance of Property:		
Office equipment	$210 00	
Office equipment—Special	200 00	
		410 00
		$29,432 00

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

Salaries:		
Other employees		$24,970 00
Materials and Supplies:		
Office	$1,000 00	
Printing	5,500 00	
Household and security	50 00	
		6,550 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	750 00	
Insurance—Other	85 00	
Subscriptions and memberships	700 00	
Postage	1,600 00	
Data processing	2,000 00	
Rent—Buildings and grounds	6,395 00	
Education and rehabilitation	8,000 00	
All other	500 00	
		21,530 00
Maintenance of Property:		
Office equipment		100 00
Additions and Improvements:		
Office equipment		200 00
		$53,350 00

166-100. *State Board of Medical Examiners*

Salaries:		
Other employees	$32,931 00	
Special services	3,000 00	
		$35,931 00
Materials and Supplies:		
Office	$1,200 00	
Printing	2,500 00	
Education and rehabilitation	200 00	
		3,900 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	1,200 00	
Insurance—Fire	20 00	
Insurance—Other ...	214 00	
Household	75 00	
Subscriptions and memberships	600 00	
Legal and investigative	500 00	
Postage	2,500 00	
Rent—Buildings and grounds	6,170 00	
Rent—All other	300 00	
Education and rehabilitation	500 00	
All other	100 00	
		17,179 00
Maintenance of Property:		
Office equipment		175 00
Additions and Improvements:		
Office equipment		350 00
		$57,535 00

167-100. *State Board of Nursing*

Salaries:		
Other employees	$82,945 00	
New position	2,952 00	
		$85,897 00
Materials and Supplies:		
Office	$1,750 00	
Printing	2,000 00	
Household and security	50 00	
Education and rehabilitation	100 00	
		3,900 00
Services Other Than Personal:		
Travel	$1,800 00	
Telephone	1,400 00	
Insurance—Other ...	350 00	
Subscriptions and memberships	210 00	
Legal and investigative	225 00	
Postage	4,500 00	
Microfilming	200 00	
Rent—Buildings and grounds	12,081 00	
Rent—Equipment, data processing	4,440 00	
Rent—All other	153 00	
Education and rehabilitation	7,500 00	
		32,859 00
Maintenance of Property:		
Office equipment		350 00
Additions and Improvements:		
Office equipment		117 00
		$123,123 00

168-100. *State Board of Optometrists*

Salaries:		
Other employees	$11,540 00	
Special services	150 00	
		$11,690 00
Materials and Supplies:		
Office	$75 00	
Printing	450 00	
		525 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	400 00	
Insurance—Fire	3 00	
Insurance—Other ...	75 00	
Subscriptions and memberships	300 00	
Legal and investigative	300 00	
Postage	300 00	
Rent—Buildings and grounds	1,200 00	
		3,578 00
Maintenance of Property:		
Office equipment		75 00
		$15,868 00

169-100. *State Board of Pharmacy*

Salaries:		
Other employees		$35,041 00
Materials and Supplies:		
Office	$800 00	
Printing	2,000 00	

Household and security	30 00	
Medical	500 00	
Education and rehabilitation	100 00	
		3,430 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	625 00	
Insurance—Other	104 00	
Household	30 00	
Subscriptions and memberships	180 00	
Legal and investigative	500 00	
Postage	1,800 00	
Rent—Buildings and grounds	4,082 00	
		9,821 00
Maintenance of Property:		
Office equipment		100 00
Additions and Improvements:		
Medical equipment		200 00
		$48,592 00

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

Salaries:		
Other employees		$2,372 00
Materials and Supplies:		
Office	$50 00	
Printing	100 00	
		150 00

Services Other Than Personal:		
Travel	$1,000 00	
Telephone	75 00	
Insurance—Other	12 00	
Subscriptions and memberships	75 00	
Legal and investigative	50 00	
Postage	125 00	
All other	100 00	
		1,437 00
		$3,959 00

171-100. *State Board of Shorthand Reporting*

Salaries:		
Other employees		$300 00
Services Other Than Personal:		
Insurance—Other	$12 00	
All other	50 00	
		62 00
		$362 00

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

Salaries:		
Other employees		$6,244 00
Materials and Supplies:		
Office	$100 00	
Printing	100 00	
Education and rehabilitation	175 00	
		375 00

Services Other Than Personal:		
Travel	$600 00	
Telephone	210 00	
Insurance—Fire	6 00	
Insurance—Other	40 00	
Subscriptions and memberships	50 00	
Legal and investigative	100 00	
Postage	240 00	
Rent—Buildings and grounds	530 00	
		1,776 00
Maintenance of Property:		
Office equipment		35 00
		$8,430 00

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

Salaries:		
Chairman	$3,500 00	
Board members (5 @ $2,500.00)	12,500 00	
Other employees	39,472 00	
New position	2,646 00	
		$58,118 00
Materials and Supplies:		
Office	$700 00	
Printing	3,500 00	
Education and rehabilitation	200 00	
		4,400 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,200 00	
Insurance—Other	176 00	

New Jersey State Library

Subscriptions and memberships	25 00	
Postage	2,800 00	
Rent—All other	160 00	
All other	30 00	
		6,891 00
Maintenance of Property:		
Office equipment		150 00
Additions and Improvements:		
Office equipment	$417 00	
Scientific equipment .	7,500 00	
		7,917 00
		$77,476 00
Total Appropriation, Division of Professional Boards		$676,967 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 specifically appropriated to 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.

Total Appropriation, Department of Law and Public Safety	$20,848,435 00

DEPARTMENT OF THE TREASURY Treasury.

210-100. *Administrative Division*

Salaries:		
State Treasurer	$20,000 00	
Other employees	128,091 00	
New positions	2,917 00	
		$151,008 00
Materials and Supplies:		
Office	$1,100 00	
Printing	1,000 00	
Vehicular	500 00	
Household and security	100 00	
All other	500 00	
		3,200 00
Services Other Than Personal:		
Travel	$1,300 00	
Telephone	3,500 00	
Insurance—Other ...	944 00	
Advertising	100 00	
Subscriptions and memberships	500 00	
Postage	375 00	
Rent—All other	40 00	
		6,759 00
Maintenance of Property:		
Office equipment	$1,000 00	
Vehicular equipment.	250 00	
		1,250 00
Total Appropriation, Administrative Division		$162,217 00

220-100. *Division of Budget and Accounting*

Salaries:		
Director	$19,000 00	
Other employees	859,391 00	
New positions	19,097 00	
		$897,488 00
Materials and Supplies:		
Office	$23,830 00	
Printing	26,020 00	
Vehicular	275 00	
Household and security	150 00	
		50,275 00
Services Other Than Personal:		
Travel	$10,843 00	
Telephone	10,850 00	
Insurance—Other	419 00	
Household	275 00	
Subscriptions and memberships	460 00	
Postage	16,600 00	
Microfilming	1,000 00	
Rent—Equipment, data processing	155,804 00	
All other	150 00	
		196,401 00
Maintenance of Property:		
Office equipment	$5,650 00	
Vehicular equipment	50 00	
Office equipment—Special	3,163 00	
		8,863 00
Additions and Improvements:		
Office equipment		2,617 00
Total Appropriation, Division of Budget and Accounting		$1,155,644 00

There are hereby appropriated, out of revenues derived from escheated property under the various escheat acts, such sums as may be necessary to administer such acts and such sums as may be required for refunds.

Such sums as may be necessary for payment of expenses incurred by issuing officials appointed under the several bond acts of the State are hereby appropriated for the purposes and from the sources defined in said acts.

230-100. *Division of Purchase and Property*

Salaries:		
Director	$18,000 00	
Other employees	1,474,356 00	
Special services	1,500 00	
		$1,493,856 00
Materials and Supplies:		
Fuel and utilities	$141,000 00	
Office	8,325 00	
Printing	5,350 00	
Vehicular	4,450 00	
Household and security	27,840 00	
Clothing	300 00	
Medical	100 00	
Scientific	575 00	
All other	100 00	
		188,040 00
Services Other Than Personal:		
Travel	$2,950 00	
Telephone	19,500 00	
Insurance—Fire	12,526 00	
Insurance—Other	1,454 00	
Household	3,300 00	
Advertising	8,500 00	

Subscriptions and memberships	1,750 00	
Postage	8,600 00	
Rent—All other	250 00	
All other	300 00	
		59,130 00
Maintenance of Property:		
Buildings and grounds	$81,800 00	
Office equipment	1,150 00	
Vehicular equipment .	2,100 00	
Buildings and grounds —Special	16,200 00	
Office equipment—Special	3,557 00	
Vehicular equipment—Special	7,735 00	
Household and security equipment—Special	500 00	
		113,042 00
Extraordinary:		
Maintenance—New Education Building		47,742 00
Additions and Improvements:		
Buildings and grounds	$32,500 00	
Office equipment	1,544 00	
All other equipment .	1,500 00	
		35,544 00
		$1,937,354 00

230-300. *State Purchase Fund*

The unexpended balance in the State Purchase Fund as of June 30, 1962, together with the reimbursements made to said fund during 1962-63, are hereby appropriated so that a

"purchase revolving fund" not to exceed $750,000.00 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, however, that the allotment of funds for such expenses shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director. Any sum as of June 30, 1963 in excess of $750,000.00 appropriated herein, shall be transferred by the State Treasurer to the General State Fund.

231-100. *Bureau of Construction*

Salaries:		
Other employees	$287,113 00	
New positions	17,919 00	
		$305,032 00
Materials and Supplies:		
Office	$2,500 00	
Printing	5,000 00	
Vehicular	1,200 00	
Household and security	150 00	
Scientific	1,200 00	
		10,050 00
Services Other Than Personal:		
Travel	$3,000 00	
Telephone	5,000 00	
Insurance—Other ...	218 00	

Advertising	8,500 00	
Subscriptions and memberships	200 00	
Postage	2,000 00	
		18,918 00
Maintenance of Property:		
Office equipment	$275 00	
Vehicular equipment.	300 00	
Office equipment—Special	400 00	
Vehicular equipment —Special	1,455 00	
		2,430 00
Additions and Improvements:		
Office equipment	$990 00	
Scientific equipment .	2,295 00	
		3,285 00
		$339,715 00

232-100. *Agricultural Commodity Distribution*

Salaries:		
Other employees		$58,757 00
Materials and Supplies:		
Fuel and utilities	$1,000 00	
Office	300 00	
Printing	500 00	
Vehicular	750 00	
Household and security	150 00	
		2,700 00
Services Other Than Personal:		
Travel	$1,300 00	
Telephone	1,000 00	
Insurance—Other ...	87 00	

Household	150 00	
Postage	520 00	
All other	5,000 00	
		8,057 00
Maintenance of Property:		
Buildings and grounds	$1,000 00	
Office equipment	55 00	
Vehicular equipment .	200 00	
		1,255 00
Additions and Improvements:		
Office equipment		880 00
		$71,649 00

Receipts from such distribution charges as may be made to recipient agencies, in accordance with Federal regulations, are hereby appropriated as a revolving fund to be used to defray distribution costs; provided, however, that the allotment of such funds shall be subject to approval by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

233-400. *Cafeteria—State House*

(Payable out of Cafeteria Receipts)

Salaries:		
Other employees		$41,755 00
Materials and Supplies:		
Food—Cash	$44,500 00	
Office	50 00	
Printing	25 00	
Household and security	2,000 00	
		46,575 00

Services Other Than Personal:		
Household		1,700 00
Maintenance of Property:		
Office equipment	$35 00	
Household and security equipment ..	300 00	
Household and security equipment—Special	500 00	
		835 00
		$90,865 00

234-400. *Cafeteria—State Highway Department at Fernwood*

(Payable out of Cafeteria Receipts)

Salaries:		
Other employees		$27,124 00
Materials and Supplies:		
Food—Cash	$22,500 00	
Office	25 00	
Printing	25 00	
Household and security	1,000 00	
		23,550 00
Services Other Than Personal:		
Travel	$80 00	
Household	1,000 00	
		1,080 00
Maintenance of Property:		
Office equipment	$20 00	
Household and security equipment ..	500 00	

Household and security equipment—		
Special	500 00	
		1,020 00
		$52,774 00

The unexpended balances in the accounts of the cafeterias on June 30, 1962, together with receipts in excess of those anticipated are hereby appropriated.

Total Appropriation, Division of Purchase and Property	$2,492,357 00

240-100. *Division of Taxation*

Salaries:		
Director	$17,000 00	
Other employees	3,631,575 00	
New positions	121,113 00	
Special services	35,500 00	
		$3,805,188 00
Materials and Supplies:		
Food	$650 00	
Fuel and utilities	175 00	
Office	25,700 00	
Printing	37,775 00	
Vehicular	31,625 00	
License plates	750 00	
Household and security	630 00	
Clothing	200 00	
Scientific	500 00	
Education and rehabilitation	600 00	
All other	8,000 00	
		106,605 00

Services Other Than Personal:		
Travel	$31,275 00	
Telephone	34,465 00	
Insurance—Fire	381 00	
Insurance—Other	5,228 00	
Household	200 00	
Advertising	50 00	
Subscriptions and memberships	9,405 00	
Legal and investigative	4,000 00	
Postage	39,035 00	
Data processing	15,200 00	
Rent—Equipment, Data processing	32,312 00	
Rent—All other	3,624 00	
Staff training	700 00	
All other	100 00	
		175,975 00
Maintenance of Property:		
Office equipment	$5,181 00	
Vehicular equipment	10,050 00	
Office equipment—Special	3,426 00	
Vehicular equipment—Special	41,050 00	
		59,707 00
Extraordinary:		
Administration of Emergency Transportation Tax Bureau		250,000 00
Additions and Improvements:		
Office equipment		700 00
Total Appropriation, Division of Taxation		$4,398,175 00

The unexpended balance in the account for Emergency Transportation Tax Bureau as of June 30, 1962 is hereby appropriated.

In addition to the sums hereinabove appropriated for Emergency Transportation Tax Bureau, there are hereby appropriated out of the receipts from the Emergency Transportation Tax such sums as may be necessary for expenses of collection and enforcement thereof; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

The unexpended balance as of June 30, 1962 of the appropriation made pursuant to Chapter 15, P. L. 1962 is hereby appropriated.

General Tax Refunds:

Upon certification of the Director of the Division of Taxation, the State Treasurer shall pay, upon warrants of the Director of the Division of Budget and Accounting, such claims for refund as may be necessary under the provisions of Title 54 of the Revised Statutes as amended or supplemented.

There are hereby appropriated such sums as may be required under the provisions of R. S. 54:10B–24 to pay over to the various taxing districts and counties the tax receipts derived from the imposition of the Financial Business Tax.

There are hereby appropriated such sums as may be required to carry out the provisions of R. S. 54:17–4.

There are hereby appropriated such sums as may be required under the provisions of R. S. 54:29A–24 to pay over to the local taxing districts the tax receipts derived from the assessment of Class II Railroad Property.

250-100. *Division of Local Government*

Salaries:		
Director	$17,000 00	
Board members (3 @ $5,000.00)	15,000 00	
Other employees	199,185 00	
		$231,185 00
Materials and Supplies:		
Office	$3,000 00	
Printing	10,700 00	
Vehicular	1,400 00	
Household and security	75 00	
		15,175 00
Services Other Than Personal:		
Travel	$18,000 00	
Telephone	2,200 00	
Insurance—Fire	48 00	
Insurance—Other	347 00	
Subscriptions and memberships	600 00	
Postage	15,000 00	
Rent—All other	120 00	
		36,315 00
Maintenance of Property:		
Office equipment	$1,000 00	
Vehicular equipment..	300 00	
Vehicular equipment—Special	1,625 00	
		2,925 00

Additions and Improvements:		
Office equipment		164 00
Total Appropriation, Division of Local Government		$285,764 00

Out of the sum hereinabove appropriated for Salaries: Board members, there shall be paid a salary of $5,000.00 per annum to each member of the Local Government Board, notwithstanding any other provision of law.

260-100. *Division of Tax Appeals*

Salaries:		
President	$11,500 00	
Board members (6 @ $10,500.00)	63,000 00	
Other employees	77,285 00	
Special services	19,000 00	
		$170,785 00
Materials and Supplies:		
Office	$800 00	
Printing	700 00	
Vehicular	400 00	
Household and security	50 00	
		1,950 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,100 00	
Insurance—Other	34 00	
Subscriptions and memberships	425 00	
Postage	700 00	
		4,759 00

Maintenance of Property:		
Office equipment	$125 00	
Vehicular equipment .	75 00	
		200 00
Total Appropriation, Division of Tax Appeals		$177,694 00

270-100. *Division of the New Jersey Racing Commission*

Salaries:		
Other employees	$139,708 00	
New positions	17,000 00	
Special services	53,620 00	
		$210,328 00
Materials and Supplies:		
Office	$1,350 00	
Printing	1,050 00	
Vehicular	600 00	
Scientific	1,350 00	
		4,350 00
Services Other Than Personal:		
Travel	$15,000 00	
Telephone	3,900 00	
Insurance—Other	580 00	
Subscriptions and memberships	1,250 00	
Legal and investigative	3,500 00	
Postage	600 00	
Rent—All other	540 00	
		25,370 00
Maintenance of Property:		
Office equipment	$100 00	
Vehicular equipment .	200 00	

Office equipment—Special	234 00	
		534 00
Total Appropriation, Division of the New Jersey Racing Commission		$240,582 00

The unexpended balance as of June 30, 1962 of the appropriation made pursuant to Chapter 17, P. L. 1962 is hereby appropriated.

290-100. *Division of Investment*

Salaries:		
Director	$19,000 00	
Other employees	105,960 00	
Special services	10,500 00	
		$135,460 00
Materials and Supplies:		
Office	$1,200 00	
Printing	800 00	
Household and security	60 00	
		2,060 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	2,300 00	
Insurance—Other	250 00	
Advertising	500 00	
Subscriptions and memberships	3,000 00	
Postage	525 00	
Microfilming	300 00	
Rent—All other	40 00	
		8,415 00
Maintenance of Property:		
Office equipment		450 00

Additions and Improvements:		
Office equipment		2,254 00
Total Appropriation, Division of Investment		$148,639 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 advertising bank balances as required by chapter 174, laws of 1956; provided, however, that 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.

295-100. *Division of Pensions*

Salaries:		
Director	$16,000 00	
Other employees	924,861 00	
Special services	72,200 00	
		$1,013,061 00
Materials and Supplies:		
Office	$17,200 00	
Printing	16,000 00	
Vehicular	1,100 00	
Household and security	50 00	
		34,350 00
Services Other Than Personal:		
Travel	$12,000 00	
Telephone	20,500 00	
Insurance—Fire	288 00	
Insurance—Other	249 00	
Advertising	995 00	

Subscriptions and memberships	735 00	
Postage	25,000 00	
Microfilming	2,500 00	
Rent — Equipment, Data processing ...	77,052 00	
All other	200 00	
		139,519 00
Maintenance of Property:		
Office equipment	$3,500 00	
Vehicular equipment..	500 00	
Office equipment—Special	2,220 00	
Vehicular equipment—Special	1,750 00	
		7,970 00
Additions and Improvements:		
Office equipment		895 00
Total Appropriation, Division of Pensions		$1,195,795 00
Total Appropriation, Department of the Treasury		$10,256,867 00

DEPARTMENT OF STATE

State.

300-100. *Office of Secretary*

Salaries:		
Secretary of State ...	$18,000 00	
Other employees	153,267 00	
New positions	5,292 00	
		$176,559 00
Materials and Supplies:		
Office	$1,600 00	
Printing	12,000 00	
		13,600 00

Services Other Than Personal:		
Travel	$500 00	
Telephone	2,500 00	
Insurance—Other	15 00	
Subscriptions and memberships	500 00	
Postage	6,500 00	
Microfilming	4,200 00	
All other	22,000 00	
		36,215 00
Maintenance of Property:		
Office equipment	$500 00	
Office equipment—Special	261 00	
		761 00
Extraordinary:		
Uniform Commercial Code (Administration of Chapter 120, P. L. 1961)		25,000 00
Additions and Improvements:		
Office equipment	$813 00	
Vehicular equipment	3,100 00	
		3,913 00
Total Appropriation, Office of Secretary		$256,048 00

There are hereby appropriated the revenues in excess of those anticipated from the administration of the Uniform Commercial Code Act for the administration thereof, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

302-100. *Office of the Athletic Commissioner*

Salaries:		
Commissioner	$6,000 00	
Other employees	25,903 00	
Special services	2,800 00	
		$34,703 00
Materials and Supplies:		
Office	$75 00	
Printing	200 00	
Household and security	25 00	
		300 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	1,200 00	
Subscriptions and memberships	225 00	
Postage	225 00	
		3,150 00
Maintenance of Property:		
Office equipment		30 00
Total Appropriation, Office of the Athletic Commissioner		$38,183 00

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

Salaries:		
Other employees	$115,629 00	
Special services	1,700 00	
		$117,329 00

Materials and Supplies:		
Office	$2,000 00	
Printing	1,500 00	
Vehicular	3,200 00	
Household and security	40 00	
Education and rehabilitation	50 00	
		6,790 00
Services Other Than Personal:		
Travel	$9,500 00	
Telephone	2,200 00	
Insurance—Other	411 00	
Household	160 00	
Subscriptions and memberships	300 00	
Postage	2,500 00	
Rent — Equipment, Data processing	5,940 00	
Rent—All other	800 00	
		21,811 00
Maintenance of Property:		
Office equipment	$600 00	
Vehicular equipment	750 00	
Vehicular equipment—Special	1,555 00	
		2,905 00
Additions and Improvements:		
Office equipment		400 00
Total Appropriation, Legalized Games of Chance Control Commission		$149,235 00

305-100. *Youth Division*

Salaries:		
Director		$13,000 00
Extraordinary:		
Expenses of the Division		22,000 00
Total Appropriation, Youth Division		$35,000 00

306-100. *Division of the Aging*

Salaries:		
Director	$13,000 00	
Other employees	54,346 00	
Special services	500 00	
		$67,846 00
Materials and Supplies:		
Office	$750 00	
Printing	8,000 00	
Vehicular	750 00	
Education and rehabilitation	2,000 00	
		9,900 00
Services Other Than Personal:		
Travel	$4,000 00	
Telephone	1,900 00	
Insurance—Other	88 00	
Subscriptions and memberships	300 00	
Postage	4,000 00	
		10,288 00
Maintenance of Property:		
Office equipment	$100 00	
Vehicular equipment	200 00	
		300 00

Extraordinary:		
Survey and Demonstration Projects ..	$25,000 00	
Conference on Aging .	1,600 00	
		26,600 00
Total Appropriation, Division of the Aging		$114,934 00

The unexpended balance in this account as of June 30, 1962, is hereby appropriated.

Total Appropriation, Department of State	$593,400 00

Civil Service.

310-100. Department of Civil Service

Salaries:		
President	$20,000 00	
Commissioners (4 @ $8,500.00)	34,000 00	
Chief Examiner and Secretary	18,000 00	
Other employees	1,089,414 00	
New positions	34,996 00	
Special services	60,000 00	
Suggestion awards ..	1,000 00	
		$1,257,410 00
Materials and Supplies:		
Office	$8,000 00	
Printing	27,000 00	
Microfilming	500 00	
Vehicular	2,700 00	
Household and security	350 00	
Education and rehabilitation	2,000 00	
		40,550 00

Services Other Than Personal:		
Travel	$15,000 00	
Telephone	13,200 00	
Insurance—Fire	8 00	
Insurance—Other	770 00	
Advertising	40,000 00	
Subscriptions and memberships	1,250 00	
Postage	13,000 00	
Rent — Equipment, Data processing	17,100 00	
Rent—All other	9,642 00	
Education and rehabilitation	8,000 00	
Staff training	2,500 00	
		120,470 00
Maintenance of Property:		
Office equipment	$2,300 00	
Vehicular equipment	600 00	
Office equipment—Special	4,051 00	
Vehicular equipment—Special	4,280 00	
		11,231 00
Additions and Improvements:		
Buildings and grounds	$3,000 00	
Office equipment	5,678 00	
Vehicular equipment.	2,084 00	
		10,762 00
Total Appropriation, Department of Civil Service.		$1,440,423 00

Banking and Insurance.

DEPARTMENT OF BANKING AND INSURANCE

320-100. *General*

Salaries:		
Commissioner	$20,000 00	
Chief Actuary	18,000 00	
Other employees	1,826,444 00	
New positions	19,716 00	
Special services	5,000 00	
		$1,889,160 00
Materials and Supplies:		
Office	$8,000 00	
Printing	35,000 00	
Vehicular	250 00	
Household and security	215 00	
		43,465 00
Services Other Than Personal:		
Travel	$182,000 00	
Telephone	12,500 00	
Insurance—Fire	44 00	
Insurance—Other ...	44 00	
Advertising	150 00	
Subscriptions and memberships	3,300 00	
Postage	15,000 00	
Rent — Equipment, Data processing ...	31,080 00	
Rent—All other	160 00	
All other	50 00	
		244,328 00
Maintenance of Property:		
Office equipment	$2,500 00	
Vehicular equipment .	100 00	
Office equipment—Special	1,585 00	
Vehicular equipment—Special	2,780 00	
		6,965 00

Additions and Improvements:	
Office equipment	4,224 00
Total Appropriation, General	$2,188,142 00

There are hereby appropriated the trust funds of the National Association of Insurance Commissioners.

322-100. *Division of New Jersey Real Estate Commission*

Salaries:		
Commissioners (5 @ $4,000.00)	$20,000 00	
Other employees	115,391 00	
New position	2,520 00	
Special services	2,000 00	
		$139,911 00
Materials and Supplies:		
Office	$1,500 00	
Printing	10,000 00	
Vehicular	1,400 00	
		12,900 00
Services Other Than Personal:		
Travel	$3,600 00	
Telephone	2,800 00	
Insurance—Other ...	184 00	
Household	200 00	
Subscriptions and memberships	460 00	
Legal and investigative	3,300 00	
Postage	9,125 00	
Rent—All other	3,400 00	
All other	225 00	
		23,294 00

Maintenance of Property:		
Office equipment	$225 00	
Vehicular equipment .	250 00	
Office equipment—Special	732 00	
		1,207 00
Additions and Improvements:		
Office equipment		34 00
Total Appropriation, Division of New Jersey Real Estate Commission		$177,346 00
Total Appropriation, Department of Banking and Insurance		$2,365,488 00

Agriculture.

DEPARTMENT OF AGRICULTURE

330-100. *General*

Salaries:		
Secretary	$20,000 00	
Other employees	859,701 00	
New positions	15,577 00	
Special services	100,000 00	
		$995,278 00
Materials and Supplies:		
Fuel and utilities	$1,500 00	
Office	4,500 00	
Printing	18,500 00	
Vehicular	20,000 00	
Household and security	750 00	
Clothing	750 00	
Medical	4,000 00	
Scientific	8,500 00	

Education and rehabilitation	1,000 00	
All other	1,500 00	
		61,000 00
Services Other Than Personal:		
Travel	$32,000 00	
Telephone	14,000 00	
Insurance—Fire	35 00	
Insurance—Other	3,215 00	
Household	750 00	
Subscriptions and memberships	1,200 00	
Postage	11,000 00	
Rent — Equipment, Data processing ...	6,500 00	
Rent—All other	1,500 00	
Education and rehabilitation	63,000 00	
Staff training	500 00	
All other	500 00	
		134,200 00
Maintenance of Property:		
Buildings and grounds	$500 00	
Office equipment	750 00	
Vehicular equipment .	4,200 00	
Scientific equipment ..	400 00	
All other equipment ..	100 00	
Office equipment—Special	2,100 00	
Vehicular equipment—Special	34,350 00	
		42,400 00
Extraordinary:		
Indemnities pursuant to R. S. 4:5	$25,000 00	
Soil conservation committee	35,000 00	
		60,000 00

Additions and Improvements:		
Scientific equipment		10,000 00
Total Appropriation, General.		$1,302,878 00

The unexpended balance on June 30, 1962 in the account "Indemnities—pursuant to R. S. 4:5" is hereby appropriated for such indemnities.

The unexpended balances as of June 30, 1962 of receipts derived pursuant to the provisions of chapter 47, P. L. 1957 (Poultry Products Promotion Council), chapter 169, P. L. 1957 (White Potato Industry Promotion Council), chapter 18, P. L. 1959 (Asparagus Industry Promotion Council), and chapter 80, P. L. 1959 (Apple Industry Promotion Council), together with such receipts received during the fiscal year 1962-63, are hereby appropriated; provided, however, that all receipts derived pursuant to the provisions of chapter 47, P. L. 1957 during the fiscal year 1962-63 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.

339-100. *Office of Milk Industry*

Salaries:		
Director	$12,000 00	
Other employees	184,596 00	
Special services	2,000 00	
		$198,596 00

Materials and Supplies:		
Office	$500 00	
Printing	3,000 00	
Vehicular	3,000 00	
Household and security	100 00	
Scientific	250 00	
		6,850 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	4,000 00	
Insurance—Fire	45 00	
Insurance—Other	440 00	
Advertising	250 00	
Subscriptions and memberships	150 00	
Postage	4,500 00	
Rent—All other	1,000 00	
All other	200 00	
		13,085 00
Maintenance of Property:		
Office equipment	$600 00	
Vehicular equipment	600 00	
Vehicular equipment—Special	5,425 00	
		6,625 00
Total Appropriation, Office of Milk Industry		$225,156 00
Total Appropriation, Department of Agriculture		$1,528,034 00

Defense.

DEPARTMENT OF DEFENSE

340-100. *Administration Division*

Salaries:		
Chief of Staff	$18,000 00	
Other employees	342,273 00	
		$360,273 00
Materials and Supplies:		
Office	$3,250 00	
Printing	6,250 00	
Household and security	275 00	
Scientific	350 00	
		10,125 00
Services Other Than Personal:		
Telephone	$11,500 00	
Subscriptions and memberships	600 00	
Postage	1,350 00	
		13,450 00
Maintenance of Property:		
Office equipment	$1,100 00	
Office equipment—Special	2,028 00	
		3,128 00
Additions and Improvements:		
Office equipment		1,207 00
Total Appropriation, Administration Division		$388,183 00

342-100. *National Guard and/or State Guard*

Salaries:		
Other employees	$857,547 00	
Special services	4,000 00	
		$861,547 00
Materials and Supplies:		
Fuel and utilities	$310,000 00	
Vehicular	6,750 00	
Household and security	28,000 00	
Clothing	1,570 00	
Scientific	500 00	
All other	200 00	
		347,020 00
Services Other Than Personal:		
Travel	$5,500 00	
Telephone	58,000 00	
Insurance—Fire	51,413 00	
Insurance—Other	16,900 00	
Household	10,000 00	
Advertising	1,500 00	
Subscriptions and memberships	1,700 00	
Postage	300 00	
Staff training	14,000 00	
All other	750 00	
		160,063 00
Maintenance of Property:		
Buildings and grounds	$150,500 00	
Office equipment	800 00	
Agricultural and conservation equipment	1,000 00	
Vehicular equipment .	2,500 00	
Household and security equipment	3,500 00	
Buildings and grounds —Special	65,500 00	
Office equipment—Special	2,644 00	

Agricultural and conservation equipment —Special	6,600 00	
Vehicular equipment— Special	26,135 00	
Household and security equipment—Special	900 00	
		260,079 00
Extraordinary:		
Organization allowance	$8,000 00	
Compensation awards	7,000 00	
		15,000 00
Additions and Improvements:		
Office equipment	$5,575 00	
Agricultural and conservation equipment	1,935 00	
Vehicular equipment .	2,400 00	
Household and security equipment	5,100 00	
		15,010 00
Total Appropriation, National Guard and/or State Guard.		$1,658,719 00

344-100. *Naval Militia Reserve*

Salaries:	
Other employees	$9,742 00
Services Other Than Personal:	
All other	1,000 00
Total Appropriation, Naval Militia Reserve	$10,742 00

346-100. *Division of Civil Defense*

Salaries:		
Other employees	$176,295 00	
New positions	80,762 00	
		$257,057 00
Materials and Supplies:		
Office	$2,500 00	
Printing	12,000 00	
Vehicular	1,700 00	
All other	2,000 00	
		18,200 00
Services Other Than Personal:		
Travel	$8,500 00	
Telephone	6,500 00	
Insurance—Fire	267 00	
Insurance—Other	362 00	
Subscriptions and memberships	800 00	
Postage	5,500 00	
All other	100 00	
		22,029 00
Maintenance of Property:		
Office equipment	$400 00	
Vehicular equipment .	400 00	
Office equipment—Special	750 00	
		1,550 00
Extraordinary:		
Hammonton Training School Program ...	$5,222 00	
Control Center Program	3,500 00	
Medical and Health Preparedness Program	6,500 00	
		15,222 00

Additions and Improvements:	
Office equipment	1,000 00
Total Appropriation, Division of Civil Defense	$315,058 00

There are hereby appropriated such sums as may be necessary to carry out the provisions of chapter 12, laws of 1952, from the Special Fund for Civil Defense Volunteers.

Any receipts derived from charges to be made to local government jurisdictions for the handling of Federal surplus property distributed to such jurisdictions are hereby appropriated, together with a sum not to exceed $15,000.00 of such receipts derived during the fiscal year ended June 30, 1962.

The Governor is hereby empowered to direct the State Treasurer to transfer from any State department to the Division of Civil Defense such sums as may be necessary for the cost of any emergency occasioned by aggression, sabotage or disaster.

Total Appropriation, Department of Defense	$2,372,702 00

350-100. DEPARTMENT OF PUBLIC UTILITIES

Public Utilities.

Salaries:		
President	$20,000.00	
Board members (2 @ $17,000.00)	34,000 00	
Other employees	663,881 00	
Special services	16,500 00	
		$734,381 00
Materials and Supplies:		
Office	$4,500 00	
Printing	6,000 00	
Vehicular	1,400 00	
Household and security	350 00	
		12,250 00
Services Other Than Personal:		
Travel	$7,500 00	
Telephone	14,800 00	
Insurance—Other	227 00	
Household	125 00	
Subscriptions and memberships	4,000 00	
Postage	3,800 00	
Rent—All other	1,312 00	
		31,764 00
Maintenance of Property:		
Office equipment	$600 00	
Vehicular equipment..	650 00	
Office equipment—Special	1,000 00	
		2,250 00
Total Appropriation, Department of Public Utilities ...		$780,645 00

Health.

DEPARTMENT OF HEALTH

360-100. *General*

Salaries:		
Commissioner	$20,000 00	
Other employees	2,210,743 00	
New positions	63,295 00	
Special services	46,650 00	
		$2,340,688 00
Materials and Supplies:		
Fuel and utilities	$7,100 00	
Office	8,380 00	
Printing	35,400 00	
Vehicular	17,750 00	
Household and security	1,175 00	
Clothing	200 00	
Medical	110,800 00	
Scientific	63,000 00	
Education and rehabilitation	6,200 00	
All other	1,075 00	
		251,080 00
Services Other Than Personal:		
Travel	$54,000 00	
Telephone	44,000 00	
Insurance—Fire	614 00	
Insurance—Other ...	5,753 00	
Household	3,675 00	
Advertising	1,700 00	
Subscriptions and memberships	3,604 00	
Postage	40,000 00	
Rent — Equipment, Data processing ...	24,708 00	
Rent—All other	3,380 00	
Education and rehabilitation	5,200 00	

Staff training	400 00	
All other	2,535 00	
		189,569 00
Maintenance of Property:		
Office equipment	$2,225 00	
Vehicular equipment .	3,765 00	
Medical equipment ..	250 00	
Scientific equipment..	2,050 00	
Office equipment—Special	3,226 00	
Vehicular equipment—Special	43,765 00	
Scientific equipment—Special	6,433 00	
		61,714 00
Extraordinary:		
Public Health services by contract	$285,000 00	
Arbor Virus transmission study project .	8,000 00	
Emergency medical and hospital service for migrant workers	5,000 00	
Administration of Drug Program, pursuant to chapter 52, P. L. 1961	21,794 00	
		319,794 00
Additions and Improvements:		
Office equipment	$1,287 00	
Vehicular equipment .	8,750 00	
Scientific equipment..	60,789 00	
		70,826 00
Total Appropriation, General		$3,233,671 00

There is hereby appropriated the unexpended balance of the revolving fund heretofore created for the purpose of printing and reprinting literature, codes and manuals for sale and, in addition thereto, receipts derived from such sales.

360-400. *Rabies Control Program*

(Payable out of Rabies Control Trust Fund)

Salaries:		
Other employees	$56,663 00	
New positions	4,148 00	
Special services	100 00	
		$60,911 00
Materials and Supplies:		
Office	$100 00	
Printing	1,700 00	
Vehicular	1,600 00	
Household and security	50 00	
Medical	25,000 00	
		28,450 00
Services Other Than Personal:		
Travel	$1,700 00	
Telephone	850 00	
Insurance—Other ...	240 00	
Subscriptions and memberships	31 00	
Postage	500 00	
Rent—Buildings and grounds	650 00	
		3,971 00
Maintenance of Property:		
Office equipment	$70 00	
Vehicular equipment .	350 00	

Vehicular equipment—		
Special	1,880 00	
		2,300 00
Additions and Improvements:		
Scientific equipment		500 00
Total Appropriation, Rabies Control Program		$96,132 00

Funds in excess of the amounts hereinabove indicated, but limited to the amount of receipts in the Rabies Control Trust Fund for the fiscal year are hereby appropriated; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

374-100. *Board of Barber Examiners*

Salaries:		
Secretary-Treasurer .	$6,500 00	
Board members (3 @ $6,000.00)	18,000 00	
Other employees	34,541 00	
		$59,041 00
Materials and Supplies:		
Office	$200 00	
Printing	1,600 00	
Vehicular	1,000 00	
		2,800 00
Services Other Than Personal:		
Travel	$4,500 00	
Telephone	500 00	

Insurance—Other ...	152 00	
Subscriptions and memberships	25 00	
Postage	1,000 00	
All other	50 00	
		6,227 00
Maintenance of Property:		
Office equipment	$75 00	
Vehicular equipment .	200 00	
Vehicular equipment—Special	3,110 00	
		3,385 00
Additions and Improvements:		
Office equipment	$393 00	
All other equipment .	550 00	
		943 00
Total Appropriation, Board of Barber Examiners		$72,396 00

378-100. *Crippled Children's Commission*

Salaries:		
Other employees	$15,903 00	
Special services	9,500 00	
		$25,403 00
Materials and Supplies:		
Office	$350 00	
Vehicular	450 00	
Medical	250 00	
		1,050 00
Services Other Than Personal:		
Travel	$100 00	
Telephone	900 00	
Insurance—Other ...	37 00	
Postage	350 00	
Rent—All other	198 00	
		1,585 00

Maintenance of Property:		
Office equipment	$75 00	
Vehicular equipment .	50 00	
		125 00
Total Appropriation, Crippled Children's Commission		$28,163 00
Total Appropriation, Department of Health		$3,430,362 00

DEPARTMENT OF LABOR AND INDUSTRY

Labor and Industry.

380-100. *Division of Labor*

Salaries:		
Commissioner	$20,000 00	
Director	14,000 00	
Other employees	1,233,568 00	
New positions	8,420 00	
Special services	24,280 00	
		$1,300,268 00
Materials and Supplies:		
Food	$2,000 00	
Fuel and utilities	600 00	
Office	10,725 00	
Printing	22,100 00	
Vehicular	8,000 00	
Household and security	315 00	
Clothing	30 00	
Medical	100 00	
Scientific	700 00	
Education and rehabilitation	50 00	
All other	500 00	
		45,120 00

Services Other Than Personal:		
Travel	$47,880 00	
Telephone	18,600 00	
Insurance—Fire	276 00	
Insurance—Other	885 00	
Household	100 00	
Advertising	30 00	
Subscriptions and memberships	1,212 00	
Legal and investigative	2,000 00	
Postage	33,060 00	
Microfilming	2,500 00	
Data processing	20,500 00	
Rent—Buildings and grounds	2,600 00	
Rent — Equipment, Data processing	1,476 00	
Rent—All other	6,406 00	
Staff training	1,000 00	
All other	260 00	
		138,785 00
Maintenance of Property:		
Buildings and grounds	$200 00	
Office equipment	1,585 00	
Vehicular equipment	2,725 00	
Scientific equipment	120 00	
Office equipment—Special	18,414 00	
Vehicular equipment—Special	9,765 00	
Scientific equipment—Special	1,000 00	
		33,809 00
Additions and Improvements:		
Office equipment	$26,334 00	
Vehicular equipment	1,575 00	
Scientific equipment	105 00	
		28,014 00
Total Appropriation, Division of Labor		$1,545,996 00

There are hereby appropriated such sums as may be necessary for payments out of the Wage and Hour Trust Fund.

381-100. *Division of Workmen's Compensation*

Salaries:		
Director	$16,000 00	
Other employees	763,758 00	
New positions	17,705 00	
Special services	23,000 00	
		$820,463 00
Materials and Supplies:		
Office	$3,000 00	
Printing	8,634 00	
Vehicular	300 00	
Household and security	200 00	
Medical	200 00	
		12,334 00
Services Other Than Personal:		
Travel	$13,000 00	
Telephone	13,000 00	
Household	270 00	
Subscriptions and memberships	2,500 00	
Postage	6,000 00	
Microfilming	5,000 00	
Data processing	8,000 00	
All other	150 00	
		47,920 00
Maintenance of Property:		
Office equipment	$800 00	
Vehicular equipment	50 00	
Scientific equipment	50 00	
Buildings and grounds —Special	2,000 00	

Office equipment—Special	15,094 00	
Vehicular equipment—Special	2,600 00	
		20,594 00
Additions and Improvements:		
Office equipment		1,512 00
		$902,823 00

Division of Workmen's Compensation

381-400. *1 Per Cent Compensation Tax Fund*

(Payable out of the 1 Per Cent Compensation Tax Fund)

Salaries:		
Other employees	$14,998 00	
Special services	5,000 00	
		$19,998 00
Materials and Supplies:		
Office		200 00
Services Other Than Personal:		
Travel	$750 00	
Telephone	215 00	
Postage	350 00	
Rent—Buildings and grounds	720 00	
All other	50 00	
		2,085 00
Maintenance of Property:		
Office equipment—Special		318 00
Extraordinary:		
Beneficiary payments		467,000 00

Additions and Improvements:		
Office equipment	231 00	
		$489,832 00

The amounts included hereinabove for administrative costs are hereby appropriated from the 1 Per Cent Compensation Tax Fund notwithstanding the limitation contained in R. S. 34:15–95.

There are also appropriated out of the 1 Per Cent Compensation Tax Fund such additional sums as may be necessary to provide beneficiary payments in excess of the amount specifically set forth above.

The 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, 1962, pursuant to section 34:15–94 of the Revised Statutes, over the sum of $1,250,000.00.

Total Appropriation, Division of Workmen's Compensation	$1,392,655 00

DIVISION OF EMPLOYMENT SECURITY

391-100. *Disability Insurance Service*

(Payable out of Temporary Disability Benefits Administration Fund)

Salaries:		
Other employees	$1,167,855 00	
New positions	22,762 00	
Special services	10,000 00	
		$1,200,617 00
Materials and Supplies:		
Office	$6,000 00	
Printing	14,000 00	
Vehicular	1,400 00	
Education and rehabilitation	100 00	
		21,500 00
Services Other Than Personal:		
Travel	$7,800 00	
Telephone	9,000 00	
Insurance—Other	2,321 00	
Subscriptions and memberships	650 00	
Postage	32,000 00	
Data processing	4,200 00	
Rent—Buildings and grounds	137,967 00	
Rent — Equipment, Data processing	6,600 00	
Rent—All other	350 00	
All other	250 00	
		201,138 00
Maintenance of Property:		
Office equipment	$1,200 00	
Vehicular equipment	200 00	
Office equipment—Special	2,010 00	
		3,410 00

Additions and Improvements:		
Office equipment	$1,303 00	
Vehicular equipment .	1,575 00	
		2,878 00
Total Appropriation, Disability Insurance Service..		$1,429,543 00

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

There are also appropriated out of the State Disability Benefits Fund Administration Account, in addition to the amounts specifically set forth above, such additional sums not to exceed $120,000.00 as may be required to administer the Disability Insurance Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

394-100. *State Board of Mediation*

Salaries:		
Board members (7) ..	$6,000 00	
Other employees	82,675 00	
Special services	1,300 00	
		$89,975 00
Materials and Supplies:		
Office	$225 00	
Printing	300 00	
Household and security	30 00	
		555 00

Services Other Than Personal:		
Travel	$3,200 00	
Telephone	3,000 00	
Subscriptions and memberships	1,070 00	
Postage	300 00	
All other	25 00	
		7,595 00
Maintenance of Property:		
Office equipment		100 00
Additions and Improvements:		
Office equipment		50 00
Total Appropriation, State Board of Mediation		$98,275 00

396-100. *Rehabilitation Commission*

Salaries:		
Other employees	$526,974 00	
New positions	36,276 00	
Special services	12,000 00	
		$575,250 00
Materials and Supplies:		
Fuel and utilities	$600 00	
Office	4,000 00	
Printing	5,500 00	
Vehicular	200 00	
Household and security	300 00	
		10,600 00
Services Other Than Personal:		
Travel	$21,000 00	
Telephone	21,000 00	
Insurance—Fire	109 00	
Insurance—Other	36 00	
Household	800 00	
Advertising	200 00	

Subscriptions and memberships	250 00	
Postage	7,000 00	
Rent—All other	2,400 00	
All other	400 00	
		53,195 00
Maintenance of Property:		
Buildings and grounds	$3,500 00	
Office equipment	900 00	
Vehicular equipment .	100 00	
Office equipment—Special	1,000 00	
		5,500 00
Extraordinary:		
Services to Clients ...	$1,619,695 00	
Extension and Improvement Projects.	100,000 00	
Independent Living Demonstration Project	50,000 00	
		1,769,695 00
Additions and Improvements:		
Office equipment		2,804 00
Total Appropriation, Rehabilitation Commission..		$2,417,044 00

In addition to the appropriation hereinabove made, recoveries of the State's share of expenditures made in the year ending June 30, 1963, together with those made in prior fiscal years, are hereby appropriated.

Total Appropriation, Department of Labor and Industry $6,883,513 00

Conservation and Economic Development.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

410-100. *Office of the Commissioner*

Salaries:		
Commissioner	$20,000 00	
Other employees	229,055 00	
		$249,055 00
Materials and Supplies:		
Fuel and utilities	$50 00	
Office	700 00	
Printing	4,000 00	
Vehicular	1,500 00	
Household and security	850 00	
Scientific	750 00	
Education and rehabilitation	1,350 00	
		9,200 00
Services Other Than Personal:		
Travel	$2,475 00	
Telephone	11,000 00	
Insurance—Fire	155 00	
Insurance—Other	108 00	
Subscriptions and memberships	1,050 00	
Postage	3,100 00	
Rent—All other	100 00	
All other	100 00	
		18,088 00
Maintenance of Property:		
Office equipment	$2,000 00	
Vehicular equipment .	400 00	
Scientific equipment ..	150 00	
Office equipment—Special	1,482 00	
Vehicular equipment—Special	1,725 00	
		5,757 00
Total Appropriation, Office of the Commissioner		$282,100 00

The proceeds derived from the sale, if any, of any base or mobile radio transmitter-receivers and related equipment in possession of the several divisions of this department are hereby appropriated for rental costs of such or similar equipment; provided, however, that the allotment thereof 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.

410-101. *Interest on Bonds*

Interest on Water Development Bonds:	
Chapter 35, P. L. 1958	$1,484,250 00
Total Appropriation, Interest on Bonds	$1,484,250 00

420-100. *Division of Resource Development*

Salaries:		
Director	$15,000 00	
Other employees	2,146,781 00	
New positions	6,366 00	
Special services	8,000 00	
		$2,176,147 00
Materials and Supplies:		
Food	$3,000 00	
Fuel and utilities	51,800 00	
Office	7,075 00	
Printing	29,050 00	
Agricultural and conservation	8,500 00	

Vehicular	40,950 00	
License plates	4,000 00	
Household and security	27,016 00	
Clothing	2,750 00	
Scientific	2,350 00	
Education and rehabilitation	1,050 00	
		177,541 00

Services Other Than Personal:

Travel	$15,025 00	
Telephone	40,000 00	
Insurance—Fire	23,364 00	
Insurance—Other	9,448 00	
Household	2,592 00	
Advertising	750 00	
Subscriptions and memberships	2,857 00	
Legal and investigative	4,700 00	
Postage	18,000 00	
Rent—All other	11,070 00	
Staff training	2,850 00	
All other	18,525 00	
		149,181 00

Maintenance of Property:

Buildings and grounds	$66,200 00	
Office equipment	1,485 00	
Agricultural and conservation equipment	1,200 00	
Vehicular equipment .	24,525 00	
Household and security equipment	13,100 00	
Scientific equipment .	650 00	
Education and rehabilitation equipment	700 00	
All other equipment .	7,000 00	
Buildings and grounds —Special	46,875 00	
Office equipment—Special	5,209 00	

Agricultural and conservation equipment —Special	10,885 00	
Vehicular equipment— Special	60,955 00	
Household and security equipment— Special	11,724 00	
Education and rehabilitation equipment —Special	1,500 00	
		252,008 00
Extraordinary:		
Fire fighting costs ...	$25,000 00	
State share of maintenance, Old Barracks, Trenton	10,000 00	
Compensation awards	4,200 00	
Promotional expense.	250,000 00	
For rent of helicopter service	50,000 00	
		339,200 00
Additions and Improvements:		
Office equipment	$1,043 00	
Agricultural and conservation equipment	1,345 00	
Vehicular equipment .	7,680 00	
Household and security equipment ..	2,000 00	
All other equipment .	5,000 00	
		17,068 00
Total Appropriation, Division of Resource Development		$3,111,145 00

There are hereby appropriated the unexpended receipts in excess of those anticipated from "General

Revenue, Licenses, Fees, etc." during the fiscal year ending June 30, 1962, together with receipts in excess of those anticipated from the same sources during the fiscal year ending June 30, 1963, for additional operation and maintenance costs of the Division of Resource Development, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

There 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 sales.

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.

In addition to the amounts hereinabove specifically appropriated, the unexpended balance as of June 30, 1962 in the account for fire fighting costs is hereby appropriated for the same purposes.

420-402. *Morris Canal and Banking Company*
(Payable from Morris Canal Fund)

Salaries:		
Other employees		$43,875 00
Materials and Supplies:		
Fuel and utilities	$450 00	
Office	50 00	
Printing	50 00	
Agricultural and conservation	300 00	
Vehicular	200 00	
Household and security	400 00	
Clothing	400 00	
		1,850 00
Services Other Than Personal:		
Travel	$50 00	
Telephone	185 00	
Household	50 00	
		285 00
Maintenance of Property:		
Buildings and grounds	$2,000 00	
Office equipment	30 00	
Vehicular equipment	120 00	
Agricultural and conservation equipment —Special	350 00	
Education and rehabilitation equipment —Special	500 00	
		3,000 00
Additions and Improvements:		
All other equipment		250 00
Total Appropriation, Morris Canal and Banking Company		$49,260 00

There shall be refunded to the General State Fund such amounts as have been advanced from said fund to the Morris Canal Fund whenever and to the extent that cash in the Morris Canal Fund exceeds the liabilities thereof.

420-409. *New Jersey Pilot Commissioners*

Salaries:	
Board members	$19,980 00
Materials and Supplies:	
Office	60 00
Services Other Than Personal:	
Travel	320 00
Total Appropriation, New Jersey Pilot Commissioners	$20,360 00

The amounts hereinabove appropriated to the New Jersey Pilot Commissioners shall be payable out of the receipts of the New Jersey Pilot Commissioners, 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.

430-100. *Division of Water Policy and Supply*

Salaries:		
Director and Chief Engineer	$15,000 00	
Other employees	275,104 00	
		$290,104 00
Materials and Supplies:		
Fuel and utilities	$2,000 00	
Office	1,100 00	
Printing	2,500 00	
Vehicular	2,750 00	
Household and security	100 00	
Scientific	500 00	
		8,950 00
Services Other Than Personal:		
Travel	$5,500 00	
Telephone	2,200 00	
Insurance—Fire	40 00	
Insurance—Other ...	525 00	
Advertising	100 00	
Subscriptions and memberships	175 00	
Legal and investigative	500 00	
Postage	850 00	
All other	50 00	
		9,940 00
Maintenance of Property:		
Buildings and grounds	$8,000 00	
Office equipment	200 00	
Vehicular equipment .	1,200 00	
Scientific equipment .	500 00	
Buildings and grounds —Special	2,500 00	
Agricultural and conservation equipment —Special	280 00	
		12,680 00

Extraordinary:		
Office of River Master —New Jersey Share	$12,450 00	
Ground Water Investigation — Regular Program	30,336 00	
Stream Gaging Stations	46,600 00	
Flood Plain Zoning and Warning Service	9,000 00	
		98,386 00
Additions and Improvements:		
Office equipment	$140 00	
All other equipment	3,700 00	
		3,840 00
Total Appropriation, Division of Water Policy and Supply		$423,900 00

The unexpended balance as of June 30, 1962 of the appropriation made pursuant to Chapter 19, P. L. 1962 is hereby appropriated.

440-100. *Division of Shell Fisheries*

Salaries:		
Director	$9,000 00	
Other employees	195,216 00	
New positions	11,727 00	
		$215,943 00
Materials and Supplies:		
Fuel and utilities	$850 00	
Office	150 00	
Printing	1,000 00	

Vehicular	8,000 00	
License plates	500 00	
Household and security	250 00	
Clothing	1,000 00	
Scientific	200 00	
All other	1,000 00	
		12,950 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	1,100 00	
Insurance—Fire	2 00	
Insurance—Other ...	5,865 00	
Advertising	25 00	
Subscriptions and memberships	50 00	
Postage	200 00	
Rent—All other	230 00	
All other	50 00	
		10,022 00
Maintenance of Property:		
Buildings and grounds	$200 00	
Office equipment	75 00	
Vehicular equipment .	11,000 00	
Vehicular equipment—Special	3,140 00	
		14,415 00
Extraordinary:		
Oyster Research	$19,000 00	
Shelling and Planting Oyster Beds	3,000 00	
Shelling Beds, Seeds, Drills — Maurice River	12,000 00	
		34,000 00
Total Appropriation, Division of Shell Fisheries ...		$287,330 00

450-400. *Division of Fish and Game*

(Payable Out of Hunters' and Anglers' License Fund)

Salaries:		
Director	$14,000 00	
Other employees	794,125 00	
New positions	32,101 00	
Special services	7,500 00	
		$847,726 00
Materials and Supplies:		
Fuel and utilities	$18,300 00	
Office	4,000 00	
Printing	57,000 00	
Agricultural and conservation	27,600 00	
Fish and game propagation	182,000 00	
Vehicular	59,000 00	
Household and security	2,000 00	
Clothing	7,000 00	
Education and rehabilitation	1,760 00	
All other	4,000 00	
		362,660 00
Services Other Than Personal:		
Travel	$21,000 00	
Telephone	13,800 00	
Insurance—Fire	1,942 00	
Insurance—Other	17,088 00	
Subscriptions and memberships	250 00	
Legal and investigative	100 00	
Postage	9,700 00	
Rent—Buildings and grounds	8,910 00	

Rent—All other	1,250 00	
All other	500 00	
		74,540 00
Maintenance of Property:		
Buildings and grounds	$12,000 00	
Office equipment	250 00	
Vehicular equipment .	19,500 00	
All other equipment .	5,500 00	
Office equipment—Special	500 00	
Agricultural and conservation equipment —Special	3,000 00	
Vehicular equipment— Special	64,235 00	
		104,985 00
Extraordinary:		
Deer management ...	$12,000 00	
Compensation awards	5,165 00	
		17,165 00
Additions and Improvements:		
Buildings and grounds	$12,950 00	
Office equipment	600 00	
Vehicular equipment .	3,300 00	
Household and security equipment	3,150 00	
Education and rehabilitation equipment	525 00	
		20,525 00
		$1,427,601 00

There are hereby appropriated the funds in 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.

451-400. *Public Shooting and Fishing Grounds*

(Payable out of Public Shooting and Fishing Grounds Fund)

Salaries:		
Other employees	$137,365 00	
New positions	39,849 00	
		$177,214 00
Materials and Supplies:		
Fuel and utilities	$3,500 00	
Office	150 00	
Printing	1,000 00	
Agricultural and conservation	28,500 00	
Vehicular	12,500 00	
Household and security	200 00	
Clothing	200 00	
		46,050 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	2,000 00	
Insurance—Fire	470 00	
Insurance—Other	1,453 00	
Rent—All other	1,000 00	
All other	200 00	
		7,123 00
Maintenance of Property:		
Buildings and grounds	$4,000 00	
Agricultural and conservation equipment	3,000 00	
Vehicular equipment .	4,000 00	
Buildings and grounds —Special	5,000 00	

Agricultural and conservation equipment —Special	5,175 00	
Vehicular equipment— Special	9,940 00	
		31,115 00
Extraordinary:		
Compensation awards		1,820 00
Additions and Improvements:		
Buildings and grounds	$2,500 00	
Agricultural and conservation equipment	1,000 00	
		3,500 00
		$266,822 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.

Total Appropriation, Division of Fish and Game $1,694,423 00

460-100. *Division of Veterans' Services*

Salaries:		
Director	$10,000 00	
Other employees	194,889 00	
		$204,889 00

Materials and Supplies:		
Fuel and utilities	$1,200 00	
Printing	650 00	
Vehicular	250 00	
Household and security	450 00	
Education and rehabilitation	100 00	
		2,650 00
Services Other Than Personal:		
Travel	$3,300 00	
Telephone	6,000 00	
Insurance—Fire	25 00	
Insurance—Other	246 00	
Subscriptions and memberships	164 00	
Postage	2,700 00	
Rent—All other	180 00	
All other	100 00	
		12,715 00
Maintenance of Property:		
Office equipment	$150 00	
Vehicular equipment .	100 00	
Office equipment—Special	201 00	
		451 00
Total Appropriation, Division of Veterans' Services.		$220,705 00

470-100. *Division of State and Regional Planning*

Salaries:		
Director	$15,000 00	
Other employees	144,296 00	
New positions	6,914 00	
Special services	8,000 00	
		$174,210 00

Materials and Supplies:		
Office	$500 00	
Printing	7,000 00	
Vehicular	800 00	
Household and security	216 00	
Scientific	1,000 00	
Education and rehabilitation	350 00	
		9,866 00
Services Other Than Personal:		
Travel	$3,000 00	
Telephone	1,500 00	
Advertising	60 00	
Subscriptions and memberships	717 00	
Postage	1,000 00	
Rent—All other	600 00	
All other	100 00	
		6,977 00
Maintenance of Property:		
Office equipment	$300 00	
Vehicular equipment	500 00	
Office equipment—Special	940 00	
		1,740 00
Extraordinary:		
Expanded State and Regional Planning		150,000 00
Additions and Improvements:		
Office equipment		1,320 00
Total Appropriation, Division of State and Regional Planning		$344,113 00

The unexpended balance as of June 30, 1962 in the account for Expanded

State and Regional Planning is hereby appropriated.

Total Appropriation, Department of Conservation and Economic Development ... $7,917,586 00

Education.

DEPARTMENT OF EDUCATION

500-100. *Commissioner's Office*

Salaries:		
Commissioner	$24,500 00	
Other employees	1,003,705 00	
New positions	18,994 00	
Special services	21,000 00	
		$1,068,199 00
Materials and Supplies:		
Office	$10,000 00	
Printing	18,000 00	
Vehicular	4,500 00	
Household and security	415 00	
Education and rehabilitation	1,000 00	
		33,915 00
Services Other Than Personal:		
Travel	$29,000 00	
Telephone	18,000 00	
Insurance—Fire	263 00	
Insurance—Other	1,765 00	
Subscriptions and memberships	2,500 00	
Legal and investigative	6,500 00	
Postage	17,500 00	
All other	300 00	
		75,828 00

Maintenance of Property:		
Office equipment	$2,400 00	
Vehicular equipment .	1,200 00	
Office equipment—Special	62,522 00	
Vehicular equipment—Special	5,430 00	
		71,552 00
Additions and Improvements:		
Office equipment		1,915 00
Total Appropriation, Commissioner's Office		$1,251,409 00

There are hereby appropriated the receipts derived from the High School Equivalency Testing Program as a continuing revolving fund.

Any sums appropriated to the several divisions or agencies of the Department of Education for Data Processing are hereby made available for transfer by certificate of debit and credit to the Commissioner's Office, as the Commissioner may determine, for centralized data processing purposes.

500-101. *Interest on Bonds*

Interest on State Teachers College Construction Bonds—Act of 1951	$110,188 00	
Interest on State Higher Education Bonds—Act of 1959	2,274,250 00	
Total Appropriation, Interest on Bonds		$2,384,438 00

500-115. *Administration of Industrial Education, Manual Training and Vocational Schools—Smith-Hughes Program*

Salaries:		
Other employees	$87,094 00	
New positions	34,853 00	
Special services	5,000 00	
		$126,947 00
Materials and Supplies:		
Printing		1,500 00
Services Other Than Personal:		
Travel		4,700 00
Maintenance of Property:		
Office equipment		300 00
Additions and Improvements:		
Office equipment	$1,500 00	
All other equipment ..	500 00	
		2,000 00
		$135,447 00

500-116. *Administration of Industrial Education, Manual Training and Vocational Schools—George-Barden Program*

Salaries:		
Other employees	$125,447 00	
New positions	19,794 00	
Special services	11,700 00	
		$156,941 00
Materials and Supplies:		
Office	$2,750 00	
Printing	8,000 00	

Household and security	100 00	
Education and rehabilitation	425 00	
All other	100 00	
		11,375 00
Services Other Than Personal:		
Travel	$13,000 00	
Telephone	2,700 00	
Advertising	100 00	
Subscriptions and memberships	275 00	
Postage	1,600 00	
All other	200 00	
		17,875 00
Maintenance of Property:		
Office equipment	$1,350 00	
Office equipment—Special	500 00	
		1,850 00
Extraordinary:		
Home Economics Teacher Training Program		50,000 00
		$238,041 00
Total Appropriation, Administration of Industrial Education, Manual Training and Vocational Schools		$373,488 00

500-125. *State Competitive Scholarships and Student Loans*

Salaries:		
Other employees	$57,033 00	
New positions	10,122 00	
		$67,155 00

Materials and Supplies:		
Office	$1,500 00	
Printing	3,000 00	
Household and security	100 00	
All other	100 00	
		4,700 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	600 00	
Subscriptions and memberships	250 00	
Postage	6,000 00	
Data processing	4,000 00	
Rent—All other	48 00	
All other	100 00	
		12,998 00
Maintenance of Property:		
Office equipment		100 00
Extraordinary:		
Scholarships $3,130,750 00		
Student loans 170,000 00		
		3,300,750 00
Additions and Improvements:		
Office equipment		600 00
Total Appropriation, State Competitive Scholarships and Student Loans $3,386,303 00		

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

520-100. *Division of the State Library, Archives and History*

Salaries:		
Other employees		$304,469 00
Materials and Supplies:		
Office	$6,500 00	
Printing	10,000 00	
Vehicular	1,000 00	
Household and security	50 00	
Education and rehabilitation	55,000 00	
		72,550 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	3,200 00	
Insurance—Fire	86 00	
Insurance—Other	4,917 00	
Subscriptions and memberships	7,000 00	
Postage	4,000 00	
Rent—All other	300 00	
All other	50 00	
		22,053 00
Maintenance of Property:		
Office equipment	$300 00	
Vehicular equipment	300 00	
Office equipment—Special	318 00	
Vehicular equipment—Special	1,770 00	
		2,688 00
Total Appropriation, Division of the State Library, Archives and History		$401,760 00

The unexpended balance in the microfilming account as of June 30, 1962 is hereby appropriated.

530-100. *Division of the State Museum*

Salaries:		
Other employees	$97,221 00	
New position	5,237 00	
Special services	3,000 00	
		$105,458 00
Materials and Supplies:		
Office	$1,300 00	
Printing	2,500 00	
Clothing	300 00	
Education and rehabilitation	2,000 00	
All other	800 00	
		6,900 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	1,725 00	
Insurance—Fire	185 00	
Insurance—Other ...	275 00	
Subscriptions and memberships	250 00	
Postage	3,200 00	
Rent—All other	145 00	
		6,780 00
Maintenance of Property:		
Office equipment	$150 00	
All other equpiment .	2,000 00	
Office equipment—Special	464 00	
All other equipment—Special	385 00	
		2,999 00

Extraordinary:		
Archeological Research		2,500 00
Additions and Improvements:		
Buildings and grounds	$1,000 00	
Office equipment	165 00	
Education and rehabilitation equipment	4,000 00	
All other equipment ..	699 00	
		5,864 00
Total Appropriation, Division of State Museum		$130,501 00

Not more than one-half of the receipts from charges made for mailing and handling of films are hereby appropriated as a revolving fund to be used to replace damaged or lost films.

Receipts from the sale of literature are hereby appropriated as a revolving fund to be used for the purpose of printing and reprinting literature for sale.

540-100. *Division on Civil Rights*

Salaries:		
Other employees		$118,033 00
Materials and Supplies:		
Office	$1,000 00	
Printing	3,500 00	
Vehicular	3,300 00	
Education and rehabilitation	600 00	
		8,400 00

Services Other Than Personal:		
Travel	$3,500 00	
Telephone	2,400 00	
Insurance—Fire	3 00	
Insurance—Other	463 00	
Subscriptions and memberships	100 00	
Legal and investigative	1,500 00	
Postage	900 00	
Rent—All other	620 00	
All other	100 00	
		9,586 00
Maintenance of Property:		
Office equipment	$150 00	
Vehicular equipment	800 00	
Office equipment—Special	718 00	
Vehicular equipment—Special	4,365 00	
		6,033 00
Additions and Improvements:		
Education and rehabilitation equipment		525 00
Total Appropriation, Division on Civil Rights		$142,577 00

550-100. *Glassboro State College*

Salaries:		
Other employees	$357,378 00	
New positions	30,536 00	
Academic employees	1,013,017 00	
New positions	182,131 00	
Student assistants	130,000 00	
		$1,713,062 00

Materials and Supplies:		
Fuel and utilities	$70,000 00	
Office	2,500 00	
Printing	4,200 00	
Agricultural and conservation	2,500 00	
Vehicular	800 00	
Household and security	9,000 00	
Medical	700 00	
Education and rehabilitation	15,000 00	
College library books.	25,000 00	
		129,700 00
Services Other Than Personal:		
Travel	$4,800 00	
Telephone	9,000 00	
Insurance—Fire	6,840 00	
Insurance—Other ...	2,989 00	
Household	11,500 00	
Subscriptions and memberships	750 00	
Postage	2,000 00	
Entertainment	4,500 00	
Data processing	2,600 00	
Food service by contract	320,000 00	
All other	100 00	
		365,079 00
Maintenance of Property:		
Buildings and grounds	$21,000 00	
Office equipment	800 00	
Vehicular equipment .	500 00	
Household and security equipment ..	1,000 00	
Education and rehabilitation equipment	600 00	
Buildings and grounds —Special	31,000 00	

Vehicular equipment—		
Special	1,500 00	
Household and security equipment—		
Special	500 00	
Education and rehabilitation equipment —Special	2,300 00	
All other equipment—		
Special	1,000 00	
		60,200 00
Extraordinary:		
Part-time, summer and graduate program		193,000 00
Additions and Improvements:		
Office equipment	$7,519 00	
Household and security equipment ..	1,000 00	
Education and rehabilitation equipment	14,000 00	
		22,519 00
		$2,483,560 00

551-100. *Jersey City State College*

Salaries:		
Other employees	$178,673 00	
New positions	66,000 00	
Academic employees .	999,250 00	
New positions	120,303 00	
Student assistants ...	46,200 00	
		$1,410,426 00
Materials and Supplies:		
Fuel and utilities	$38,000 00	
Office	2,500 00	

Printing	4,000 00	
Agricultural and conservation	450 00	
Vehicular	500 00	
Household and security	7,000 00	
Medical	350 00	
Education and rehabilitation	13,000 00	
College library books.	29,000 00	
		94,800 00
Services Other Than Personal:		
Travel	$3,000 00	
Telephone	6,000 00	
Insurance—Fire	5,015 00	
Insurance—Other ...	1,354 00	
Household	1,800 00	
Subscriptions and memberships	500 00	
Postage	3,200 00	
Entertainment	3,850 00	
Data processing	4,500 00	
		29,219 00
Maintenance of Property:		
Buildings and grounds	$13,500 00	
Office equipment	700 00	
Vehicular equipment .	300 00	
Household and security equipment ..	700 00	
Education and rehabilitation equipment	700 00	
Buildings and grounds —Special	19,800 00	
Office equipment—Special	1,255 00	
Vehicular equipment—Special	1,800 00	
		38,755 00
Extraordinary:		
Part-time, summer and graduate program		100,460 00

Additions and Improvements:		
Buildings and grounds	$3,000 00	
Office equipment	10,000 00	
Household and security equipment ..	1,000 00	
Education and rehabilitation equipment	25,000 00	
		39,000 00
		$1,712,660 00

552-100. *Newark State College*

Salaries:		
Other employees	$311,941 00	
New positions	23,588 00	
Academic employees .	925,677 00	
New positions	165,572 00	
Student assistants ..	46,200 00	
		$1,472,978 00
Materials and Supplies:		
Fuel and utilities	$72,000 00	
Office	2,700 00	
Printing	5,500 00	
Agricultural and conservation	2,700 00	
Vehicular	1,000 00	
Household and security	7,500 00	
Medical	250 00	
Education and rehabilitation	30,000 00	
College library books.	35,000 00	
		156,650 00
Services Other Than Personal:		
Travel	$4,000 00	
Telephone	9,000 00	
Insurance—Fire	6,792 00	
Insurance—Other	6,165 00	
Household	3,500 00	

Subscriptions and memberships	600 00	
Postage	3,500 00	
Entertainment	3,750 00	
Data processing	3,500 00	
Food service by contract	58,700 00	
		99,507 00
Maintenance of Property:		
Buildings and grounds	$14,000 00	
Office equipment	500 00	
Vehicular equipment .	200 00	
Household and security equipment	500 00	
Scientific equipment ..	600 00	
All other equipment ..	100 00	
Buildings and grounds —Special	9,700 00	
Office equipment—Special	2,600 00	
Vehicular equipment—Special	1,500 00	
Education and rehabilitation equipment—Special	1,718 00	
		31,418 00
Extraordinary:		
Part-time, summer and graduate program		400,000 00
Additions and Improvements:		
Buildings and grounds	$4,461 00	
Office equipment	5,285 00	
Household and security equipment	2,000 00	
Education and rehabilitation equipment	15,000 00	
		26,746 00
		$2,187,299 00

553-100. *Paterson State College*

Salaries:		
Other employees	$318,801 00	
New positions	20,824 00	
Academic employees..	1,070,522 00	
New positions	110,358 00	
Student assistants ...	65,000 00	
		$1,585,505 00
Materials and Supplies:		
Fuel and utilities	$60,000 00	
Office	3,000 00	
Printing	5,000 00	
Agricultural and conservation	2,000 00	
Vehicular	750 00	
Household and security	11,000 00	
Medical	300 00	
Education and rehabilitation	24,000 00	
College library books	34,000 00	
		140,050 00
Services Other Than Personal:		
Travel	$4,200 00	
Telephone	9,000 00	
Insurance—Fire	5,886 00	
Insurance—Other	2,988 00	
Household	2,000 00	
Subscriptions and memberships	700 00	
Postage	3,000 00	
Entertainment	4,200 00	
Data processing	3,000 00	
Food service by contract	60,260 00	
		95,234 00
Maintenance of Property:		
Buildings and grounds	$18,000 00	

Office equipment	300 00	
Vehicular equipment .	400 00	
Household and security equipment	300 00	
Education and rehabilitation equipment	600 00	
Buildings and grounds —Special	4,250 00	
Office equipment—Special	2,100 00	
Education and rehabilitation equipment—Special	1,750 00	
		27,700 00
Extraordinary:		
Part-time, summer and graduate program		225,000 00
Additions and Improvements:		
Buildings and grounds	$500 00	
Office equipment	6,000 00	
Agricultural and conservation equipment	850 00	
Household and security equipment	1,900 00	
Education and rehabilitation equipment	40,000 00	
		49,250 00
		$2,122,739 00

554-100. *Montclair State College*

Salaries:	
Other employees	$435,293 00
New positions	31,174 00
Academic employees..	1,390,088 00

New positions	37,664 00	
Student assistants ...	92,000 00	
		$1,986,219 00
Materials and Supplies:		
Fuel and utilities	$88,000 00	
Office	3,500 00	
Printing	5,000 00	
Agricultural and conservation	4,500 00	
Vehicular	750 00	
Household and security	9,000 00	
Medical	500 00	
Education and rehabilitation	24,000 00	
College library books.	35,000 00	
All other	500 00	
		170,750 00
Services Other Than Personal:		
Travel	$6,000 00	
Telephone	12,000 00	
Insurance—Fire	7,920 00	
Insurance—Other	2,844 00	
Household	10,000 00	
Subscriptions and memberships	650 00	
Postage	5,000 00	
Entertainment	4,400 00	
Data processing	4,000 00	
Food service by contract	180,000 00	
		232,814 00
Maintenance of Property:		
Buildings and grounds	$50,000 00	
Office equipment	900 00	
Vehicular equipment .	800 00	
Household and security equipment	1,100 00	
Scientific equipment ..	700 00	
All other equipment ..	400 00	

Buildings and grounds—Special	24,500 00	
Office equipment—Special	3,890 00	
Vehicular equipment—Special	2,500 00	
Education and rehabilitation equipment—Special	14,000 00	
All other equipment—Special	1,630 00	
		100,420 00
Extraordinary:		
Part-time summer and graduate program		207,970 00
Additions and Improvements:		
Buildings and grounds	$6,000 00	
Office equipment	4,500 00	
Education and rehabilitation equipment	25,000 00	
All other equipment	4,000 00	
		39,500 00
		$2,737,673 00

555-100. *Trenton State College*

Salaries:		
Other employees	$415,306 00	
New positions	16,213 00	
Academic employees	1,128,209 00	
New positions	150,492 00	
Student assistants	148,000 00	
		$1,858,220 00
Materials and Supplies:		
Fuel and utilities	$93,000 00	
Office	2,700 00	

Printing	3,500 00	
Agricultural and conservation	1,500 00	
Vehicular	750 00	
Household and security	10,500 00	
Medical	500 00	
Education and rehabilitation	22,000 00	
College library books.	32,000 00	
		166,450 00

Services Other Than Personal:

Travel	$4,200 00	
Telephone	14,000 00	
Insurance—Fire	14,495 00	
Insurance—Other	2,949 00	
Household	15,500 00	
Subscriptions and memberships	700 00	
Postage	3,200 00	
Entertainment	4,400 00	
Data processing	3,500 00	
Food service by contract	407,000 00	
All other	1,996 00	
		471,940 00

Maintenance of Property:

Buildings and grounds	$30,000 00	
Office equipment	300 00	
Agricultural and conservation equipment	400 00	
Vehicular equipment .	700 00	
Household and security equipment	2,200 00	
Scientific equipment ..	2,000 00	
Buildings and grounds —Special	9,000 00	
Office equipment—Special	2,000 00	
Vehicular equipment—Special	2,900 00	

Education and rehabilitation equipment—Special	1,000 00	
		50,500 00
Extraordinary:		
Demonstration school service	$130,000 00	
Part-time, summer and graduate program .	246,400 00	
		376,400 00
Additions and Improvements:		
Buildings and grounds	$10,000 00	
Office equipment	3,389 00	
Education and rehabilitation equipment	50,000 00	
		63,389 00
		$2,986,899 00
Total Appropriation, State Colleges		$14,230,830 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 and registration fees, together with the balances of such funds as of June 30, 1962, are hereby appropriated.

Receipts at all State colleges in excess of those anticipated from the operation of part-time, summer, field extension and graduate courses, together with the unexpended balances from such sources as of June 30, 1962, are hereby appropriated.

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

The amounts appropriated to the various State colleges for student assistants shall constitute the appropriation to carry out the provisions of R. S. 18:16–27.1 and such appropriations are hereby made available for salaries of other employees in lieu of student assistants.

560-100. *State School for the Deaf*

Salaries:		
Other employees	$479,983 00	
New positions	2,292 00	
Academic employees..	510,988 00	
New positions	5,774 00	
Food in lieu of cash ..	14,177 00	
Special services	1,500 00	
		$1,014,714 00
Materials and Supplies:		
Food	$54,000 00	
Fuel and utilities	45,000 00	
Office	500 00	
Agricultural and conservation	1,600 00	
Vehicular	1,100 00	
Household and security	11,500 00	
Clothing	1,500 00	
Medical	1,600 00	
Education and rehabilitation	14,500 00	
All other	712 00	
		132,012 00

Services Other Than Personal:		
Travel	$750 00	
Telephone	6,000 00	
Insurance—Fire	5,151 00	
Insurance—Other	2,182 00	
Postage	800 00	
Entertainment	750 00	
Rent—All other	2,270 00	
		17,903 00
Maintenance of Property:		
Buildings and grounds	$18,000 00	
Office equipment	250 00	
Vehicular equipment	750 00	
Buildings and grounds —Special	40,350 00	
Household and security equipment—Special	3,000 00	
Education and rehabilitation equipment —Special	850 00	
All other equipment—Special	3,000 00	
		66,200 00
Additions and Improvements:		
Education and rehabilitation equipment		260 00
Total Appropriation, State School for the Deaf		$1,231,089 00

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

Salaries:		
Other employees	$71,298 00	
New positions	11,442 00	
		$82,740 00

Materials and Supplies:		
Food	$30,000 00	
Fuel and utilities	9,200 00	
Office	400 00	
Printing	600 00	
Agricultural and conservation	200 00	
Vehicular	1,800 00	
Household and security	3,000 00	
Medical	200 00	
Education and rehabilitation	1,000 00	
All other	100 00	
		46,500 00
Services Other Than Personal:		
Travel	$750 00	
Telephone	1,000 00	
Insurance—Other	321 00	
Household	700 00	
Subscriptions and memberships	150 00	
Postage	600 00	
Rent—All other	12,000 00	
All other	200 00	
		15,721 00
Maintenance of Property:		
Buildings and grounds	$200 00	
Office equipment	125 00	
Vehicular equipment	500 00	
Household and security equipment	130 00	
Office equipment—Special	800 00	
Vehicular equipment—Special	2,400 00	
		4,155 00

Additions and Improvements:		
Scientific equipment		500 00
Total Appropriation, State School of Conservation—Lake Wapalanne		$149,616 00

The amount hereinabove appropriated shall be payable out of receipts derived from the operation of this school. There are hereby appropriated receipts in excess of the amount hereinabove specifically set forth, together with the balance of such receipts as of June 30, 1962, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Rutgers University, The State University of New Jersey

570-100. *General University*

Salaries:		
Other employees ...	$13,754,487 00	
New positions	1,031,900 00	
		$14,786,387 00
Materials and Supplies:		
Food	$4,500 00	
Fuel and utilities	481,200 00	
Equipment	350,000 00	
Equipment: College of Pharmacy	25,000 00	
Equipment: College of Engineering	75,000 00	
Office	260,000 00	

Educational, recreational and library ..	550,000 00	
Supplies	260,000 00	
Farm supplies	2,300 00	
		2,008,000 00
Services Other Than Personal:		
Travel	$160,000 00	
Telephone	140,000 00	
Insurance—(including group insurance) ..	135,675 00	
Household (laundry).	16,000 00	
Subscriptions and memberships	12,000 00	
Freight, express and cartage	150,500 00	
Postage	78,000 00	
Sundry expense	15,000 00	
Rent: Buildings	247,630 00	
Rent: Equipment	75,000 00	
Commencement	16,000 00	
Investment custodian expense	11,000 00	
Auditing and legal services	30,000 00	
Taxes and municipal services	197,000 00	
Outside services	89,760 00	
		1,373,565 00
Maintenance of Property:		
Buildings and grounds	$781,000 00	
Equipment	90,000 00	
		871,000 00
Extraordinary:		
Research grants	$200,000 00	
Retirement allowances	230,000 00	
Expenses paid from dedicated endowment and special funds (including in-		

vestment income added to principal)	576,850 00	
Contingent fund	50,000 00	
Interest	150,000 00	
Amortization of capital debt	235,000 00	
		1,441,850 00
		$20,480,802 00

Less Income:
General University income deductions (including scholarships) 7,896,745 00

Net amount State University appropriations to be used as follows:

Administration and instruction (exclusive of scholarships)	$12,578,257 00
Land grant interest	5,800 00
	$12,584,057 00

Of the amount set forth above, not less than $220,000.00 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.

571-100. *Douglass College*

Salaries:

Other employees	$1,997,900 00	
New positions	105,900 00	
		$2,103,800 00

Materials and Supplies:		
Food	$2,800 00	
Fuel and utilities	70,000 00	
Office	30,000 00	
Education and rehabilitation	27,500 00	
Supplies	40,000 00	
Equipment	75,000 00	
		245,300 00
Services Other Than Personal:		
Travel	$7,500 00	
Telephone	14,900 00	
Insurance—Fire	25,000 00	
Household	1,300 00	
Postage	7,800 00	
Freight, express and cartage	6,000 00	
Sundry expense	2,500 00	
Entertainment	1,000 00	
Auditing and legal expense	2,100 00	
Taxes and municipal services	15,500 00	
Investment custodian expense	5,000 00	
Outside services	6,500 00	
		95,100 00
Maintenance of Property:		
Plant repairs	$210,000 00	
Equipment repairs	14,000 00	
		224,000 00
Extraordinary:		
Retirement allowance	$90,000 00	
Expenses paid from special funds	205,800 00	
Contingent	10,000 00	
Interest	6,800 00	
Debt service	49,750 00	

Intra-University service	99,929 00	
		462,279 00
		$3,130,479 00
Less income deductions (including scholarships)		1,216,534 00
		$1,913,945 00

572-100. *Agricultural Experiment Station*

Salaries:		
Director	$7,200 00	
Other employees	2,798,641 00	
New positions	44,975 00	
		$2,850,816 00
Materials and Supplies:		
Fuel and utilities	$78,000 00	
Office	8,000 00	
Printing	19,000 00	
Agricultural and conservation	90,000 00	
Vehicular	12,500 00	
Household and security	150 00	
Medical	63,850 00	
Replacement — Motor vehicles	20,000 00	
Replacement — Office equipment	1,500 00	
		293,000 00
Services Other Than Personal:		
Travel	$21,650 00	
Telephone	26,000 00	
Insurance—Fire	8,000 00	
Freight, express and cartage	750 00	

Household	850 00	
Subscriptions and memberships	2,000 00	
Postage	7,500 00	
Registration of animals	475 00	
Veterinary and medical treatment	1,000 00	
Rent—All other	14,000 00	
		82,225 00
Maintenance of Property:		
Buildings and grounds	$55,000 00	
Vehicular equipment .	7,500 00	
Scientific equipment .	8,600 00	
		71,100 00
Additions and Improvements:		
Buildings and grounds	$15,000 00	
Office equipment	3,000 00	
Laboratory equipment	53,000 00	
Farm equipment	7,000 00	
		78,000 00
		$3,375,141 00

The unexpended balances in the accounts of the Agricultural Experiment Station as of June 30, 1962 are hereby appropriated for research in 1962-63.

573-100. *Scholarships*

General University	$65,000 00	
Douglass College	35,000 00	
Graduate school and law school	15,000 00	
		$115,000 00

Total Appropriation, Rutgers University, The State University of New Jersey ..	$17,988,143 00

574-100. *Newark College of Engineering and Newark Technical School*

Extraordinary:	
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	$1,760,462 00
Total Appropriation, Newark College of Engineering and Newark Technical School	$1,760,462 00

575-100. *Trenton Junior College and School of Industrial Arts*

Extraordinary:	
For the purchase of higher education at the Trenton Junior College and School of Industrial Arts, by contract, pursuant to Chapter 51, P. L. 1945	$100,000 00
Total Appropriation, Trenton Junior College and School of Industrial Arts	$100,000 00
Total Appropriation, Department of Education	$43,530,616 00

State Highway.

STATE HIGHWAY DEPARTMENT

610-100. *General*

Salaries:		
Commissioner	$22,000 00	
State Highway Engineer	18,000 00	
Other employees	7,136,655 00	
New positions	48,547 00	
Wages of labor	6,437,277 00	
Special services	50,000 00	
		$13,712,479 00
Materials and Supplies:		
Fuel and utilities	$920,440 00	
Office	34,000 00	
Printing	25,000 00	
Vehicular	500,000 00	
Household and security	4,600 00	
Clothing	4,000 00	
Medical	1,800 00	
Scientific	7,000 00	
All other	5,000 00	
		1,501,840 00
Services Other Than Personal:		
Travel	$80,000 00	
Telephone	65,000 00	
Insurance—Fire	14,072 00	
Insurance—Other	73,572 00	
Household	1,500 00	
Advertising	4,500 00	
Subscriptions and memberships	4,500 00	
Postage	27,000 00	
Microfilming	1,000 00	
Rent — Equipment, Data processing	39,300 00	
Rent—All other	250,000 00	
Staff training	1,000 00	
All other	25 00	
		561,469 00

Maintenance of Property:		
Buildings and grounds	$7,500 00	
State roads	2,975,000 00	
Office equipment	2,700 00	
Household and security equipment	5,000 00	
Scientific equipment ..	200 00	
All other equipment ..	15,000 00	
Buildings and grounds —Special	12,500 00	
State roads—Special .	1,806,000 00	
Office equipment—Special	10,000 00	
Vehicular equipment—Special	500,000 00	
All other equipment—Special	1,000 00	
		5,334,900 00
Extraordinary:		
Compensation awards		55,000 00
Additions and Improvements:		
Buildings and grounds	$42,930 00	
Office equipment	10,000 00	
Vehicular equipment .	350,000 00	
Household and security equipment	34,640 00	
Medical equipment ...	500 00	
Scientific equipment ..	15,000 00	
		453,070 00
Total Appropriation, General		$21,618,758 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated for operation and maintenance during 1962-63.

610-101. *Interest on Bonds*

Interest on Highway improvement bonds—Act of 1930	$640,678 00
Total Appropriation, Interest on Bonds	$640,678 00

630-100. *Division of Railroad Transportation*

Extraordinary:	
For expenses of the division .... New York-New Jersey Transportation Agency—50% share ... To carry out the provisions of P. L. 1960, c. 66 and P. L. 1962, c. 1 Tri-State Transportation Committee (New York, New Jersey and Connecticut) 45% share ..	$6,000,000 00
Total Appropriation, Division of Railroad Transportation	$6,000,000 00
The unexpended balance in this account as of June 30, 1962 is hereby appropriated.	
Total Appropriation, State Highway Department ...	$28,259,436 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES Institutions and Agencies.

700-100. *Administration—General*

Salaries:		
Commissioner	$20,000 00	
Other employees	715,593 00	
New positions	9,178 00	
Special services	3,000 00	
		$747,771 00
Materials and Supplies:		
Office	$3,000 00	
Printing	6,000 00	
Vehicular	6,500 00	
Scientific	250 00	
		15,750 00
Services Other Than Personal:		
Travel	$3,800 00	
Telephone	14,250 00	
Insurance—Fire	10 00	
Insurance—Other	5,568 00	
Advertising	1,500 00	
Subscriptions and memberships	1,420 00	
Postage	7,500 00	
Rent — Equipment, Data processing ...	19,284 00	
Rent—All other	2,050 00	
All other	3,000 00	
		58,382 00
Maintenance of Property:		
Office equipment	$1,100 00	
Vehicular equipment .	1,500 00	
Office equipment—Special	4,287 00	
Vehicular equipment—Special	15,225 00	

Household and security equipment—Special.	600 00	
		22,712 00
Additions and Improvements:		
Office equipment		927 00
Total Appropriation, Administration—General		$845,542 00

700-110. *Interest on Bonds*

Interest on Institution Construction Bonds:		
Act of 1930	$99,075 00	
Interest on Institution Construction Bonds:		
Act of 1952	203,680 00	
Interest on Institution Construction Bonds:		
Act of 1949	75,090 00	
Total Appropriation, Interest on Bonds		$377,845 00

710-100. *Home for Disabled Soldiers, Menlo Park*

Salaries:		
Other employees	$157,038 00	
Food in lieu of cash ..	3,708 00	
Special services	1,000 00	
Patient payments	275 00	
		$162,021 00
Materials and Supplies:		
Food—Cash	$22,484 00	
Fuel and utilities	10,000 00	
Office	250 00	
Printing	50 00	
Agricultural and conservation	400 00	

Vehicular	425 00	
Household and security	5,040 00	
Clothing	400 00	
Medical	3,000 00	
All other	100 00	
		42,149 00
Services Other Than Personal:		
Travel	$450 00	
Telephone	775 00	
Insurance—Fire	170 00	
Insurance—Other	411 00	
Household	1,360 00	
Advertising	75 00	
Subscriptions and memberships	50 00	
Postage	150 00	
Entertainment	150 00	
		3,591 00
Maintenance of Property:		
Buildings and grounds	$2,000 00	
Office equipment	75 00	
Agricultural and conservation equipment	150 00	
Vehicular equipment .	150 00	
Household and security equipment	400 00	
Buildings and grounds —Special	6,780 00	
Office equipment—Special	235 00	
Agricultural and conservation equipment —Special	350 00	
Vehicular equipment—Special	3,560 00	
Household and security equipment—Special.	2,500 00	
		16,200 00
Total Appropriation, Home for Disabled Soldiers, Menlo Park		$223,961 00

711-100. *Home for Disabled Soldiers, Vineland*

Salaries:		
Other employees	$251,003 00	
New positions	26,014 00	
Food in lieu of cash ..	3,027 00	
Special services	3,500 00	
Patient payments	2,550 00	
		$286,094 00
Materials and Supplies:		
Food—Cash	$48,545 00	
Fuel and utilities	20,300 00	
Office	300 00	
Printing	250 00	
Agricultural and conservation	600 00	
Vehicular	750 00	
Household and security	8,740 00	
Clothing	684 00	
Medical	5,000 00	
All other	175 00	
		85,344 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	1,200 00	
Insurance—Fire	1,154 00	
Insurance—Other	284 00	
Household	2,400 00	
Subscriptions and memberships	50 00	
Postage	300 00	
Entertainment	500 00	
		7,388 00
Maintenance of Property:		
Buildings and grounds	$5,500 00	
Office equipment	75 00	
Agricultural and conservation equipment	100 00	
Vehicular equipment .	175 00	

Household and security equipment	500 00	
Buildings and grounds —Special	4,500 00	
Office equipment—Special	305 00	
Vehicular equipment—Special	2,080 00	
Household and security equipment—Special.	4,500 00	
		17,735 00
Additions and Improvements:		
Buildings and grounds		850 00
Total Appropriation, Home for Disabled Soldiers, Vineland		$397,411 00

715-100. *Division of Welfare—Bureau of Assistance*

Salaries:		
Other employees	$513,531 00	
New positions	18,715 00	
Special services	45,000 00	
		$577,246 00
Materials and Supplies:		
Office	$5,500 00	
Printing	4,700 00	
Vehicular	2,400 00	
Education and rehabilitation	100 00	
		12,700 00
Services Other Than Personal:		
Travel	$5,000 00	
Telephone	11,500 00	
Insurance—Other ...	448 00	
Subscriptions and memberships	425 00	

Postage	7,000 00	
Rent — Equipment, Data processing ..	9,936 00	
Rent—All other	1,440 00	
Staff training	5,000 00	
All other	100 00	
		40,849 00
Maintenance of Property:		
Office equipment	$700 00	
Vehicular equipment .	475 00	
Office equipment—Special	2,740 00	
Vehicular equipment—Special	9,350 00	
		13,265 00
Additions and Improvements:		
Buildings and grounds	$500 00	
Office equipment	3,230 00	
		3,730 00
Total Appropriation, Division of Welfare—Bureau of Assistance		$647,790 00

716-100. *Commission for the Blind*

Salaries:		
Other employees	$595,549 00	
New positions	14,450 00	
Special services	27,500 00	
		$637,499 00
Materials and Supplies:		
Fuel and utilities	$4,735 00	
Office	2,600 00	
Printing	1,000 00	
Vehicular	3,150 00	
Medical	300 00	

Education and rehabilitation	32,300 00	
		44,085 00
Services Other Than Personal:		
Travel	$35,350 00	
Telephone	10,100 00	
Insurance—Fire	267 00	
Insurance—Other ...	482 00	
Household	235 00	
Subscriptions and memberships	575 00	
Funeral	3,500 00	
Postage	5,800 00	
Entertainment	200 00	
Rent—All other	1,210 00	
Education and rehabilitation	458,800 00	
All other	450 00	
		516,969 00
Maintenance of Property:		
Office equipment	$500 00	
Vehicular equipment .	450 00	
All other equipment .	200 00	
Office equipment—Special	928 00	
Vehicular equipment—Special	1,445 00	
Education and rehabilitation equipment —Special	2,654 00	
		6,177 00
Extraordinary:		
Payments to counties		8,500 00
Additions and Improvements:		
Office equipment	$2,299 00	
Medical equipment ...	275 00	
		2,574 00
Total Appropriation, Commission for the Blind		$1,215,804 00

The balance to the credit of the outdoor relief or aid to the blind—Revolving Fund—on June 30, 1962, is hereby appropriated, said sum not to exceed $8,500.00.

The balance to the credit of the Revolving Industrial Fund on June 30, 1962 is hereby appropriated as a Revolving Industrial Fund in the sum of $2,000.00.

717-100. *State Board of Child Welfare*

Salaries:		
Other employees		$1,697,778 00
Materials and Supplies:		
Office	$7,000 00	
Printing	8,000 00	
Vehicular	18,500 00	
Household and security	500 00	
Education and rehabilitation	300 00	
		34,300 00
Services Other Than Personal:		
Travel	$5,500 00	
Telephone	43,500 00	
Insurance—Fire	639 00	
Insurance—Other	3,869 00	
Household	500 00	
Subscriptions and memberships	400 00	
Legal and investigative	1,000 00	
Postage	10,500 00	
Data processing	700 00	

Rent — Equipment,		
Data processing ...	2,160 00	
Rent—All other	9,500 00	
All other	500 00	
		78,768 00
Maintenance of Property:		
Office equipment	$6,000 00	
Vehicular equipment .	5,400 00	
Office equipment—Special	18,865 00	
Vehicular equipment—Special	46,400 00	
		76,665 00
Extraordinary:		
Group foster homes (two)		39,270 00
Additions and Improvements:		
Office equipment		800 00
Total Appropriation, State Board of Child Welfare ..		$1,927,581 00

The balance in the State Board of Child Welfare Revolving Fund, together with all receipts, is hereby appropriated for the State Board of Child Welfare to purchase clothing and other necessary articles for children in their care and for expenses incidental thereto.

720-100. *State Parole Board*

Chairman	$15,000 00	
Other employees	45,636 00	
		$60,636 00
Materials and Supplies:		
Office	$50 00	
Printing	250 00	
		300 00

Services Other Than Personal:		
Travel	$1,200 00	
Telephone	1,700 00	
Insurance—Other ...	116 00	
Postage	250 00	
All other	75 00	
		3,341 00
Maintenance of Property:		
Office equipment		75 00
Additions and Improvements:		
Buildings and grounds	$500 00	
Office equipment	242 00	
		742 00
Total Appropriation, State Parole Board		$65,094 00

725-300. *Bureau of State-Use Industries*

There is hereby appropriated to the State Use Division the unexpended balance as of June 30, 1962 of the fund known as the "State Use Working Capital Fund" and, in addition thereto, all receipts derived from sales, pursuant to the provisions of R. S. 30:4–100; provided, however, that the allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

730-100. *Division of Correction and Parole*

Salaries:		
Other employees	$839,265 00	
New positions	15,636 00	
		$854,901 00
Materials and Supplies:		
Office	$4,100 00	
Printing	700 00	
Vehicular	9,100 00	
Education and rehabilitation	20,800 00	
		34,700 00
Services Other Than Personal:		
Travel	$13,000 00	
Telephone	12,500 00	
Insurance—Fire	78 00	
Insurance—Other ...	1,721 00	
Rent—All other	3,000 00	
All other	400 00	
		30,699 00
Maintenance of Property:		
Office equipment	$600 00	
Vehicular equipment .	2,300 00	
Office equipment—Special	4,918 00	
Vehicular equipment—Special	7,800 00	
		15,618 00
Additions and Improvements:		
Buildings and grounds	$1,300 00	
Office equipment	536 00	
		1,836 00
Total Appropriation, Division of Correction and Parole		$937,754 00

731-100. *State Prison, Trenton*

Salaries:		
Principal keeper	$13,895 00	
Other employees	1,542,525 00	
New positions	4,104 00	
Food in lieu of cash ..	26,244 00	
Special services	6,885 00	
Inmate payments	35,444 00	
		$1,629,097 00
Materials and Supplies:		
Food—Cash	$286,452 00	
Fuel and utilities	83,000 00	
Office	4,070 00	
Printing	2,880 00	
Agricultural and conservation	250 00	
Vehicular	1,900 00	
Household and security	36,666 00	
Clothing	76,599 00	
Medical	30,191 00	
Scientific	650 00	
Education and rehabilitation	2,800 00	
		525,458 00
Services Other Than Personal:		
Travel	$1,600 00	
Telephone	5,500 00	
Insurance—Fire	6,331 00	
Insurance—Other ...	1,030 00	
Household	3,000 00	
Subscriptions and memberships	100 00	
Funeral	450 00	
Postage	1,000 00	
Rent—All other	72 00	
All other	250 00	
		19,333 00

Maintenance of Property:		
Buildings and grounds	$19,000 00	
Office equipment	1,000 00	
Vehicular equipment .	500 00	
Household and security equipment ..	1,500 00	
Buildings and grounds —Special	1,500 00	
Office equipment—Special	1,043 00	
Vehicular equipment—Special	9,000 00	
Household and security equipment—Special	1,358 00	
Medical equipment—Special	1,327 00	
		36,228 00
Extraordinary:		
Compensation awards		3,640 00
Additions and Improvements:		
Buildings and grounds	$3,685 00	
Office equipment	862 00	
Household and security equipment ..	3,600 00	
Medical equipment ..	1,309 00	
Education and rehabilitation equipment	2,450 00	
		11,906 00
Total Appropriation, State Prison, Trenton		$2,225,662 00

732-100. *State Prison Farm, Rahway*

Salaries:		
Other employees	$996,299 00	
New positions	39,605 00	
Food in lieu of cash ..	19,188 00	
Special services	5,100 00	
Inmate payments	30,000 00	
		$1,090,192 00
Materials and Supplies:		
Food—Cash	$208,230 00	
Fuel and utilities	89,080 00	
Office	2,275 00	
Printing	925 00	
Agricultural and conservation	24,000 00	
Vehicular	1,000 00	
Household and security	35,525 00	
Clothing	50,592 00	
Medical	16,400 00	
Education and rehabilitation	2,200 00	
		430,227 00
Services Other Than Personal:		
Travel	$450 00	
Telephone	6,500 00	
Insurance—Fire	6,515 00	
Insurance—Other	1,201 00	
Household	1,135 00	
Advertising	200 00	
Subscriptions and memberships	50 00	
Postage	250 00	
Rent—All other	72 00	
		16,373 00
Maintenance of Property:		
Buildings and grounds	$22,000 00	
Office equipment	300 00	
Agricultural and conservation equipment	1,300 00	

Vehicular equipment .	600 00	
Household and security equipment	1,000 00	
Buildings and grounds —Special	15,000 00	
Vehicular equipment— Special	600 00	
Household and security equipment—Special.	3,547 00	
		44,347 00
Additions and Improvements:		
Office equipment	$388 00	
Vehicular equipment .	900 00	
Household and security equipment	3,494 00	
		4,782 00
Total Appropriation, State Prison Farm, Rahway		$1,585,921 00

733-100. *State Prison Farm, Leesburg*

Salaries:		
Other employees	$285,962 00	
New positions	3,741 00	
Food in lieu of cash ..	5,041 00	
Special services	2,321 00	
Inmate payments	9,100 00	
		$306,165 00
Materials and Supplies:		
Food—Cash	$33,276 00	
Fuel and utilities	35,000 00	
Office	775 00	
Printing	300 00	
Agricultural and conservation	17,000 00	
Vehicular	600 00	
Household and security	6,890 00	
Clothing	11,778 00	
Medical	3,200 00	

Education and rehabilitation	325 00	
		109,144 00
Services Other Than Personal:		
Travel	$175 00	
Telephone	2,490 00	
Insurance—Fire	3,654 00	
Insurance—Other	1,684 00	
Household	1,825 00	
Postage	175 00	
Entertainment	100 00	
		10,103 00
Maintenance of Property:		
Buildings and grounds	$7,850 00	
Office equipment	100 00	
Agricultural and conservation equipment	100 00	
Vehicular equipment .	300 00	
Household and security equipment	400 00	
Buildings and grounds —Special	16,300 00	
Office equipment—Special	250 00	
Vehicular equipment—Special	2,300 00	
Household and security equipment—Special.	4,165 00	
		31,765 00
Additions and Improvements:		
Buildings and grounds	$2,005 00	
Office equipment	300 00	
Household and security equipment	1,200 00	
Medical equipment ...	110 00	
		3,615 00
Total Appropriation, State Prison Farm, Leesburg ...		$460,792 00

734-100. *State Reformatory, Bordentown*

Salaries:		
Other employees	$1,087,466 00	
New positions	24,729 00	
Food in lieu of cash	17,968 00	
Special services	9,000 00	
Inmate payments	27,000 00	
		$1,166,163 00
Materials and Supplies:		
Food—Cash	$85,200 00	
Fuel and utilities	63,000 00	
Office	1,400 00	
Printing	1,150 00	
Agricultural and conservation	40,000 00	
Vehicular	2,000 00	
Household and security	18,900 00	
Clothing	44,290 00	
Medical	10,500 00	
Education and rehabilitation	4,500 00	
		270,940 00
Services Other Than Personal:		
Travel	$1,500 00	
Telephone	2,400 00	
Insurance—Fire	5,313 00	
Insurance—Other	1,716 00	
Household	1,964 00	
Advertising	350 00	
Subscriptions and memberships	200 00	
Postage	800 00	
Rent—All other	72 00	
All other	125 00	
		14,440 00
Maintenance of Property:		
Buildings and grounds	$16,000 00	
Office equipment	850 00	

Agricultural and conservation equipment	1,900 00	
Vehicular equipment .	700 00	
Household and security equipment	4,000 00	
Buildings and grounds —Special	38,300 00	
Office equipment—Special	1,667 00	
Vehicular equipment—Special	4,550 00	
Household and security equipment—Special.	5,400 00	
Scientific equipment—Special	400 00	
		73,767 00
Additions and Improvements:		
Buildings and grounds	$14,650 00	
Office equipment	1,795 00	
Household and security equipment	6,000 00	
Medical equipment ...	1,215 00	
		23,660 00
Total Appropriation, State Reformatory, Bordentown.		$1,548,970 00

737-100. *State Reformatory for Women, Clinton*

Salaries:		
Other employees	$732,039 00	
New positions	26,800 00	
Food in lieu of cash ..	18,574 00	
Special services	18,100 00	
Inmate payments	13,000 00	
		$808,513 00
Materials and Supplies:		
Food—Cash	$52,616 00	
Fuel and utilities	45,000 00	

Office	425 00	
Printing	875 00	
Agricultural and conservation	9,900 00	
Vehicular	2,000 00	
Household and security	14,597 00	
Clothing	17,625 00	
Medical	11,000 00	
Education and rehabilitation	3,150 00	
		157,188 00
Services Other Than Personal:		
Travel	$2,130 00	
Telephone	3,700 00	
Insurance—Fire	6,694 00	
Insurance—Other	1,527 00	
Household	1,600 00	
Subscriptions and memberships	150 00	
Postage	700 00	
Entertainment	1,274 00	
Rent—All other	81 00	
		17,856 00
Maintenance of Property:		
Buildings and grounds	$12,000 00	
Office equipment	700 00	
Agricultural and conservation equipment	200 00	
Vehicular equipment	1,000 00	
Household and security equipment	1,500 00	
Medical equipment	100 00	
Buildings and grounds —Special	18,812 00	
Office equipment—Special	574 00	
Household and security equipment—Special.	18,945 00	
Education and rehabilitation equipment—Special	1,000 00	
		54,831 00

Additions and Improvements:		
Buildings and grounds	$24,100 00	
Office equipment	629 00	
Household and security equipment	1,356 00	
Education and rehabilitation equipment	388 00	
		26,473 00
Total Appropriation, State Reformatory for Women, Clinton		$1,064,861 00

738-100. *State Reformatory, Annandale*

Salaries:		
Other employees	$964,465 00	
New positions	61,455 00	
Food in lieu of cash ..	19,500 00	
Special services	3,475 00	
Inmate payments	20,000 00	
		$1,068,895 00
Materials and Supplies:		
Food—Cash	$100,775 00	
Fuel and utilities	62,000 00	
Office	700 00	
Printing	1,135 00	
Agricultural and conservation	25,000 00	
Vehicular	4,100 00	
Household and security	18,175 00	
Clothing	39,633 00	
Medical	7,500 00	
Scientific	150 00	
Education and rehabilitation	2,825 00	
		261,993 00

Services Other Than Personal:		
Travel	$700 00	
Telephone	2,200 00	
Insurance—Fire	8,427 00	
Insurance—Other	2,038 00	
Household	4,488 00	
Subscriptions and memberships	100 00	
Postage	800 00	
Entertainment	600 00	
Rent—All other	72 00	
		19,425 00
Maintenance of Property:		
Buildings and grounds	$15,000 00	
Office equipment	550 00	
Agricultural and conservation equipment	1,000 00	
Vehicular equipment	1,000 00	
Household and security equipment	700 00	
Buildings and grounds —Special	18,900 00	
Office equipment—Special	1,033 00	
Vehicular equipment—Special	5,350 00	
Household and security equipment—Special.	14,118 00	
Medical equipment—Special	1,500 00	
		59,151 00
Additions and Improvements:		
Buildings and grounds	$950 00	
Household and security equipment	342 00	
		1,292 00
Total Appropriation, State Reformatory, Annandale		$1,410,756 00

740-100. *State Home for Boys, Jamesburg*

Salaries:		
Other employees	$1,157,044 00	
New positions	8,110 00	
Food in lieu of cash	9,794 00	
Special services	9,000 00	
Inmate payments	500 00	
		$1,184,448 00
Materials and Supplies:		
Food—Cash	$66,020 00	
Fuel and utilities	65,000 00	
Office	1,350 00	
Printing	1,050 00	
Agricultural and conservation	29,000 00	
Vehicular	3,000 00	
Household and security	21,000 00	
Clothing	30,000 00	
Medical	6,900 00	
Education and rehabilitation	8,300 00	
		231,620 00
Services Other Than Personal:		
Travel	$1,200 00	
Telephone	5,250 00	
Insurance—Fire	8,979 00	
Insurance—Other	1,763 00	
Household	1,700 00	
Advertising	100 00	
Subscriptions and memberships	500 00	
Postage	1,034 00	
Entertainment	1,000 00	
Rent—All other	72 00	
		21,598 00
Maintenance of Property:		
Buildings and grounds	$19,000 00	
Office equipment	500 00	

Agricultural and conservation equipment	1,000 00	
Vehicular equipment .	1,500 00	
Household and security equipment	2,000 00	
Buildings and grounds —Special	10,000 00	
Office equipment—Special	2,301 00	
Agricultural and conservation equipment —Special	3,350 00	
Vehicular equipment—Special	4,050 00	
Household and security equipment—Special.	12,800 00	
Medical equipment—Special	3,242 00	
		59,743 00
Extraordinary:		
Compensation awards		887 00
Additions and Improvements:		
Household and security equipment.		5,435 00
Total Appropriation, State Home for Boys, Jamesburg.		$1,503,731 00

741-100. *State Home for Girls, Trenton*

Salaries:		
Other employees	$671,307 00	
New positions	10,371 00	
Food in lieu of cash ..	7,536 00	
Special services	6,678 00	
Inmate payments	350 00	
		$696,242 00

Materials and Supplies:		
Food—Cash	$43,691 00	
Fuel and utilities	6,425 00	
Office	400 00	
Printing	450 00	
Agricultural and conservation	1,400 00	
Vehicular	500 00	
Household and security	11,468 00	
Clothing	10,820 00	
Medical	3,375 00	
Education and rehabilitation	3,000 00	
		81,529 00
Services Other Than Personal:		
Travel	$400 00	
Telephone	5,350 00	
Insurance—Fire	3,057 00	
Insurance—Other	452 00	
Household	1,270 00	
Advertising	25 00	
Subscriptions and memberships	140 00	
Postage	1,150 00	
Entertainment	700 00	
Rent—All other	85 00	
All other	536 00	
		13,165 00
Maintenance of Property:		
Buildings and grounds	$4,800 00	
Office equipment	225 00	
Vehicular equipment	300 00	
Household and security equipment	1,000 00	
Buildings and grounds —Special	8,372 00	
Office equipment—Special	936 00	
Medical equipment—Special	2,700 00	

Education and rehabilitation equipment—Special	2,878 00	
		21,211 00
Extraordinary:		
Compensation awards		2,028 00
Additions and Improvements:		
Buildings and grounds	$15,208 00	
Household and security equipment	1,150 00	
Education and rehabilitation equipment	662 00	
		17,020 00
Total Appropriation, State Home for Girls, Trenton ..		$831,195 00

743-100. *Residential Group Center, Highfields*

Salaries:		
Other employees	$36,294 00	
Food in lieu of cash ..	504 00	
		$36,798 00
Materials and Supplies:		
Food—Cash	$6,570 00	
Fuel and utilities	2,500 00	
Office	200 00	
Agricultural and conservation	100 00	
Vehicular	700 00	
Household and security	800 00	
Clothing	340 00	
		11,210 00
Services Other Than Personal:		
Travel	$250 00	
Telephone	550 00	
Insurance—Fire	464 00	

Insurance—Other	193 00	
Postage	130 00	
		1,587 00
Maintenance of Property:		
Buildings and grounds	$900 00	
Office equipment	30 00	
Vehicular equipment .	200 00	
Household and security equipment	200 00	
		1,330 00
Additions and Improvements:		
Vehicular equipment		1,790 00
Total Appropriation, Residential Group Center, Highfields		$52,715 00

745-100. *Residential Group Center, Warren*

Salaries:		
Other employees	$31,107 00	
Food in lieu of cash ..	1,083 00	
Special services	600 00	
		$32,790 00
Materials and Supplies:		
Food—Cash	$6,570 00	
Fuel and utilities	3,000 00	
Office	150 00	
Printing	50 00	
Agricultural and conservation	200 00	
Vehicular	500 00	
Household and security	800 00	
Clothing	340 00	
Medical	50 00	
Education and rehabilitation	100 00	
		11,760 00

Services Other Than Personal:		
Travel	$300 00	
Telephone	800 00	
Insurance—Fire	1,159 00	
Insurance—Other	89 00	
Subscriptions and memberships	50 00	
Postage	100 00	
		2,498 00
Maintenance of Property:		
Buildings and grounds	$900 00	
Office equipment	30 00	
Vehicular equipment	150 00	
Household and security equipment	150 00	
Buildings and grounds —Special	1,280 00	
		2,510 00
Additions and Improvements:		
Agricultural and conservation equipment		600 00
Total Appropriation, Residential Group Center, Warren		$50,158 00

746-100. *Residential Group Center, Ocean*

Salaries:		
New positions	$15,640 00	
Special services	150 00	
		$15,790 00
Materials and Supplies:		
Food—Cash	$1,620 00	
Fuel and utilities	1,000 00	
Office	200 00	

Printing	65 00	
Agricultural and conservation	200 00	
Vehicular	100 00	
Household and security	2,000 00	
Clothing	300 00	
Medical	50 00	
		5,535 00
Services Other Than Personal:		
Travel	$250 00	
Telephone	300 00	
Insurance—Fire	2,570 00	
Insurance—Other	142 00	
Postage	35 00	
		3,297 00
Maintenance of Property:		
Buildings and grounds		550 00
Additions and Improvements:		
Vehicular equipment		7,000 00
Total Appropriation, Residential Group Center, Ocean		$32,172 00

747-100. *Residential Group Center, Turrell*

Salaries:		
Other employees	$30,942 00	
Food in lieu of cash ..	866 00	
		$31,808 00
Materials and Supplies:		
Food—Cash	$5,913 00	
Fuel and utilities	4,000 00	
Office	125 00	
Printing	75 00	

Agricultural and conservation	100 00	
Vehicular	500 00	
Household and security	720 00	
Clothing	450 00	
Medical	70 00	
		11,953 00
Services Other Than Personal:		
Travel	$250 00	
Telephone	700 00	
Insurance—Fire	226 00	
Insurance—Other	120 00	
Subscriptions and memberships	50 00	
Postage	120 00	
		1,466 00
Maintenance of Property:		
Buildings and grounds	$500 00	
Office equipment	30 00	
Vehicular equipment	125 00	
		655 00
Additions and Improvements:		
Buildings and grounds	$564 00	
Household and security equipment	860 00	
		1,424 00
Total Appropriation, Residential Group Center, Turrell		$47,306 00

760-100. *Division of Mental Retardation*

Salaries:		
Other employees	$201,457 00	
New positions	19,917 00	
Special services	600 00	
		$221,974 00

Materials and Supplies:		
Office	$1,800 00	
Printing	2,500 00	
Vehicular	2,700 00	
Scientific	1,000 00	
Education and rehabilitation	150 00	
		8,150 00
Services Other Than Personal:		
Travel	$2,200 00	
Telephone	5,500 00	
Insurance—Other ...	232 00	
Subscriptions and memberships	187 00	
Postage	1,600 00	
Rent—All other	1,350 00	
All other	600 00	
		11,669 00
Maintenance of Property:		
Office equipment	$400 00	
Vehicular equipment .	500 00	
		900 00
Additions and Improvements:		
Office equipment	$3,493 00	
Vehicular equipment .	3,500 00	
		6,993 00
Total Appropriation, Division of Mental Retardation		$249,686 00

762-100. *Vineland State School*

Salaries:		
Other employees $2,394,889 00		
New positions	77,543 00	
Food in lieu of cash ..	28,366 00	

Special services	8,900 00	
Patient payments	9,500 00	
		$2,519,198 00
Materials and Supplies:		
Food—Cash	$356,498 00	
Fuel and utilities	125,000 00	
Office	2,000 00	
Printing	900 00	
Agricultural and conservation	10,000 00	
Vehicular	3,500 00	
Household and security	62,030 00	
Clothing	56,280 00	
Medical	45,100 00	
Education and rehabilitation	12,600 00	
		673,908 00
Services Other Than Personal:		
Travel	$1,200 00	
Telephone	10,600 00	
Insurance—Fire	8,394 00	
Insurance—Other ...	2,421 00	
Household	9,500 00	
Advertising	150 00	
Subscriptions and memberships	300 00	
Funeral	1,000 00	
Postage	1,300 00	
Entertainment	1,200 00	
Rent—All other	150 00	
		36,215 00
Maintenance of Property:		
Buildings and grounds	$27,000 00	
Office equipment	500 00	
Agricultural and conservation equipment	300 00	
Vehicular equipment .	2,700 00	

Household and security equipment ..	5,000 00	
Medical equipment ..	500 00	
Buildings and grounds —Special	14,800 00	
Office equipment—Special	708 00	
Vehicular equipment—Special	3,365 00	
Household and security equipment—Special	5,900 00	
Medical equipment—Special	900 00	
Education and rehabilitation equipment —Special	3,500 00	
		65,173 00
Extraordinary:		
Family care		24,000 00
Additions and Improvements:		
Buildings and grounds	$27,950 00	
Office equipment	2,510 00	
Vehicular equipment .	5,225 00	
Household and security equipment ..	20,230 00	
Medical equipment ..	4,540 00	
Education and rehabilitation equipment	1,780 00	
		62,235 00
Total Appropriation, Vineland State School		$3,380,729 00

763-100. *North Jersey Training School, Totowa*

Salaries:		
Other employees	$1,418,728 00	
New positions	60,717 00	
Food in lieu of cash	11,048 00	
Special services	15,000 00	
Patient payments	5,500 00	
		$1,510,993 00
Materials and Supplies:		
Food—Cash	$200,750 00	
Fuel and utilities	97,000 00	
Office	900 00	
Printing	1,500 00	
Agricultural and conservation	1,200 00	
Vehicular	3,200 00	
Household and security	31,100 00	
Clothing	28,000 00	
Medical	28,000 00	
Education and rehabilitation	4,300 00	
		395,950 00
Services Other Than Personal:		
Travel	$2,000 00	
Telephone	8,525 00	
Insurance—Fire	5,182 00	
Insurance—Other	1,433 00	
Household	2,000 00	
Advertising	200 00	
Subscriptions and memberships	200 00	
Postage	1,100 00	
Entertainment	500 00	
Rent—All other	78 00	
		21,218 00
Maintenance of Property:		
Buildings and grounds	$19,500 00	
Office equipment	700 00	

Agricultural and conservation equipment	300 00	
Vehicular equipment .	1,400 00	
Household and security equipment ..	2,500 00	
Medical equipment ..	200 00	
Scientific equipment .	200 00	
Education and rehabilitation equipment	500 00	
Buildings and grounds —Special	15,400 00	
Office equipment—Special	497 00	
Vehicular equipment—Special	2,000 00	
Household and security equipment—Special	9,248 00	
Education and rehabilitation equipment —Special	700 00	
		53,145 00
Extraordinary:		
Compensation awards	$1,820 00	
Family care	25,000 00	
		26,820 00
Additions and Improvements:		
Buildings and grounds	$4,840 00	
Office equipment	706 00	
Agricultural and conservation equipment	900 00	
Household and security equipment ..	4,500 00	
Medical equipment ..	2,332 00	
Education and rehabilitation equipment	225 00	
		13,503 00
Total Appropriation, North Jersey Training School, Totowa		$2,021,629 00

764-100. *State Colony, Woodbine*

Salaries:		
Other employees	$1,470,019 00	
New positions	29,596 00	
Food in lieu of cash ..	19,874 00	
Special services	7,620 00	
Patient payments	8,500 00	
		$1,535,609 00
Materials and Supplies:		
Food—Cash	$236,657 00	
Fuel and utilities	84,000 00	
Office	700 00	
Printing	325 00	
Agricultural and conservation	1,000 00	
Vehicular	2,000 00	
Household and security	40,663 00	
Clothing	34,580 00	
Medical	28,000 00	
Education and rehabilitation	4,700 00	
		432,625 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	3,550 00	
Insurance—Fire	3,195 00	
Insurance—Other ...	1,155 00	
Household	1,912 00	
Subscriptions and memberships	150 00	
Funeral	450 00	
Postage	950 00	
Entertainment	400 00	
Rent—All other	72 00	
All other	50 00	
		12,884 00

Maintenance of Property:		
Buildings and grounds	$20,000 00	
Office equipment	350 00	
Agricultural and conservation equipment	100 00	
Vehicular equipment .	650 00	
Household and security equipment ..	3,000 00	
Buildings and grounds —Special	34,959 00	
Office equipment—Special	440 00	
Vehicular equipment—Special	8,000 00	
Household and security equipment—Special	9,146 00	
Medical equipment—Special	1,532 00	
		78,177 00
Extraordinary:		
Family care		4,000 00
Additions and Improvements:		
Buildings and grounds	$15,000 00	
Office equipment	621 00	
Household and security equipment ..	31,152 00	
Education and rehabilitation equipment	295 00	
		47,068 00
Total Appropriation, State Colony, Woodbine		$2,110,363 00

765-100. *State Colony, New Lisbon*

Salaries:		
Other employees	$1,346,566 00	
New positions	53,316 00	
Food in lieu of cash ..	15,361 00	
Special services	12,000 00	
Patient payments	11,154 00	
		$1,438,397 00
Materials and Supplies:		
Food—Cash	$204,950 00	
Fuel and utilities	69,500 00	
Office	1,000 00	
Printing	250 00	
Agricultural and conservation	20,000 00	
Vehicular	3,400 00	
Household and security	37,350 00	
Clothing	33,600 00	
Medical	15,000 00	
Education and rehabilitation	10,700 00	
		395,750 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	3,600 00	
Insurance—Fire	4,393 00	
Insurance—Other ...	1,817 00	
Household	6,200 00	
Advertising	100 00	
Subscriptions and memberships	100 00	
Funeral	1,500 00	
Postage	950 00	
Entertainment	1,200 00	
Rent—All other	96 00	
		20,656 00

Maintenance of Property:		
Buildings and grounds	$20,000 00	
Office equipment	300 00	
Agricultural and conservation equipment	1,000 00	
Vehicular equipment .	1,600 00	
Household and security equipment ..	3,000 00	
Buildings and grounds —Special	3,750 00	
Office equipment—Special	1,271 00	
Agricultural and conservation equipment —Special	5,415 00	
Vehicular equipment— Special	3,600 00	
Household and security equipment— Special	7,035 00	
		46,971 00
Extraordinary:		
Family care		48,000 00
Additions and Improvements:		
Buildings and grounds	$32,326 00	
Office equipment	426 00	
Vehicular equipment .	370 00	
Household and security equipment ..	9,150 00	
Education and rehabilitation equipment	1,500 00	
		43,772 00
Total Appropriation, State Colony, New Lisbon		$1,993,546 00

766-100. *Woodbridge State School*

Salaries:		
New position		$16,603 00
Materials and Supplies:		
Fuel and utilities	$154 00	
Office	200 00	
Printing	300 00	
Vehicular	150 00	
		804 00
Services Other Than Personal:		
Travel	$355 00	
Telephone	100 00	
Postage	100 00	
		555 00
Total Appropriation, Woodbridge State School		$17,962 00

768-100. *Edward R. Johnstone Training and Research Center*

Salaries:		
Other employees	$801,589 00	
New positions	10,920 00	
Food in lieu of cash ..	9,409 00	
Special services	3,355 00	
		$825,273 00
Materials and Supplies:		
Food—Cash	$47,523 00	
Fuel and utilities	38,000 00	
Office	1,500 00	
Printing	1,200 00	
Agricultural and conservation	2,000 00	
Vehicular	1,300 00	

Household and security	9,425 00	
Clothing	12,500 00	
Medical	3,780 00	
Education and rehabilitation	7,800 00	
		125,028 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	8,000 00	
Insurance—Fire	4,631 00	
Insurance—Other	772 00	
Household	2,500 00	
Advertising	100 00	
Subscriptions and memberships	350 00	
Postage	800 00	
Entertainment	1,800 00	
Rent—All other	87 00	
		21,540 00
Maintenance of Property:		
Buildings and grounds	$10,000 00	
Office equipment	700 00	
Vehicular equipment	400 00	
Household and security equipment	1,500 00	
Scientific equipment	100 00	
Education and rehabilitation equipment	100 00	
Buildings and grounds —Special	4,450 00	
Office equipment—Special	450 00	
Household and security equipment—Special.	280 00	
Education and rehabilitation equipment—Special	750 00	
		18,730 00
Extraordinary:		
Family care		7,500 00

Additions and Improvements:		
Buildings and grounds	$10,425 00	
Office equipment	573 00	
Agricultural and conservation equipment	600 00	
Household and security equipment	920 00	
Scientific equipment ..	500 00	
Education and rehabilitation equipment	260 00	
		13,278 00
Total Appropriation, Edward R. Johnstone Training and Research Center		$1,011,349 00

770-100. *Division of Mental Health*

Salaries:		
Other employees	$228,746 00	
Special services	1,500 00	
		$230,246 00
Materials and Supplies:		
Office	$1,750 00	
Printing	400 00	
Vehicular	291 00	
Education and rehabilitation	1,200 00	
		3,641 00
Services Other Than Personal:		
Travel	$4,300 00	
Telephone	4,500 00	
Insurance—Other	75 00	
Subscriptions and memberships	450 00	
Postage	1,500 00	
All other	30 00	
		10,855 00

Maintenance of Property:		
Office equipment	$216 00	
Vehicular equipment .	50 00	
Office equipment—Special	212 00	
		478 00
Extraordinary:		
Mental Health Research	$325,000 00	
Governor's Conference on Mental Health ..	5,000 00	
		330,000 00
Additions and Improvements:		
Office equipment		346 00
Total Appropriation, Division of Mental Health		$575,566 00

777-100. *State Hospital, Greystone Park*

Salaries:		
Other employees $7,613,537 00		
Food in lieu of cash ..	244,910 00	
Special services	15,000 00	
Patient payments	8,000 00	
		$7,881,447 00
Materials and Supplies:		
Food—Cash	$799,780 00	
Fuel and utilities	365,000 00	
Office	6,800 00	
Printing	6,200 00	
Agricultural and conservation	110,000 00	
Vehicular	10,500 00	
Household and security	155,400 00	
Clothing	150,000 00	
Medical	200,000 00	

Scientific	1,400 00	
Education and rehabilitation	20,000 00	
		1,825,080 00
Services Other Than Personal:		
Travel	$4,300 00	
Telephone	20,500 00	
Insurance—Fire	23,694 00	
Insurance—Other	7,420 00	
Household	2,500 00	
Advertising	3,000 00	
Subscriptions and memberships	2,000 00	
Funeral	3,500 00	
Postage	5,000 00	
Entertainment	1,200 00	
Rent — Buildings and grounds	550 00	
Rent—All other	331 00	
Staff training	6,400 00	
All other	200 00	
		80,595 00
Maintenance of Property:		
Buildings and grounds	$97,000 00	
Office equipment	4,000 00	
Agricultural and conservation equipment	2,000 00	
Vehicular equipment .	2,500 00	
Household and security equipment	18,000 00	
Medical equipment ...	1,500 00	
Scientific equipment ..	500 00	
Buildings and grounds —Special	108,500 00	
Office equipment—Special	6,570 00	
Agricultural and conservation equipment —Special	2,650 00	
Vehicular equipment— Special	5,190 00	

Household and security equipment—Special.	43,075 00	
Medical equipment—Special	32,076 00	
		323,561 00
Extraordinary:		
Compensation awards	$30,000 00	
Family care	96,000 00	
		126,000 00
Additions and Improvements:		
Buildings and grounds	$58,500 00	
Office equipment	1,510 00	
Household and security equipment	24,843 00	
Medical equipment ...	828 00	
		85,681 00
Total Appropriation, State Hospital, Greystone Park.		$10,322,364 00

779-100. *State Hospital, Trenton*

Salaries:		
Other employees	$6,163,383 00	
New positions	53,264 00	
Position transferred from another division	7,877 00	
Food in lieu of cash ..	87,656 00	
Special services	19,000 00	
Patient payments	14,600 00	
		$6,345,780 00
Materials and Supplies:		
Food—Cash	$437,344 00	
Fuel and utilities	280,000 00	
Office	4,500 00	
Printing	1,500 00	

Agricultural and conservation	82,500 00	
Vehicular	4,500 00	
Household and security	103,055 00	
Clothing	94,750 00	
Medical	126,000 00	
Education and rehabilitation	11,950 00	
		1,146,099 00

Services Other Than Personal:		
Travel	$2,500 00	
Telephone	14,600 00	
Insurance—Fire	21,100 00	
Insurance—Other	3,861 00	
Household	1,800 00	
Advertising	200 00	
Subscriptions and memberships	1,135 00	
Funeral	3,375 00	
Postage	2,300 00	
Entertainment	1,000 00	
Rent—All other	1,256 00	
Staff training	2,000 00	
All other	2,808 00	
		57,935 00

Maintenance of Property:		
Buildings and grounds	$50,000 00	
Office equipment	1,200 00	
Agricultural and conservation equipment	2,000 00	
Vehicular equipment	2,100 00	
Household and security equipment	9,000 00	
Medical equipment	500 00	
Buildings and grounds—Special	31,000 00	
Office equipment—Special	2,996 00	
Agricultural and conservation equipment—Special	5,538 00	

Vehicular equipment —Special	5,050 00	
Household and security equipment—Special.	16,902 00	
Medical equipment — Special	8,368 00	
		134,654 00
Extraordinary:		
Compensation awards	$1,489 00	
Family care	144,000 00	
		145,489 00
Additions and Improvements:		
Buildings and grounds	$19,510 00	
Office equipment	574 00	
Agricultural and conservation equipment	1,095 00	
Household and security equipment	8,846 00	
Medical equipment ...	14,745 00	
		44,770 00
Total Appropriation, State Hospital, Trenton		$7,874,727 00

781-100. *State Hospital, Marlboro*

Salaries:		
Other employees	$4,598,957 00	
New positions	105,416 00	
Food in lieu of cash ..	93,949 00	
Special services	24,000 00	
Patient payments	10,439 00	
		$4,832,761 00
Materials and Supplies:		
Food—Cash	$365,713 00	
Fuel and utilities	187,000 00	
Office	2,500 00	

Printing	2,500 00	
Agricultural and conservation	60,000 00	
Vehicular	5,500 00	
Household and security	91,125 00	
Clothing	91,800 00	
Medical	102,000 00	
Education and rehabilitation	11,500 00	
		919,638 00

Services Other Than Personal:

Travel	$2,500 00	
Telephone	9,000 00	
Insurance—Fire	21,019 00	
Insurance—Other	3,752 00	
Household	2,000 00	
Advertising	500 00	
Subscriptions and memberships	800 00	
Funeral	2,000 00	
Postage	2,400 00	
Entertainment	1,000 00	
Rent—All other	156 00	
Staff training	6,250 00	
All other	100 00	
		51,477 00

Maintenance of Property:

Buildings and grounds	$43,000 00	
Office equipment	2,250 00	
Agricultural and conservation equipment	2,000 00	
Vehicular equipment .	1,800 00	
Household and security equipment ..	13,000 00	
Medical equipment ..	1,000 00	
Buildings and grounds —Special	28,957 00	
Office equipment—Special	2,798 00	

Vehicular equipment—		
Special	15,050 00	
Household and security equipment—		
Special	12,300 00	
Medical equipment—		
Special	1,250 00	
		123,405 00
Extraordinary:		
Compensation awards	$5,080 00	
Family care	100,000 00	
		105,080 00
Additions and Improvements:		
Buildings and grounds	$30,300 00	
Office equipment	822 00	
Household and security equipment ..	4,700 00	
Medical equipment ..	4,200 00	
Education and rehabilitation equipment	760 00	
		40,782 00
Total Appropriation, State Hospital, Marlboro		$6,073,143 00

783-100. *State Hospital, Ancora*

Salaries:		
Other employees	$3,846,247 00	
New positions	23,583 00	
Food in lieu of cash ..	99,346 00	
Special services	15,000 00	
Patient payments ...	15,000 00	
		$3,999,176 00
Materials and Supplies:		
Food—Cash	$431,613 00	
Fuel and utilities	215,000 00	

Office	3,000 00	
Printing	3,000 00	
Agricultural and conservation	9,000 00	
Vehicular	6,500 00	
Household and security	63,925 00	
Clothing	65,500 00	
Medical	125,000 00	
Education and rehabilitation	13,000 00	
		935,538 00

Services Other Than Personal:

Travel	$2,500 00	
Telephone	14,500 00	
Insurance—Fire	12,891 00	
Insurance—Other	3,788 00	
Household	600 00	
Advertising	300 00	
Subscriptions and memberships	900 00	
Funeral	1,800 00	
Postage	2,800 00	
Entertainment	1,000 00	
Rent—All other	1,538 00	
Staff training	1,661 00	
All other	200 00	
		44,478 00

Maintenance of Property:

Buildings and grounds	$32,000 00	
Office equipment	3,000 00	
Agricultural and conservation equipment	1,850 00	
Vehicular equipment	2,000 00	
Household and security equipment	9,300 00	
Medical equipment	1,000 00	
Buildings and grounds —Special	4,500 00	
Office equipment—Special	1,338 00	

Vehicular equipment—		
Special	8,300 00	
Household and security equipment—		
Special	3,818 00	
		67,106 00
Extraordinary:		
Family care		135,000 00
Additions and Improvements:		
Buildings and grounds	$6,441 00	
Office equipment	3,913 00	
Agricultural and conservation equipment	425 00	
Household and security equipment ..	3,965 00	
Medical equipment ..	2,937 00	
Education and rehabilitation equipment	1,810 00	
		19,491 00
Total Appropriation, State Hospital, Ancora		$5,200,789 00

785-100. *Neuropsychiatric Institute*

Salaries:		
Other employees	$3,062,305 00	
New positions	22,917 00	
Food in lieu of cash ..	54,987 00	
Special services	10,000 00	
Patient payments	6,839 00	
		$3,157,048 00
Materials and Supplies:		
Food—Cash	$116,960 00	
Fuel and utilities	139,000 00	
Office	4,000 00	
Printing	1,500 00	

Agricultural and conservation	42,000 00	
Vehicular	8,710 00	
Household and security	33,510 00	
Clothing	29,037 00	
Medical	42,000 00	
Education and rehabilitation	9,500 00	
All other	175 00	
		426,392 00

Services Other Than Personal:		
Travel	$6,000 00	
Telephone	15,045 00	
Insurance—Fire	13,096 00	
Insurance—Other	3,688 00	
Household	5,000 00	
Advertising	350 00	
Subscriptions and memberships	1,000 00	
Funeral	1,000 00	
Postage	1,500 00	
Entertainment	2,500 00	
Rent—All other	1,228 00	
Staff training	2,000 00	
All other	100 00	
		52,507 00

Maintenance of Property:		
Buildings and grounds	$30,000 00	
Office equipment	2,000 00	
Agricultural and conservation equipment	300 00	
Vehicular equipment	3,000 00	
Household and security equipment	3,000 00	
Medical equipment	500 00	
Buildings and grounds—Special	9,260 00	
Office equipment—Special	2,443 00	

Vehicular equipment—		
Special	10,475 00	
Household and security equipment—		
Special	4,275 00	
Medical equipment—		
Special	885 00	
Education and rehabilitation equipment —Special	910 00	
		67,048 00
Extraordinary:		
Compensation awards	$5,608 00	
Family care	40,000 00	
		45,608 00
Additions and Improvements:		
Buildings and grounds	$10,000 00	
Office equipment	252 00	
Vehicular equipment .	315 00	
Household and security equipment ..	1,222 00	
Medical equipment ..	3,422 00	
Education and rehabilitation equipment	259 00	
		15,470 00
Total Appropriation, Neuropsychiatric Institute		$3,764,073 00

790-100. *Arthur Brisbane Child Treatment Center*

Salaries:		
Other employees	$323,859 00	
New positions	5,526 00	
Food in lieu of cash ..	5,658 00	
Special services	1,350 00	
Patient payments	2,000 00	
		$338,393 00

Materials and Supplies:		
Food—Cash	$26,937 00	
Fuel and utilities	12,268 00	
Office	250 00	
Printing	150 00	
Agricultural and conservation	250 00	
Vehicular	850 00	
Household and security	4,500 00	
Clothing	5,850 00	
Medical	1,500 00	
Education and rehabilitation	1,500 00	
		54,055 00
Services Other Than Personal:		
Travel	$700 00	
Telephone	1,600 00	
Insurance—Fire	996 00	
Insurance—Other	631 00	
Household	1,750 00	
Subscriptions and memberships	100 00	
Postage	250 00	
Entertainment	800 00	
All other	50 00	
		6,877 00
Maintenance of Property:		
Buildings and grounds	$2,000 00	
Office equipment	175 00	
Vehicular equipment	300 00	
Household and security equipment	1,000 00	
Office equipment—Special	411 00	
Vehicular equipment—Special	2,275 00	
		6,161 00

Additions and Improvements:		
Buildings and grounds	$13,000 00	
Office equipment	334 00	
Household and security equipment ..	500 00	
		13,834 00
Total Appropriation, Arthur Brisbane Child Treatment Center		$419,320 00

792-100. *Diagnostic Center*

Salaries:		
Other employees	$618,930 00	
New positions	7,540 00	
Food in lieu of cash ..	6,328 00	
Special services	7,200 00	
Patient payments ...	450 00	
		$640,448 00
Materials and Supplies:		
Food—Cash	$23,542 00	
Fuel and utilities	16,000 00	
Office	2,600 00	
Printing	500 00	
Agricultural and conservation	250 00	
Vehicular	550 00	
Household and security	7,144 00	
Clothing	2,580 00	
Medical	4,000 00	
Education and rehabilitation	1,200 00	
		58,366 00
Services Other Than Personal:		
Travel	$1,600 00	
Telephone	5,500 00	

Insurance—Fire	1,066 00	
Insurance—Other ...	475 00	
Household	2,050 00	
Advertising	100 00	
Subscriptions and memberships	300 00	
Postage	750 00	
Entertainment	750 00	
Rent—All other	72 00	
		12,663 00
Maintenance of Property:		
Buildings and grounds	$5,500 00	
Office equipment	1,000 00	
Vehicular equipment .	125 00	
Household and security equipment ..	1,000 00	
Buildings and grounds —Special	3,000 00	
Office equipment—Special	579 00	
Vehicular equipment—Special	3,600 00	
Household and security equipment—Special	580 00	
		15,384 00
Additions and Improvements:		
Office equipment	$560 00	
Household and security equipment ..	380 00	
		940 00
Total Appropriation, Diagnostic Center		$727,801 00

794-100. *State Sanatorium for Chest Diseases, Glen Gardner*

Salaries:		
Other employees	$1,069,175 00	
Food in lieu of cash	34,184 00	
Special services	9,600 00	
Patient payments	1,000 00	
		$1,113,959 00
Materials and Supplies:		
Food—Cash	$77,231 00	
Fuel and utilities	59,000 00	
Office	800 00	
Printing	1,500 00	
Agricultural and conservation	3,400 00	
Vehicular	1,400 00	
Household and security	17,250 00	
Clothing	2,000 00	
Medical	33,800 00	
Education and rehabilitation	500 00	
		196,881 00
Services Other Than Personal:		
Travel	$600 00	
Telephone	4,500 00	
Insurance—Fire	4,266 00	
Insurance—Other	1,106 00	
Household	1,400 00	
Advertising	50 00	
Subscriptions and memberships	350 00	
Postage	1,000 00	
Entertainment	1,200 00	
Rent—All other	72 00	
All other	50 00	
		14,594 00

Maintenance of Property:		
Buildings and grounds	$11,400 00	
Office equipment	800 00	
Vehicular equipment .	500 00	
Household and security equipment	2,100 00	
Medical equipment ...	500 00	
Buildings and grounds —Special	33,602 00	
Office equipment—Special	527 00	
Vehicular equipment—Special	4,625 00	
Household and security equipment—Special.	11,925 00	
Medical equipment—Special	3,858 00	
		69,837 00
Extraordinary:		
Compensation awards		1,820 00
Additions and Improvements:		
Buildings and grounds	$2,880 00	
Medical equipment ...	410 00	
		3,290 00
Total Appropriation, State Sanatorium for Chest Diseases, Glen Gardner		$1,400,381 00
Total Appropriation, Department of Institutions and Agencies		$64,596,449 00

Out of the amount hereinabove appropriated to the Department of Institutions and Agencies, there shall be available the sum of $606.43 for part payment to the City of Vineland for the cost of water main con-

struction totaling $6,064.32 incurred by the City of Vineland contiguous to the lands of the Vineland State School.

In addition to the amounts hereinabove specifically appropriated for the various institutions, all funds derived from the sale of farm products to any State agency or political subdivision of the State are hereby appropriated.

The balances on hand as of June 30, 1962 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, 1962 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.

810-100. SOUTH JERSEY PORT COMMISSION South Jersey Port.

Salaries:		
Other employees		$36,241 00
Materials and Supplies:		
Office	$200 00	
Printing	400 00	
Vehicular	125 00	
Scientific	50 00	
Education and rehabilitation	125 00	
		900 00
Services Other Than Personal:		
Travel	$1,000 00	
Telephone	188 00	
Insurance—Other	38 00	
Household	30 00	
Advertising	125 00	
Subscriptions and memberships	455 00	
Postage	100 00	
Rent—All other	10 00	
All other	150 00	
		2,096 00
Maintenance of Property:		
Office equipment	$65 00	
Vehicular equipment	50 00	
		115 00
		$39,352 00

Palisades Interstate Park.

811-100. PALISADES INTERSTATE PARK COMMISSION

Salaries:		
Other employees		$433,942 00
Materials and Supplies:		
Fuel and utilities	$12,400 00	
Office	500 00	
Printing	150 00	
Agricultural and conservation	8,000 00	
Vehicular	7,000 00	
Household and security	850 00	
Clothing	2,650 00	
Medical	60 00	
Scientific	100 00	
		31,710 00
Services Other Than Personal:		
Travel	$50 00	
Telephone	1,600 00	
Insurance—Fire	5,052 00	
Insurance—Other	11,501 00	
Postage	350 00	
		18,553 00
Maintenance of Property:		
Buildings and grounds	$23,620 00	
Vehicular equipment	5,000 00	
All other equipment	2,500 00	
Buildings and grounds—Special	22,875 00	
Vehicular equipment—Special	12,440 00	
Household and security equipment—Special	500 00	
All other equipment—Special	1,430 00	
		68,365 00
		$552,570 00

The net share of revenues derived from the operation of gasoline stations on the New Jersey section of the Palisades Interstate Parkway, together with unexpended balances from such revenues as of June 30, 1962, are hereby appropriated for maintenance of such stations, for capital projects and plans including an historic park in Fort Lee and for extraordinary maintenance.

The unexpended balances as of June 30, 1962 from stands, concessions and self-sustaining activities operated or supervised by this commission, together with receipts from such activities, are hereby appropriated.

812-100. DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Delaware River Joint Toll Bridge.

Salaries:		
Other employees		$239,894 00
Materials and Supplies:		
Fuel and utilities	$17,000 00	
Office	200 00	
Printing	500 00	
Agricultural and conservation	300 00	
Vehicular	1,400 00	
Household and security	350 00	
Clothing	500 00	
Medical	100 00	
Scientific	100 00	
		20,450 00

New Jersey State Library

Services Other Than Personal:		
Telephone	$2,200 00	
Insurance—Fire	3,640 00	
Insurance—Other	3,510 00	
Postage	350 00	
		9,700 00
Maintenance of Property:		
Buildings and grounds	$5,900 00	
Office equipment	50 00	
Vehicular equipment .	1,000 00	
Buildings and grounds —Special	28,000 00	
Vehicular equipment— Special	7,000 00	
Scientific equipment— Special	600 00	
		42,550 00
		$312,594 00

Tercentenary.

813-100. NEW JERSEY TERCENTENARY COMMISSION

Extraordinary:	
Expenses of the commission	$160,000 00

Out of the sum hereinabove appropriated for expenses of the New Jersey Tercentenary Commission, there shall be available the sum of $10,000.00 for preservation of the Woodrow Wilson papers, with particular emphasis on the gubernatorial period.

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

814-100. INTERSTATE SANITATION COMMISSION

Interstate Sanitation.

Extraordinary:		
New Jersey's Share of Administrative Costs of the Interstate Sanitation Commission		$62,700 00

815-100. CIVIL WAR CENTENNIAL COMMISSION

Civil War Centennial.

Salaries:		
Other employees	$13,723 00	
Special services	25,000 00	
		$38,723 00
Materials and Supplies:		
Office	$600 00	
Printing	5,000 00	
		5,600 00
Services Other Than Personal:		
Travel	$2,500 00	
Telephone	950 00	
Subscriptions and memberships	100 00	
Postage	850 00	
All other	50 00	
		4,450 00
Maintenance of Property:		
Office equipment		50 00
		$48,823 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Delaware River Basin.

816-100. DELAWARE RIVER BASIN COMMISSION

Extraordinary:
Expenses of the Commission $50,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Total Appropriation, Miscellaneous Executive Commissions $1,226,039 00

Inter and Non-Departmental Items.

INTER AND NON-DEPARTMENTAL ITEMS

840-100. *Rents: Buildings and Grounds*

Services Other Than Personal:
Rent—Buildings and grounds $2,723,694 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, 1963 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.

841-100. *Pensions, Contributions to State Pension Funds, Group Life Insurance and Social Security Tax*

Extraordinary:		
Heath Act	$105,000 00	
Veterans' Act	285,000 00	
Miscellaneous Special Acts	10,000 00	
Governors' Widows Annuity	7,500 00	
Judicial	315,000 00	
Prison Officers	145,000 00	
Public Employees' Retirement System	7,763,776 00	
Premium for Non-Contributory Insurance	1,534,831 00	
State's Share of Social Security Tax	4,500,000 00	
Pension Increase Act	1,300,000 00	
		$15,966,107 00

The unexpended balance as of June 30, 1962 of the sum appropriated for Social Security Tax is hereby appropriated.

The sum appropriated for Social Security Tax is hereby made available for the payment of such tax applicable to the prior fiscal year.

Out of the sums hereinabove appropriated, upon application to the Director of the Division of Budget and Accounting, an annuity of $2,500.00 shall be paid to the widow of any person, now deceased, who was elected and served as Governor of this State, provided such widow was

the wife of such person for part or all of the period during which he served as Governor and, provided further, that this shall not apply to any widow receiving a pension granted under R. S. 43:8–2, and continued by L. 1955, c. 190.

Any adjustment which may be required for the payment of premium for non-contributory insurance shall have a contra-adjustment in the payment of the normal contribution for the Public Employees' Retirement System.

There are hereby appropriated to the Public Employees' Retirement System, for credit to the Contingent Reserve Fund, any sums payable to the State Treasurer pursuant to the provisions of section 6 of chapter 79 of the laws of 1960.

843-100. *State Emergency Fund*

Extraordinary.

For allotment to the various departments or agencies, to meet any condition of emergency until legislation appropriate therefor shall be enacted; provided, however, that a sum not in excess of $5,000.00 shall be available for the expense of entertain-

ing dignitaries and incidental expenses including l u n c h e s for n o n s a l a r i ed board members and others whose entertainment shall be beneficial t o t h e State. Allotments from this appropriation 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	150,000 00	
For allotment to the various departments or agencies to cover the cost of any increase in postage rates which may be enacted by Congress, upon approval of the Director of the Division of Budget and Accounting and the L e g i s l a t i v e Budget and Finance Director	250,000 00	
		$500,000 00

844-100. *Salary Adjustments and Increments*

To the Director of the Division of Budget and Accounting for transfer, as required, to the various State Colleges, Rutgers, the State University, and the Newark College of Engineering for the cost of

(a) Any salary adjustment which may be required by increasing the range grades, as recommended by the State Board of Education on June 3, 1959, for academic class titles in which State employees may be teaching in the foregoing institutions of higher education after payment on July 1 or September 1 of the normal merit salary increment applicable to salary ranges in effect on June 30, 1962 for such titles, to those employees normally entitled to such increment on the

respective salary anniversary dates during the fiscal year ending June 30, 1963	$350,000 00	
(b) Extraordinary salary adjustments which may be required for certain State employees and within the ranges established as in (a) above or over and above such ranges established for Professor and Assistant Professor to the extent of three and two additional increment steps at the maximum, respectively	100,000 00	
		$450,000 00

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.

Any other sums appropriated to the several departments for salaries may be made available for salary adjustments therein arising from various exigencies of the State service and for normal merit salary increments as the President of the Civil Service Commission, the State Treasurer and the Director of the Division of Budget and Accounting shall determine.

Any sums appropriated for salaries shall be made available for any person holding State office, position or employment, whose compensation is paid directly or indirectly, in whole or in part from State funds, including any person holding office, position or employment in any educational institution for which appropriations are made to the State Board of Education, to the State University or to the Newark College of Engineering, or holding office, position or employment under the Delaware River Joint Toll Bridge Commission, the Palisades Interstate Park Commission and the Interstate Sanitation Commission.

Each person holding State office, position or employment, who receives no compensation from State funds other than that derived from Federal or Special fund sources, shall be entitled to the same salary adjustments and increments provided hereinabove which he would receive if his compensation were paid wholly from State funds; provided, that the Federal Government or Special fund source consents thereto and the costs thereof are paid from such Federal or Special funds.

Should any State officer for whom a salary is specifically appropriated be replaced in office during the fiscal year ending June 30, 1963, the salary to be paid the successor of such officer may be such lesser sum as the appointing authority shall determine.

844-102. *State Employees' Health Benefits*

Extraordinary:	
To the Director of the Division of Budget and Accounting for allotment to, or payable on behalf of the various agencies to cover the employer's share of the cost of premiums for hospitalization, medical-surgical and major medical insurance benefits for State employees, pursuant to P. L. 1961, c. 49	$2,000,000 00
Each person holding State office, position or employment, who receives no compensation from State funds other than that derived from Federal or Special fund sources, shall be entitled to the same health benefits provided hereinabove which he would receive if his compensation were paid wholly from State funds; provided, that the Federal Government or Special fund source consents thereto and the costs thereof are paid from such Federal or Special funds.	
Total Appropriation, Inter and Non-Departmental Items	$21,639,801 00

845-100. *Storm Relief Fund*

The unexpended balance in this account as of June 30, 1962 is hereby appropriated for the purposes defined in Chapter 16, P. L. 1962.

Judiciary.

870-100. THE JUDICIARY

Salaries:		
Chief Justice	$27,000 00	
Associate Justices (6 @ $26,000.00)	156,000 00	
Judges (44 @ $22,000.00)	968,000 00	
Administrative Director	17,500 00	
Other employees	1,091,064 00	
New positions	80,893 00	
Special services	4,200 00	
		$2,344,657 00
Materials and Supplies:		
Office	$48,000 00	
Printing	45,000 00	
Microfilming	20,000 00	
Vehicular	500 00	
Household and security	400 00	
		113,900 00
Services Other Than Personal:		
Travel	$23,000 00	
Telephone	32,000 00	
Insurance—Fire	200 00	
Insurance—Other ...	1,030 00	
Household	100 00	
Advertising	1,000 00	
Legal and investigative	4,000 00	
Postage	30,800 00	
Rent—All other	1,840 00	
Staff training	6,000 00	
All other	500 00	
		100,470 00
Maintenance of Property:		
Office equipment	$4,500 00	
Vehicular equipment .	300 00	

Household and security equipment ..	500 00	
Office equipment—Special	2,414 00	
		7,714 00
Additions and Improvements:		
Office equipment	$6,272 00	
Vehicular equipment .	3,150 00	
Household and security equipment ..	1,300 00	
		10,722 00
Total Appropriation, The Judiciary		$2,577,463 00
Total Appropriation, General State Operations ..		$222,289,611 00

State Aid

State Aid.

Department of Law and Public Safety

150-100. *Division of Weights and Measures—State Aid*

For payment of fees to counties and municipalities from the sale of Solid Fuel Licenses, in accordance with the provisions of R. S. 51:8, approximating .	$6,000 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	1,000 00	
Total Appropriation, Department of Law and Public Safety		$7,000 00

DEPARTMENT OF THE TREASURY

240-100. *Payments to Counties (Five Per Centum Inheritance Taxes)—State Aid*

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	$1,250,000 00

241-100. *County Boards of Taxation—State Aid*

Salaries:	
Members	$410,625 00

842-100. *Consolidated Police and Firemen's Pension Fund—State Aid*

State's contribution to the Consolidated Police and Firemen's Pension Fund pursuant to the provisions of Chapter 358, laws of 1952	$4,390,510 00
Total Appropriation, Department of the Treasury	$6,051,135 00

DEPARTMENT OF HEALTH

360-100. *General—State Aid*

Local and Dental Health Services ..	$96,496 00

378-100. *Crippled Children's Commission—State Aid*

Hospitalization and convalescent care	$170,877 00	
Appliances	12,000 00	
Cardiac surgery	10,000 00	
Health purposes	10,000 00	
		$202,877 00
Total Appropriation, Department of Health		$299,373 00

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Division of Resource Development

420-101, 401, 403. *Inland Waterways and Shore Protection—State Aid*

Inland Waterways—Construction, reconstruction, maintenance, improvements and dredging of inland waterways, including bulkheading and dredging at State-operated Marinas and the Fortescue Marina, at the discretion of the commissioner; provided, however, that the funds herein appropriated shall be available for the replacement of motor vehicles, transportation supplies and other equipment used in the Inland Waterways Program; provided further, however, that a sum not exceeding $25,000.00 shall be available for the control of obnoxious, aquatic vegetation in State-controlled lakes; and provided further, however, that a sum not exceeding $20,000.00	

shall be available for a hydrographic and topographic survey to determine mean high-water line of the Hackensack river and tributary tidal streams by establishment of horizontal and vertical control. All projects shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development ..	$200,000 00
Shore Protection—For shore protection outlined in R. S. 12:6A–1 and R. S. 12:6A–4 ...	1,025,000 00

None of the funds herein 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 $25,000.00 representing the second of 2 annual appropriations of such amount shall

be available for rehabilitation of the yacht basin or anchorage on Raritan bay in the city of Perth Amboy upon certification to the department that not less than 20% of the capacity of said yacht basin or anchorage shall be open to the public at large as a harbor of refuge to the extent of the need therefor; 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 $50,000.00 shall be available to defray the State's share of a cooperative study in connection 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, river, lakes, ponds, and in the uplands, the purpose of which is to locate borrow area from which material for beachfill 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 Sandy Hook State Park. All projects shall be constructed under contract with and under supervision of the Department of Conservation and Economic Development.		
Harbor of Refuge at Atlantic City Marina	100,000 00	
		$1,325,000 00

The unexpended balances in these accounts as of June 30, 1962 are hereby appropriated.

The unexpended balance as of June 30, 1962 in the "Special Beach Erosion Fund" is hereby appropriated for the purposes defined in Chapter 18, P. L. 1962.

460-100. *Division of Veterans' Services—State Aid*

Veterans orphan fund—Educational	$65,000 00	
Payments to blind veterans	25,000 00	
Payments to paraplegics, hemiplegic veterans	120,000 00	
		$210,000 00

470-100. *Division of State and Regional Planning —State Aid*

Community Renewal Program: To provide 1/9 of the total cost of a qualifying municipality as the State's share for programming long range urban renewal needs and toward which the Federal Government contributes 2/3 of the total cost.	
Continuing Planning Assistance Program— To assist municipalities with master plans to establish planning as a continuing process; provided, however, that the State's share to a municipality shall not exceed $3,000.00 in any given year and shall decrease over a six-year period from a maximum of 50% of the cost in the first year to 0% in the sixth year.	$200,000 00
	$200,000 00

None of the funds herein appropriated shall be available for expenditure unless matched by a participating municipality. All participating municipalities shall conform with technical standards and procedures established by, and be under contract with, the Department of Conservation and Economic Development.

472-100. *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	200,000 00	
		$300,000 00
The unexpended balance in this account as of June 30, 1962 is hereby appropriated.		
Total Appropriation, Department of Conservation and Economic Development ..		$2,035,000 00

DEPARTMENT OF EDUCATION

580-100. *School Districts—State Aid*

Salaries:		
County superintendents	$286,863 00	
Other employees	718,768 00	
Special services	10,500 00	
		$1,016,131 00
Materials and Supplies:		
Office	$1,500 00	
Printing	40,000 00	
All other	27,500 00	
		69,000 00
Services Other Than Personal:		
Travel	$53,000 00	
Data processing	750 00	
		53,750 00
Grants-in-Aid—		
For payment to districts for vocational schools pursuant to R. S. 18:5	$342,800 00	
For payment to districts for industrial schools pursuant to R. S. 18:15–24	70,000 00	
Chapter 85, Laws of 1954—		
Formula	74,003,729 00	
Transportation	9,509,016 00	
Emergency Fund	175,000 00	
Atypical Pupils	3,629,557 00	
School Building Aid, Chapters 8 and 9, P. L. 1956	15,961,853 00	

Evening Schools for foreign-born residents	80,942 00	
National Defense Education Act (State share)	98,000 00	
State Aid for certain libraries	600,000 00	
County audio-visual aid centers	50,000 00	
Technical Education .	100,000 00	
Emotionally and Socially Maladjusted Pupils — Chapter 104, P. L. 1959	907,843 00	
		105,528,740 00
		$106,667,621 00

The unexpended balances, not to exceed $250,000.00 in the accounts for Grants-in-Aid as of June 30, 1962, are hereby appropriated.

595-100. *Teachers' Pension and Annuity Fund, Group Life Insurance and Social Security Tax—State Aid*

State's Contribution to Teachers' Pension and Annuity Fund:		
Normal contribution	$27,884,373 00	
Class B liability and deficiency contribution ...	6,703,208 00	
Veterans' liability for Department of Education personnel	75,829 00	

Payment on behalf of local employee veterans appointed after January 1, 1955	161,364 00	
Payments to provide unpaid balance of $1,000,000 insurance dividend credit taken on appropriation paid July 1, 1960	969,200 00	
Premium for non-contributory insurance	2,200,000 00	
State's share of social security tax	9,900,000 00	
		$47,893,974 00
Total Appropriation, Department of Education..		$154,561,595 00

The unexpended balance as of June 30, 1962 of the sum appropriated for social security tax is hereby appropriated.

The sum appropriated for social security tax shall be available for the payment of such tax applicable to the prior fiscal year.

Any sums payable to the State Treasurer pursuant to the provision of section 6 of chapter 80 of the laws of 1960 are hereby appropriated to the Teachers' Pension and Annuity Fund for credit to the Contingent Reserve Fund.

620-100. STATE HIGHWAY DEPARTMENT—STATE AID

Operating Costs—Projects Division

Salaries:		
Other employees		$662,771 00
Materials and Supplies:		
Office	$3,700 00	
Printing	100 00	
Microfilming	200 00	
		4,000 00
Services Other Than Personal:		
Travel	$22,000 00	
Telephone	5,500 00	
Insurance—Fire	120 00	
Insurance—Other	80 00	
Subscriptions and memberships	40 00	
Postage	5,500 00	
All other	25 00	
		33,265 00
Maintenance of Property:		
State roads	$150 00	
Office equipment	150 00	
All other equipment	100 00	
Office equipment—Special	917 00	
		1,317 00
Extraordinary:		
Compensation awards	$200 00	
Intra - Departmental Equipment Rentals and Supplies	39,000 00	
		39,200 00
Additions and Improvements:		
Office equipment		148 00
		$740,701 00

Counties and Municipalities—Grants

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	4,220,000 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	
		$15,475,000 00
County and municipal aid for lighting		$400,000 00

The total appropriation for Counties and Municipalities—Grants shall be for the calendar year 1963 and shall be due and payable on January 2, 1963.

Total Appropriation, State Highway Department .. $16,615,701 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

715-101. *Old Age Assistance—State Aid*

For the purpose of making payments for the State's share of Old Age Assistance pursuant to chapter 7 of Title 44 of the Revised Statutes ..$6,250,000 00

The unexpended balances remaining in this account as of June 30, 1962, including the State's net share of reimbursement together with the net balance remaining, after full payment of sums due the Federal Government of all funds recovered under R. S. 44:7–14 during the fiscal year ended June 30, 1962, are hereby appropriated and, in addition thereto, all such funds recovered under R. S. 44:7–15 during the fiscal year ending June 30, 1963 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-103. *General Assistance—State Aid*

For relief subsidies to municipalities and relief administrative costs in State administered towns $5,425,000 00

Receipts from State administered towns during 1962-63 and the unexpended balance in this account as of June 30, 1962 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-104. *Disability Assistance—State Aid*

For the purpose of making payments for the State's share of cost of assistance to the permanently and totally disabled, pursuant to chapter 139, P. L. 1951 ..... $2,400,000 00

The unexpended balances remaining in this account as of June 30, 1962, including the State's net share of reimbursement together with the net balance remaining, after full payment of sums due the Federal Government of all funds recovered under R. S. 44:7–14 during the fiscal year ended June 30, 1962, are hereby appropriated and, in addition thereto, all such funds recovered under R. S. 44:7–14 during the fiscal year ending June 30, 1963, are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

715-105. *Dependent Children Assistance—State Aid*

For the purpose of making payments for the State's share of cost of assistance for dependent children (chapter 86, P. L. 1959) $13,200,000 00

The unexpended balances in this account as of June 30, 1962, 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 ended June 30, 1962, are hereby appropriated and, in addition thereto, all such funds recovered under section 4 of chapter 86, P. L. 1959 during the fiscal year ending June 30, 1963 are hereby appropriated.

The sums hereinabove appropriated shall be available for the payment of bills applicable to prior fiscal years.

717-101. *Child Care—State Aid*

For the purpose of making payments for the State's share of child care costs of children under the care of the Board of Child Welfare (chapter 5 of Title 30 of the Revised Statutes) $2,425,000 00

The unexpended balance remaining in this account as of June 30, 1962 is hereby appropriated.

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

770-101. *County Mental Hospitals—State Aid*

For the support of patients in county mental hospitals pursuant to Revised Statutes, section 30:4–78:

Atlantic	$210,000 00
Burlington	160,000 00
Camden	530,000 00
Cumberland	100,000 00
Essex	3,000,000 00
Hudson	1,300,000 00
	$5,300,000 00

The unexpended balance in this account as of June 30, 1962, is hereby appropriated.

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

770-110. *County Tuberculosis Hospitals—State Aid*

For the support of patients in county tuberculosis hospitals pursuant to subdivision C, article 4, chapter 9 of Title 30 of the Revised Statutes:

Atlantic	$11,500 00
Bergen	19,000 00
Camden	20,000 00
Essex	100,000 00
Hudson	49,000 00

Mercer	8,000 00	
Middlesex	16,000 00	
Monmouth	17,000 00	
Ocean	1,500 00	
Passaic	20,000 00	
Union	38,000 00	
		$300,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

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

770-140. *Community Mental Health Services—State Aid*

For the establishment, development, improvement and expansion of community mental health services $1,136,200 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

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 shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Total Appropriation, Department of Institutions and Agencies $36,436,200 00

871-100. THE JUDICIARY—STATE AID

For amounts to be refunded to various counties for the State's share of salaries of court reporters appointed by the Supreme Court, pursuant to N. J. S. 2A:11 et seq.	$800,000 00	
For the amount to be refunded to counties for the State's share of court reporter pensions, pursuant to R. S. 43:6–13.1	834 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	550,000 00	
Reimbursement to counties for the cost of county court judges temporarily assigned to the Superior Court outside their counties, pursuant to chapter 3, laws of 1955	35,000 00	
Total Appropriation, The Judiciary		$1,385,834 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

The amount appropriated hereinabove to the Judiciary shall be available for any deficiency in this account as of June 30, 1962.

Total Appropriation, State Aid $217,391,838 00

CAPITAL CONSTRUCTION

Capital Construction.

DEPARTMENT OF LAW AND PUBLIC SAFETY

120-100. *Division of State Police*

Capital Construction—		
Barracks at Netcong..	$150,000 00	
Air Conditioning — Identification building	40,000 00	
Roads and approaches	10,000 00	
		$200,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

140-100. *Division of Motor Vehicles*

Capital Construction—

For an additional inspection lane at Westfield, including not more than $8,500.00 for the purchase of land adjacent to the present lane; provided, however, that so much as may be necessary of the sum appropriated for the cost

of such land may be made available for transfer for rent in lieu of purchase thereof	$28,000 00	
Roads and approaches	18,000 00	
		$46,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

150-100. *Division of Weights and Measures*

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Total Appropriation, Department of Law and Public Safety $246,000 00

DEPARTMENT OF THE TREASURY

210-100. *Administrative Division*

To the State Treasurer, so much as may be necessary of the sum received from the Teachers' Pension and Annuity Fund from the sale to the fund of land owned by the State on which a central office building for the State Department of Education is authorized pursuant to P. L. 1960, c. 6, and on which a State Cultural Center is authorized pursuant to P. L. 1960, c. 162, is hereby appropriated for the purpose of acquiring lands in the John Fitch Way tract

that may be required for construction of the Health-Agriculture Building authorized pursuant to P. L. 1960, c. 44.		

230-100. *Division of Purchase and Property*

For the purchase of land in the John Fitch Way Redevelopment Project in the City of Trenton, subject to the provisions of Chapter 5, P. L. 1959	$500,000 00	
Electrical Distribution— State House	239,000 00	
Total Appropriation, Department of the Treasury		$739,000 00

The unexpended balances in these accounts as of June 30, 1962 are hereby appropriated.

DEPARTMENT OF DEFENSE

342-100. *National Guard and/or State Guard*

Capital Construction:		
Purchase of leased facility adjacent to Newark Cavalry Armory	$25,000 00	
Rehabilitation — West Orange Armory ...	81,250 00	
Roads and approaches	52,000 00	
Total Appropriation, Department of Defense		$158,250 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated and any additional Federal Aid made available by the Congress for capital construction purposes is hereby appropriated for use by the Department of Defense.

Funds derived from the sale of any buildings or lands held by the Department of Defense are hereby appropriated for the acquisition of other lands, for rehabilitation or improvement of existing installations and for the construction of new buildings for use by the State Military or Naval Services; provided, however, that allotment of such funds for expenditure shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

DEPARTMENT OF PUBLIC UTILITIES

350-100. *Grade Crossing Elimination*

Capital Construction:	
For the public share of the cost to eliminate grade crossings and for other projects, pursuant to Chapter 153, P. L. 1960	$2,000,000 00
Total Appropriation, Department of Public Utilities	$2,000,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated for the same purposes for which the appropriation was made during the fiscal year ended that date.

DEPARTMENT OF LABOR AND INDUSTRY

395-100. *Office Building*

Capital Construction:
The unexpended balance as of June 30, 1962 in the account for construction of a Department of Labor and Industry Office Building is hereby appropriated.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

420-100. *Division of Resource Development*

Capital Construction:		
Forests, parks and recreational area development	$250,000 00	
Roads and approaches	100,000 00	
		$350,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

420-402. *Morris Canal and Banking Company*

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

450-400. *Division of Fish and Game*

(Payable out of Hunters' and Anglers' License Fund)

Capital Construction:	
Pequest Hatchery	$80,000 00

451-400. *Public Shooting and Fishing Grounds*

(Payable out of Public Shooting and Fishing Grounds Fund)

Capital Construction:	
Land	$230,000 00
Total Appropriation, Department of Conservation and Economic Development ..	$660,000 00

DEPARTMENT OF EDUCATION

500-101, 102. *Redemption of Bonds*

Redemption of State Teachers College Construction Bonds—Act of 1951	$1,075,000 00	
Redemption of State Higher Education Bonds—Act of 1959 ..	2,000,000 00	
		$3,075,000 00

512-900. *State Higher Education Fund*

The earnings derived from the investment or reinvestment of the proceeds of the sale of bonds received in the State Higher Education Fund as provided under Section 2 of Chapter 176 of the Laws of 1959, not to exceed so much thereof as may be necessary for architectural inspection and supervising services, are hereby appropriated in connection with the State Higher Edu-

cation Program; 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.

The unexpended balance in the State Higher Education Fund is hereby appropriated for the purposes defined in Chapter 176, P. L. 1959 and the sums appropriated therein for Rutgers, The State University, shall be available for the repair of road damage on College Avenue, New Brunswick which may have been caused by construction of facilities authorized by said act.

560-100. *State School for the Deaf*

Capital Construction:		
Roads and approaches	$15,000 00	
Residence — Upper school boys	700,000 00	
		$715,000 00

570-100, 571-100, 572-100. *Rutgers University, The State University of New Jersey*

Classroom building, Douglass College ...	$1,750,000 00	
Science facilities—Newark Arts and Science .	220,000 00	
Nuclear Science Research building	700,000 00	
Roads and approaches .	25,000 00	
		$2,695,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated; provided, however, that the sum heretofore appropriated for the cost of re-establishing the turkey-pigeon research center at or near the Agricultural Experiment Station in New Brunswick is hereby appropriated subject to the enactment of enabling legislation.

594-100. *State College Construction*

Roads and approaches $150,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

Total Appropriation, Department of Education $6,635,000 00

STATE HIGHWAY DEPARTMENT

611-100. *Roads and Approaches*

Highway Department installations .. $50,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

612-100. *Construction of State Highway System*

Operating Costs—Construction and Right-of-Way Division

Salaries:		
Other employees	$5,900,705 00	
New positions	493,951 00	
Wages of labor	50,000 00	
		$6,444,656 00
Materials and Supplies:		
Fuel and utilities	$6,850 00	
Office	25,000 00	
Printing	50,000 00	
Vehicular	600 00	
Household and security	400 00	
Clothing	400 00	
Scientific	1,500 00	
		84,750 00
Services Other Than Personal:		
Travel	$200,000 00	
Telephone	60,000 00	
Insurance—Fire	1,925 00	
Insurance—Other	565 00	
Household	2,000 00	
Advertising	9,000 00	
Subscriptions and memberships	1,200 00	
Postage	11,000 00	
Rent — Equipment, Data processing	1,500 00	
Rent—All other	1,000 00	
All other	300 00	
		288,490 00
Maintenance of Property:		
State roads	$7,645 00	
Office equipment	3,000 00	

Scientific equipment .	2,400 00	
All other equipment ..	275 00	
Office equipment—Special	8,750 00	
Scientific equipment—Special	3,500 00	
		25,570 00
Extraordinary:		
Compensation awards	$5,000 00	
Intra - Departmental equipment rentals and supplies	200,000 00	
		205,000 00
Additions and Improvements:		
Office equipment	$15,000 00	
Scientific equipment .	3,500 00	
		18,500 00
		$7,066,966 00
Less: Portion of Federal Aid receivable which is applicable to engineering costs		—1,600,000 00
		$5,466,966 00
State Highway Projects—		
Federal aid participation $23,020,914 00		
Non - Federal aid participation ... 12,000,000 00		
		$35,020,914 00
Total Appropriation, Construction of State Highway System		$40,487,880 00

The unexpended balances in these accounts as of June 30, 1962 are hereby appropriated.

In addition to the amounts hereinabove appropriated for the construction of the State highway system, there are hereby appropriated such sums as may be received or receivable from, or authorized or allocated by the Federal Government, the New Jersey Turnpike Authority, the New Jersey Highway Authority, the Delaware River Joint Toll Bridge Commission, the Delaware River Authority, the Port of New York Authority and local government jurisdictions, for construction purposes.

The amount provided herein for construction of the State highway system and the purchase of rights-of-way shall be set forth in a construction program, by route numbers, by the State Highway Commissioner and shall not be expended or contracted for without the approval of the Governor.

612-101. *Redemption of Bonds*

Redemption of Highway Improvement Bonds, Act of 1930	$2,240,000 00

612-120. *Other Capital Construction*

New Buildings and Lands—		
Merchantville area garage	$10,000 00	
Storage and work shop—Fernwood ..	30,000 00	
Three maintenance headquarters buildings—existing highway system	140,000 00	
For acquisition of land for maintenance yards	50,000 00	
For acquisition of land and for maintenance headquarters buildings—New Federal Inter-State highway system	213,000 00	
District headquarters and general service building—Netcong .	155,000 00	
Maintenance yard salt storage buildings ..	25,000 00	
Maintenance yard storage buildings ..	72,000 00	
		$695,000 00

The unexpended balance in this account as of June 30, 1962 is hereby appropriated.

615-100. *Flood Damage—Free Bridges*

The unexpended balance as of June 30, 1962 in the account appropriated by chapter 228, laws of 1955 to the Highway Department for construction, reconstruction and repair

of the flood-damaged free bridges under the control of the Delaware River Joint Toll Bridge Commission is hereby appropriated for the construction and reconstruction of free bridges and approaches under the control of said commission.

621-100. *Flood Damage—County and Municipal Roads and Bridges*

The unexpended balance as of June 30, 1962 in the account appropriated by chapter 228, laws of 1955 to the Highway Department for construction, reconstruction and repair of county and municipal roads and bridges damaged by flood is hereby appropriated.

630-100. *Grade Crossing Elimination Project*

The unexpended balance in the account for grade crossing elimination on the Camden-Kirkwood line as of June 30, 1962 is hereby appropriated.

Total Appropriation, State Highway Department ..$43,472,880 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES

700-100. *Extraordinary Capital*

738-100.	State Reformatory, Annandale — Electrical improvements	$205,000 00

740-100. State Home for Boys, Jamesburg—	
Well	33,000 00
762-100. Vineland State School—	
Replace floors	35,000 00
Elevator - Giles Building	45,000 00
763-100. North Jersey Training School, Totowa—	
Replace roofs	27,000 00
Replace steam lines	76,475 00
764-100. State Colony, Woodbine—	
Floor covering	30,186 00
765-100. State Colony, New Lisbon—	
Convert laundry to storeroom	29,221 00
Generator	55,750 00
777-100. State Hospital, Greystone Park—	
Water system improvements	107,500 00
Electrical improvements	37,000 00
779-100. State Hospital, Trenton—	
Vroom building improvements	35,000 00
Replace elevator— Dix	100,000 00
Electric service improvements	300,000 00
781-100. State Hospital, Marlboro—	
Patient cottage renovations	88,000 00

794-100. State Sanatorium for Chest Diseases, Glen Gardner—		
Power house improvements	30,000 00	
		$1,234,132 00

700-106. *Roads and Approaches*

Roads and approaches	$75,000 00

700-110. *Redemption of Bonds*

Redemption of Institution Construction Bonds—Act of 1930 .	$430,000 00	
Redemption of Institution Construction Bonds—Act of 1952 .	1,785,000 00	
Redemption of Institution Construction Bonds—Act of 1949..	1,785,000 00	
		$4,000,000 00
Total Appropriation, Department of Institutions and Agencies		$5,309,132 00

The unexpended balances remaining in the capital construction accounts of this department as of June 30, 1962 are hereby appropriated.

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; 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.

The unexpended balances in the State Institution Construction Funds as of June 30, 1962 are hereby appropriated.

813-100. New Jersey Tercentenary Commission

Capital Construction:	
World's Fair Exhibit	$500,000 00
Total Appropriation, New Jersey Tercentenary Commission	$500,000 00

Private funds received for construction of or use in the World's Fair Exhibit are hereby appropriated.

Total Appropriation, Capital Construction	$59,720,262 00
Grand Total Appropriation.	$499,401,711 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, extraordinary snow removal and extraordinary highway maintenance; and provided further, that any item for capital improvement may be transferred to any other item of capital improvement on the approval of the Director of the Division of Budget and Accounting.

Transfers to other departments or 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 payment 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 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 a request therefor, and the money thus allotted shall be disbursed by such custodian who shall require from all persons obtaining money from said fund a receipt therefor. Such receipts shall by such custodian be forwarded monthly to the Director of the Division of Budget and Accounting for audit, and said Director shall likewise make regulations governing disbursements from petty cash funds.

Transfers from special 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.

Payment of claims; limitation.

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.

Certain unexpended balances appropriated.

11. There are hereby appropriated the unexpended balances as of June 30, 1962 in the accounts of the several departments and agencies heretofore appropriated or established in the categories of Maintenance of Property—Special and Additions and Improvements with the exception of office and vehicular equipment.

Act effective.

12. This act shall take effect July 1, 1962.

Approved June 12, 1962.

CHAPTER 80

AN ACT to amend "An act concerning assistance for dependent children, supplementing Title 44 of the Revised Statutes and repealing certain statutes relating thereto," approved June 11, 1959 (P. L. 1959, c. 86).

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

Section amended.

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

C. 44:10-4. Repayment of assistance; claim against minors' estates; compromise and settlement of claims.

4. (a) Whenever any parent or relative with whom a child is living applies for or is receiving assistance for such child pursuant to this act, and it appears that there is pending a payment to the child or to either or both his parents of funds arising from a claim or interest legally or equitably owned by such child or by either or both his parents, the

county welfare board may, as a condition of eligibility or continuation of eligibility for such assistance, require such parent or parents to execute a written promise to repay, from the funds anticipated, the amount of assistance to be granted. Upon any refusal to make repayment in accordance with such promise, the county welfare board may take all necessary and proper action under the laws of this State to enforce such promise, and the granting or continuing of assistance, as the case may be, shall be deemed due consideration therefor.

(b) Whenever any child with respect to whom assistance has been paid pursuant to this act shall die prior to the attainment of his twenty-first birthday, and shall leave an estate, the total amount of assistance paid with respect to such child pursuant to this act and pursuant to any of the acts hereby repealed, shall be a valid and enforceable claim against such estate, with priority over all other unsecured claims except reasonable funeral expenses and terminal medical and hospital expenses, and the county welfare board shall take all necessary and proper action under the laws of this State to enforce such claim.

(c) The county welfare board may, with the consent and approval of the bureau of assistance, compromise and settle any claim for repayment of assistance granted under this act.

(d) The bureau of assistance shall determine and cause to be made such financial adjustments as are necessary to maintain a correct proportional participation in such repayments as among the counties, State and Federal Government, and shall pay to the Treasurer of the United States the determined Federal portion.

2. This act shall take effect immediately.

Approved June 14, 1962.

CHAPTER 81

AN ACT requiring the licensing and bonding of agents, brokers, commission merchants and dealers receiving, buying or negotiating the sale of certain agricultural commodities and amending sections 4:11–15, 4:11–19, 4:11–20, 4:11–21, 4:11–22, 4:11–26 and 4:11–32 of the Revised Statutes.

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

Section amended.

1. Section 4:11–15 of the Revised Statutes is amended to read as follows:

Terms defined.

4:11–15. Definitions. As used in this article: "Agent" means any person receiving, buying, soliciting or negotiating the sale of any perishable agricultural commodity or hay, straw or grain or any one or more of them from the grower thereof for or on behalf of any commission merchant, dealer or broker.

"Agricultural commodity" means any perishable agricultural commodity or hay, straw or grain or any one or more of them, as the case may be.

"Broker" means any person engaged in the business of soliciting or negotiating the sale of any perishable agricultural commodity or hay, straw or grain or any one or more of them on behalf of the grower.

"Commission merchant" means any person engaged in the business of soliciting or receiving any perishable agricultural commodity for sale on commission on behalf of the grower thereof.

"Dealer" means any person engaged in the business of buying any agricultural commodity from the grower thereof for the purpose of shipping or for sale, resale or manufacture.

"Eggs" means avian eggs of the kind produced and used for human food including the eggs of

chickens, turkeys, ducks, geese and guineas, but not those sold or resold for purposes of laboratory or biological uses.

"Grower" means any person engaged in the business of growing or producing any agricultural commodity in this State, or any agricultural co-operative association organized pursuant to the provisions of chapter 13 of this Title (§ 4:13–1 et seq.).

"Perishable agricultural commodity" means any fruit or vegetable of every kind, including those frozen or packed in ice, and any poultry product.

"Poultry product" means live poultry and eggs as defined in this act, when purchased in wholesale quantities from a grower, or his agent, or a marketing association for sale or resale for human consumption or hatching purposes.

"Poultry" means domestic fowl, including all marketing classifications of chickens, turkeys, ducks, geese and guineas, not sold for show or breeding purposes.

"Secretary" means the Secretary of Agriculture.

Section amended.

2. Section 4:11–19 of the Revised Statutes is amended to read as follows:

Application for license; fee; contents of application.

4:11–19. A person before engaging in such business shall on or before April 1 of each year, file an application with the secretary, on a form prescribed by him, and pay a $5.00 license fee, for a license to transact such business.

The application shall state the nature of the business, the kinds of agricultural commodities which the applicant proposes to handle and if they be perishable agricultural commodities then the kinds of perishable agricultural commodities which the applicant proposes to handle, the full name of the person applying for the license, and if the applicant be a firm, association, partnership, or corporation, the full name of each member of the firm, partnership or association, or officers of the corporation, and the name of the local agent of the person, firm, association, partnership or corporation, the municipality and street address, if any, or post-office address, where the business is to be conducted, and such other facts as the secretary shall prescribe.

The applicant shall satisfy the secretary of his character, financial responsibility and good faith in seeking to engage in the business.

Section amended.

3. Section 4:11–20 of the Revised Statutes is amended to read as follows:

Bond accompanying application; securities in lieu of application; additional bonds; distribution of proceeds.

4:11–20. A license shall not be issued unless and until the applicant has filed a good and sufficient surety bond executed in favor of the secretary in his official capacity, for the benefit of all growers with whom the applicant shall transact business, by a surety company duly authorized to transact business in this State in the sum of at least $3,000.00, conditioned for the payment of all moneys due and owing by the licensee to such grower or growers during the period that the license is in force. The bond shall be executed upon a form prescribed by the secretary and shall be subject to his approval as to form and sufficiency. The applicant may in lieu of the bond deposit with the secretary United States Government securities in an amount equal to the sum secured by the bond required to be filed as herein provided. Such securities so deposited with the secretary shall constitute a separate fund and shall be held in trust for and applied exclusively to the payment of claims arising under the provisions of this article against the licensee making such deposit for the period for which such license is issued. All proceeds from surety bonds, money or securities shall be distributed to the grower-creditors by the secretary.

The secretary may require a licensee to file an additional bond, to be executed as provided in this section, in the sum to be determined by the secretary, but the maximum amount of the bond shall not exceed $25,000.00.

Section amended.

4. Section 4:11–21 of the Revised Statutes is amended to read as follows:

License issued; expiration.

4:11–21. Upon the filing and approval of the application and bond or securities, as the case may be, the secretary shall thereupon issue to the applicant or his agent a license entitling the applicant or the agent to conduct the business of receiving,

buying, soliciting or negotiating the sale of perishable agricultural or other agricultural commodities on behalf of the grower, of the kind or kinds, and at the place named in the application, which license shall expire on April 30 next following its date of issuance.

Section amended.

5. Section 4:11–22 of the Revised Statutes is amended to read as follows:

Designation and licensing of agent.

4:11–22. No agent shall receive, buy, solicit or negotiate the sale of any agricultural commodity in this State on behalf of any commission merchant, dealer or broker unless such agent has been designated by a duly licensed commission merchant, dealer or broker to so act and unless such commission merchant, dealer or broker has notified the secretary in his application for license or given notice in writing of such designation and has requested the secretary to issue to the agent an agent's license.

Section amended.

6. Section 4:11–26 of the Revised Statutes is amended to read as follows:

Grounds for refusing or revoking license.

4:11–26. The secretary may refuse to grant or may revoke a license for the following causes:

a. Where the licensee has made a general assignment for the benefit of creditors or has been adjudged a bankrupt or is insolvent or where a money judgment has been secured against him, upon which an execution has been returned unsatisfied;

b. Where there has been a failure to account for or make prompt settlement for any agricultural commodities received, bought, solicited or negotiated;

c. Where any false statement has been made as to condition, quality or quantity of agricultural commodities received or bought or where the sales were negotiated or held for sale on commission when the same might have been known on reasonable inspection;

d. Where there has been a continual course of dealings of such a nature as to satisfy the secretary of the inability or unwillingness of the licensee, or his agent, to properly conduct the business of re-

ceiving, buying, soliciting or negotiating the sale of agricultural commodities on behalf of the grower thereof;

e. Where the licensee has been duly required to file an additional bond and has failed to do so;

f. Where there has been a continued and persistent failure to keep the records required by the secretary or by law; or where there has been a refusal on the part of the licensee to produce books, accounts or records of transactions in carrying on the business for which such license is granted.

Section amended.

7. Section 4:11–32 of the Revised Statutes is amended to read as follows:

Carrying and exhibiting agent's license.

4:11–32. The licensee and each of his agents shall at all times when receiving, buying, soliciting or negotiating the sale of agricultural commodities carry an agent's license which shall be exhibited to growers or to the officers of any agricultural cooperative association which deals only with its members and organized pursuant to the provisions of chapter 13 of this Title (§ 4:13–1 et seq.) when negotiating business with them, or to the secretary or assistant whom he may designate, upon request.

NOTE: Act effective.

8. This act shall take effect immediately but shall remain inoperative for 60 days thereafter.

Approved June 18, 1962.

CHAPTER 82

AN ACT concerning fireworks, and amending section 21:3–2 of the Revised Statutes.

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

Section amended.

1. Section 21:3–2 of the Revised Statutes is amended to read as follows:

Sale, possession or use prohibited; exception.

21:3–2. It shall be unlawful for any person to offer for sale, expose for sale, sell, possess or use,

or explode any blank cartridge, toy pistol, toy cannon, toy cane or toy gun in which explosives are used; the type of balloon which requires fire underneath to propel the same; firecrackers; torpedoes; skyrockets, Roman candles, bombs, sparklers or other fireworks of like construction, or any fireworks containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, other than aviation and railroad signal light flares, except (a) that it shall be lawful for any person to offer for sale, expose for sale, sell, possess or use, or explode any toy pistol, toy cane, toy gun, or other device in which paper caps containing .25 grain or less of explosive compound per cap are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper caps which contain less than .20 grain of explosive mixture per cap and (b) as in this chapter further provided.

2. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 83

AN ACT concerning bastardy proceedings, and amending sections 9:17–1, 9:17–2, 9:17–20, 9:17–28, 9:17–29, 9:17–32, and 9:17–35 of the Revised Statutes.

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

Section amended.

1. Section 9:17–1 of the Revised Statutes is amended to read as follows:

Terms defined.

9:17–1. As used in this chapter:

"Municipality" means city, town, township, village, borough and any municipality governed by a board of commissioners or improvement commission;

"Court" means and includes county district courts, juveniles and domestic relations courts and municipal courts, and all proceedings directed or authorized by this chapter shall be had in such courts.

"State Board of Child Welfare" means the State agency for the care, custody, guardianship, maintenance and protection of children, otherwise designated by the laws of this State as the State Board of Child Welfare or the State Board of Children's Guardians.

"County welfare board" means the boards of that designation established within the several counties as provided in Revised Statutes, Title 44, chapter 7.

Section amended.

2. Section 9:17–2 of the Revised Statutes is amended to read as follows:

Bastardy proceedings; who may institute; not condition precedent nor deterrent to relief.

9:17–2. If a woman is delivered of an illegitimate child or declares herself to be pregnant of a child likely to be born illegitimate, which is or is likely to become a public charge, a duly authorized representative of the State Board of Child Welfare, the county welfare board or a director of welfare of the

municipality where the woman is, or of the municipality wherein she has a legal settlement, may institute a bastardy proceeding before a court in the same county wherein the woman is; provided, however, that the initiation of proceedings under this chapter shall in no wise be deemed a condition precedent nor a deterrent to the granting of assistance or relief under any law of this State to persons otherwise eligible therefor.

Section amended.

3. Section 9:17–20 of the Revised Statutes is amended to read as follows:

Appeal; trial before jury.

9:17–20. Any person charged as the reputed father of an illegitimate child or of a child likely to be born illegitimate or the State Board of Child Welfare or the county welfare board or any municipality aggrieved by the finding or order of the court may appeal to the County Court. Upon request of either party the appeal shall be tried before a jury.

Section amended.

4. Section 9:17–28 of the Revised Statutes is amended to read as follows:

Seizure of property of absconding parents; application and warrant.

9:17–28. If the reputed father or the mother of an illegitimate child absconds leaving the child a charge upon the State, county or the municipality where he was born or legally settled, although such father or mother has estate sufficient to support the child and discharge the State, county or municipality, the State Board of Child Welfare, the county welfare board or the director of welfare of such municipality may apply to any court in the county where the estate of the reputed father or mother, real or personal, or any part thereof, is situate, for a warrant, which court is hereby authorized and required to issue the same, to seize and take the goods and chattels and let out and receive the annual rentals and profits of the real estate of such father or mother so absconding for and towards the sustenance, rearing, and education of such child.

5. Section 9:17–29 of the Revised Statutes is amended to read as follows:

Sale of goods and chattels; application of money received.

9:17–29. The State Board of Child Welfare, the county welfare board or the director of welfare of

such municipality may, from time to time, and as often as the case may require, sell and dispose of so much of the goods and chattels at public sale to the highest bidder, and receive the rents and profits of the real estate, or so much thereof as shall be ordered by the court. The money thereby arising shall be applied towards the sustenance, rearing and education of the child and the State Board of Child Welfare, the county welfare board or the director of welfare shall be accountable therefor to the County Court.

Section amended.

6. Section 9:17–32 of the Revised Statutes is amended to read as follows:

Inquiry into qualifications of sureties; new bond.

9:17–32. After a bond has been entered for the performance of an order of filiation, the State Board of Child Welfare, the county welfare board or the director of welfare of a municipality upon which an illegitimate child is or may become chargeable may apply to the County Court of the county wherein such bond is recorded to inquire into the qualifications of the surety or sureties upon the bond.

If the surety or sureties have died, or are not then satisfactory to the court, it may, upon such notice as it may deem proper, order a new bond to be given with good and sufficient surety or sureties and conditions similar to the bond replaced.

When a new bond is so given, the bond replaced shall no longer secure future payments but shall remain valid as to any arrears in payments up to the time the new bond is executed.

Section amended.

7. Section 9:17–35 of the Revised Statutes is amended to read as follows:

Recommitment of father discharged as indigent; bond; discharge.

9:17–35. When a person has, because of inability to secure a bond or comply with the order of filiation, been discharged from imprisonment and has become able to secure the bond or comply with the order, the court may on application of the State Board of Child Welfare, the county welfare board or the director of welfare of a municipality interested in the order, and at least 3 days' written notice to such person, served personnally or left at his

place of abode, inquire into the circumstances and ability of the father.

If it appears that the father has become able to secure the bond, or to comply with the order of filiation, the court may commit the father to the common jail or penitentiary of the county, there to remain until he secures the bond and complies with the order and pays all costs, or is discharged in the manner provided in section 9:17–34 of this Title.

8. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 84

AN ACT concerning the practice of medicine and amending section 45:9–16 of the Revised Statutes.

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

1. Section 45:9–16 of the Revised Statutes is amended to read as follows: Section amended.

45:9–16. The board may refuse to grant or may suspend or revoke a license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature, upon proof to the satisfaction of the board that the holder of such license (a) has been adjudicated insane, or (b) habitually uses intoxicants, or (c) has practiced criminal abortion, or been convicted of the crime of criminal abortion, or has been convicted of crime involving moral turpitude, or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging the commission of the crime of criminal abortion or of crime involving moral turpitude, or (d) has advertised fraudulently, (e) becomes em- Grounds for refusal to grant, suspend or revoke license or registration certificate or diploma; procedure; relicense.

ployed by any physician, surgeon, homeopath, eclectic, osteopath, chiropractor, or doctor who advertises fraudulently, or (f) shall have presented to the board any diploma, license or certificate that shall have been illegally obtained or shall have been signed or issued unlawfully or under fraudulent representations, or obtains or shall have obtained a license to practice in this State through fraud of any kind, or (g) has been guilty of employing unlicensed persons to perform work which, under this chapter (45:9–1, et seq.) can legally be done only by persons licensed to practice medicine and surgery or chiropractic in this State, or (h) has been guilty of gross malpractice or gross neglect in the practice of medicine which has endangered the health or life of any person. The board shall refuse to grant or shall suspend or revoke any such license or the registration of any such certificate or diploma upon proof to the satisfaction of the board that the applicant for, or holder of, such license habitually uses drugs or has been convicted of a violation of or has pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging a violation of any Federal or State law relating to narcotic drugs. Before any license, or registration of a certificate or diploma to practice medicine or surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked, except in the case of convictions of criminal abortions or convictions of crime involving moral turpitude or plea of nolo contendere, non vult contendere or non vult to indictment, information, or complaint alleging commission of the crime of criminal abortion or crime involving moral turpitude, or convictions of violations of or pleas of nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging violations of any Federal or State law relating to narcotic drugs, the accused person shall be furnished with a copy of the complaint and be given a hearing before said board in person or by

attorney, and any person whose license shall be suspended or revoked in accordance with this section shall be deemed an unlicensed person during the period of such suspension or revocation, and as such shall be subject to the penalties hereinafter prescribed for persons who practice medicine and surgery or chiropractic, without first having obtained a license so to do. Any person whose license, or registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk of this State under any act of the Legislature, shall be suspended or revoked under the authority of this chapter (45:9–1, et seq.) may, in the discretion of the board be relicensed at any time to practice without an examination, or have his registration of a certificate or diploma, as aforesaid, reinstated, on application being made to the board.

The record of conviction or the record of entry of a plea of nolo contendere, non vult contendere or non vult in any of the courts of this State, or any other State of the United States, or any of the courts of the United States, or the court of any foreign nation, shall be sufficient warrant for the board to refuse to grant or to suspend or revoke the license or the registration of a certificate or diploma to practice medicine and surgery or chiropractic filed in the office of any county clerk in this State under any act of the Legislature.

2. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 85

AN ACT concerning challenges to voters and amending section 19:15–21 of the Revised Statutes.

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

Section amended.

1. Section 19:15–21 of the Revised Statutes is amended to read as follows:

Challenge on grounds of disqualification; oath.

19:15–21. If a person shall be challenged as not qualified or entitled to vote, the judge may forthwith tender to him an oath or affirmation, in the following form:

"You do swear (or affirm, as the case may be), that you are a citizen of the United States; that you have resided in this State 6 months, and in this county 60 days next before this election, and not elsewhere; that you are now a resident in this election district; that, as far as you know and verily believe, you are 21 years of age, and in all respects qualified to vote in this election, in this election district, and that you have not voted elsewhere in this election," and if the person so challenged shall refuse to take the oath or affirmation so tendered to him, he shall be deemed not to be qualified or entitled to vote.

2. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 86

AN ACT concerning municipalities and amending section 40:60–25, 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:*

1. Section 40:60–25 of the Revised Statutes is amended to read as follows: Section amended.

40:60–25. The governing body may acquire by lease, gift, purchase or condemnation, or erect, maintain and equip such building or buildings as may be suitable for use as a museum of arts and sciences, or as community centers, or as cultural centers, or for public exhibitions, lectures and assemblages, and may conduct such museums, community centers, cultural centers, lectures and public exhibitions, and may also allow the use of such buildings for public assemblages with or without charge being made therefor. Buildings for museum, community center, cultural centers, exhibitions, etc.; federal aid.

In furtherance of any project for the development and maintenance of a community center, or where such community centers are established in furtherance of national defense activities, the governing body is authorized and empowered, without regard to the provisions of any other law, to apply for and receive from the government of the United States or any agency thereof, grants, subsidies and appropriations for the construction and maintenance of such community centers, or for the maintenance of community centers heretofore established.

2. The governing body of any city of the first class may lease any cultural center to a nonprofit corporation organized pursuant to Title 15 of the Revised Statutes, Corporations and Associations not for Profit, to conduct such center. Any such lease (a) shall be for a term not exceeding 50 years; (b) shall provide for a term rental, payable C. 40:60-49.1. Lease of cultural center; provisions of lease; tax exempt.

in such installments as may be agreed upon, at least equal to the acquisition cost of the leased premises if acquired by the governing body within the 5-year period next preceding the making of such lease, or at least equal to the appraised value of the leased premises if acquired more than 5 years prior to the making of the lease; (c) shall limit the primary use of the leased premises to purposes of a cultural center, with provision for the subletting or licensing of space not adapted to or required for such primary use; (d) shall provide that the leased premises shall be available generally to the public, upon reasonable terms and conditions, and that the lessee shall not discriminate in the use of the property on the grounds of race, color, creed, religion or ancestry; and (e) shall make such other provisions respecting the leased premises and the conditions of letting as the governing body may prescribe, including the grant of a purchase option or options.

Notwithstanding the provision of any law governing the taxation of leasehold interests in exempt real property, the leasehold estate of any lessee or sublessee or other lawful tenant or occupant of the premises constituting all or part of a cultural center so leased shall be exempt from taxation by any municipality or county or by the State and its political divisions.

3. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 87

AN ACT authorizing an exemption from taxation of certain structures designed and equipped as blast or radiation fallout shelters and supplementing chapter 4 of Title 54 of the Revised Statutes.

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

C. 54:4-3.48. Fallout shelter tax exempt; limitation.

1. The value of any blast or radiation fallout shelter erected upon real property occupied for residential purposes by not more than 2 families, to the extent that it has enhanced the value of such property, shall be exempt from taxation, provided, however, that such exemption shall not exceed $1,000.00 of the assessed value of such property based at 100% of true value.

C. 54:4-3.49. Term defined.

2. For the purposes of this act a "blast or radiation fallout shelter" is a structure erected within or without another building and designed and equipped, in compliance with standards to be established by the State Department of Defense, for temporary occupancy by human beings to minimize exposure to nuclear explosion of radioactive fallout resulting from nuclear explosion.

C. 54:4-3.50. Application for exemption; inspection.

3. Initial application for a tax exemption under this act shall be filed by the taxpayer with the assessor of the taxing district on or before October 1 of the pretax year on a form to be prescribed by the Director of the Division of Taxation and supplied by the assessor. The application shall contain an authorization to the assessor, or his authorized representative, to enter upon the premises to make periodic inspection of the blast or radiation fallout shelter.

C. 54:4-3.51. Tax exemption continued.

4. A tax exemption granted pursuant to this act shall be continued in favor of the applicant from year to year without further application so long as the blast or radiation fallout shelter, as defined in section 2, is maintained.

5. This act shall take effect immediately.

Approved June 18, 1962.

CHAPTER 88

AN ACT making an appropriation to Rutgers, The State University for research and demonstration in the culture of cranberries and blueberries by the Agricultural Experiment Station.

WHEREAS, The State Department of Conservation and Economic Development has made available to the Agricultural Experiment Station at Rutgers, The State University a tract of land situated in the township of Washington, county of Burlington, suitable for research and demonstration in the culture of cranberries and blueberries; and

WHEREAS, New Jersey is the nation's largest producer of cultivated blueberries and is one of only 4 States which produce cranberries and these crops are important sources of agricultural income; and

WHEREAS, Funds are needed for such research.

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

Appropriation.

1. The sum of $50,000.00 is hereby appropriated out of the General Treasury to Rutgers, The State University for research and demonstration in the culture of cranberries and blueberries by the Agricultural Experiment Station and the development of a site for such research upon lands owned by the State of New Jersey and under the control of the Department of Conservation and Economic Development in the township of Washington and county of Burlington.

2. This act shall take effect immediately.

Approved June 21, 1962.

CHAPTER 89

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, 1962, and regulating the disbursement thereof," approved June 1, 1961 (P. L. 1961, c. 38).

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

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

GENERAL STATE OPERATIONS

EXECUTIVE

DEPARTMENT OF LABOR AND INDUSTRY

Labor and Industry.

391-400. *Disability Insurance Service*

There are hereby appropriated out of the State Disability Benefits Fund Administration Account, in addition to the amounts specifically set forth in P. L. 1961, c. 38, such additional sums not to exceed $100,000.00 as may be required to administer the Disability Insurance Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

DEPARTMENT OF THE TREASURY

Pensions; social security.

841-100. *Pensions, Contributions to State Pension Funds, Group Life Insurance and Social Security Taxes*

Supplemental requirement for employer's share of social security taxes for 1961-62	$627,000 00

STATE AID

DEPARTMENT OF THE TREASURY

Tax boards.

241-100. *County Boards of Taxation*

Supplemental requirement for fiscal year 1961-62 pursuant to P. L. 1961, c. 132	$35,000 00

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Veterans services.

460-100. *Division of Veterans' Services*

Supplemental requirement for fiscal year 1961-62	$60,000 00

DEPARTMENT OF INSTITUTIONS AND AGENCIES

Institutions and agencies.

715-103. *General Assistance*

Supplemental requirement for fiscal year 1960-61	$440,000 00

715-105. *Dependent Children Assistance*

Supplemental requirement for fiscal year 1961-62 ..... $1,000,000 00

770-106. *County Mental Hospitals*

Supplemental requirement for fiscal year 1961-62 ..... $297,000 00

CAPITAL CONSTRUCTION

DEPARTMENT OF THE TREASURY

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

For a State House Cafeteria, the location of which shall be subject to approval by the State Capitol Development Commission $284,514 00

DEPARTMENT OF EDUCATION

512-900. *State Higher Education Fund* Higher education.

The earnings derived from the investment or reinvestment of the proceeds of the sale of bonds received in the State Higher Education Fund as provided under section 2 of Chapter 176 of the Laws of 1959, not to exceed so much thereof as may be necessary for architectural inspection and supervising services, are hereby appropriated in connection with the State Higher Education Construction Program; pro-

vided, 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.

CLAIMS

DEPARTMENT OF LAW AND PUBLIC SAFETY

State police.

120-100. *Division of State Police*

John Skok, Jr., 113 Union Street, Mt. Holly, New Jersey, for all losses sustained as the result of suspension from position as a member of the New Jersey State Police ..	$3,486 49

DEPARTMENT OF DEFENSE

Military.

342-100. *National Guard and/or State Guard*

City of Philadelphia, International Airport, for damages to runway as the result of an emergency landing of a New Jersey Air National Guard jet plane	862 40

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

Resource development.

420-100. *Division of Resource Development*

Edmund L. Palmieri, 167 East 65th Street, New York 21, New York,	

for damage to property resulting from faulty construction of a sea wall in Sea Bright, New Jersey ..	2,000 00
John F. Jenkins, 103 South Franklin Avenue, Pleasantville, New Jersey, for extra work on the sewage disposal and water system at Lake Absegami	1,113 46

430-900. *Division of Water Policy and Supply—State Water Development Fund*

Water development fund.

Porter, Urquhart, McCreary and O'Brien, 415 Frelinghuysen Avenue, Newark, New Jersey, for services in connection with construction drawings and specifications for the Round Valley Dam Project, to be paid from the State Water Development Fund, $42,958.99, representing the sum admitted to be due by the Department.

451-400. *Division of Fish and Game—Public Shooting and Fishing Grounds*

Public shooting and fishing grounds.

Lower Alloways Creek Township, for loss of tax revenue from

lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund $1,800.00.

Maurice River Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, $2,400.00.

Hardyston Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, $155.62.

Sandyston Township, for loss of tax revenue from lands acquired by the Division of Fish and Game, to be paid from the Public Shooting and Fishing Grounds Fund, $1,500.00.

STATE HIGHWAY DEPARTMENT

Highways.

612-100. *Construction of State Highway System*

H. J. Elkins, Inc., 69th and Kingsessing Avenue, Philadelphia, Pennsylvania, for cost

of removal of trees and other costs during construction of Section 13B of Route 29, Trenton Freeway, to be paid from funds presently appropriated for construction of State Highway System, $30,103.33.

DEPARTMENT OF INSTITUTIONS AND AGENCIES

732-100. *State Prison Farm, Rahway* Prison farm, Rahway.

Vincent E. Cicenia, for injuries received while on work detail in this institution, payable at the rate of $10.00 per week, effective on release from the institution 100 00

740-100. *State Home for Boys, Jamesburg* Home for boys, Jamesburg.

Samuel Aldridge and Meth, Bloom & Wood, Esqs., Counsel, 11 Commerce Street, Newark, New Jersey, for loss of use of Mr. Aldridge's hand which was crushed in institution while on work detail, including the sum of $75.00 which shall be paid immediately to counsel as counsel fees and the balance

of $502.50 to Mr. Aldridge in weekly installments of $10.00 each upon his release from the State Prison Farm, Rahway		577 50

Palisades interstate park.

811-100. PALISADES INTERSTATE PARK COMMISSION

For loss of tax revenue for local purposes from lands owned by Palisades Interstate Park Commission:		
Borough of Alpine ..	$9,350 00	
Borough of Englewood Cliffs ...	15,500 00	
Borough of Fort Lee	12,340 00	
Total, Palisades Interstate Park Commission		37,190 00
Total Claims		$45,329 85
Grand Total, Supplemental Appropriations		$2,788,843 85

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 except as to items set forth in the statement appended hereto June 22, 1962.

STATE OF NEW JERSEY

EXECUTIVE DEPARTMENT

June 22, 1962.

STATEMENT ON SENATE BILL No. 301

Pursuant to Article V, Section I, paragraph 15 of the Constitution, I am appending to Senate Bill No. 301, 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 page 5.

"DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

420-100. *Division of Resource Development*

John F. Jenkins, 103 South Franklin Avenue, Pleasantville, New Jersey, for extra work on the sewage disposal and water system at Lake Absegami	$1,113 46"

[SEAL] /s/ RICHARD J. HUGHES,
Attest: *Governor.*

/s/ LAWRENCE BILDER,
Acting Secretary to the Governor.

CHAPTER 90

AN ACT authorizing the Director of the Division of Purchase and Property in the Department of the Treasury with the approval of the State House Commission, to sell and convey certain premises in the city of Millville, county of Cumberland.

Preamble. WHEREAS, Pursuant to the provisions of R. S. 4:16–7 the Board of Managers of the New Jersey Agricultural Experiment Station, (hereinafter referred to as the "Experiment Station"), a part of Rutgers, the State University, with the approval of the State House Commission given at a meeting duly held February 21, 1939, acquired title in the name of the State of New Jersey to certain lands in Millville, New Jersey, more fully described hereinafter, by deed from Frank H. Wheaton and Edith G. Wheaton, his wife, dated February 18, 1939, recorded June 15, 1939, in Book 541 of Deeds, pages 553, etc. in the office of the clerk of Cumberland county, and

Preamble. WHEREAS, The Experiment Station has conducted a turkey and pigeon research center on the site, and

Preamble. WHEREAS, It has been determined that it would be expedient to relocate said research center at or near the Experiment Station at New Brunswick in order that the general research staff of the Experiment Station might be employed in its work, and

Preamble. WHEREAS, It appears that the relocation of the turkey-pigeon research center from Millville to New Brunswick and the sale of the Millville property appear to be in the best interest of the public, now, therefore,

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

Sale authorized; description.

1. The Director of the Division of Purchase and Property in the Department of the Treasury, acting for and on behalf of the State of New Jersey, is hereby authorized and empowered to sell and convey, with the aproval of the State House Commission and at such fair price and upon such terms and conditions as shall be fixed by the State House Commission, all that certain lot, tract or parcel of land situate in the city of Millville, county of Cumberland and the State of New Jersey, bounded as follows:

Beginning at a point in the middle of the Coombs Road, where the easterly line of Wheaton Avenue intersects the same, said point being also in the line of land formerly belonging to the Estate of Henry B. Kemble, deceased, and running from thence along the easterly line of said Wheaton Avenue, South thirty-one degrees and ten minutes West, three hundred and seventy and two-tenths feet to an angle in said Wheaton Avenue; thence still along the easterly line of said Wheaton Avenue, South twenty-eight degrees West, two hundred twenty-three and six-tenths feet to a point for a corner; thence along the line of land of T. C. Wheaton Co. at right angles to Wheaton Avenue and in a southeasterly direction three hundred ninety-six and thirteen hundredths feet to a point for a corner; thence still along the line of land of T. C. Wheaton Co. South eighty-six degrees and forty-five minutes East, eight hundred eighty-eight and sixty-eight hundredths feet to a point for a corner; thence North two degrees and thirty minutes East, six hundred ninety-seven feet to a point for a corner in the middle of Coombs Road aforesaid; thence along the middle of Coombs Road, North eighty-six degrees and forty-five minutes West, nine hundred seventy-one and four-tenths feet to the place of Beginning.

Containing seventeen and fifty-five hundredths acres of land, be the same more or less.

Appropriation.

2. Not more than $25,000.00 of the net proceeds of this sale are hereby appropriated to Rutgers, the State University, and by it held for application to the purchase price of further sites or grounds or the cost of construction of new facilities for use as a turkey-pigeon research center at New Brunswick in connection with the Experiment Station; provided, however, that said net proceeds shall lapse into the General Treasury to the extent of any appropriation hereafter made, prior to said sale, in addition to that set forth in chapter 38, P. L. 1961 for this purpose.

3. This act shall take effect immediately.

Approved June 22, 1962.

CHAPTER 91

AN ACT to amend and supplement "An act to limit and regulate child labor in this State; to provide for examinations and inspections under the provisions of this act; to provide for the enforcement of this act and regulations made thereunder; to prescribe penalties for the violation thereof; and to repeal other acts," approved June 25, 1940 (P. L. 1940, c. 153), and to repeal section 2 of chapter 127 of the laws of 1956.

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

C. 34:2-21.57. Terms defined.

1. As used in this act:

a. "Professional employment" means employment for pay as an actor or performer in a theatrical production.

b. "Theatrical production" means and includes stage, motion picture and television performances and rehearsals therefor.

c. "Prohibited performance" means and includes appearances as a rope or wire walker or rider, gymnast, wrestler, boxer, contortionist, acrobat, rider of a horse or other animal or rider of any vehicle other than that normally used as a toy, or appearance in any illegal, indecent or immoral exhibition or practice, or in any practice or exhibition dangerous to the life, limb, health or morals of a minor or a performance upon any premises licensed for the sale and consumption of alcoholic beverages, or appearance or exhibition of any physically deformed or mentally deficient minor.

C. 34:2-21.58. Theatrical employment of minors permitted.

2. Notwithstanding any provision of the child labor laws of this State, the professional employment of minors between the ages of 8 and 16 years in theatrical productions is authorized upon compliance with the conditions in this act set forth.

C. 34:2-21.59. Conditions for granting permit.

3. Upon application of an employer, bearing the endorsed approval of a parent or guardian of the minor the issuing officer as defined in the act hereby supplemented may issue a permit authorizing employment of the minor in a theatrical production if it finds that:

(a) The minor is in good health as certified by a currently issued statement of a licensed physician based upon a physical examination;

(b) The place of employment is approved by the Department of Labor and Industry and the period for which the permit is desired is not in excess of 3 months;

(c) If the minor is not attending public school and the application is for a period other than during the school summer vacation period, that he is receiving equivalent instruction approved by the Department of Education or by the State or county of his residence if he be a nonresident of New Jersey;

(d) The proposed employment will not exceed 2 performances a day or a total of 8 performances in any week; that the employment will not be for more than 6 days in any week, 5 hours in any day or a total of 24 hours, including rehearsal time, in

any week and that the minor will not be employed before 7:00 P. M. or after 11:30 o'clock P. M. and that school and theatrical performance time shall not exceed 8 hours in any one day;

(e) The employment does not involve a type of prohibited performance as hereinafter defined;

(f) The minor will be under the direct care and supervision of an adult who is a parent, guardian or a representative of the employer, named in the application, at all times during his employment or while living away from home when required as an incident of such employment.

C. 34:2-21.60. May refuse to grant certificates; records.

4. The issuing officer may refuse to grant a certificate if, in his judgment, the best interests of the minor would be served by such refusal and he shall keep a record of such refusals, and the reasons thereof.

C. 34:2-21.61. Separate permits; renewal.

5. Permits may be renewed upon application. A separate permit shall be required for each employee. The employer shall have the permit available for inspection at all times at the place of employment.

C. 34:2-21.62. Copy furnished.

6. The Department of Education shall deliver a copy of each application to the Department of Labor and Industry.

C. 34:2-21.63. Violations; penalty.

7. Whoever obtains any permit under this act upon any knowingly false statement made in applying therefor, or employs or permits or suffers any minor to be employed or to work in violation of this act or of the terms of any permit issued under this act or of any order or ruling issued under the provisions of this act, or obstructs the Departments of Labor and Industry and Education, its officers or agents, or any other person authorized to inspect places of employment under this act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of this act, shall be guilty of a misdemeanor and shall be punished by a fine of not less than $25.00 nor more than $500.00, or by imprisonment of not less than 10 nor more than 90 days, or by both such fine and imprisonment. Each

day during which any violation of this act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of the act shall with respect to each minor so employed, constitute a separate and distinct offense.

C. 34:2-21.64. Forms and regulation concerning applications; administration.

8. The Department of Education shall prescribe forms and regulations concerning applications for and issuance of permits and the Department of Labor and Industry may issue regulations concerning the administration and enforcement of this act.

Section amended.

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

C. 34:2-21.2. Minors under 16 not to be employed; exceptions; nonresidents.

2. No minor under 16 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation at any time; provided, that minors between 14 and 16 years of age may be employed, permitted or suffered to work outside school hours and during school vacations but not in or for a factory or in any occupation otherwise prohibited by law or by order or regulation made in pursuance of law; and provided, further, that minors under 16 years of age may engage in professional employment in theatrical productions upon the obtaining of a permit therefor and may engage outside school hours and during school vacations in agricultural pursuits or in street trades as defined in this act, in accordance with the provisions of section 15 of this act. Nothing in this act shall be construed to apply to the work of a minor engaged in domestic service or agricultural pursuits performed outside of school hours or during school vacation in connection with the minor's own home and directly for his parent or legal guardian.

Except as to the employment of a minor for whom a theatrical employment permit has been issued, no minor under 16 years of age not a resident of this State shall be employed, permitted or suffered to work in any occupation or service whatsoever at any time during which the law of the State of his residence required his attendance at

school, or at any time during the hours when the public schools in the district in which employment in such occupation or services may be available are in session.

C. 34:2-21.2a. Section repealed.

10. Section 2 of chapter 127 of the laws of 1956 is repealed.

11. This act shall take effect immediately.

Approved June 22, 1962.

CHAPTER 92

AN ACT concerning exemption from taxation in certain cases and supplementing chapter 4 of Title 54 of the Revised Statutes.

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

C. 54:4-3.52. Certain historic houses tax exempt.

1. Any building and the land whereon it is erected and which may be necessary for the fair enjoyment thereof owned by a nonprofit corporation and which has been certified to be an historic site to the Director of the Division of Taxation by the Commissioner of Conservation and Economic Development as hereinafter provided shall be exempt from taxation.

C. 5:4-3.53. Certification by commissioner.

2. The Commissioner of Conservation and Economic Development when requested for any such certification and after consultation with and the advice of the Resource Development Council of the Division of Resource Development within his department shall certify a building to be an historic site whenever he finds such building to have material relevancy to the history of the State and its government warranting its preservation as an historical site and in the event of a restoration, heretofore or hereafter made, such building is or shall be of substantially the same kind, character and description as the original.

3. In the event of any substantial change in the building or the premises, such certification may be canceled by the commissioner, but no such cancellation shall preclude the issuance of a new certification. C. 54:4-3.54. Cancellation of certification.

4. This act shall take effect immediately.

Approved June 25, 1962.

CHAPTER 93

AN ACT to validate marriages heretofore solemnized by judges of courts of record who were not at the time of such solemnization authorized to solemnize marriages.

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

1. All marriages heretofore solemnized by any judge of a court of record in this State, who was not at the time of such solemnization authorized to solemnize marriages, if otherwise valid, shall be as valid as if the same had been solemnized by a person authorized to solemnize marriages. R. S. 37:1-13.2. Validates certain marriages.

2. This act shall take effect immediately.

Approved June 25, 1962.

CHAPTER 94

AN ACT concerning volunteer fire companies, and amending section 40:149–6 of the Revised Statutes.

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

Section amended.

1. Section 40:149–6 of the Revised Statutes is amended to read as follows:

Fire companies; section 40:149-5 construed.

40:149–6. Nothing in section 40:149–5 of this Title shall be construed to abolish or prevent the formation of any fire or other companies or organizations under any other law. In any township in which any private fire company or other organization may be formed such company or organization, when on duty at any fire, shall be subject to such reasonable rules and regulations as may be adopted by the township committee for that purpose.

2. This act shall take effect immediately.

Approved June 25, 1962.

CHAPTER 95

AN ACT to authorize the conveyance of an easement and right of way in certain lands of the State of New Jersey, situate partly in the township of Denville and partly in the township of Parsippany-Troy Hills, Morris county, New Jersey to New Jersey Power & Light Company, a corporation of the State of New Jersey.

Preamble.

WHEREAS, New Jersey Power & Light Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey

for the purpose of supplying electricity for light, heat and power to the public, and a public utility as defined by R. S. 48:2–13, in order to improve the quality and dependability of its service to the people of New Jersey, is about to construct, operate and maintain additional lines or circuits in Morris county for the transmission and distribution of electric energy; and

Preamble.

WHEREAS, To construct, operate and maintain certain of such facilities, it is necessary that New Jersey Power & Light Company acquire from the State of New Jersey an easement and right of way for electric lines over, across and through certain lands situate partly in the township of Denville and partly in the township of Parsippany-Troy Hills, county of Morris, New Jersey; which right of way is hereinafter more particularly described; and

Preamble.

WHEREAS, Proper 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:*

Easement and right of way authorized; consideration; description.

1. The Commissioner of the Department of Institutions and Agencies, with the approval of the State House Commission, acting for and on behalf of and in the name of the State of New Jersey, is hereby authorized and empowered to sell and convey to New Jersey Power & Light Company, a corporation of the State of New Jersey, its successors and assigns, by instrument under seal, for a consideration of $8,900.00, an easement and right of way in and across the lands hereinafter described, with the right and privilege forever to construct, maintain and operate one or, from time to time, more lines or circuits for the transmission and distribution of electric energy (including such conductors, ducts, conduits, supporting structures, lightning protective and communication devices and

any apparatus and equipment, all as from time to time may be installed or erected by New Jersey Power & Light Company, its successors or assigns, as part of or in connection with any such line or circuit) upon, over, across and under such right of way, together with the right to inspect, repair, redesign, rebuild and remove any such line or circuit or any part thereof, and the right to remove or clear and keep clear all trees, limbs, underbrush, structures and obstructions upon said right of way and such trees, limbs and similar obstructions beyond the same as may interfere with or endanger any such line, circuit or facility or the safe and proper operation thereof; said right of way being described as all those tracts or parcels of land situate in the townships of Denville and Parsippany-Troy Hills in the county of Morris and State of New Jersey, described as follows:

Parcel 1:

Beginning at the sixth course of the first tract described in a deed from James H. Neighbour to the State of New Jersey dated June 22, 1895, and recorded in the Morris County Clerk's Office in Book S-14 of Deeds at page 135, at a point therein distant three hundred fifty (350′) feet southerly measured at right angles from the center line of the existing New Jersey Power & Light Company's steel tower line; and running thence (1) in an easterly direction, parallel with and three hundred fifty (350′) feet distant from the center line of the aforementioned steel tower line to the center line of Casterline Road; thence (2) northerly along the center of Casterline Road the various courses thereof to a point therein distant one hundred (100′) feet southerly measured at right angles from the center line of the aforementioned steel tower line, being also a point in the southerly line of the one hundred fifty (150′) foot wide right of way granted to New Jersey Power & Light Com-

pany by the State of New Jersey by grant dated January 5, 1928 and recorded in the Morris County Clerk's Office in Book A-31 of Deeds at page 25; thence (3) westerly along the southerly line of said one hundred fifty (150′) foot wide right of way, parallel with the center line of said steel tower line to the sixth course of the first tract described in the above-mentioned Neighbour deed; thence (4) southwesterly along the above mentioned sixth course to the point and place of Beginning.

Parcel 2:

Beginning in the center of Casterline Road therein distant fifty (50′) feet northerly measured at right angles from the center line of the existing New Jersey Power & Light Company's steel tower line, said point being also in the northerly side line of the one hundred fifty (150′) foot wide right of way granted to New Jersey Power & Light Company by the State of New Jersey by grant dated January 5, 1928 and recorded in the Morris County Clerk's Office in Book A-31 of Deeds at page 25; thence (1) northerly along the center of Casterline Road the various courses thereof to the point where the same intersects the center line of Zeek Road produced; thence (2) southwesterly along the production of the center line of Zeek Road to a point which is distant fifty (50′) feet northerly measured at right angles from the aforementioned steel tower line, said point also being in the northerly side line of said one hundred fifty (150′) foot wide right of way; thence (3) easterly along the northerly side of said one hundred fifty (150′) foot wide right of way to the point and place of Beginning.

Parcel 3:

Beginning at a point in the twenty-eighth course of a tract of land described in a deed from Herman B. Andrew et ux to the State

of New Jersey dated September 9, 1903, and recorded in the Morris County Clerk's Office in Book K-17 of Deeds at page 313, therein distant fifty (50′) feet northerly measured at right angles from the center line of the existing New Jersey Power & Light Company's steel tower line, being also in the northerly side line of the one hundred fifty (150′) foot wide right of way granted to New Jersey Power & Light Company by the State of New Jersey by grant dated January 5, 1928 and recorded in the Morris County Clerk's Office in Book A-31 of Deeds at page 25, and running thence (1) westerly along the northerly side line of said one hundred fifty (150′) foot wide right of way, parallel with the center line of said steel tower line, to a point in a course which has a bearing of South 18 degrees West (magnetic bearing of 1959) and which intersects the center line of said steel tower line at right angles thereto and distant 480.37 feet measured southeasterly along such center line from the center of tower numbered 51; thence (2) North 18 degrees 00 minutes East along the same four hundred forty-three (443′) feet; thence (3) in a south-easterly direction to a point which is distant one hundred ninety (190′) feet northerly (measured at right angles from the center line of the aforementioned steel tower line) from a point in such center line which is distant forty-four (44′) feet measured easterly along the center line of said steel tower line from the center of Tower #52; thence (4) easterly parallel with and one hundred ninety (190′) feet distant from the center line of said steel tower line to a point in the twenty-eighth (28th) course of the aforementioned Andrew deed; thence (5) southwesterly along said twenty-eighth (28th) course to the point and place of Beginning.

Excepting from the above described right of way so much thereof as lies within that tract described in a deed from Fannie Dioda to Robert C. Litchfield dated December 27, 1939 and recorded in the Morris County Clerk's Office in Book Z-35 of Deeds at page 493. Excepting also from the above described right of way so much thereof as lies within the third tract of land described in a deed from Nancy C. Hever et vir to Lloyd W. Smith dated November 2, 1908, and recorded in the Morris County Clerk's Office in Book M-19 of Deeds at page 445.

Subject to the rights of the public, if any, in and to any public streets crossing or lying within the limits of said easement and right of way.

Also subject to the terms, conditions and provisions of said right of way grant as shall be determined by the State House Commission not inconsistent with the provisions hereof.

Proceeds paid into treasury.

2. Proceeds from the sale of said easement and right of way shall be paid into the treasury of the State of New Jersey.

3. This act shall take effect immediately.

Approved June 25, 1962.

CHAPTER 96

AN ACT to supplement "An act relating to, regulating and providing for the government of cities of the second class which have now or may hereafter have a population of less than 20,000," approved April 23, 1907 (P. L. 1907, c. 99).

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

C. 40:106-1 (123). Industrial commission authorized; name; members.

1. The governing body of any municipality which is governed pursuant to the provisions of the act to which this act is a supplement is hereby authorized to create, by ordinance, a local industrial commission to be known as "the industrial commission of .....
(insert here the name of the municipality)."

Any commission so created shall consist of 7 members, shall be a body corporate and shall have the powers provided in this act.

C. 40:10-1 (124). Appointment of members; qualifications; terms; vacancies; bars certain interests by members; oath; expenses; organization; quorum.

2. The members of each commission shall be appointed by the mayor of the municipality of its creation. Each member shall be, for the last 5 years preceding his appointment, a citizen of the United States and a qualified voter of the State of New Jersey. One member shall be appointed for 1 year, 1 member for 2 years, 1 member for 3 years, 2 members for 4 years and 2 members for 5 years. At the expiration of each of the above terms, the new member or members shall be appointed for a term of 5 years. Vacancies in the membership of any commission, occurring for whatever cause, shall be promptly filled by appointment by the mayor for the unexpired term thereof. Members shall serve for their respective terms and until their successors are appointed and qualify.

Each member shall be chosen with a special view to his qualifications and fitness for service on the commission. He shall have had experience in labor, industry or commerce and shall be conversant with

the industrial needs and facilities of his commission's municipality, and shall be of known devotion to public service.

No member, officer or employee of any commission shall be interested directly or indirectly in any contracts for work or materials used by the commission, or in any sales, leases or agreements in connection with lands, buildings or other property owned or controlled by it, or in any fees or compensation of any kind paid to any broker, architect, engineer, merchant or other person doing business with the commission or in any other transaction of or with the commission, or the benefits or profits thereof.

Each member and officer of the commission shall, before assuming office, take and subscribe an oath that he will faithfully and impartially discharge the duties of his office.

The members and officers of the commission shall serve without compensation, but each shall receive his actual disbursements for his expenses in performing his duties.

The members of the commission shall choose annually from among its members a chairman or president, and such other officers as it may deem necessary. The mayor of the municipality served by the commission, shall be ex officio a member thereof.

A majority of the members shall constitute a quorum of the board.

The members and officers may be required to furnish bonds to the commission, to secure the faithful discharge of their duties, in form, amount and with such surety as may from time to time be required by resolution of the governing body of the municipality served by the commission.

C. 40:106-1 (125). Officers, employees and assistants; civil service; offices.

3. Insofar as may be practicable, the employees and assistants required by the commission shall be recruited from the public officers and employees of the municipality served by the commission. The municipal counsel shall be the counsel to the commission; the municipal engineer shall be the

engineer of the commission; and the several departments of the municipal government shall be available to the commission for the purposes of the commission's business. Municipal employees serving the commission shall do so without compensation other than their regular compensation as employees of the municipality. The commission shall, from time to time, make known to the mayor of the municipality served by it, its wants in the nature of services by employees of the municipality, and the mayor shall designate which of the municipality's employees, if any, shall render such services.

To the extent that the commission shall deem it necessary to carry on its function, and to the extent that it shall consider the services of existing employees of the municipality insufficient for its purposes, it may employ such additional employees or services and at such compensation as may be approved by resolution of the governing body of the municipality. Its requirements in this direction shall be submitted from time to time in writing to such governing body.

The Civil Service laws, rules and regulations of the State, applicable to the municipality served by the commission, shall govern the appointment of employees of the commission. Such laws, rules and regulations shall not be deemed to prevent the use of services of existing employees, without extra compensation therefor, nor shall the use of such services operate to enlarge the civil service rights or the status of the municipal employee rendering the same.

The commission shall have and maintain a suitable office, where its maps, plans, documents, records and accounts shall be kept, subject to public inspection at such times and under such reasonable regulations as the commission shall determine. If practicable, existing office facilities of the municipality served by the commission shall be used without charge by the municipality, and the office and similar equipment of the municipality shall, wherever possible, be used by and be made available for the use of the commission, without charge.

C. 40:106-1 (126). Responsibilities and obligations of commission.

4. Every commission created under this act shall have the responsibility and obligation:

a. To inquire into, survey and publicize the extent, advantages and utility of the lands of such municipality, whether municipally owned or otherwise.

b. To study and analyze the various industries of the nation and, to the extent it deems necessary for its purposes, the industries of other nations, with a view to ascertaining the opportunities for the industrial expansion of the municipality. In this connection the reports, records, statistics, compenda and similar documents of existing Federal, State, county, municipal and other governmental and public agencies, as well as of responsible private institutions, boards, agencies and similar bodies interested in the compilation of the information relating to industry, shall be resorted to, wherever possible, in order to avoid unnecessary original research and gathering of source material.

c. To advertise the industrial advantages and opportunities of its municipality and the availability of real estate within the municipality for industrial settlement and to encourage and accomplish such industrial settlement within the municipality.

d. To solicit industries to purchase or lease the lands and property of or in the municipality.

e. To construct and lease, where it is necessary or desirable to do so, facilities, buildings and structures, herein referred to as industrial facilities, for the use of any industry which has agreed with the commission to locate within the municipality on lands owned by the municipality or the commission. Such agreement shall be subject to the provisions of section 6 of this act.

C. 40:106-1 (127). Additional powers.

5. In addition to any other powers conferred upon a commission by this act, each commission shall have the following 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 commission;

e. Subject to the provisions of section 9 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 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;

f. Subject to the provisions of section 6 of this act, to lease to any person, all or any part of any industrial 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. 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;

h. To apply for and to accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the commission 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;

i. To determine the location, type and character of any industrial facility and all other matters in connection with all or any part of any industrial facility which it is authorized to own, construct, establish, effectuate or control;

j. To make and enforce by-laws or rules and regulations for the management and regulation of its business and affairs and for the use, mainte-

nance and operation of any industrial facility, and to amend the same;

k. 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;

l. To acquire, purchase, construct, lease, operate, maintain and undertake any project and to fix and collect facility charges for the use thereof; and

m. 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 commission or to carry out any power expressly given in this act.

C. 40:106-1 (128). Report on proposed facility; consent of governing body required.

6. Whenever a commission after investigation and study shall plan to undertake any industrial facility or facilities the commission shall make to the governing body of the municipality a detailed report dealing with the proposed industrial facility or facilities. Notwithstanding any other provision of this act, the commission shall not construct or acquire such industrial 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 industrial facility for a term in excess of 2 years, until there has been filed with the commission a copy of a resolution adopted by the governing body of the municipality certified by its clerk, describing such industrial facility or facilities in terms sufficient for reasonable identification and consenting to the construction or acquisition thereof by the commission or the making of such lease or other agreement.

C. 40:106-1 (129). Charges, rents, fees authorized.

7. Every commission 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 of services of, or otherwise relating to any industrial facility or other property owned or controlled by the commission.

C. 40:106-1 (130). Facility charges to be adequate to cover expenses of operation.

8. The facility charges fixed, charged and collected by a commission with respect to any industrial facility shall comply with the terms of any lease or other agreement of the commission with regard to such industrial 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 industrial 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. 40:106-1 (131). Acquisition of real property.

9. Every commission is hereby empowered, in its own name but for the municipality, to acquire by purchase, gift, grant or device and to take for public use real property within the municipality, or any interest therein which may be deemed by the authority necessary for its purposes. Such commission is hereby empowered to acquire and take such real 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 municipality, all of the powers of such municipality to acquire or take property for public use; provided, however, that, notwithstanding the foregoing or any other provision of this act, no commission shall take by condemnation, any real property except upon consent thereto by the municipality which created the authority given by resolution adopted by its governing body.

C. 40:106-1 (132). Annual report; municipal powers not limited; appropriation authorized; records.

10. Each commission shall make an annual report to the municipality by which it has been created, setting forth in detail its operations and transactions for the preceding 12 months.

The creation of a commission by a municipality shall not be deemed to limit in any manner the municipality's right to deal with its lands, or to sell or lease the same, independently of such commission, as heretofore, but the powers conferred upon such municipality and commission by this chapter shall be in addition to any rights or powers now possessed by such municipality with reference to its lands or other properties.

The governing body of such municipality creating a commission under this chapter may appropriate annually, during the life of its commission, such sums as may be reasonably necessary to conduct the normal operations of the commission, but no moneys so appropriated shall be used by a commission for the construction of any building or to finance such construction. The commission shall annually present to the chief financial officer of the municipality its budget for operations for the ensuing year, reflecting therein all unexpended balances on hand from previous appropriations received from the municipality, at the same time and in the same manner and form as is required by several departments of the municipality's government, and the budget so submitted shall be acted upon as in the case of the budgets of such several municipal departments, and, being so acted upon, shall be made a part of the municipality's budget. Each commission shall keep complete and accurate records of its accounts, and separate accounts shall be kept for its normal functions. No commission shall exceed its budget, and moneys received from the municipality by which it has been created shall be expended only for the purposes for which they have been appropriated.

11. This act shall take effect immediately.

Approved June 26, 1962.

CHAPTER 97

AN ACT to amend "An act to permit the township of Edison in the county of Middlesex to acquire and develop certain lands for industrial purposes," approved April 6, 1962 (P. L. 1962, c. 24).

Preamble. WHEREAS, At the time the local law was enacted on April 6, 1962, the consideration contemplated to be paid for the 36 acres, more or less, of Camp Kilmer and the 104 acres, more or less, of the Raritan Arsenal, was $565,000.00, plus any interest thereon, said consideration to be paid within a period of time not to exceed 10 years from the date of purchase; and

Preamble. WHEREAS, The consideration to be paid for the acquisition of both of the aforementioned tracts has now been ascertained to be $650,000.00, or less, plus any interest thereon; and

Preamble. WHEREAS, The township of Edison may pay the consideration by cash or by payment of 20% of the consideration by cash and the balance by a purchase money mortgage and bond payable in equal quarterly installments over a 10 year period plus interest at 5% per annum, with the right to prepay the balance in full at any time without penalty upon 30 days' written notice; and

Preamble. WHEREAS, Pursuant to Article IV, Section VII, paragraph 10 of the New Jersey Constitution, the mayor and governing body of the township of Edison have presented and filed with the Legislature an original petition petitioning the Legislature for passage of a local law to amend section 2 of "An act to permit the township of Edison in

the county of Middlesex to acquire and develop certain lands for industrial purposes," approved April 6, 1962 (P. L. 1962, c. 24).

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:

Consideration.

2. The consideration for such a purchase shall not exceed the aggregate sum of $650,000.00 plus any interest thereon, and may be paid by cash or may be paid by payment of 20% of the consideration by cash and the balance by a purchase money mortgage and bond payable in equal quarterly installments over a 10-year period plus interest at 5% per annum with the right to prepay the balance in full at any time without penalty, upon 30 days written notice, or may be paid in any manner so provided by general law.

2. This act is a special law enacted upon the petition of the mayor and governing body of the township of Edison in the county of Middlesex and State of New Jersey under the authority conferred by paragraph 10 of Section VII in Article IV of the Constitution.

Act inoperative.

3. This act shall take effect immediately but shall be inoperative until it shall be adopted by ordinance of the governing body of the township of Edison in the county of Middlesex and State of New Jersey.

Approved June 26, 1962.

CHAPTER 98

AN ACT concerning the fund for the retirement upon pension of certain employees of the boards of education in school districts in first-class counties, amending sections 18:5–76, 18:5–77, 18:5–78 and 18:5–79 of the Revised Statutes and section 1 of chapter 339 of the laws of 1950 and supplementing article 16 of 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. 18:5-74.1. Compulsory membership in system for veterans.

1. a. Each veteran now holding permanent or provisional office, position or employment, not covered by the retirement system established under article 3 of chapter 13 of Title 18 of the Revised Statutes, with a board of education or school district in a county in which there exists a pension fund established under article 16 of chapter 5 of Title 18 of the Revised Statutes, shall become a member of said pension fund as of the effective date of this legislation; and each veteran hereafter commencing service in such office, position, or employment shall become a member of said pension fund as of the date of the commencement of said service.

b. No public employee veteran who is eligible to be a member of such pension fund shall be eligible for or receive retirement benefits under sections 43:4–1, 43:4–2 and 43:4–3 of the Revised Statutes.

Section amended.

2. Section 1 of chapter 339 of the laws of 1950 is amended to read as follows:

C. 18:5-75.1. Purchase of credit for temporary or provisional service.

1. Persons heretofore permanently or provisionally employed by such boards of education who became members of the pension fund at any time prior to the effective date of this amendatory and supplementary act shall be permitted to purchase credit covering any period of temporary, permanent or provisional service preceding said perma-

nent or provisional employment, by making application therefor, and in such case, the payments to be made by the employee and board of education for such previous service shall be based on appropriate tables of factors submitted by the actuary as being applicable to the salary and contribution rate in effect at the time of making the application to purchase such credit. Persons becoming members hereafter shall be permitted to purchase credit for any temporary service which immediately precedes their permanent or provisional appointment by making application therefor at the time of becoming members and paying into the fund, the amount determined to be due for such service on the basis of appropriate tables of factors submitted by the actuary as being applicable to the salary and contribution rate in effect based on the salary at that time.

Any person coming into the employ of any such board of education as a provisional employee after the effective date of this amendatory and supplementary act shall become a member of the pension fund as a condition of employment.

Section amended.

3. Section 18:5–76 of the Revised Statutes is amended to read as follows:

Sources of fund.

18:5–76. The contributions to the pension fund shall be as follows:

a. There shall be deducted from every payment of salary of all employees who are members of the fund 6% of the amount of such salary.

b. Each board of education shall pay into the fund in each fiscal year a proportionate amount of the total contributions required from all employing boards of education, as determined by the actuary, which shall be sufficient to: (1) provide for the pension credits being accrued by the members, after taking into account contributions being made by the members, and (2) provide for the payment of the unfunded accrued liability in annual payments over a period of 30 years, commencing July 1, 1963. Such payments shall be provided for by each board

in its annual appropriation for the support and maintenance of the public schools.

c. The amount to be appropriated by each board under subsection b of this section shall be determined by applying the percentage certified by the actuary as determined under section b hereof.

Section amended.

4. Section 18:5–77 of the Revised Statutes is amended to read as follows:

Collections from members; refunds; accidental death; payments to survivor of retirant; accidents in performance of duties.

18:5–77. a. The board of trustees may, in the manner prescribed by the by-laws of the corporation, assess and collect monthly or semimonthly from each member of the pension fund, the amount required to be paid by said member into the fund. All moneys so collected shall be paid to the treasurer of the corporation.

The board of trustees may make it a condition of membership that each member sign an order on the custodian of school moneys, or other disbursing officer, directing the retention from his or her salary or wage of the amount of his or her assessments and the payment of the amount so retained directly to the treasurer of the corporation, and the custodian of school moneys, or other disbursing officer, shall make such retention and payment, but such right of retention and payment shall become operative only in the event of the same being authorized by the by-laws of the corporation.

b. Whenever any member shall die in service or his or her employment be terminated, for reasons other than retirement, all payments made by such employee to the fund shall be returned to the employee, if alive; or 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, together with simple interest at the rate of 2% per annum.

c. 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 subsection e. of this section or the death of a member who has been retired for disability but who has not yet

attained 60 years of age, there shall be paid to such person, if living, as he shall have nominated by written designation, duly executed and filed with the board of trustees otherwise to the executor or administrator of the member's estate an amount equal to 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 a member shall have attained 70 years of age, or the member who has been retired for disability has attained 60 years of age, the amount payable shall equal 3/16 of the compensation received by the member in the last year of creditable service instead of 1½ times such compensation. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal installments over a period of years or as a life annuity. Upon the death of such member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

d. Whenever any member who was a member as of the effective date of this amendatory and supplementary act shall die after retirement on pension, not having received in pension payments an amount equal to the total amount of his or her contributions to the fund, including simple interest at 2% per annum, the difference between the amount so received and the amount of contributions, plus interest, shall be paid to the surviving named beneficiary on file with the board of trustees, and if none, then to his or her legal representative; unless said employee has made provisions with the board of trustees for optional benefits under the provisions of section 18:5–79 of the Revised Statutes.

e. Upon the death of a member in active service as a result of an accident in the performance of his or her duties as such employee and not as the result of his willful negligence, an accidental death benefit shall be payable, if a report, in a form acceptable

to the board of trustees, of the accident is filed with the pension fund within 60 days next following the accident and an application for such benefit is filed with the said board of trustees within 2 years of the date of the accident, but the board of trustees may waive such time limits for a reasonable period, if in the judgment of the board the circumstances warrant such action. Evidence must be submitted to the board of trustees proving that the natural and proximate cause of death was an accident arising out of and in the course of employment in some definite time and place. Upon application by or on behalf of the dependents of such deceased member, the board of trustees in addition to the payment of his contributions, as provided in this section, shall grant a pension of ½ of the average annual salary received by him or her during the 5 years immediately preceding his or her death, if the member was a male employee, as a pension to his widow, to continue during her widowhood; or if no widow, or in case the widow dies or remarries before the youngest child of such deceased member attains age 18, or if the member was a married female employee, then to the child or children of such member under age 18, divided in such manner as the board in its discretion shall determine to continue until the youngest surviving child dies or attains age 18.

Section amended.

5. Section 18:5–78 of the Revised Statutes is amended to read as follows:

Disbursements; deposits and investments.

18:5–78. No money shall be paid out of the pension fund except by the treasurer of the corporation upon warrants signed by the chairman of the board of trustees and countersigned by the secretary thereof. No warrant shall be drawn except by the order of the board upon a yea and nay vote recorded in the minutes of the board.

The board of trustees may deposit the moneys of the fund in any of the banks or trust companies in the county wherein it is established, and may invest the same in bonds secured by first mortgages on improved property worth at least twice the

amount loaned, or in mortgages guaranteed or insured by agencies or instrumentalities of the United States of America, and shall have authority to invest and reinvest the moneys in other evidences of indebtedness, or capital stock or other securities issued by any company incorporated within the United States or within the Dominion of Canada, which shall be authorized or approved and to the proportion in which life insurance companies organized under the laws of this State may legally invest, and the bonds and other evidences of indebtedness of the United States of America, any State, city, county, school district or of the instrumentality of any State or of the United States of America. All income, interest, or dividends paid or agreed to be paid on account of any loan or deposit shall constitute a part of the fund.

Section amended.

6. Section 18:5–79 of the Revised Statutes is amended to read as follows:

Retirement on pension; options.

18:5–79. Pensions shall be paid from the fund in the manner following:

a. A member of the pension fund who was a member on or before the effective date of this act and who has or shall hereafter have credit in the pension fund for 30 years or more as an employee of a board of education in a county wherein the fund has been established and maintained shall, upon application to the board of trustees of the pension fund be retired by such board of trustees and shall thereupon receive annually from the fund, for and during the remainder of his or her life, by way of pension, an amount equal to $\frac{1}{60}$ of the average annual salary received by him or her during the 5 years immediately preceding his or her retirement multiplied by the number of years he or she has credit in the pension fund, the amount to be determined by resolution of the board.

b. Upon the retirement of a member who has reached the age of 60 years, the person so retired shall be entitled to receive during his or her life, by way of pension, $\frac{1}{60}$ of the average annual salary received by him or her during the 5 years immedi-

ately preceding his or her retirement multiplied by the number of years for which he or she has credit in the pension fund, the amount to be determined by resolution of the board. Upon the receipt of proper proofs of death of a member who has retired on a service retirement allowance, there shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate an amount equal to $\frac{3}{16}$ of the compensation received by the member in the last year of creditable service.

c. A member of the fund who has credit therein for 10 years, who shall become incapacitated, either mentally or physically, and who cannot perform the regular duties of employment, or who is found unfit for the performance of his or her duties, upon the application of his employer or upon his own application or the application of someone acting in his behalf shall be retired by the board of trustees of the pension fund and thereupon shall receive annually from the fund a retirement allowance as described in subsection b. of this section if he has reached or passed age 60 and if he is under age 60 an amount equal to $\frac{9}{10}$ of $\frac{1}{60}$ of the average annual salary of such employee during the 5 years immediately preceding the retirement multiplied by the number of years of creditable service, provided, however, that in no event shall the pension be based upon less than 17 years nor more than 30 years of service unless the member would have had less than 17 years of service at age 60, in which event he shall be given credit for the years to age 60; however, a member who has not attained age 70 who shall become incapacitated, either mentally or physically, as a result of personal injuries sustained in an accident occurring in the performance of his or her duties of such employee, shall, upon the application of his employer or upon his own application or the application of someone acting in his behalf, be retired by the board of trustees of

the pension fund, and, thereupon, if a report of the accident, in a form acceptable to the board of trustees of the pension fund is filed with the said board of trustees within 60 days next following the accident and the application for retirement is filed with the said board of trustees within 2 years of the date of the accident, shall receive annually from the fund an amount equal to ½ of the annual salary being received by such employee on the date of the accident. The board of trustees may waive strict compliance with the time limits within which a report of the accident and an application for retirement must be filed with the board if it is satisfied: (1) that a report of the accident from which the disability is claimed to have resulted was filed with the employing board of education with reasonable promptitude and in no event later than 60 days after the accident, and (2) the applicant shall show that his failure to file a report with the board of trustees or to file his application for retirement within the time limited by law was due to mistake, inadvertence, ignorance of fact or law, inability, or to the fraud, misrepresentation or deceit of any person, or to a delay in the manifestation of the incapacity, or to any other reasonable cause or excuse, and (3) that the application for retirement was filed in good faith and the circumstances justify its favorable consideration.

The trustees of the pension fund shall have the power to determine whether or not any employee is permanently and totally disabled, and whether or not a disability of an employee is the result of an accident at some definite time and place in the performance of his or her duties as such employee. The claimant shall have the right to present physicians, witnesses or other testimony in his or her behalf before the board of trustees. The chairman, or any other member of the board of trustees, may administer oaths to any physician or other persons called before the trustees regarding the employee's disability. The board of trustees shall decide, by resolution, whether the applicant is entitled to the benefit of this act.

Once in each year, the board of trustees may, and upon the member's application shall, require any member retired for a disability who is under the age of 60, to undergo medical examination by a physician or physicians designated by the board of trustees. The examination shall be made at the residence of the pensioner or any other place mutually agreed upon. If the physician or physicians thereupon report and certify to the board of trustees that the disabled pensioner is not permanently and totally incapacitated, either mentally or physically, for the performance of duty, and the board finds that said member is engaged in a gainful occupation, or could be engaged in a gainful occupation, and if the board concurs in the report, then the amount of the pension shall be reduced to an amount which, when added to the amount then being earned by him or her or an amount which he or she could earn if gainfully employed, shall not exceed the amount of compensation received by him or her at the time of his or her retirement. If subsequent examination of such pensioner shows that his or her earnings have changed since the date of his or her last examination, then the amount of the pension shall be further altered, but the new pension shall not exceed the amount of the pension originally granted, nor shall the new pension, when added to the amount then being earned by the pensioner, exceed the salary or compensation received by him or her at the time of his or her retirement.

d. At the time of retirement, any member may elect to receive his or her benefits in a retirement allowance payable throughout life, or he or she may, on retirement, elect to convert the benefits, otherwise payable to him or her, into a retirement allowance of the equivalent actuarial value computed on the basis of such mortality tables as shall be adopted by the board of trustees, in accordance with one of the optional forms following:

Option 1. A reduced retirement allowance, payable during life, with a provision that in the case

of death, before the total pension payments have equaled the actuarial value computed as aforesaid, the balance shall be paid to his or her surviving designated beneficiary, duly acknowledged and filed with the board of trustees; and if none, then to the executor or administrator of his or her estate.

Option 2. A reduced retirement allowance, payable during the retired member's life, with the provision that after his or her death it will continue during the life of and be paid to his or her designated beneficiary, if such person survives him or her.

Option 3. A reduced retirement allowance, payable during the retired member's life, with the provision that after his or her death, an allowance at ½ of the rate of his or her reduced allowance will be continued during the life of and be paid to his or her designated beneficiary, if such person survives him or her.

Option 4. A reduced retirement allowance, payable during the retired member's life, with some other benefit payable after his or her death, provided, the benefit is approved by the board of trustees.

No optional selection shall be effective in case a member dies within 30 days after retirement and such a member shall be considered an active member at the time of death until the first payment on account of any benefit becomes normally due.

The board of trustees shall, from time to time and as often as they deem it necessary, employ an actuary who shall recommend, and the board shall keep in convenient form, such data as shall be necessary for actuarial valuations of the various funds created by this chapter. At least once in every 5-year period, or more frequently as determined by the board of trustees the actuary shall make an actuarial investigation into the mortality, service and salary experience of the members and beneficiaries of the retirement system, and shall make a valuation of the assets and liabilities of the various funds thereof, and upon the basis of such investigation the board of trustees shall:

(a) Adopt for the retirement system such mortality, service and other tables as shall be deemed necessary.

(b) Certify the rate of contribution which shall be made by each board of education to the pension fund as provided by this act.

C. 18:5-79.2. Compulsory retirement on reaching age 70.

7. Any member who shall have reached 70 years of age shall be retired by the board of trustees forthwith, except that an employee reaching 70 years of age may be continued in service until the end of the school year upon written notice to the board of trustees by the board of education where the member is employed.

C. 18:5-79.3. Deferred retirement allowance.

8. A member of the pension fund who has 20 years of service credit in the pension fund and who separates voluntarily or involuntarily before attaining the age of 60 years, and not by removal for cause on charges of misconduct or delinquency, may elect to receive a deferred retirement allowance beginning at the age of 60 years, equal to 1/60 of the average annual salary received by him during the 5 years immediately preceding his separation from service multiplied by the number of years of credited service, with optional privileges as provided for in R. S. 18:5–79d.

Such member shall advise the board of trustees of his election of such a deferred retirement allowance in writing, and shall complete such forms as shall be specified by the board of trustees in its administration of this section.

Subsequent to making such an election, but prior to attaining age 60 a member may later elect to withdraw all payments which he has made to the pension fund together with simple interest at the rate of 2% per annum figured on such employee contributions. Upon such withdrawal of contributions, no further benefits shall be payable on behalf of said employee by the pension fund. If such a member should die before attaining the age of 60 years, all payments which he has made, together with simple interest at the rate of 2% per annum figured on such employee's contributions to the

fund from the date of membership, shall be paid to such person, if living, as he shall have nominated by written designation duly executed and filed with the board of trustees, otherwise to the executor or administrator of the member's estate.

C. 18:5-74.2. Veterans' contributions returned; prior service credits.

9. a. Each public employee veteran member of a pension fund now in existence and established under article 16 of chapter 5 of Title 18 of the Revised Statutes shall have returned to him the contributions made by him as of the first day of the month following the effective date of this amendatory and supplementary act with simple interest at 2% per annum to such date. All service rendered in office, position or employment of this State or of a county, municipality, school district or board of education or service rendered for the State University of New Jersey, an instrumentality of this State, after April 16, 1945, and the New Jersey State Agricultural Experiment Station established by an act approved March 10, 1880 (P. L. 1880, c. 106 and continued pursuant to chapter 16 of Title 4 of the Revised Statutes), an instrumentality of this State, excluding service rendered as County Extension Service Farm and Home Demonstration Agents, by such veteran member previous to the effective date of this legislation, for which evidence satisfactory to the board of trustees is presented within one year of the effective date of this section, shall be credited to him as a member and such credit shall be known as prior service credit and the obligation of the board of education employing such veteran member on account of such credit shall be known as the accrued liability on behalf of such veteran member, and the board of education which employed such veteran member as of the effective date of this amendatory and supplementary act shall liquidate said accrued liability by annual payments for a period of 30 years commencing July 1, 1963, the amount of these payments to be computed by the actuary and certified by the board of trustees.

b. In the event that a public employee veteran who prior to the effective date of this amendatory and supplementary act rendered service in office, position or employment of this State, including such service rendered for any instrumentality enumerated in paragraph a of this section, or of a county, municipality, or school district or board of education shall become a member of the pension fund on or after said date, such public employee veteran shall receive prior service credit for such service for which evidence satisfactory to the board of trustees is presented in the same manner as received by other public employee veteran members. The employer of such public employee veteran on the date of his becoming a member shall liquidate the accrued liability for such prior service by annual payments over the remainder of the 30-year period specified in subsection a. of this section, the amount of these payments to be computed by the actuary and certified by the board of trustees.

C. 18:15-79.4. Special retirement privileges of veteran members.

10. a. Any public employee veteran in office, position or employment with a board of education or a school district on the effective date of this legislation, who is or becomes a member of a pension fund established under article 16 of chapter 5 of Title 18 of the Revised Statutes and who is or who remains in such service until he attains 60 years of age and who has or shall have been for 20 years in the aggregate in office, position or employment with this State or of a county, municipality, or school district or board of education, satisfactory evidence of which service has been presented to the board of trustees, shall have the privilege of retiring and of receiving annually from the fund, for and during the remainder of his life, by way of pension, ½ of the compensation which he received throughout his last year of employment, with the optional privileges provided in paragraph d of section 18:5–79 of the Revised Statutes. "Last year of employment," as herein last used shall mean the 12-month period preceding the date of

retirement, regardless of the date when such retirement occurs, provided the date of retirement is after the effective date of this act.

b. Any veteran who shall take office, position or employment with a board of education or a school district after the effective date of this legislation and who shall become a member of the pension fund after such date, and who shall have attained 62 years of age and who shall present to the board of trustees satisfactory evidence of 20 years of aggregate service in office, position or employment with this State or with a county, municipality, or school district or board of education, shall have the privilege of retiring and of receiving annually from the fund, for and during the remainder of his life, by way of pension, ½ of the compensation which he received throughout his last year of employment upon which compensation he made contributions to the pension fund, with the optional privileges provided in paragraph d of section 18:5–79 of the Revised Statutes.

c. Any public employee veteran member of the pension fund who had been for 20 years in the aggregate in office, position or employment with this State or with a county, municipality, or school district or board of education as of the effective date of this legislation shall have the privilege of retiring for ordinary disability and of receiving a retirement allowance equal to ½ of the compensation which he received throughout his last year of employment upon which contributions to the pension fund are based, with the optional privileges provided in paragraph d of section 18:5–79 of the Revised Statutes.

C. 18:5-74.3. "Veteran" defined.

11. "Veteran" means any honorably discharged officer, soldier, sailor, airman, marine or nurse who served in any army, air force or navy of the allies of the United States in World War I, between July 14, 1914, and November 11, 1918, or who served in any army, air force or navy of the allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was in-

ducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose his United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions, or emergencies, and who has presented to the board of trustees evidence of such record of service in form and content satisfactory to said board of trustees:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I, between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and September 2, 1945, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training

Program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies any part of which 90 days was served between said dates; provided, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided.

(11) Emergency, at any time after June 23, 1950, and prior to the date of termination, suspension or revocation of the proclamation of the existence of a national emergency issued by the President of the United States on December 16, 1950, or date of termination of the existence of such national emergency by appropriate action of the President or the Congress of the United States, who shall have served at least 90 days in such active service, exclusive of any period he was assigned (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of his civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service incurred injury or disability shall be classed as a veteran whether or not he has completed the 90-day service as herein provided.

C. 18:5-80.1. Contributory death benefit coverage; member's death benefit fund; schedule of contributions.

12. a. The board of trustees may establish a plan of contributory death benefit coverage under which a death benefit, shall, upon receipt of proper proofs of death in service of a member covered therefor, be paid to such person, if living, as the member 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. The amounts of death benefits under such plan of contributory death benefit coverage shall be determined by the board of trustees, provided that the amount of the death benefit for any

member shall not exceed 1½ times the compensation received by the member in the last year of creditable service, and provided further that for the death in service of a member occurring after he has attained age 70, the amount of death benefit under such plan shall not exceed 3/16 of the compensation received by the member in the last year of creditable service. Such a plan of contributory death benefit coverage shall be subject to adjustment from time to time by the board of trustees.

b. The board of trustees shall establish all rules governing the contributory death benefit coverage, subject to the provisions of this section. There is hereby established the Members' Death Benefit Fund in which fund shall be accumulated the contributions made under this section. Upon the death of a member electing the contributory death benefit, the contributory death benefit payable shall be paid from the Members' Death Benefit Fund.

c. The board of trustees shall establish schedules of contributions to be made by or on behalf of the members covered under the plan of contributory death benefit coverage. Such contributions shall be so computed that the contributions made by or on behalf of all covered members in the aggregate shall be sufficient to provide for the cost of the benefits established by subsection a. of this section. Such schedules of contributions shall be subject to adjustment from time to time, by the board of trustees, as the need may appear.

d. Each member will be eligible for such contributory death benefit coverage in accordance with and subject to the further provisions of this section. Each person who is a member on the date this section takes effect may elect to purchase such contributory death benefit coverage and such member shall become covered therefor on the first day on or after such election, on which he is actively at work and performing all his regular duties at his customary place of employment, provided that in no event may such election be made more than one year after the date this section takes effect. Each

person becoming a member after the effective date of this section shall automatically be covered for such contributory death benefit coverage from the first day of his membership on which he is actively at work and performing all his regular duties at his customary place of employment. Such automatic coverage shall continue during the member's first year of membership and during such year contributions as fixed by the board of trustees shall be made by or on behalf of the member. After such first year of membership such member shall continue to be covered for contributory death benefit coverage, subject to the continuance of the required contributions and subject to the provisions of such plan and the provisions of this section.

e. The contributions of a member for the contributory death benefit coverage shall be deducted from his compensation, but if there is no compensation from which such contributions may be deducted it shall be the obligation of the member to make such contributions directly to the Members' Death Benefit Fund or as directed by the board; provided, however, that no contribution shall be required while a member remains in service after attaining age 70 but the board of education employing such person shall be required to pay into the Members' Death Benefit Fund or as directed by the board of trustees on such person's behalf an amount equal to the contribution otherwise required by the board of trustees in accordance with this section.

f. Any other provision of this act notwithstanding, the contributions of a member, or the contributions made on behalf of a member by the board of education employing such member for the contributory death benefit coverage under this section shall not be returnable to the member, his or her beneficiary, or the board of education employing such member in any manner, or for any reason whatsoever, nor shall any contributions made for the contributory death benefit coverage be included in any pension payable to such member or to his or her beneficiary.

g. A member who is covered by the contributory death benefit coverage provided by this section may file with the board of trustees, and alter from time to time during his lifetime, as desired, a duly attested, written, new nomination of the payee of the death benefit provided under this section. Such member may also file and alter from time to time during his lifetime, as desired, a request with the board of trustees directing payment of said benefit in one sum or in equal annual installments over a period of years or as a life annuity. Upon the death of such member, a payee to whom a benefit is payable in one sum may elect to receive the amount payable in equal installments over a period of years or as a life annuity.

h. All other provisions of this section notwithstanding, the benefits to be provided pursuant to this section shall come into effect only as determined by the board of trustees. Applications for such additional death benefit coverage shall be submitted to the board of trustees in such a manner and upon such forms as the board of trustees shall provide.

C. 18:5-80.2. Purchase of insurance coverage.

13. The county superintendent of schools is hereby authorized and permitted to purchase from one or more life insurance companies, a policy or policies of group life insurance to provide for the noncontributory death benefit and the contributory death benefit as provided in section 12 of this act.

C. 18:5-80.3. Requirements for life insurance company to qualify.

14. Any life insurance company must meet the following requirements in order to qualify under section 13 of this act: (a) be licensed under the laws of the State of New Jersey to transact life and accidental death insurance, and (b) the amount of its group life insurance in the State of New Jersey other than group creditors insurance shall at the time said insurance is to be purchased equal at least 1% of the total amount of such group life insurance in the State of New Jersey in all life insurance companies.

C. 18:5-80.4. Funds created for payment of insurance premiums.

15. a. In the event the county superintendent of schools shall determine to purchase group life 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 county superintendent of school 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 participating employers as due and owing from them. The participating employers shall pay over to the county superintendent of schools the amount for premiums so certified and the county superintendent of schools shall deposit these amounts in the Group Insurance Premium Fund.

b. In the event that the county superintendent of schools shall determine to purchase group coverage for the 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 or on behalf of members to provide such contributory death benefits shall be accumulated in said Contributory Group Insurance Premium Fund.

c. Any dividend or retrospective rate credit allowed by an insurance company shall be accredited to the aforesaid funds in an equitable manner. During the period such group insurance policy or policies are in effect, there shall be no commingling of the moneys in said funds with any other fund established pursuant to this act.

C. 18:5-80.5. Conversion privileges.

16. a. Any such group policy or policies shall include, with respect to any insurance terminating because the member has been retired or because of termination of service, the conversion privilege available upon termination of employment as prescribed by the law relating to group life insurance. Any such group policy or policies shall also provide that if a member dies during the 31-day period during which he would be entitled to exercise the conversion privilege, the amount of insurance with respect to which he could have exercised the con-

version privilege shall be paid as a claim under the group policy.

b. If any member who has exercised the conversion privilege under the group policy or policies again becomes a member of the pension fund while the individual policy obtained pursuant to the conversion privilege is still in force, he shall not again be eligible for any of the death benefits provided by the noncontributory or contributory insurance group policy or policies unless he furnishes satisfactory evidence of insurability.

C. 18:5-80.6. Payment of benefits.

17. 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. 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.

C. 18:5-80.7. Arrangement for payment of death benefits.

18. 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 one sum directly to the beneficiary as hereinafter provided, in equal 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 one sum by the insurance company may likewise arrange for a settlement as described above. Any arrangement for payment under a group policy to a beneficiary shall be in lieu of that provided by the sections of this act establishing the benefits covered under such policy.

C. 18:5-80.8. Absence due to illness.

19. a. For the purpose of section 12 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.

Absence due to causes other than illness.

b. For the purpose of section 12 of this act, a member shall be deemed to be in service for a period of no more than 93 days while on official leave of absence without pay when such leave of absence is due to any reason other than illness, including military leave of absence.

C. 18:5-79.5. Semimonthly payments.

20. All pensions paid by a pension fund established under article 16 of chapter 5, Title 18 of the Revised Statutes, shall be paid in equal semimonthly installments and shall not be decreased, revoked or repealed, except as otherwise provided in this act.

21. This act shall take effect immediately.

Approved June 26, 1962.

CHAPTER 99

AN ACT to amend "An act concerning corporations, and supplementing chapter 8 of Title 14 of the Revised Statutes," approved April 10, 1943 (P. L. 1943, c. 175).

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. 14:8-3.1. Purchase and retirement of preferred or special stock.

1. Any corporation having any preferred or special stock which is not made subject to redemption in the certificate of incorporation pursuant to

which the same has been or shall be issued shall have the power, pursuant to a resolution of the board of directors thereof, to purchase out of surplus, from time to time, all or part of such preferred or special stock. Such a purchase may be made for any corporate purpose including retirement of such stock and such preferred or special stock which heretofore has been or hereafter shall be so purchased by the corporation out of surplus may be retired by resolution of the board of directors and when so retired shall not be reissued and the authorized amount of the stock of the class so retired shall be deemed to be reduced to the extent of the shares so retired.

There shall be charged against capital, upon such retirement of any stock with par value no more than the par value thereof and in case the same be without par value, not more than the amount of capital received upon the issuance of such stock plus any additional amount treated as capital in respect thereto by reason of the transfer of surplus to capital account pursuant to section 14:8–6 of Title 14 of the Revised Statutes.

In every such case the corporation shall, within 60 days from the date of the adoption of such retirement resolution, execute and file with the Secretary of State a certificate under its seal and the hands of its president or a vice-president and its secretary or an assistant secretary, and acknowledged or proved as in the case of deeds of real estate, setting forth with particularity the kind and number of shares of the stock so purchased from surplus and retired and the date upon which such resolution of retirement was adopted, whereupon such retirement and the resultant decrease of capital shall become effective as of the date of the adoption of the resolution so specified in such certificate without the necessity of any other proceedings.

Such certificate shall also be published for 3 weeks successively, at least once in each week, in a newspaper published in the county in which the

principal office of the corporation is located, the first publication to be within 15 days after the filing of the certificate.

2. This act shall take effect immediately.

Approved June 29, 1962.

CHAPTER 100

AN ACT to establish part of the boundary line between the township of Clinton and the borough of Lebanon in the county of Hunterdon.

Preamble.

WHEREAS, The governing bodies of the township of Clinton and the borough of Lebanon have determined by resolution that it is advisable and to the best interests of both the said municipalities to create a new boundary line, and have requested the Legislature to enact a statute creating such new boundary line by annexing to the borough of Lebanon the tract or parcel of land hereafter described; 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:*

Land annexed; description.

1. The following described area of land situate in the township of Clinton in the county of Hunterdon is hereby annexed to and made part of the borough of Lebanon.

Beginning at a point on the Westerly side of the road running between Cokesbury and Lebanon, said point also being in the Lebanon borough line; said point also being North 34 degrees 34 minutes East 1.10 feet from the Southeasterly corner of lands now belonging to Franklin P. Milligan, as recorded

and described at the Hunterdon County Clerk's Office in Book 483 of Deeds on page 435 etc.; said beginning point also being North 66 degrees 53 minutes West 660.73 feet from a concrete monument which marks the termination of the thirteenth course in a description of the incorporation of the lands of the borough of Lebanon contained in Chapter 182, Laws of 1926 in the State of New Jersey; thence (1) by lands now or formerly belonging to William F. Wills, the line running along a portion of the thirteenth course of the description of the lands incorporating the borough of Lebanon, North 66 degrees 53 minutes West 151.32 feet to a point still in the line of the borough of Lebanon, said point being South 34 degrees 34 minutes West 6.48 feet from the Southwesterly corner of lands belonging to Franklin P. Milligan; thence (2) at first by lands now or formerly belonging to William F. Wills, then by lands belonging to Franklin P. Milligan, then by lands belonging to James Ramsey, North 34 degrees 34 minutes East 256.48 feet to an iron pipe found, said point marking the Northwesterly corner of lands belonging to James Ramsey; thence (3) by the Northerly line of lands belonging to James Ramsey, South 63 degrees 59 minutes East 150.00 feet to another iron pipe found, said point being on the Westerly side of the macadam road previously mentioned in the opening phrases of this description; thence (4) along the Westerly bank of the road at first by lands belonging to James Ramsey, then by lands belonging to Franklin P. Milligan, South 34 degrees 34 minutes West 248.90 feet to the place of Beginning; all bearings being magnetic as observed in June of 1955 and the parcel containing a calculated area of 0.84 acres of land, more or less as surveyed by John E. Studer, Professional Engineer and Land Surveyor, New Jersey License No. 4164.

2. This act shall take effect immediately.

Approved June 29, 1962.

CHAPTER 101

AN ACT to amend "A supplement to 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67),'' approved May 10, 1952 (P. L. 1952, c. 179).

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. 17:9A-23.2. Location of auxiliary office.

2. Each auxiliary office shall be located in the same municipality as that in which the bank or savings bank maintains the office to which such auxiliary office is an adjunct. No auxiliary office shall be established or maintained at a location which is more than 2,000 feet from the office of the bank or savings bank to which such auxiliary office is an adjunct; nor shall any such auxiliary office be established within 1,000 feet of the principal office or a branch office of another banking institution without the written consent of such other banking institution. Such consent, once given, shall thereafter be irrevocable, regardless whether it was given gratuitously or for a valuable consideration. No bank or savings bank shall be required to discontinue an auxiliary office for the reason that, after its establishment pursuant to this act, another banking institution has established its main office or a branch office within 1,000 feet of such auxiliary office.

2. This act shall take effect immediately.

Approved June 29, 1962.

CHAPTER 102

AN ACT concerning the State Highway Department, and adding a route to the State highway system.

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

New route added.

1. The State Highway Commissioner is authorized as soon as practical to add to the State highway system a new route beginning at Route 18 in New Brunswick and taking a northwesterly direction generally parallel to the Raritan river crossing the river in the Leupp lane-Metlars lane area and continuing to Route 22 in the vicinity of the westerly terminus of Greenbrook road, Greenbrook township, Somerset county together with spur to Route 287 in the vicinity of Metlars lane in the township of Piscataway.

Freeway.

2. This route and spur shall be designated a Freeway in accordance with chapter 83, laws of 1945 and given route numbers when constructed.

3. This act shall take effect immediately.

Approved June 29, 1962.

CHAPTER 103

AN ACT concerning sewers, drains and disposal plants, and amending section 40:63–95 of the Revised Statutes.

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

Section amended.

1. Section 40:63–95 of the Revised Statutes is amended to read as follows:

Proposals; advertisement; bids and awards; bond; emergency work.

40:63–95. Whenever any work to be performed or materials to be furnished in or about any improvement or works to be made under the provisions of this article shall involve an expenditure of

a sum of money exceeding $2,500.00, the municipal bodies or boards of the contracting municipalities, by their official action taken in joint meeting as herein provided, shall designate a time when they will meet at their usual place of meeting to receive proposals in writing, for doing the work or furnishing the materials, and such joint meeting shall order the chairman and secretary thereof to give notice by advertisement inserted in one or more newspapers circulating in one or more of the contracting municipalities in each county in which the contracting municipalities are situate at least 10 days before the time of such meeting, of the work to be done or materials to be furnished, of which at the time of such order they shall cause to be filed in the office of such joint meeting particular specifications. Not more than one proposal shall be received from any one person, directly, or indirectly, for the same contract, work, or materials, and all proposals received shall be publicly opened by the chairman in the presence and during a session of such joint meeting, and of all others who choose to attend the meeting. The joint meeting may reject any and all proposals and direct its chairman and secretary to advertise for new proposals and accept such as shall in the opinion of a majority of the municipalities represented in the joint meeting, be deemed most advantageous for the municipalities.

The proposal so accepted shall be reduced to a contract in writing, and a satisfactory bond to be approved by the joint meeting shall be required and given for its faithful performance, but all contracts when awarded shall be awarded to the lowest responsible bidder offering satisfactory security.

This section shall not prevent the joint meeting from having any work done by its own employees, nor shall it apply to repairs, or to the furnishing of materials, supplies or labor, or to the hiring of teams or vehicles, when the safety or protection of public property or the public convenience require, or the exigency of the public service will not admit

of such advertisement. In such case, however, the joint meeting shall, by resolution, passed by the affirmative vote of ⅘ of all the contracting municipalities represented in such joint meeting, declare the exigency or emergency to exist, and set forth in the resolution the nature thereof and the approximate amount to be so expended.

This section shall not apply to any engineer or agent of the jointly contracting municipalities engaged in supervising or directing the work of the improvement.

2. This act shall take effect immediately.

Approved July 6, 1962.

CHAPTER 104

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

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

Section amended.

1. Section 36 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-36. Terms defined.

36. Definitions.

As used in this article, and except as the context otherwise requires,

(1) "common trust fund" means a fund established and maintained by a bank exclusively for the collective investment and reinvestment of moneys contributed thereto by the bank in any fiduciary capacity specified in paragraphs (5), (6), (9) and (10) of section 28;

(2) "bank" means a qualified bank which is empowered to invest moneys entrusted to it in any

capacity specified in paragraphs (5), (6), (9) and (10) of section 28;

(3) "cofiduciary" means one or more individuals or corporations, or both, lawfully acting or entitled to act jointly with a bank in the exercise of the powers referred to in the next preceding paragraph;

(4) "trust instrument" means the will, deed, agreement, court order or other instrument pursuant to which money or other property is entrusted to a bank as sole fiduciary or jointly with a cofiduciary;

(5) "trust estate" means money or other property entrusted to a bank solely or jointly with a cofiduciary pursuant to a trust instrument;

(6) "legal investments," (a) when applied to the investments of a trust estate, means those investments which a fiduciary is authorized to make pursuant to any statute of this State, and which the fiduciary may make at any time, without limitation or restriction imposed by statute on the percentage of the value of the trust estate which may be invested in such investments; and, (b) when applied to the investments of a common trust fund, "legal investments" means all legal investments, as defined in subdivision (a) of this paragraph, which qualify as investments for common trust funds under the provisions of section 39;

(7) "limited legal investments," (a) when applied to the investments of a trust estate, means all investments other than legal investments as defined in subdivision (a) of paragraph (6) of this section; and, (b) when applied to the investments of a common trust fund, "limited legal investments" means all limited legal investments, as defined in subdivision (a) of this paragraph, which qualify as investments for common trust funds under the provisions of section 39;

(8) "legal common trust fund" means a common trust fund which, in addition to uninvested cash balances held pursuant to subsection C of section 39, consists wholly of legal investments, or

partly of legal investments and partly of limited legal investments in the ratio hereinafter in this paragraph provided. No investment of the funds of a legal common trust fund shall be made in a limited legal investment unless such investment is made not later than the end of the seventh full business day next following a date as of which (a) the aggregate value of all the limited legal investments held in such legal common trust fund does not exceed, or (b) the making of such limited legal investment would not cause such aggregate value to exceed, 60% of the aggregate value of all the property which constitutes the principal of such legal common trust fund. No change in the investments of a legal common trust fund shall be required solely by reason of fluctuations in the value of the investments held in such fund, notwithstanding that such fluctuations cause the aggregate value of the limited legal investments held in such fund to exceed 60% of the aggregate value of all the property which constitutes the principal of such legal common trust fund. A participation in a legal common trust fund shall be deemed to be a legal investment;

(9) "discretionary common trust fund" means a common trust fund other than a legal common trust fund; and, in addition to uninvested cash balances held pursuant to subsection C of section 39, a discretionary common trust fund may consist wholly of limited legal investments, or partly of limited legal investments and partly of legal investments in such proportions as the trust investment committee may, from time to time, determine. A participation in a discretionary common trust fund shall be deemed to be a limited legal investment;

(10) "participation" means the undivided share in a common trust fund which accrues to a trust estate as the result of a bank's investment of funds of such trust estate in such common trust fund;

(11) "trust investment committee" means a trust committee of a bank created pursuant to section 109, a trust committee of a savings bank

created pursuant to section 190, and a trust investment committee of a national banking association; and, where no trust committee has been established by such bank or savings bank, "trust investment committee" means the board of directors of a bank and the board of managers of a savings bank acting as a trust investment committee.

Section amended.

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

C. 17:9A-38. Effect of trust instruments.

38. Effect of trust instruments.

A. Except as otherwise provided by subsection B of this section, where the trust instrument defines, limits, or specifies the investments which may be made of a trust estate, any common trust fund in which all or any part of such trust estate is invested shall consist only of the investments defined, limited, or specified in such trust instrument.

B. Where the trust instrument makes no provision governing the investments which may be made of a trust estate, or where the trust instrument directs that an estate be invested in "legal investments" or in "investments in which a fiduciary may by law invest" or in "legal investments for trustees," or uses words of similar import, investment of such trust estate may be made, in whole or in part, in a legal common trust fund, or in part, in a discretionary common trust fund, or in both; but no investment of such an estate shall be made in a discretionary common trust fund at any time when the aggregate value of all limited legal investments held in such trust estate exceeds, or if the investing in such discretionary common trust fund would cause such aggregate value to exceed 60% of the aggregate value of all the property which constitutes the principal of such trust estate.

C. Where the trust instrument permits investments of the trust estate to be made in limited legal investments, investment of all or any part of such trust estate may be made in either a legal common trust fund, or in a discretionary common trust fund, or in both, as the trust investment committee shall deem advisable.

3. This act shall take effect immediately.

Approved July 6, 1962.

CHAPTER 105

AN ACT concerning education, authorizing boards of education to require the classification of bidders, and supplementing Title 18 of the Revised Statutes.

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

C. 18:11-9.1. Terms defined.

1. As used in this chapter:

"Person" means and includes any individual, co-partnership, association, corporation or joint stock company, their lessees, trustees, assignees or receivers appointed by any court whatsoever.

"Board of education" means and includes the board of education of any local school district, consolidated school district, regional school district, county vocational school and any other board of education or other similar body other than the State Board of Education, established and operating under the provisions of Title 18 of the Revised Statutes and having authority to engage contractors for the performance of public works for the board.

C. 18:11-9.2. Classification of bidders.

2. Every board of education shall require that all persons proposing to bid on any contract with the board for public work shall first be classified by the State Board of Education as to the character and amount of public work on which they shall be qualified to submit bids. So long as such requirement is in effect, the board of education shall accept bids only from persons qualified in accordance with such classification.

C. 18:11-9.3. Statement by prospective bidder.

3. Any person desiring such classification shall file with the State Board of Education a statement under oath in response to a questionnaire, prepared and standardized for like classes of work, by the State Department of Education. The statement shall develop fully the financial ability, adequacy

of plant and equipment, organization and prior experience of the prospective bidder, and also such other pertinent and material facts as may be deemed desirable.

C. 18:11-9.4. Prospective bidders classified; notice.

4. The State Department of Education shall classify all such prospective bidders as to the character and amount of public work on which they shall be qualified to submit bids. The classification shall be made and an immediate notice thereof shall be sent to the prospective bidder or bidders by registered mail within a period of 15 days after the date of receipt of the statement in response to the questionnaire; provided, however, that if the State Department of Education shall require additional information from the prospective bidder, the classification shall be made and the notice sent within 15 days after receipt of such additional information.

C. 18:11-9.5. Request for hearing on classification; notice; appeal from commissioner's decision.

5. Any person, after being notified of his classification, being dissatisfied therewith or with the classification of another person or persons, may request in writing a hearing before the Commissioner of Education, and may present such further evidence with respect to his financial ability, plant and equipment or prior experience, or that of the other person or persons, as might tend to justify a different classification.

Where the request for a hearing is related to the classification of another person, the applicant for the hearing shall notify such other person, by registered mail, of the time and place of hearing and at the hearing shall present to the commissioner satisfactory evidence that such notice was given before any matters pertaining to the classification of such other person shall be taken up.

After the hearing the commissioner may change or affirm the classification or classifications, the subject of the hearing.

Decisions of the commissioner, made after hearing, shall be subject to appeal to the State Board of Education in accordance with the procedure described in sections 18:3–14 and 18:3–15 of the Revised Statutes.

C. 18:11-9.6. Refusal of bids; procedure.

6. Nothing contained in this act shall be construed as depriving any board of education of the right to reject all bids. Where there have been developments subsequent to the qualification and classification of a bidder which in the opinion of the awarding board would affect the responsibility of the bidder, information to that effect shall forthwith be transmitted to the State Department of Education for its review and reconsideration of the classification. Before taking final action on any such bid, the board of education concerned shall notify the bidder and give him an opportunity to present to the State Department of Education any additional information which might tend to substantiate the existing classification.

C. 18:11-9.7. Prequalification required of bidders; affidavit of bidder; contents.

7. No person shall be qualified to bid on any contract with the board who shall not have submitted a statement as required by section 3 of this act within a period of 6 months preceding the date of opening of bids for such contract. Every bidder shall submit with his bid an affidavit that subsequent to the latest such statement submitted by him there has been no material adverse change in his qualification information except as set forth in said affidavit. The specifications for every contract subject to this chapter shall provide that the board of education, through its architect or other authorized agent, shall upon completion of the contract report to the State Department of Education as to the contractor's performance, and shall also furnish such report from time to time during performance if the contractor is then in default.

C. 18:11-9.8. Fraudulent statements a misdemeanor; penalty.

8. Any person who makes, or causes to be made, a false, deceptive or fraudulent statement in the questionnaire required to be submitted, or in the course of any hearing under this act shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine of not less than $100.00 nor more than $1,000.00; or, in the case of an individual or the officer or employee charged with the duty of making such questionnaire for a person, firm, copartnership, association or corporation, to pay

such fine or undergo imprisonment, not exceeding 6 months, or both. All such persons and any copartnership, association, corporation or joint stock company of which any such person is a partner or officer or director, and any corporation of which he owns more than 25% of the stock, shall for 5 years from the date of such conviction be disqualified from bidding on all public work in this State.

C. 18:11-9.9. Forfeiture of bid security.

9. The board of education shall cause the forfeiture as liquidated damages to the board of any certified check or certificate of deposit deposited as bid security by any person who makes or causes to be made any false, deceptive or fraudulent statement in the questionnaire or bid affidavit required to be submitted, or in the course of any hearing under this act.

C. 18:11-9.10. Regulations; scope.

10. The State Board of Education shall establish such reasonable regulations as to it may seem appropriate for controlling the qualifications of prospective bidders. The regulations shall fix the qualification requirements for bidders according to available capital and equipment, and with due regard to the organization and prior experience of the bidder and all other pertinent and material facts. No regulations of the State Board of Education for controlling the qualifications of bidders shall become effective until at least 30 days after the regulations shall have been formally adopted and published in not less than 10 newspapers of this State.

C. 18:11-9.11. Bars actions for damages.

11. No action for damages out of any court of competent jurisdiction shall lie against the State Board of Education or any State official because of any action taken by virtue of the provisions of this act.

Note: Act effective.

12. This act shall take effect January 1, 1963.

Approved July 6, 1962.

CHAPTER 106

AN ACT to amend "An act concerning exemptions from taxation on real property of citizens and residents of this State of the age of 65 or more years having an income not in excess of $5,000.00 per year, and supplementing chapter 4 of Title 54 of the Revised Statutes," approved April 5, 1961 (P. L. 1961, c. 9).

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. 54:4-3.42. Facts essential to support claim to exist on October 1; contents of application.

7. Every fact essential to support a claim for exemption hereunder shall exist on October 1 of the pretax year, except as in this section otherwise provided. Every application by a claimant therefor shall establish that he is or will be on or before December 31 of the pretax year 65 or more years of age and that he was, on October 1 of the pretax year, (a) a citizen and resident of this State for the period required, (b) the owner of a dwelling house which is a constituent part of the real property for which the exemption is claimed, (c) residing in said dwelling house. Such application shall also establish that his income for the yearly period as provided by this act did not exceed $5,000.00.

2. This act shall take effect immediately.

Approved July 6, 1962.

CHAPTER 107

AN ACT limiting the liability of landowners of agricultural lands or woodlands for personal injuries to or the death of any person while hunting or fishing upon the landowner's property.

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

C. 2A:42A-1. Certain landowners not liable for damages.

1. No landowner of agricultural lands or woodlands shall be liable for the payment of damages suffered resulting from any personal injury to, or the death of, any person, while such person was hunting or fishing upon the landowner's property, except that such injury or deaths resulted from a deliberate or willful act on the part of such landowner.

2. This act shall take effect immediately.

Approved July 6, 1962.

CHAPTER 108

AN ACT supplementing 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. 18:13-112.70c. Reduction not to be made in certain cases; dates for application and retirement; liability paid by State.

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 men born after January 1, 1892 and before July 2, 1893 and after July 1, 1898, and in the case of women born after January 1, 1892 and before July 2, 1896 and after July 1, 1901 provided such individuals have retired or, in the case of in-

dividuals who were born prior to January 1, 1900, shall file application for retirement prior to January 1, 1963, for retirement to become effective not later than July 1, 1963, and, in the case of such individuals who were born on or after January 1, 1900, shall file application for retirement prior to January 1, 1964, for retirement to become effective not later than July 1, 1964, and provided further that such individuals do not earn additional quarters of social security coverage from public employment in New Jersey after the date of retirement or the effective date of this act, whichever is later, and before reaching age 65. Wherever a reduction in retirement allowances 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 any such retired member. The liability created by this act shall be computed by the actuary and shall be paid by the State in annual installments over a period of 30 years commencing July 1, 1963, in such a manner as will provide for this liability.

C. 18:13-112-70d Computing insurance benefit; determining eligibility.

2. Limitation "(b)" of the reduction provided in section 68, of the act to which this act is a supplement, notwithstanding, the eligibility to the old age insurance benefit shall be computed from the effective date of this act until December 31, 1964 in the same manner as computed by the Federal Social Security Administration but in accordance with the provisions of Title II of the Social Security Act in effect on December 31, 1959. In determining such eligibility only the quarters of coverage and wages or compensation for services performed in the employ of the State, or one or more of its instrumentalities, or one or more of its political subdivisions, or one or more instrumentalities of its political subdivisions, or one or more instrumentalities of the State and one or more of its political subdivisions shall be included.

3. This act shall take effect immediately.

Approved July 10, 1962.

CHAPTER 109

AN ACT to regulate the practice of professional planning, establishing a State Board of Professional Planners in the Division of Professional Boards of the Department of Law and Public Safety, requiring the licensing of professional planners and the certification of planners-in-training by said board, and providing penalties for the violation of the provisions hereof.

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

C. 45:14A-1. License required to practice; license displayed; limitation on licensing corporations, firms, etc., construing.

1. In order to safeguard life, health and property, and promote the public welfare, any person practicing or offering to practice professional planning in this State shall hereafter be required to submit evidence that he is qualified so to practice and shall be licensed as hereinafter provided. After the effective date of this act, it shall be unlawful for any person to practice or to offer to practice professional planning in this State, or to use the title "professional planner" or any other title, sign, card or device in such manner as to tend to convey the impression that such person is practicing professional planning or is a professional planner, unless such person is duly licensed under the provisions of this act. Every holder of a license shall display it in a conspicuous place in his principal office, place of business or employment.

No corporation, firm, partnership or association shall be granted a license under this act. No corporation, firm, partnership or association shall use or assume a name involving the word "planners" or "planning," or any modification or derivative of such terms, unless an executive officer, if a corporation, or a member, if a firm, partnership or

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association, shall be a licensed professional planner of the State of New Jersey.

No corporation, firm, partnership or association shall practice or offer to practice professional planning in this State unless the person or persons in responsible charge of professional planning work shall be so licensed to practice in this State. The person or persons carrying on the actual practice of professional planning on behalf of or designated as "professional planners," with or without qualifying or characterizing words, by any such corporations, firms, partnerships, or associations, shall be licensed to practice professional planning as provided in this act.

Nothing in this act shall be construed as requiring licensing for the purpose of practicing professional planning by any person, firm, or corporation with relation to property owned or leased by such person, firm, or corporation, unless otherwise required by statute or ordinance.

C. 45:14A-2. Terms defined.

2. Definitions.

(a) The term "professional planner" as used in this act shall mean a person who engages in the practice of professional planning as hereinafter defined.

(b) The term "planner-in-training" as used in this act shall mean a person who is a potential candidate for license as a professional planner who is a graduate in an approved planning curriculum of 4 years or more from a school or college accredited by the board as of satisfactory standing; or a person who, in lieu of such graduation, has had 4 years or more of experience in planning work of a character satisfactory to the board, and who, in addition, has successfully passed an examination in the fundamental planning subjects, as defined elsewhere herein.

(c) The term "practice of professional planning" within the meaning and intent of this act shall mean the administration, advising, consultation or performance of professional work in the development of master plans in accordance with

the provisions of chapters 27 and 55 of Title 40 of the Revised Statutes, as amended and supplemented; and other professional planning services related thereto intended primarily to guide governmental policy for the assurance of the orderly and co-ordinated development of municipal, county, regional, and metropolitan land areas, and the State or portions thereof. The work of the professional planner shall not include or supersede any of the duties of an attorney at law, a licensed professional engineer, land surveyor or registered architect of the State of New Jersey.

(d) The term "board" as used in this act shall mean the State Board of Professional Planners.

(e) The term "responsible charge of professional planning work" as used in this act shall mean such degree of competence and accountability gained by education and experience of a grade and character as is sufficient to qualify an individual to personally and independently engage in and be entrusted with the work involved in the practice of professional planning.

C. 45:14A-3. Construing effect of act on licensed professional engineers, architects, etc.

3. Nothing in this act shall be construed to prohibit any licensed professional engineer, land surveyor or registered architect in the State of New Jersey from engaging in any or all of the functions or performing any or all of the services set forth in this act, provided however that such persons shall not hold themselves out as professional planners or planners.

C. 45:14A-4. State Board of Professional Planners created; rules and regulations; members; terms; bars succession; vacancies; secretary director.

4. To carry out the provisions of this act, there is hereby created in the Division of Professional Boards of the Department of Law and Public Safety an examining board for the licensing of professional planners and the certification of planners-in-training. The board is authorized to make and enforce rules and regulations necessary to carry out the provisions of this act. The board shall consist of 5 members who shall be professional planners licensed pursuant to the provisions of this act, and who shall be appointed by the Governor, with the advice and consent of the

Senate, within 60 days after the passage of this act. The initial appointments to the board shall be for one term each of 1, 2, 3, 4 and 5 years, beginning July 1 next following their appointment. One member's term shall expire each calendar year, and members shall thereafter be appointed for terms of 5 years. Each member shall hold office after the expiration of his term until his successor shall be duly appointed and qualified. A member of the board shall not be eligible to succeed himself more than once. Except as to the terms of the first members appointed, which shall commence upon the date of appointment, the term of office of the members of the board shall commence on July 1. Vacancies in the membership of the board, however created, shall be similarly filled by appointment of the Governor, with the advice and consent of the Senate, for the unexpired term only.

To supervise all necessary administrative work of the board, there is hereby created the position of secretary-director to the board. The board shall appoint such a secretary-director, to serve for a term of 1 year, at a salary determined by the board. Duties of the secretary-director of the board shall be those defined by the board. The board may provide for the creation of additional positions, as deemed necessary to make effective provisions of this act.

The board shall arrange through lease or otherwise to maintain suitable offices within the State of New Jersey for the conduct of the business of the board.

C. 45:14A-5. Qualifications for members; removal: expenses.

5. Said board, when so appointed, shall be designated and known as the "State Board of Professional Planners."

All persons appointed to the board shall be citizens of the United States and residents of the State of New Jersey. Appointees shall have at least 5 years active experience in professional planning, shall be of good standing in the planning profession, and shall be licensed under the provisions of this act.

The Governor may remove any member of the board after hearing, for misconduct, incompetence, neglect of duty, or any other sufficient cause.

The members of the board shall receive no compensation for their services, but may be reimbursed for all necessary expenses, incidental to their duties as members of the board, incurred in carrying out the provisions of this act.

C. 45:14A-6. Oath; services of attorney general; power to issue subpœna.

6. Each member of the board, before entering upon the duties of his office, shall subscribe to an official oath of office as provided by R. S. 41:1–3, which oath shall be filed in the office of the Secretary of State. The board shall be entitled to the services of the Attorney General in connection with the affairs of the board, and shall have the power to compel the attendance of witnesses and to require the production of evidence, such as books, papers and documents. Any member of the board may administer oaths, and the board may take testimony and proofs concerning any matters within its jurisdiction.

C. 45:14A-7. Organization; meetings; quorum; annual report; courses of study; minutes; books and register.

7. The board shall, at its first meeting, to be called by the Governor as soon as may be following the appointment of its members, and at all annual meetings, to be held in July of each year thereafter, organize by electing from its membership a president and vice-president.

The board shall adopt annually a schedule of regular meetings, and special meetings may be held at the call of the president.

A quorum of the board shall consist of 3 members. No action of any meeting shall be taken without at least 3 votes in accord.

An itemized account of all receipts and expenditures of the board shall be kept by the secretary-director, and a detailed report thereof, verified by the affidavit of the secretary-director, shall be filed with the Director of the Division of Budget and Accounting, Department of the Treasury, within 20 days after the close of the fiscal year. A copy of this report shall be forwarded also to the office of

the Attorney General, as head of the Department of Law and Public Safety.

The board is authorized to review the content and duration of courses of study offered by colleges and universities for degrees in planning, and to establish and maintain a list of colleges and universities whose planning degrees are approved by the board; and the board is also authorized to establish and maintain a list of recognized planning subjects and courses of study, and to establish minimum requirements therefor which shall be acceptable to the board.

The examining board shall keep a record of its proceedings and a record of all applicants for license, showing for each the date of application, name, age, education, and other qualifications, place of practice and place of residence, whether or not an examination was required, and whether the applicant was rejected or a certificate of license granted, and the date of such action.

The books and register of the board shall be prima facie evidence of all matters recorded therein. A public register showing the names and places of practice and residence of all licensed professional planners and planners-in-training shall be prepared under the direction of the secretary-director during the month of August of each year. Such public register shall be printed, a copy mailed to each licensee, and a copy mailed to the clerk of each city, town, township, village, borough, county, and other municipal corporation of this State, which public register shall be placed on file in the office of said clerk.

C. 45:14A-8. Application, form and contents; fee.

8. Applications for licenses as professional planners shall be on forms prescribed and furnished by the board, shall contain statements under oath, showing the applicant's education and detailed statement of his planning experience, and shall contain not less than 5 references, of whom 3 or more shall be licensed professional planners having personal knowledge of the applicant's planning experience. For the first year after the effective date of

this act, full members of the American Institute of Planners may be used as references in lieu of licensed professional planners.

The application fee for professional planners shall be $50.00, and shall accompany the application.

Applications for a certificate of registration as planner-in-training shall be on forms prescribed and furnished by the board, shall be accompanied by a fee of $25.00, and shall contain the names of 3 references, of whom at least one shall be a licensed professional planner having personal knowledge of the applicant's planning training or experience. For the first year after the effective date of this act, full members of the American Institute of Planners may be used as references in lieu of licensed professional planners.

All application fees shall be collected and accounted for by the board, and by it remitted to the State Treasury.

C. 45:14A-9. Minimum evidence to qualify for license.

9. The following shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for license as a professional planner.

(a) The applicant for license as a professional planner shall:

(1) Be of good moral character;

(2) Be a citizen of the United States or have declared his intention to become a citizen of the United States;

(3) Pass the required examinations.

(b) The applicant for license as a professional planner shall submit the following minimum educational and experience qualifications:

(1) A graduate degree in professional planning from an accredited college or university in a curriculum offering instruction in such recognized planning subjects as principles of land use

planning, history of city planning, planning project design, and planning law and administration, as shall be approved by the board; with a minimum of 3 years experience in the full time practice of professional planning; or

(2) An undergraduate degree from an accredited college or university in a curriculum offering a major or option comprising a minimum of 21 credit hours in such recognized planning subjects as shall be approved by the board; with a minimum of 4 years experience in the full-time practice of professional planning; or

(3) Graduation from a secondary school and at least 12 years of professional planning experience acceptable to the board; or

(4) For a period of 8 years only subsequent to July 1, 1963, a degree in a closely related course of study such as architecture, landscape architecture, engineering, law, sociology, geography, public administration, political science or economics, with a minimum of 18 credit hours in recognized planning subjects included as part of or in addition to such courses of study in an accredited college or university, with a minimum of 5 years experience in the full-time practice of professional planning.

(c) The applicant for license as a professional planner shall obtain a passing grade, as determined by the board, upon a qualifying written examination. Such examination shall comprise subject matter covering:

(1) History of urban, rural, and regional planning.

(2) Fundamental theories, research methods and common basic standards in professional planning.

(3) Administrative and legal problems, instruments and methods.

(4) Current planning design and techniques.

(5) History, principles and requirements of planning and zoning procedures in the State of New Jersey.

In considering the qualifications of applicants, the teaching of recognized planning subjects may be construed as planning experience.

Any person having the necessary qualifications prescribed in this act to entitle him to license as a professional planner shall be eligible for such license even though he may not be practicing his profession at the time of making application.

C. 45:14A-10. Minimum evidence to qualify for certificate of registration as a planner-in-training.

10. The following shall be considered as minimum evidence satisfactory to the board that an applicant is qualified for a certificate of registration as a planner-in-training.

(a) The applicant for certificate of registration as planner-in-training shall:

(1) Be of good moral character;

(2) Be a citizen of the United States or have declared his intention to become a citizen of the United States;

(3) Pass the required examinations.

(b) The applicant for certificate of registration as planner-in-training shall present the following minimum qualifications:

(1) Graduation in an approved course in planning of 4 years or more from a school or college approved by the board, and a passing grade, as determined by the board, upon a qualifying written examination in the fundamental professional planning subjects; or

(2) A specific record of 4 years or more of active practice in planning work of a character satisfactory to the board, and a passing grade, as determined by the board, upon a qualifying written examination in the fundamental professional planning subjects.

Any person having the necessary qualifications prescribed in this act to entitle him to a certificate of registration as a planner-in-training shall be eligible for such license even though he may not be practicing his profession at the time of making application.

C. 45:14A-11. Annual examinations; re-examination; issuing license.

11. Examinations for license as a professional planner or certificate of registration as a planner-in-training shall be offered at least once annually at such times and places as the board shall determine. Such examination shall be prepared by the board or by such qualified experts as the board may choose, and may cover any and all aspects of planning previously described herein. The examinations shall be administered by such qualified expert examiners as may be appointed by the board.

An applicant who has failed to obtain a passing grade in an examination may be examined again upon filing a new application and the payment of the application fee fixed by this act, provided that a period of at least 6 months has elapsed before re-examination.

The board, upon application therefor on its prescribed form and the payment of the application and license fees fixed by this act, may issue a certificate of license as a professional planner without written examination to any person holding a certificate of license as a professional planner issued to him by any State, when the applicant's qualifications meet the requirements of this act and the rules established by the board.

The board upon application therefor and the payment of the application and license fees fixed by this act shall issue a certificate of license as a professional planner to any duly licensed professional engineer, licensed land surveyor or registered architect of New Jersey.

Any applicant who has passed the examination and has otherwise qualified hereunder as a professional planner, upon payment of the license fee fixed by this act, shall have a certificate of license issued to him as a professional planner, signed by

the president and secretary-director of the board under the seal of the board. The certificate of license shall authorize the practice of the applicant as a "professional planner." Certificates of license shall show the full name of the licensee and shall have a license number. The issuance of a license certificate by this board shall be evidence that the person named therein is entitled to all the rights and privileges of a licensed professional planner while such certificate remains unrevoked or unexpired.

C. 45:14A-12. Seal required; signing and sealing documents; duplicate license; license certificates recorded.

12. Each professional planner shall, upon receipt of a license certificate, obtain a seal of a design authorized by the board bearing his name, license number, and the legend "Licensed Professional Planner." Maps, charts, reports, documents, and other supporting data issued by persons licensed as professional planners under this chapter shall be signed and sealed when submitted to public authorities, during the life of the licensee's certificate, but it shall be unlawful for anyone to sign or seal any document unless he holds a valid license. The exact method of fulfilling the requirement as to the signing and sealing of documents shall be regulated by the board.

A duplicate certificate of license to replace one lost, destroyed or mutilated may be issued subject to the rules and regulations of the board, and a reasonable fee, to be established by the board, may be charged for such duplicate certificate.

An unsuspended, unrevoked and unexpired certificate of license as a professional planner under this act shall be prima facie evidence in all courts and places that the person named therein is legally licensed.

All license certificates shall be recorded by the board in the office of the Secretary of State, in a book kept for that purpose, and any recording fee as may be provided by law shall be paid by the applicant before the license certificate is delivered.

C. 45:14A-13. Certificate of registration as planner-in-training.

13. The board shall be empowered to issue a certificate of registration as "planner-in-training" to an applicant who meets the qualifications outlined herein.

An applicant who meets the requirements of this act shall receive a certificate of registration as "planner-in-training," which certificate shall remain in effect, unless sooner revoked, for a period of 10 years from the date of issuance.

C. 45:14A-14. Yearly fee; expiration date; notice by secretary-director; notice of delinquency.

14. The yearly license fee for professional planners shall be $100.00.

License certificates shall expire on May 30 following issuance, renewal or reinstatement, and shall become invalid on that day unless renewed. Licensees shall apply for renewal on or before May 30 of each year. It shall be the duty of the secretary-director of the board to notify all persons licensed under this act of the date of the expiration of their certificates and the amount of the fee that shall be required for their renewal for one year; such notice shall be mailed to each licensee at his last post-office address known to the board at least one month in advance of the date of expiration of the license. Renewal of any certificate issued under this chapter may be effected at any time during the month of May by the payment of the fee of $100.00.

The failure on the part of the licensee to renew his license annually in the month of May as required shall not deprive such person of the right of renewal during the ensuing year, but the fee to be paid if the license be renewed in any month during the license year subsequent to May shall be $110.00 instead of $100.00 and, if the license be not renewed within a year after its expiration, the licensee shall pay a reinstatement fee of $110.00 plus $10.00 for each year in which the licensee is in arrears. One notice to the licensee, by mail, on or before May 15, addressed to his last post-office address known to the board, informing him of his failure to have applied for a renewal of his license certificate, shall constitute legal notification of such deliquency by

the board. Continuing to practice as a "professional planner" after the expiration of his license shall render the person so doing liable to all the penalties prescribed for practicing without a license certificate.

C. 45:14A-15. Revocation of license; grounds; preferring charges; hearing; fine.

15. The board shall have the power to revoke the certificate of license of any professional planner or the certificate of registration of any planner-in-training licensed or registered hereunder who is found guilty by the board of any fraud or deceit in obtaining a certificate of license or a certificate of registration, or of gross negligence, incompetence or misconduct in the practice of professional planning.

Any person may prefer charges of such fraud, deceit, negligence, incompetence, or misconduct against any professional planner or planner-in-training.

Such charges shall be in writing, sworn by the complainant, and submitted to the board. Such charges, unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within 3 months after the date on which they are preferred.

The time and place for such hearing shall be fixed by the board. A copy of the charges, together with a notice of the time and place of hearing shall be personally served on the accused by the board at least 30 days before the day fixed for the hearing, and in the event that such service cannot be effected 30 days before the hearing, then the date of hearing and determination shall be postponed so long as may be necessary to permit the carrying out of this requirement. At the hearing, the accused shall have the right to appear personally and by counsel, to cross examine witnesses against him, and to produce evidence and witnesses in his defense. If after said hearing 3 or more members of the board vote in favor of finding the accused guilty of any fraud or deceit in obtaining a certificate, or of gross negligence, incompetence or misconduct in the practice of professional planning,

the board may revoke or suspend the certificate of license of the accused, or may levy an appropriate fine, not to exceed $500.00 for any specific violation, according to a schedule to be adopted by the board. The board may under circumstances which to it may seem proper, reissue a certificate of license to any person whose certificate has been revoked.

C. 45:14A-16. Illegal practice; penalty; courts of jurisdiction.

16. Any person, who, hereafter, is not legally authorized to practice professional planning in this State according to the provisions of this act, who shall so practice or offer so to practice in this State, or any person presenting or attempting to file as his own the certificate of license of another, or who shall give false or forged evidence of any kind to the board, or to any member or representative thereof, in obtaining a certificate of license, or who shall falsely impersonate another licensed practitioner of like or different name, or who shall use or attempt to use an expired certificate of license, or an unexpired and revoked certificate of license, or who shall use the title "planner-in-training" without holding a valid certificate of registration issued by the board, or who shall otherwise violate any of the provisions of this act, shall be subject to a penalty of not more than $200.00 for the first offense and not more than $500.00 for each and every subsequent offense. The penalties provided for by this section shall be collected and enforced by summary proceedings by the State Board of Professional Planners, pursuant to the Penalty Enforcement Law (N. J. S. A. 2A:58–1, et seq.).

Every county court and every county district court, within its respective territorial jurisdiction, shall have jurisdiction of actions for penalties under this act.

C. 45:14A-17. License a requirement for employment; construing.

17. Hereafter the State, or any department, institution, commission, authority, board or body of the State Government or of any political subdivision thereof shall not appoint or employ any person in responsible charge of any work with the title or job classification of professional planner except a licensed professional planner as the same is defined and as provided in this act.

Notwithstanding the foregoing or any other provision of this act to the contrary, no professional engineer, licensed land surveyor or registered architect of New Jersey presently holding an appointment by the State or by any department, institution, commission, authority, board or body of the State Government or any political subdivision thereof shall be deprived of the right to continue in office, position or employment or to be reappointed to the same office, position, or employment or to be appointed to any other office, position or employment requiring similar qualifications.

C. 45:14A-18. Employment of professional planners.

18. Where professional planners are employed subject to the provisions of the civil service law, the appointment of such person shall be understood to mean and include appointment after such person has been certified as having satisfactorily passed a civil service examination. No person, firm, association, or corporation engaged in professional planning shall employ a professional planner in responsible charge of any work, within the meaning and intent of this act, other than a duly qualified professional planner who has been licensed pursuant to the provisions of this chapter prior to such employment by the person, firm, association, or corporation so engaged in professional planning; provided, however, that nothing in this act shall apply to any public utility as defined in chapter 2 of Title 48 of the Revised Statutes, or any employee thereof, or to any improvement or proposed improvement made by any such public utility or by any employee of or contractor or agent for said public utility.

C. 45:14A-19. May be licensed by application; requirements.

19. Notwithstanding any other provision of this act, for a period of one year from July 1, 1963, any person more than 25 years old and of good moral character shall be entitled to receive a certificate of license as a professional planner if he files an application therefor accompanied by the application fee, the license fee, and evidence that he has:

(a) A college or university degree in planning approved by the board, and that he has been reg-

ularly engaged in the practice of professional planning for at least 3 years; or

(b) A college or university degree in a "closely related course of study" as set forth in section 9 of this act, including a minimum of 18 credit hours in recognized planning subjects approved by the board, and that he has been regularly engaged in the practice of professional planning for at least 5 years; or

(c) A diploma from a secondary educational institution, and that he has been regularly engaged in the practice of professional planning of a character acceptable to the board for at least 9 years.

If in the judgment of the board the qualifications of any applicant under the provisions of this section are deemed inadequate to meet the requirements for issuance of a certificate, the board may require the applicant to take an appropriate examination as a basis for its final determination.

C. 45:14A-20. First appointees not required to be licensed planners.

20. Notwithstanding the provisions of section 3 of this act, the first 5 persons appointed as members of the board shall not be required, at the time of their first appointment to be licensed to practice professional planning. Each shall, however, be a member of the recognized organization representing professional planners in the State, and each shall have all the other qualifications necessary for appointment specified in this act.

C. 45:14A-21. Limitation on actions.

21. No proceeding for violation of any provision of this act, or of rules or regulations of the board, shall be instituted as to any act committed or omission occurring prior to July 1, 1963.

C. 45:14A-22. Act effective.

22. This act shall take effect immediately, but the first licenses and certificates to be issued pursuant to this act shall be for the period beginning July 1, 1963.

Approved July 10, 1962.

CHAPTER 110

AN ACT to amend "An act concerning the drug manufacturing and wholesale drug businesses, amending section 24:3–1 of the Revised Statutes, supplementing subtitle 1 of Title 24 of the Revised Statutes and making an appropriation therefor," approved June 3, 1961 (P. L. 1961, c. 52).

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

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

4. A fee shall accompany each registration statement. It shall be $100.00 if the business has less than 2 locations in this State, and $250.00 if the business has 2 or more locations in this State; except that where the gross total annual business in drugs of a registrant shall not exceed 3% of the gross total annual volume of the business of the registrant, as certified by a certified public accountant, the fee shall be $25.00 for each location in this State. C. 24:6B-4. Fee to accompany registration statement; exception.

2. This act shall take effect immediately.

Approved July 16, 1962.

CHAPTER 111

AN ACT concerning appointments to the motor vehicle inspector force, and supplementing chapter 2 of Title 39 of the Revised Statutes.

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

C. 39:2-6.1. Age requirement.

1. In addition to the qualifications set forth in R. S. 39:2–6 no person shall be appointed a member of the paid motor vehicle inspector force who is less than 21 or more than 30 years of age except that in the case of a veteran, as defined in R. S. 11:27–1, the length of time served in the armed services shall be deducted from his actual age, but in no event shall his actual age at the time of appointment exceed 35 years.

2. This act shall take effect immediately.

Approved July 16, 1962.

CHAPTER 112

AN ACT concerning narcotic drugs, amending section 24:18–2, and supplementing chapter 18 of Title 24, of the Revised Statutes.

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

Section amended.

1. Section 24:18–2 of the Revised Statutes is amended to read as follows:

Terms defined.

24:18–2. The following words, and phrases as used in this chapter shall have the following meanings unless the context otherwise requires:

a. "Narcotic drugs" means any addiction-forming or addiction-sustaining liability similar to that

of opium or cocaine and includes: (1) coca leaves, amidone, opium, marihuana, isonipecaine or any compound, manufacture, salt, derivative, or preparation of them and any substance which is chemically identical with any of the foregoing except that the words "narcotic drugs" as used herein shall not include decocainized coca leaves or extracts of coca leaves which extracts do not contain cocaine or ecgonine or substance from which cocaine or ecgonine may be synthesized or made; and

(2) any other drug or pharmaceutical preparation which is found by the commissioner by order, as prescribed by the provisions of this act, or after due notice and opportunity for hearing by rule or regulation, on the basis of chemical structure and content and experience in medical or laboratory use, (a) to possess an addiction-forming or addiction-sustaining liability sufficient to warrant the imposition of all the requirements of this chapter or (b) to permit recovery of a narcotic drug having such addiction-forming or addiction-sustaining liability with such relative technical simplicity and degree of yield as to create a risk of improper use.

The term "marihuana" means all parts of the plant Cannabis Sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fibre produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fibre, oil, or cake or the sterilized seed of such plant which is incapable of germination.

"Opium" includes morphine, codeine and heroin.

"Coca leaves" includes cocaine.

"Isonipecaine" means the substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, or any salt thereof by whatever trade name identified.

"Amidone" means the substance identified chemically as 4, 4-diphenyl-6-dimethylamino-heptanone-3, or any salt or form thereof by whatever trade name identified.

b. "Dentist" means any person authorized by law to practice dentistry in this State.

c. "Dispense" includes distribute, leave with, give away, dispose of or deliver.

d. "Federal narcotic law" means the laws of the United States relating to opium, coca leaves and other narcotic drugs.

e. "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Department of Institutions and Agencies as proper to be intrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian.

f. "Laboratory" means a laboratory to be intrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health.

g. "Manufacturer" means a person who by compounding, mixing, cultivating, growing or other process produces or prepares narcotic drugs, but does not include a pharmacist who compounds narcotic drugs to be sold or dispensed on prescription.

h. "Official written order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by Federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Department of Health.

i. "Person" includes any corporation, association, copartnership or one or more individuals.

j. "Pharmacist" means a registered pharmacist of this State.

k. "Pharmacy owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this chapter contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.

l. "Physician" means any person authorized by law to practice medicine in this or any other State and any other person authorized by law to treat sick and injured human beings in this or any other State and to use narcotic drugs in connection with such treatment.

m. "Registry number" means the number assigned to each person registered under the Federal narcotic laws.

n. "Sale" includes barter, exchange or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee.

o. "Veterinarian" means any person authorized by law to practice veterinary medicine in this State.

p. "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written order, but not on prescription.

C. 24:18-3.1. Commissioner may by order, etc., apply provisions of act to other additional drugs; order operative rules and regulations; hearing.

2. The commissioner may, by order or by rule or regulation, apply the provisions of this chapter to such additional drugs or pharmaceutical preparations which are found by him, on the basis of chemical structure and content and experience in medical or laboratory use, (1) to possess an addiction-forming or addiction-sustaining liability sufficient to warrant imposition of all the requirements of this chapter or (2) to permit recovery of a narcotic drug having such addiction-forming or addiction-sustaining liability, with such relative technical simplicity and degree of yield as to create a risk of improper use.

An order of the commissioner shall take effect immediately, but it shall expire 45 days after pro-

mulgation thereof. Rules and regulations may be adopted and promulgated by the commissioner but they shall not take effect until he has given due notice of his intention to take such action and has held a public hearing. Such rules and regulations may include the contents of an order previously issued by the commissioner.

C. 24:18-3.2. Hearing when order is questioned; decision within 48 hours; injunctive relief; court of jurisdiction.

3. Any person who denies that a drug or pharmaceutical preparation is properly subject to an order by the commissioner which applies the provisions of this chapter to such drug or pharmaceutical preparation, may apply to the commissioner for a hearing which must be afforded. In such case a decision must be rendered by the commissioner or his designee within 48 hours of the request for a hearing. If the petitioning party is aggrieved by the decision, he shall have the right to apply for injunctive relief against the order. Jurisdiction for such injunctive relief shall be in the Superior Court of New Jersey.

4. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 113

AN ACT concerning disorderly persons and supplementing chapter 170 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:170-77.8. Possession of narcotic drug without prescription a disorderly person.

1. Except as hereinafter provided, any person who possesses or has under his control, in any form, amphetamine, barbiturate, barbital, hypnotic or somnifacient drugs, tranquilizers or any prescription legend drug which is not a narcotic drug within the meaning of section 24:18–2 of the Re-

vised Statutes, unless obtained from, or on a valid prescription of, a duly licensed physician, veterinarian or dentist, is a disorderly person.

C. 2A:170-77.9. Sale of narcotic drug a disorderly person.

2. Except as hereinafter provided, any person who sells, dispenses or gives away amphetamine, barbiturate, barbital, hypnotic or somnifacient drugs, tranquilizers or any prescription legend drug which is not a narcotic drug within the meaning of section 24:18–2 of the Revised Statutes, in any form, is a disorderly person.

C. 2A:170-77.10. Application of provisions.

3. The provisions of sections 1 and 2 of this act shall not apply to a duly licensed physician, dentist, registered pharmacist, veterinarian, nurse, podiatrist, interne or resident physician of a hospital, sanitarium or other medical institution; or to a hospital, sanitarium, clinical laboratory or any other medical institution; or to a State or governmental agency; or to any manufacturer, wholesaler, retailer or regular dealer in drugs.

C. 2A:170-77.11. Provisions of section 1 not to apply to carriers, warehousemen, etc.

4. The provisions of section 1 of this act shall not apply to common carriers or to warehousemen while engaged in lawfully transporting or storing such drugs or to any employee of the same acting within the scope of his employment; or to public officers or employees in the performance of their official duties requiring possession or control of these drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession; or to persons whose possession is for the purpose of aiding public officers in performing their official duties.

5. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 114

AN ACT to repeal "A supplement to 'An act to create a Legalized Games of Chance Control Commission, defining its powers and duties, authorizing the commission to investigate and supervise and enforce the administration of the Bingo Licensing Law and the Raffles Licensing Law, and to adopt, amend and repeal rules and regulations governing the administration thereof, and to enforce the same,' approved February 20, 1954 (P. L. 1954, c. 7)," approved June 16, 1959 (P. L. 1959, c. 112).

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

C. 112, L. 1959 repealed.

1. The act entitled "A supplement to 'An act to create a Legalized Games of Chance Control Commission, defining its powers and duties, authorizing the commission to investigate and supervise and enforce the administration of the Bingo Licensing Law and the Raffles Licensing Law, and to adopt, amend and repeal rules and regulations governing the administration thereof, and to enforce the same,' approved February 20, 1954 (P. L. 1954, c. 7)" approved June 16, 1959, is hereby repealed.

2. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 115

AN ACT to amend "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State" approved June 16, 1959 (P. L. 1959, c. 109).

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

1. Section 13 of the act of which this act is amendatory is amended to read as follows: Section amended.

13. Nothing contained in this act shall be deemed to authorize the playing of bingo hereunder or to modify, change or supersede the bingo licensing law (P. L. 1954, c. 6), or the raffles licensing law (P. L. 1954, c. 5), except in regard to such raffles, other than draw raffles, where the prizes or awards to be given shall be of merchandise only of an aggregate retail value not in excess of $15.00. C. 5:8-112. Exceptions; bingo and raffles.

2. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 116

AN ACT relating to the appointment of members of the board of commissioners of certain county park commissions, and amending sections 40:37–97, 40:37–98 and 40:37–173 and supplementing chapter 37 of Title 40 of the Revised Statutes.

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

Section amended.

1. Section 40:37–97 of the Revised Statutes is amended to read as follows:

Commission; appointment; number.

40:37–97. In any county having a population of more than 200,000, which is governed by sections 40:37–96 to 40:37–174 of this Title, the board of chosen freeholders of the county shall appoint 5 persons a board of commissioners to be known as "the.....county park commission" (inserting name of county).

Section amended.

2. Section 40:37–98 of the Revised Statutes is amended to read as follows:

Commissioners; terms; vacancies.

40:37–98. The commissioners first appointed in any county shall hold office for the term of 1, 2, 3, 4 and 5 years respectively, as indicated and fixed in their orders of appointment. Thereafter all commissioners shall hold office for the full term of 5 years and vacancies shall be filled by the board of chosen freeholders by appointment for the unexpired term only.

Section amended.

3. Section 40:37–173 of the Revised Statutes is amended to read as follows:

Certified copy of results delivered to clerk; commissioners appointed.

40:37–173. If the provisions of sections 40:37–96 to 40:37–174 of this Title shall have been adopted at such election the county clerk shall within 5 days after the filing of his tabulated statement and certificate, deliver a certified copy thereof to the clerk of the board of chosen freeholders of such county, who shall report the receipt of said statement and

certificate to the board at its next meeting, and within 10 days thereafter the board shall appoint the park commissioners herein provided for.

C. 40:37-97.1. To serve for balance of terms.

4. Members of any county park commission governed by sections 40:37–96 to 40:37–174 of the Revised Statutes in office on the effective date of this act shall continue as members of such commission for the terms for which they were appointed.

5. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 117

AN ACT to amend the "Optional Municipal Charter Law," approved June 8, 1950 (P. L. 1950, c. 210) in respect to the filling of vacancies in the council in municipalities governed by Council-Manager Plan D.

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

Section amended.

1. Section 12–6 of the act of which this act is amendatory is amended to read as follows:

C. 40:69A-114. Filling vacancies in council.

12–6. Vacancies in the council shall be filled by election for the remainder of the unexpired term at the next general or municipal election occurring not less than 60 days after the occurrence of the vacancy, except that no election to fill vacancies in the council shall be held at the general election to be held in the last year of the term of the vacant office. Whenever such election to fill a vacancy shall be at the general election, the nomination of candidates shall be 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 the vacancy temporarily by appointment to serve until the qualification of a person so elected.

2. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 118

AN ACT concerning county parks and county park commissions established in certain counties pursuant to the provisions of chapter 276 of the laws of 1946, as amended, and as supplemented particularly by chapter 246 and chapter 247 of the laws of 1954, and the financing thereof.

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

Sundry acts operative; validates acts, appointments; bonds and notes.

1. The provisions of the act of the Legislature of the State of New Jersey entitled "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes," approved May 3, 1946 and constituting chapter 276 of the laws of 1946, as amended, shall apply to and for all purposes be deemed to be fully operative and effective in any county in which, at any election heretofore held therein, a majority of the votes cast for or against the question of appointment of a county park commission pursuant to said act were cast in favor thereof or of the adoption of said act, and the provisions of the act supplementing said act entitled "A supplement to '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)," filed December 10, 1954 and constituting chapter 246 of the laws of 1954, shall apply to and for all purposes be deemed to be fully operative and effective in any county in which, at any election heretofore held therein, a majority of all the votes cast both for and against the adoption of such law were cast in favor of the adoption thereof, and the provisions of the act further supplementing said act and entitled "A supplement to '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),'' filed December 10, 1954 and constituting chapter 247 of the laws of 1954, shall apply to and for all purposes be deemed to be fully operative and effective in any county in which, at any election heretofore held therein, a majority of all of the votes cast both for and against the adoption of such law were cast in favor of the adoption thereof, and all appointments, elections, resolutions, proceedings, acts or things heretofore made, undertaken, performed or done in or by such county or its board of chosen freeholders or its county park commission pursuant to said act or any amendment thereof or any supplement thereto and any bonds or notes of any such county heretofore issued therefor are hereby validated, ratified, confirmed, approved and declared legal in all respects, and any such county is hereby empowered to exercise all of the powers provided for in said act, amendment or supplement, and to authorize and issue bonds and notes of the county pursuant to the provisions of the Local Bond Law of New Jersey for financing the purposes provided for in said act, amendment or supplement and within the limitations therein provided for, provided, that any said election was a general election in such county and that no action, suit or proceeding has heretofore been instituted in any court questioning or contesting the submission of said act or any supplement thereto at such election.

2. This act shall take effect immediately.

Approved July 17, 1962.

CHAPTER 119

AN ACT to protect the civil rights of persons serving in the armed forces, providing for the deferment of certain tax and contractual obligations of such persons, providing for stays of proceedings to evict such persons and their families from their homes, according re-employment rights to persons returning from military service and providing penalties for persons violating this act.

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

C. 38:23A-8. Public policy.

1. It has been nationally recognized that because of the emergent conditions which are threatening the peace and imperiling the security of the nation, there is imperative need to augment and strengthen the national defense. It is further recognized that the emergent conditions which endanger the national well-being likewise constitute an imminent threat and hazard to the peace and security of the people of the State. Moreover, it is acknowledged that the exigencies of national defense require that the people of the State, in large numbers, be called into military service, and as a consequence, the health, prosperity and welfare of all of the people of the State is inevitably affected.

In these circumstances, and in order to promote and to assist the national defense, and thereby to protect the peace, prosperity and health of the people of the State, it is necessary that citizens and residents of the State in the military service as well as those who are members of the organized militia or of a reserve component of the Armed Forces of the United States should be free to devote their entire energy and effort to the defense needs of the nation and of the State. To assist in this end, it is essential to provide in certain cases for the tempo-

rary suspension of legal proceedings and transactions which may prejudice the civil rights of persons in the military service. It is further essential in the interests of the prosperity and well-being of the people of the State, that such persons, upon completion of military service, be restored to their former employment.

In the interpretation and application of this act, it is hereby declared to be the public policy of the State to maintain, secure and protect the civil and property rights of persons in the military service, as hereinafter defined, and of employees who are members of the organized militia or members of a reserve component of the Armed Forces of the United States.

The Legislature hereby declares the existence of a public emergency affecting the health, safety and comfort of the people, requiring the enactment of the provisions of this act to protect the vital interests of the State.

All the provisions of this act shall be liberally construed for the accomplishment of this purpose.

This act shall be deemed an exercise of the police power of the State, for the protection of the public welfare, prosperity, health and peace of the people of the State.

C. 38:23A-9. Terms defined.

2. As used in this article:

a. The term "military service" means duty by any person, male or female, in the active military service of the United States and active duty in the military service of the State pursuant to an order of the Governor issued pursuant to law.

b. The term "person" when used herein with reference to the holder of any right alleged to exist against a person in military service, or against a person secondarily liable under such right, shall include individuals, partnerships, corporations, and any other forms of business association.

c. The term "court" as used herein, shall include any State court of competent jurisdiction, whether or not a court of record.

C. 38:23A-10. Benefits may be granted to sureties, guarantors, endorsers, persons secondarily liable; not to prevent waiver of benefits.

3. a. Whenever, pursuant to any of the provisions of this act, the enforcement of any obligation or liability, the prosecution of any suit or proceeding, the entry or enforcement of any order, writ, judgment or decree, or the performance of any act, may be stayed, postponed or suspended, such stay, postponement or suspension may, in the discretion of the court, likewise be granted to sureties, guarantors, endorsers and others subject to the obligation or liability, the performance or enforcement of which is stayed, postponed or suspended.

b. When a judgment or decree is vacated or set aside, in whole or in part, as provided in this act, the same may, in the discretion of the court, likewise be set aside and vacated as to any surety, guarantor, endorsers, accommodation maker or other person whether primarily or secondarily liable upon the contract or liability for the enforcement of which the judgment or decree was entered.

c. Nothing contained in this act shall prevent a waiver in writing of the benefits afforded by paragraphs a. and b. of this section by any surety, guarantor, endorser, accommodation maker, or other persons whether primarily or secondarily liable upon the obligation or liability except that after the date of enactment of this act no such waiver shall be valid unless it is executed as an instrument separate from the obligation or liability in respect of which it applies, and no such waiver shall be valid after the beginning of the period of military service if executed by an individual who, subsequent to the execution of such waiver becomes a person in military service.

C. 38:23A-11. Affidavit by plaintiff in case of non-appearance of defendant; judgment not entered; bond furnished by plaintiff.

4. In any civil action or proceeding commenced in any court, if there shall be a default of an appearance by the defendant, the plaintiff, within 20 days before the entry of judgment or final order, shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit, plaintiff shall in lieu thereof file an affidavit setting forth either

that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment or final order shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after the court shall have appointed an attorney to represent defendant and protect his interest, and the court shall on application make such appointment. Unless it appears that the defendant is not in such service the court may require, as a condition before judgment or final order is entered, that the plaintiff file a bond, approved by the court, conditioned to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment or final order should the judgment or final order be thereafter set aside in whole or in part. And the court may make such other and further order or enter such judgment as in its opinion may be necessary to protect the rights of the defendant under this act.

C. 38:23A-12. Perjury; penalty.

5. Any person who shall make or use an affidavit required under section 4, above, knowing it to be false, shall be guilty of perjury, and shall be punishable by imprisonment not to exceed one year or by fine not to exceed $1,000.00, or both.

C. 38:23A-13. Court may appoint an attorney; limitation on actions.

6. In any action or proceeding in which a person in military service is a party, if such party does not personally appear therein or is not represented by an authorized attorney, the court may appoint an attorney to represent him; and in such case a like bond may be required and an order made to protect the rights of such person. But no attorney appointed under this act to protect a person in military service shall have power to waive any right of the person for whom he is appointed or bind him by his acts.

C. 38:23A-14. Opening of judgment or order upon application of defendant; not to impair title of purchaser.

7. If any judgment or final order shall be rendered in any action or proceeding governed by sections 4, 5 and 6, above against any person in mili-

tary service during the period of such service, or within 30 days thereafter, and it appears that such person was prejudiced by reason of his military service in making his defense thereto, such judgment or order may, upon application, made by such person or his legal representative, not later than 90 days after the termination of such service, be opened by the court rendering the same and such defendant or his legal representative let in to defend; provided it is made to appear that the defendant has a meritorious or legal defense to the action or proceeding, or to some part thereof. Vacating, setting aside, or reversing any judgment or final order because of any of the provisions of this act shall not impair any right or title acquired by any bona fide purchaser for value under such judgment or order.

C. 38:23A-15. Action or proceeding may be stayed.

8. At any stage thereof, any action or proceeding in any court in which a person in military service is involved, either as plaintiff or defendant, during the period of such service or within 60 days thereafter may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person or some person on his behalf, be stayed as provided in this act, unless, in the opinion of the court, the ability of plaintiff to prosecute the action, or the defendant to conduct his defense, is not materially affected by reason of his military service.

C. 38:23A-16. Fine or penalty not to accrue.

9. When an action for compliance with the terms of any contract is stayed pursuant to this act no fine or penalty shall accrue by reason of failure to comply with the terms of such contract during the period of such stay, and in any case where a person fails to perform any obligation and a fine or penalty for such nonperformance is incurred a court may, on such terms as may be just, relieve against the enforcement of such fine or penalty if it shall appear that the person who would suffer by such fine or penalty was in the military service when the penalty was incurred, and that by reason of such

service the ability of such person to pay or perform was thereby materially impaired.

C. 38:23A-17. Court may stay execution of judgment and vacate or stay attachment.

10. In any action or proceeding commenced in any court against a person in military service; before or during the period of such service, or within 60 days thereafter, the court may, in its discretion, on its own motion, or on application to it by such person or some person on his behalf shall, unless in the opinion of the court the ability of the defendant to comply with the judgment or order entered or sought is not materially affected by reason of his military service:

a. Stay the execution of any judgment or order entered against such person, as provided in this act; and

b. Vacate or stay any attachment or garnishment of property, money, or debts in the hands of another, whether before or after judgment as provided in this act.

C. 38:23A-18. Duration of stay of action; procedure against co-defendant.

11. Any stay of any action, proceeding, attachment, or execution ordered by any court under the provisions of this act may, except as otherwise provided, be ordered for the period of military service and 3 months thereafter or any part of such period, and subject to such terms as may be just, whether as to payment in installments of such amounts and at such times as the court may fix or otherwise. Where the person in military service is a codefendant with others the plaintiff may nevertheless, by leave of court, proceed against the others.

C. 38:23A-19. Period of military service not included in period of time for bringing action, etc.

12. The period of military service shall not be included in computing any period now or hereafter to be limited by any law, regulation or order for the bringing of any action or proceeding in any court, board, bureau, commission, department or other agency of government of this State or any of its governmental subdivisions by or against any person in military service, or by or against his heirs, executors, administrators, or assigns, whether such cause of action or the right or priv-

ilege to institute such an action or proceeding shall have accrued prior to or during the period of such service, nor shall any part of such period which occurs after the date of enactment of this act be included in computing any period now or hereafter provided by any law for the redemption of real property sold or forfeited to enforce any obligation, tax or assessment.

C. 38:23A-20. Eviction or distress stayed; period of stay; penalty for participating in eviction, etc.

13. a. No eviction or distress shall be made during the period of military service in respect of any premises for which the agreed rent does not exceed $80.00 per month, occupied chiefly for dwelling purposes by the wife, children, or other dependents of a person in military service, except upon leave of court granted upon application therefore or granted in any action or proceeding affecting the right of possession.

b. On any such application or in any such action the court may, in its discretion, on its own motion, and shall, on application, unless in the opinion of the court the ability of the tenant to pay the agreed rent is not materially affected by reason of military service, stay the proceedings for not longer than 3 months, as provided in this act, or it may make such other order as may be just.

c. Any person who shall knowingly take part in any eviction or distress otherwise than as provided in paragraph a of this section, or attempts so to do, shall be adjudged a disorderly person, and shall be punishable by imprisonment not to exceed one year or by fine not to exceed $1,000.00, or both.

C. 38:23A-21. Provisions to apply to leases; terminating lease; falsely claiming rent; penalty.

14. a. The provisions of this section shall apply to any lease covering premises occupied for dwelling, professional, business, agricultural, or similar purposes in any case in which such lease was executed by or on the behalf of a person who, after the execution of such lease, entered military service, and the premises so leased have been occupied for such purposes, or for a combination of such purposes by such person or by him and his dependents.

b. Any such lease may be terminated by notice in writing delivered to the lessor (or his grantee) or to the lessor's (or his grantee's) agent by the lessee at any time following the date of the beginning of his period of military service. Delivery of such notice may be accomplished by placing it in an envelope properly stamped and duly addressed to the lessor (or his grantee) or to the lessor's (or his grantee's) agent and depositing the notice in the United States mails. Termination of any such lease providing for monthly payment of rent shall not be effective until 30 days after the first date on which the next rental payment is due and payable subsequent to the date when such notice is delivered or mailed. In the case of all other leases, termination shall be effected on the last day of the month following the month in which such notice is delivered or mailed and in such case any unpaid rental for a period preceding termination shall be proratably computed and any rental paid in advance for a period succeeding termination shall be refunded by the lessor (or his assignee). Upon application by the lessor to the appropriate court prior to the termination period provided for in the notice, any relief granted in this paragraph shall be subject to such modifications or restrictions as in the opinion of the court justice and equity may in the circumstances require.

c. Any person who shall knowingly seize, hold or detain the personal effects, clothing, furniture or other property of any person who has lawfully terminated a lease covered by this section, or in any manner interfere with the removal of such property from the premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts so to do, shall be adjudged a disorderly person and shall be punished by imprisonment not to exceed one year or by fine not to exceed $1,000.00, or both.

C. 38:23A-22. Installment contracts; exceptions; penalty for resuming possession of property; order for repayment.

15. a. No person who has received, or whose assignor has received, under a contract for the purchase of real or personal property, or of lease or bailment with a view to purchase of such property, a deposit or installment of the purchase price or a deposit or installment under the contract, lease or bailment from a person or from the assignor of a person who, after the date of payment of such deposit or installment, has entered military service, shall exercise any right or option under such contract to rescind or terminate the contract or resume possession of the property for nonpayment of any installment thereunder due or for any other breach of the terms thereof occurring prior to or during the period of such military service, except by action in a court of competent jurisdiction; provided, that nothing contained in this section shall prevent the modification, termination, or cancellation of any such contract, or prevent the repossession, retention, foreclosure, sale or taking possession of property purchased or received or which is security for any obligation under such contract, pursuant to a mutual agreement of the parties thereto, or their assignees, if such agreement is executed in writing subsequent to the making of such contract and during or after the period of military service of the person concerned.

b. Any person who shall knowingly resume possession of property which is the subject of this section otherwise than as provided in paragraph a. of this section or attempt so to do, shall be adjudged a disorderly person shall be punished by imprisonment not to exceed one year, or by fine not to exceed $1,000.00, or both.

c. Upon the hearing of such action the court may order the repayment of prior installments or deposits or any part thereof, as a condition of terminating the contract and resuming possession of the property, or may, in its discretion, on its own motion, and shall, except as provided in section 17 of this act, on application to it by such person in military service or some person on his behalf, order a

stay of proceedings as provided in this act except that such stay under this section may be ordered for the period of military service and 6 months thereafter or any part of such period, unless, in the opinion of the court, the ability of the defendant to comply with the terms of the contract is not materially affected by reason of such service; or it may make such other disposition of the case as may be equitable to conserve the interests of all parties.

C. 38:23A-23. Provisions to apply to obligations secured by mortgage, etc.; court proceedings for enforcement; violations; penalty.

16. a. The provisions of this section shall apply only to obligations secured by mortgage, trust deed, or other security in the nature of a mortgage upon real or personal property owned by a person in military service at the commencement of the period of his military service and still so owned by him which obligations originated prior to such person's period of military service.

b. In any proceeding commenced in any court during the period of military service to enforce such obligation arising out of nonpayment of any sum thereunder due or out of any other breach of the terms thereof occurring prior to or during the period of such service the court may, after hearing, in its discretion, on its own motion, and shall, except as hereinafter provided in this act, on application to it by such person in military service or some person on his behalf, unless in the opinion of the court the ability of the defendant to comply with the terms of the obligation is not materially affected by reason of his military service

(1) stay the proceedings as provided in this act; or

(2) make such other disposition of the case as may be equitable to conserve the interests of all parties.

c. No sale, foreclosure, or seizure of property for nonpayment of any sum due under any such obligation, or for any other breach of the terms thereof, whether under a power of sale, under a judgment entered upon warrant of attorney to confess judg-

ment contained therein, or otherwise, shall be valid if made during the period of military service, or within 3 months thereafter, unless upon an order of sale previously granted by the court and a return thereto made and approved by the court.

d. Any person who shall knowingly cause to be made any sale, foreclosure or seizure of property defined as invalid by paragraph c. hereof, or attempts so to do, shall be adjudged a disorderly person and shall be punished by imprisonment not to exceed one year, or by fine not to exceed $1,000.00, or both.

C. 38:23A-24. Appraisers appointed.

17. Where a proceeding to foreclose a mortgage upon or to resume possession of personal property, or to rescind or terminate a contract for the purchase thereof, has been stayed as provided in this act, the court may, unless in its opinion an undue hardship would result to the dependents of the person in military service, appoint 3 disinterested parties to appraise the property and, based upon the report of the appraisers, order such sum, if any, as may be just, paid to the person in military service or his dependent, as the case may be, as a condition of foreclosing the mortgage, resuming possession of the property, or rescinding or terminating the contract.

C. 38:23A-25. Provisions to apply to taxes and assessments; bars sale of property; right to redeem; interest on taxes due.

18. a. The provisions of this section shall apply when any taxes or assessments, whether general or special, other than taxes on income, whether falling due prior or during the period of military service in respect of personal property, money or credits or real property owned and occupied for dwelling, agricultural, or business purposes by a person in military service, or his dependents, at the commencement of his period of military service and still so occupied by his dependents or employees, are not paid.

b. No sale of such property shall be made to enforce the collection of such tax or assessment, or any proceeding or action for such purpose commenced, except upon leave of court granted upon

application made therefor by the collector of taxes or other officer whose duty it is to enforce the collection of taxes or assessments. The court thereupon, unless in its opinion the ability of the person in military service to pay such taxes or assessments is not materially affected by reason of such service, may stay such proceedings or such sale, as provided in this act, for a period extending not more than 6 months after the termination of the period of military service of such person.

c. When by law such property may be sold or forfeited to enforce the collection of such tax or assessment, such person in military service shall have the right to redeem or commence an action to redeem such property, at any time not later than 6 months after the termination of such service, but in no case later than 6 months after the date when this act ceases to be in force; but this shall not be taken to shorten any period, now or hereafter provided by the laws of the State, or any political subdivision thereof, for such redemption.

d. Whenever any tax or assessment shall not be paid when due, such tax or assessment due and unpaid shall bear interest until paid at the rate of 6% per annum from the date when such tax first became a lien, and no other penalty or interest shall be incurred by reason of such nonpayment, whether such penalty or interest shall have accrued prior or shall accrue subsequent to the commencement of the period of military service of such person. Any lien for such unpaid taxes or assessment shall also include such interest thereon.

C. 38:23A-26. Insurance not to lapse; "policy" and "premium" defined.

19. a. No policy which has not lapsed for the nonpayment of premium before the commencement of the period of military service of the insured, and which has been brought within the benefits of the Federal "soldiers' and sailors' civil relief act" shall lapse or be forfeited for the nonpayment of premium during the period of such service, or during 1 year after the expiration of such period, provided that in no case shall this prohibition extend

for more than 1 year after this act ceases to be in force.

b. For the purposes of this section, the term "policy" shall include any contract of life insurance on the level premium or legal reserve plan. It shall also include any benefit in the nature of life insurance arising out of membership in any fraternal or beneficial association. In no case, however, shall the term "policy" include insurance exceeding a total face value of $5,000.00 whether in one or more companies. The term "premium" shall include membership dues or assessments in such association, and the date of issuance of policy as herein limited shall refer to the date of admission to membership in such association; the term "insured" shall include any person who is the holder of a policy as defined in this section; the term "insurer" shall include any corporation, partnership, or other form of association which secures or provides insurance under any policy as defined herein.

C. 38:23A-27. Right of re-employment; benefits extended for annual training; militia service; seniority and benefits restored; procedure upon failure of employer to comply with act.

20. a. In the case of any person who, in order to perform military service, has left or leaves a position, other than a temporary position, in the employ of any employer, and who

(1) receives a certificate of completion of military service duly executed by an officer of the applicable force of the Armed Forces of the United States or by an officer of the applicable force of the organized militia;

(2) is still qualified to perform the duties of such position; and

(3) makes application for re-employment within 90 days after he is relieved from such service, if such position was in the employ of a private employer, such employer shall restore such person to such position, or to a position of like seniority, status and pay, unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so.

b. The benefits, rights and privileges granted to persons in the military service by this section shall be extended to and be applicable to any person who,

in order to participate in assemblies or annual training or in order to attend service schools conducted by the Armed Forces of the United States for a period or periods up to and including 3 months, temporarily leaves or has left his position, other than a temporary position, in the employ of any employer and who, being qualified to perform the duties of such position, makes application for re-employment within 10 days after completion of such temporary period of service; provided that no such person shall be entitled to the said benefits, rights and privileges for such attendance at any service school or schools exceeding a total of 3 months during any 4-year period.

c. The benefits, rights and privileges granted to persons in the military service by this section shall be extended to and be applicable to any person who is or becomes a member of the organized militia or of a reserve component of the Armed Forces of the United States and who, because of such membership is discharged by his employer or whose employment is suspended by his employer because of such membership and who, being qualified to perform the duties of such position, makes application for re-employment or termination of the period of his suspension within 10 days after such discharge or suspension.

d. Any person who is restored to a position in accordance with the provisions of this section shall be considered as having been on furlough or leave of absence during his period of military service, temporary service under paragraph b. hereof, or of discharge or suspension under paragraph c. hereof, shall be so restored without loss of seniority, shall be entitled to participate in insurance or other benefits offered by the employer pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person entered the military service or commenced such temporary service or was so discharged or suspended, and

shall not be discharged from such position without cause, within 1 year after such restoration.

e. In case any private employer fails or refuses to comply with the provisions of this section, the County Court of the county in which such private employer maintains a place of business, shall have the power, upon the filing of a complaint, by the person entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and may, as an incident thereto, compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case, and shall advance it on the calendar. Any person claiming to be entitled to the benefits of the provisions of this section may appear and be represented by counsel, or, upon application to the Attorney General of the State, may request that the Attorney General appear and act on his behalf. If the Attorney General is reasonably satisfied that the person so applying is entitled to such benefits, he shall appear and act as attorney for such person in the amicable adjustment of the claim, or in the filing of any complaint and the prosecution thereof. In the hearing and determination of such applications under this section no fees or court costs shall be assessed against a person so applying for such benefits.

C. 38:23A-28. Order of court when proceeding appears to circumvent act.

21. Where in any proceeding to enforce a civil right in any court it is made to appear to the satisfaction of the court that any interest, property, or contract has since the date of the approval of this act been transferred or acquired with intent to delay the just enforcement of such right by taking advantage of this act, the court shall enter such judgment or make such order as might lawfully be entered or made, the provisions of this act to the contrary notwithstanding.

C. 38:23A-29. Certificate prima facie evidence of facts; proof of death.

22. a. In any proceeding under this act a certificate executed by an officer of the applicable force of the Armed Forces of the United States or by an officer of the applicable force of the organized

militia shall, when produced, be prima facie evidence of the facts therein certified and of the authority of the signer to issue the same.

b. When a person in military service has been reported missing he shall be presumed to continue in such service until accounted for, and no period herein limited which begins or ends with the death of such person shall begin or end until the death of such person is in fact reported to or proved by the applicable force of the Armed Forces of the United States or of the organized militia, or until such death is proved by a court of competent jurisdiction; provided, that no period herein limited which begins or ends with the death of such person shall be extended beyond a period of 6 months after the time when this act ceases to be in force.

C. 38:23A-30. Application to court for relief; fine or penalty not to accrue.

23. a. A person may, at any time during his period of military service or within 6 months thereafter, apply to a court for relief in respect of any obligation or liability incurred by such person prior to his period of military service or in respect of any tax or assessment whether falling due prior to or during his period of military service. The court, after appropriate notice and hearing, unless in its opinion the ability of the applicant to comply with the terms of such obligation or liability or to pay such tax or assessment has not been materially affected by reason of his military service, may grant the following relief:

In the case of an obligation payable under its terms in installments under a contract for the purchase of real estate, or secured by a mortgage or other instrument in the nature of a mortgage upon real estate, a stay of the enforcement of such obligation during the applicant's period of military service and, from the date of termination of such period of military service or from the date of application if made after such service, for a period equal to the period of the remaining life of the installment contract or other instrument plus a period of time equal to the period of military service of the applicant, or any part of such combined

period, subject to payment of the balance of principal and accumulated interest due and unpaid at the date of termination of the period of military service or from the date of application, as the case may be, in equal installments during such combined period at such rate of interest on the unpaid balance as is prescribed in such contract, or other instrument evidencing the obligation, for installments paid when due, and subject to such other terms as may be just.

In the case of any other obligation, liability, tax, or assessment, a stay of the enforcement thereof during the applicant's period of military service and, from the date of termination of such period of military service or from the date of application if made after such service, for a period of time equal to the period of military service of the applicant or any part of such period, subject to payment of the balance of principal and accumulated interest due and unpaid at the date of the termination of such period of military service or the date of application, as the case may be, in equal periodic installments during such extended period at such rate of interest as may be prescribed for such obligation, liability, tax, or assessment, if paid when due, and subject to such other terms as may be just.

b. When any court has granted a stay as provided in this section no fine or penalty shall accrue during the period the terms and conditions of such stay are complied with by reason of failure to comply with the terms or conditions of the obligation, liability, tax, or assessment in respect of which such stay was granted.

C. 38:23A-31. Provisions severable.

24. If any clause, sentence, paragraph, section or part of this act or the application thereof to any person or circumstances, shall, for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, and the application thereof to other persons or circumstances, 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 and to the person or circumstances involved. It is hereby declared to be the legislative intent that this act would have been adopted had such invalid provisions not been included.

C. 38:23A-32. Act controlling.

25. Insofar as the provisions of this act are inconsistent with the provisions of any other act, the provisions of this act shall be controlling.

C. 38:23A-33. Act inoperative.

26. This act shall remain in force and effect until July 1, 1964; provided, that wherever in any section or provision of this act a proceeding, remedy, privilege, stay, limitation, accounting or other transaction has been authorized or provided with respect to military service performed prior to the date herein fixed for the termination of this act, such section or provision shall be deemed to continue in full force and effect so long as may be necessary for the exercise or enjoyment of such proceeding, remedy, privilege, stay, limitation, accounting or other transaction.

C. 38:23A-34. Short title.

27. This article shall be known and may be cited and referred to as the "New Jersey Soldiers' and Sailors' Civil Relief Act."

28. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 120

A SUPPLEMENT to "An act concerning county parks, playgrounds, and recreation places, and supplementing chapter 37 of Title 40 of the Revised Statutes," approved May 3, 1946 (P. L. 1946, c. 276).

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

C. 40:37-95.40. Constabulary authorized; rules and regulations.

1. The county park commission may establish a constabulary to preserve order in the parks, parkways, playgrounds and recreation places under its control, and to secure the enforcement of the rules and regulations enacted by it, under the act to which this act is a supplement, and may organize the constabulary into a police system to be known as the "park police of the county of ....."

The police system shall consist of a chief and such subordinate officers, to be appointed by the commission, as may be deemed necessary and proper for the enforcement of the rules and regulations of the commission within the parks, parkways, playgrounds and recreation places and the proper protection of public property therein.

The commission shall establish rules and regulations for the appointment, control, compensation and management of the members of the constabulary and for the securing of proper discipline and efficiency among the members thereof.

C. 40:37-95.41. Powers of police officers.

2. The chief 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 person found violating the rules and regulations enacted by the commission for the protection, preservation, regulation and control of the park, parkways, playgrounds and recreation places and all property 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 July 25, 1962.

CHAPTER 121

AN ACT concerning sergeants-at-arms in the law division of the Superior Court, and in the County Courts, in the counties of the first class, and amending section 2A:11–20 of the New Jersey Statutes.

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

1. Section 2A:11–20 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:11–20. Every judge of the Superior Court while serving in the law division in any county of the first class and every judge of the County Court of such county may, with the approval of the sheriff of the county, designate from among the court attendants of such county, having permanent civil service status, a person to act as his sergeant-at-arms. The person so designated shall serve as such sergeant-at-arms at the pleasure of the judge appointing such person, and during such service he shall receive the salary fixed for that position by the board of chosen freeholders of the county. When such designation as sergeant-at-arms shall be revoked by the judge making the appointment, or his successor, the person having been designated as sergeant-at-arms shall be returned to his previous title and position of court attendant, with the salary then prevailing for court attendant of the Designation of court attendant to act as sergeant-at-arms.

seniority held by such person. During the period of designation of such person as sergeant-at-arms his civil service and pension rights status as court attendant shall continue and in nowise be impaired and he shall continue to be entitled to all rights and privileges under Title 11, Civil Service, of the Revised Statutes and shall be subject to the provisions thereof.

All persons lawfully holding the position of sergeant-at-arms or court crier on May 25, 1950, under the provisions of section 2:16–27 or sections 2:16–29 and 2:16–30 of the Revised Statutes of 1937 shall continue to hold under those provisions and shall not be affected by this section as to their right to said position or their rights and privileges by virtue thereof.

2. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 122

AN ACT to authorize the conveyance of a right of way and easement in certain lands of the State of New Jersey, situate in the township of Monroe, Middlesex county, New Jersey, to Texas Eastern Transmission Corporation, a corporation of the State of Delaware.

Preamble.

WHEREAS, Texas Eastern Transmission Corporation, a corporation of the State of Delaware authorized to do business in the State of New Jersey, acting pursuant to the Natural Gas Act (June 21, 1938, chapter 556, 52 Stat. 821, U. S. C. A. Title 15, Section 717, et seq.) and amendments and supplements thereto is about to construct, operate and maintain as an extension of its existing facilities for the transportation of

gas in interstate commerce a pipe line with its appurtenant facilities from a point on one of its main lines in Franklin township, Somerset county, New Jersey, to a point near Freehold in Manalapan township, Monmouth county, New Jersey; and

Preamble.

WHEREAS, Texas Eastern Transmission Corporation is also a "natural gas pipe line utility" within the meaning of the Natural Gas Safety Act of New Jersey (R. S. 48:10–3); and

Preamble.

WHEREAS, Acting pursuant to such authority, it is necessary that Texas Eastern Transmission Corporation acquire from the State of New Jersey a right of way and easement for its pipe line operations over, under and through certain lands in the township of Monroe, county of Middlesex, New Jersey, which right of way and easement is hereinafter more particularly described; and

Preamble.

WHEREAS, Proper 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:*

Sale and conveyance authorized; price; description.

1. The Commissioner of the Department of Institutions and Agencies, with the approval of the State House Commission acting for and on behalf of and in the name of the State of New Jersey is hereby authorized and empowered to sell and convey to Texas Eastern Transmission Corporation, a corporation of the State of Delaware, its successors and assigns for a consideration of $14,400.00 a right of way and easement for the purposes of laying, constructing, maintaining, operating, repairing, altering, replacing and removing from time to time pipe lines together with valves, tie-overs and other appurtenant facilities for the transportation of natural gas over, under and through all those tracts or parcels of land herein-

after described situate, lying and being in the township of Monroe, county of Middlesex and State of New Jersey, to wit:

Being a right of way 70 feet in width, the center line of said right of way being described as follows:

Beginning at a point in the centerline of the road leading from Spotswood to Hoffman's Station (also known as the road from Gravel Hill to Spotswood), distant therein northeasterly 136.72 feet from the dividing line between said tract on the north, and lands of Albert Kilbourn on the south;

Thence through said tract the following three (3) courses and distances:

(1) S 55 degrees 06′ E, 248.6 feet to a point;
(2) S 45 degrees 06′ E, 263.4 feet to a point;
(3) S 51 degrees 08′ E, 3071 feet to a point in the southerly line thereof, distant therein northeasterly 1441 feet from the most southerly corner of said tract.

The same being over and across lands conveyed to the State of New Jersey by various instruments and now occupied in whole or in part by the State Home for Boys at Jamesburg.

Together with all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, including but without limiting the same to the right from time to time to cut, remove and keep clear all trees, undergrowth and other obstructions that may injure, endanger or interfere with the construction, operation, maintenance and repair of said pipe lines.

Together with the right to enter upon, clear off and use during periods of construction only an additional strip of land 20 feet in width, parallel with and contiguous to the southwesterly side of the above described strip of land.

Subject to the rights of the public, if any, in and to any public street crossing or lying within the limits of said right of way and easement.

Also subject to the terms, conditions and provisions of said right of way grant as shall be deter-

mined by the State House Commission not inconsistent with the provisions hereof.

2. Proceeds from the sale of land shall be paid into the Treasury of the State of New Jersey.

3. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 123

AN ACT directing and authorizing the sale and conveyance of certain lands belonging to the State of New Jersey in the borough of Point Pleasant, county of Ocean, to Edith M. DuBois.

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

Sale and conveyance authorized; description.

1. The State House Commission, acting for, on behalf and in the name of the State of New Jersey, is hereby authorized and empowered to sell and convey to Edith M. DuBois on such terms and conditions as the State House Commission shall deem to be in the best interest of the State the interest of the State of New Jersey in the following parcel of land:

All that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Borough of Point Pleasant, County of Ocean and State of New Jersey.

All the following described lot of land located in West Bay Head, Ocean County, New Jersey, as shown on a survey and map made by John A. Dorsett, surveyor, January 23, 1905, of property of John Stout.

Lot No. 4 as shown on said Map. Beginning at a point in the fourth and westerly line of 2.58 acres conveyed by Eleanora Crane to Lydia Stout, November 22, 1909, and recorded in Book 344 of Deeds,

page 41, distant two hundred and fifty-two and fifty one-hundredths (252.50) feet Southerly from a stake at the intersection of said fourth line with the southerly line of the road to Bay Head, as shown on said map, and running from said beginning point by magnetic bearings of A. D. 1905 (1) along the southerly line of Lot No. 3 as shown on said map South seventy-seven (77) degrees forty-five minutes (45) East one hundred and eighty-one and eighty-five one-hundredths (181.85) feet to a point in the westerly line of the road to Lovelands Dock as shown on said map; thence (2) along the same South nine (9) degrees twelve (12) minutes East fifty-eight and seventy one-hundredths (58.70) feet to a point; thence (3) North seventy-seven (77) degrees fifty (50) minutes west two hundred fourteen and eight one-hundredths (214.08) feet to a point in the fourth line of the aforesaid 2.58 acres; thence (4) along the same North twenty-three (23) degrees fifteen (15) minutes East fifty-five (55) feet to the place of Beginning.

Excepting so much that was conveyed to Andrew A. Hahn and Stephania Hahn his wife, by Deed Book 1534, page 402, dated December 5, 1953 and recorded January 13, 1954, in the Ocean County Clerk's Office, described as follows:

Beginning at a point at the intersection of Bay Avenue and Mount Place and running thence;

(1) Westerly along Mount Place 114.08 feet, thence running

(2) Northerly and parallel with Bay Avenue 56 feet, thence running

(3) Easterly and parallel with Mount Place, 81.85 feet thence running

(4) Southerly along Bay Avenue 58.70 feet to the point and place of Beginning.

Moneys paid into treasury.

2. The moneys derived from said sale, if any, shall be paid into the general treasury of the State of New Jersey.

3. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 124

AN ACT to authorize the board of chosen freeholders of any county of this State to establish an appropriate office, department, committee, board or other agency to inquire into, survey, and publicize the economic resources and advantages of such county, to foster and encourage economic development of the county, and to appropriate annual funds to conduct such functions.

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

C. 40:23-5.1. May establish an economic development board; purposes.

1. The board of chosen freeholders of any county may, by resolution, establish an appropriate office, department, committee, board or other agency having the following purposes:

a. Research and study of the county economics of every nature.

b. Develop, assemble and distribute information to assist present and prospective business and industry.

c. Develop, assemble and distribute pertinent information to county and municipal planning boards to encourage and assist comprehensive economic development.

d. Hold public meetings, release information, and encourage public interest in county economic development.

e. Promote, in any authorized manner, county economic development.

f. Co-operate with any other interested public or private entities for authorized purposes.

C. 40:23-5.2. Assignment of activities and functions.

2. When created, the board of chosen freeholders shall assign such activities and functions to whatever county office, board, department or agency it deems feasible, whether previously existing or not.

C. 40:23-5.3. Appropriations authorized.

3. The board of chosen freeholders is authorized to appropriate, at its discretion, in any authorized manner, sufficient money to permit the activities and functions authorized by this act, including the engagement of staff and consultants, office space, equipment, supplies and other facilities required.

C. 40:23-5.4. Advisory committee.

4. The board of chosen freeholders is authorized to appoint an advisory committee or commission composed of residents of New Jersey representative of various county economic and governmental interests, and to seek its advice on matters of economic development.

C. 40:23-5.5. Limitation.

5. This act shall not authorize any county agency to conduct activities requiring a license as a real estate broker.

C. 40:23-5.6. Liberally construed.

6. This act shall be liberally construed.

7. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 125

AN ACT to re-establish and fix portions of the division line between the township of Boonton and the township of Montville in the county of Morris.

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

Fixes boundary lines.

1. Two certain portions of the division line between the townships of Boonton and Montville, in the county of Morris, hereinafter particularly described, are re-established and fixed as follows:

(a) Beginning at a point in the present dividing line between the Township of Boonton and the Township of Montville, where said dividing line is intersected by the southwesterly line of lands of now or formerly Joseph Fraiken and running thence (1) partly along said southwesterly line of

Fraiken and running in a westerly direction 480.00 feet more or less to the easterly corner of lands of Lawrence Dehn; thence (2) along the southeasterly line of lands of Dehn southwesterly to the most southerly corner of lands of Dehn; thence (3) along the southwesterly line of lands of Dehn northwesterly to the westerly corner of lands of Dehn; thence (4) northeasterly along another line of lands of Dehn 200.00 feet more or less to a corner; thence (5) northwesterly along the southwesterly line of Dehn 425.00 feet more or less to the center line of Boonton Avenue; thence (6) along the center line of Boonton Avenue in a northerly direction 240.00 feet more or less to the southeasterly corner of lands of Frank French; thence (7) along the southerly line of French westerly 300.00 feet more or less to the southwesterly corner thereof; thence (8) along the westerly line of lands of French and Walter Fritz in a northerly direction 280.00 feet more or less to a corner of Fritz; thence (9) still along the westerly line of Walter Fritz, the westerly line of Hugo Kreter and Joseph Krok 850.00 feet more or less to the northwesterly corner of lands of Joseph Krok; thence (10) along the northerly line of lands of Joseph Krok and Giacoma Milazzo 415.00 feet more or less to a point in the southwesterly line of lands of Christopher Ottwie; thence (11) along the southwesterly line of Ottwie and running in a northwesterly direction 482.00 feet more or less to the most westerly corner of Christopher Ottwie; thence (12) partly along the northerly line of Ottwie and running in an easterly direction 610.00 feet more or less to the southwesterly corner of Joseph Masar; thence (13) northwesterly along the westerly line of Masar 965.00 feet more or less to the center line of Kingsland Road; thence (14) along the center line of Kingsland Road southwesterly 70.00 feet more or less to the southerly corner of lands of Catherine B. Frazier; thence (15) along a southwesterly line of Frazier northwesterly 300.00 feet to her corner; thence (16) northeasterly along Frazier 70.00 feet more or less

to her corner; thence (17) along another southwesterly line of Frazier northwesterly 310.00 feet more or less to the most westerly corner of Frazier; thence (18) along the northwesterly line of lands of Frazier northeasterly 590.00 feet more or less to the center line of Rockaway Valley Road; thence (19) along the northwesterly line of lands of Lillian Ackerman and along the northwesterly line of lands of the Estate of Nicholas Ackerman northeasterly 650.00 feet more or less to the most northerly corner of lands of the Estate of Nicholas Ackerman; thence (20) along the northeasterly line of lands of the Estate of Nicholas Ackerman southeasterly 550.00 feet more or less to the present Township boundary and there to end.

(b) Beginning at a point in the dividing line between the Township of Boonton and the Township of Montville, where said dividing line is intersected by the southeasterly line of lands of Harvey Hunter and running thence (1) along said southeasterly line and running in a northeasterly direction 255.00 feet more or less to the most easterly corner of lands Hunter; thence (2) along the northeasterly line of lands of Hunter northwesterly 210.00 feet more or less to the southerly corner of lands of Oscar Kincaid; thence (3) along the southeasterly line of lands of Kincaid northeasterly 1100 feet more or less to a corner in the southwesterly line of lands of Chester Conn; thence (4) along the southwesterly line of lands of Conn southeasterly 150.00 feet more or less to the most southerly corner of lands of Conn; thence (5) along the easterly line of lands of Conn, Andrew Lysiak and the easterly line of another tract of land containing 1.97 acres belonging to Harvey and Doris Hunter 1600.00 feet more or less northerly to the center line of Kincaid Road; thence (6) along another tract of land containing 4.40 acres belonging to Harvey and Doris Hunter northerly 470.00 feet more or less to the present dividing line between Montville Township and Kinnelon Borough; thence (7) along the dividing line between Montville Township and the

Borough of Kinnelon westerly to the present dividing line between Montville Township and Boonton Township and there to end.

2. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 126

AN ACT to regulate and control the breeding, raising and the housing or confinement of any animal of the species of Myocaster coypu, known commonly as nutria.

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

1. As used in this act: C. 4:2A-1. Terms defined.

a. "Nutria" shall mean any animal of the species Myocaster coypu.

b. "Department" shall mean the Department of Agriculture.

c. "Secretary" shall mean the Secretary of Agriculture.

d. "Person" shall mean any individual, partnership, corporation, firm or business association.

2. No person shall release, cause or permit to be released, or allow to escape from captivity any nutria within the State. C. 4:2A-2. Allowing to escape.

3. No person shall engage in raising or breeding nutria until he has registered with the department and received a certificate of such registration. A certificate of registration shall be required for each separate location whereat nutria are to be raised or bred. The registration fee shall be $1.00 and every certificate of registration shall be valid so long as the certificate holder continues his operation at the registered location and complies with the rules and regulations of the department. Every C. 4:2A-3. Certificate of registration; fee; forms furnished.

application for registration shall be on forms supplied by the department and shall contain the name, address and location of the nutria farm or farms of the applicant and such other information as the department may require or deem necessary for proper records.

C. 4:2A-4. Rules and regulations.

4. The department may adopt such rules and regulations as are necessary to carry out the provisions of this act and shall adopt rules and regulations to govern the manner, means, methods and conditions under which nutria shall be housed or confined as are necessary to prevent their release and escape from captivity.

C. 4:2A-5. Inspection of premises.

5. The secretary individually or through his duly authorized representatives may inspect at any time any premises upon which nutria are raised, bred, housed or confined to insure compliance with the provisions of this act and the rules and regulations adopted thereunder, and may revoke the certificate of registration of any person failing to comply with this act and any of said rules and regulations.

C. 4:2A-6. Penalty for violations.

6. Any person who violates any of the provisions of this act, or the rules and regulations thereunder, shall be liable to a penalty of not more than $50.00 for the first offense, and not more than $200.00 for any subsequent offense.

For the purposes of section 2 of this act a master shall be liable for the actions of his servant to the same extent as the servant.

Penalties set forth in this act shall be sued for by and in the name of the secretary and shall be recoverable with costs. County Courts, county district courts and municipal courts shall have jurisdiction to enforce the provisions of this act. Any proceeding for a violation of this act may be brought in the county or municipality where the violator resides, has a place of business, or principal office or where the act or omission or part thereof complained of occurred. The proceeding shall be summary in nature and in accordance with the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.).

In addition, the secretary may apply to the Superior Court for a judgment to restrain any violation or continuing violations of this act and the rules and regulations adopted thereunder.

C. 4:2A-7. Registration within 90 days.

7. Any person presently engaged in raising or breeding nutria shall have 90 days from the effective date of this act within which to register with the department.

8. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 127

AN ACT providing for the regulation of the possession and the release, liberation or distribution of certain mammals, birds, reptiles, or amphibians and supplementing Title 23 of the Revised Statutes.

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

C. 23:4-63.3. Regulations for control, release or possession of certain mammals, birds, etc.

1. The Fish and Game Council of the Division of Fish and Game in the Department of Conservation and Economic Development may, in its discretion, adopt regulations supplementing the Fish and Game Code, to control and regulate the possession for other than agricultural purposes, and to control, regulate or prohibit the release, liberation, or distribution of any mammals, birds, reptiles, or amphibians into the fields, woodlands, or marshes of this State which it has reason to believe will menace, damage, or consume agricultural crops or create a hazard to the welfare of the citizens of New Jersey.

C. 23:4-63.4. Penalty.

2. No person shall release, liberate, or distribute any mammal, bird, reptile, or amphibian or possess in such a manner as may permit the same to be released, liberated, or distributed contrary to the

provisions of the Fish and Game Code adopted pursuant to this act, under a penalty of $100 for each offense.

3. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 128

AN ACT to amend "An act concerning education, authorizing the creation of certain regional school districts and supplementing chapter 8 of Title 18 of the Revised Statutes," approved September 27, 1960 (P. L. 1960, c. 122).

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

Section amended.

1. Section 1 of chapter 122 of the laws of 1960 is amended to read as follows:

C. 18:8-26. Creation of regional school district; election; proposals.

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 the school purposes of such school 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 regional 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.

There may be included, as a part of the proposal to be submitted as aforesaid, the authorization of bonds of such regional school district for any purpose or purposes described in section 18:7–85 of the Revised Statutes. Such an authorization shall for all the purposes of said Title 18, and particularly of chapter 8 and article 18 of chapter 5 thereof, be deemed to constitute a proposal authorizing the board of education of such regional school district to issue bonds of such regional school district. A copy of such proposal may be submitted prior to such election for consideration by the State Commissioner of Education and the Local Government Board under and for all the purposes of section 18:5–86 of the Revised Statutes. If such proposal includes such an authorization and pursuant to such proposal such school district shall vote to become a regional school district, such proposal shall after such vote be authority for the issuance of bonds of such regional school district to the amount and for the purpose or purposes set forth therein and, from and after the date of such vote, shall for all the purposes of chapters 7 and 8 of said Title 18, and of any other provisions of said Title, be deemed to constitute a proposal duly adopted on said date by the legal voters of such regional school district authorizing the board of education thereof to issue bonds of such regional school district for the purpose or purposes and in the amount or amounts set forth in such proposal. The bonds so authorized shall be issued, shall be dated and sold in all respects in accordance with the provisions of said chapters, and shall mature within the period or

respective periods of time prescribed by such provisions, in each case computed from the date of such bonds.

Section amended.

2. Section 7 of chapter 122 of the laws of 1960 is amended to read as follows:

C. 18:8-32. Funds, records and obligations 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 proceeds of taxes of any nature raised or to be levied for use or benefit of the dissolving school district and rights and claims with respect thereto, and all the property, funds, moneys and assets of the dissolving district shall vest in the regional school district and the regional school district shall be subject to all the contracts, debts and other obligations of the dissolving district. Upon the effective date of the creation of the regional school district all bonds and notes of the dissolving district theretofore issued and outstanding shall be and shall constitute obligations of and payable as to both principal and interest by the regional school district, and, unless otherwise required or provided for by law, in the same manner and to the same extent as if such bonds and notes had been issued by the regional school district.

Section amended.

3. Section 8 of chapter 122 of the laws of 1960 is amended to read as follows:

C. 18:8-33. Body corporate; organization; corporate title.

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 such district shall be conducted and governed in accordance with the provisions of chapter 8 of said Title 18, as amended and supplemented, and the corporate title of any such regional school district hereafter established shall be as provided for or permitted by the provisions of said chapter 8.

4. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 129

AN ACT validating the rental of personal property by agreement of lease or otherwise heretofore entered into by certain boards of education, in certain cases.

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

1. Any rental of personal property by agreement of lease or otherwise heretofore entered into by any board of education operating under the provisions of chapter 7 of Title 18 of the Revised Statutes is hereby validated and confirmed notwithstanding the absence of any specific statutory authority therefor at the time of the making of said lease or other agreement, provided said lease or other agreement was otherwise valid. Validates.

2. This act shall take effect immediately.

Approved July 25, 1962.

CHAPTER 130

AN ACT concerning official advertising, and amending section 35:2–1 of the Revised Statutes.

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

Section amended.

1. Section 35:2–1 of the Revised Statutes is amended to read as follows:

Price to be paid for official advertising.

35:2–1. The price to be paid for publishing all official advertising as defined in section 35:1–1 of this Title in newspapers shall be as follows:

In newspapers published in the State of New Jersey having a bona fide net paid circulation of up to 2,500 copies, the rate shall be $0.16 per agate (or 5½ point) line for each insertion; in the case of any newspaper having a bona fide net paid circulation of not less than 2,500 copies nor more than 5,000 copies, the rate shall be $0.20 per agate line for each insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 5,000 copies and not more than 10,000 copies, the rate shall be $0.22 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 10,000 copies and not more than 30,000 copies, the rate shall be $0.23 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 30,000 and not more than 50,000 copies, the rate shall be $0.24 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 50,000 copies and not more than 75,000 copies, the rate shall be $0.26 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 75,000 copies and not more than 100,000 copies, the rate shall be $0.32 per agate line per insertion; and in the case of any newspaper having a bona fide net

paid circulation of not less than 100,000 copies and not more than 125,000 copies, the rate shall be $0.40 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation of not less than 125,000 copies, and not more than 150,000 copies, the rate shall be $0.47 per agate line per insertion; and in the case of any newspaper having a bona fide net paid circulation in excess of 150,000 copies, the rate shall be $0.54 per agate line per insertion; but before any newspaper can charge the foregoing rates, the publisher or business manager of such newspaper must file with the properly authorized officer of every municipality, county or governing body, placing official advertising in such newspaper, an affidavit setting forth the average net paid circulation of such newspaper for the 12 months' period ending September 30 next preceding and the rate to be charged for official advertising, which in no case shall be in excess of, or below, the rates provided in the foregoing schedule.

The charge per agate or 5½ point line shall be based on measurement of a line of not less than 10 ems in width, but date lines, paragraph endings, titles, signatures and similar short lines or lines that require special emphasis, such as the title of the notice, shall be computed as full lines where set to conform to the usual rules of composition.

2. This act shall take effect immediately.

Approved July 27, 1962.

CHAPTER 131

AN ACT concerning unfair practices in relation to Agricultural Cooperative Associations in certain cases, prescribing penalties for violations and providing for the enforcement of the act.

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

C. 4:13-43. Terms defined.

1. The words and phrases used herein shall, unless the content otherwise indicates, have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the State of New Jersey or his duly authorized agent.

(b) "Cooperative association" means any association authorized to do business in New Jersey pursuant to the provisions of chapter 13 of Title 4 of the Revised Statutes and the amendments and supplements thereto.

(c) "Producer" means any person, firm, partnership, association or corporation engaged in producing or raising any agricultural commodities.

(d) "Processor" means any person, firm, partnership, association or corporation who cans, freezes, dries, or otherwise preserves or processes, handles, hauls, carries, transports, or distributes any agricultural commodities as herein defined and shall include any agent of any such processor.

(e) "Agricultural commodities" include horticultural, viticultural, forestry, dairy, livestock, poultry, bee and any farm products including fresh and salt water products.

C. 4:13-44. Right to join cooperative associations.

2. It is hereby declared to be in the public interest and the public policy of this State to establish and support the right of any producer to join voluntarily and belong to cooperative associations.

C. 4:13-45. Unfair practice.

3. It is an unfair practice, and unlawful, for any processor, or for any other person, to do any of the following:

(a) Interfere with, restrain, coerce or boycott producers in the exercise of the rights guaranteed pursuant to section 2 hereof.

(b) Discriminate against producers with respect to price or other terms of purchase of agricultural commodities, by reason of the producer's membership in or contract with a cooperative association.

(c) Pay or loan money, or give or loan any other thing of value to a producer as an inducement or reward for refusing to or ceasing to belong to a cooperative association.

(d) Knowingly give false reports about the finances, management or activities of a cooperative association.

C. 4:13-46. Authorized to receive complaints; investigations.

4. For the purpose of enforcing the provisions of this act the secretary is authorized to receive complaints from producers against any processor, or any other person, with respect to violations of the unfair practices specified in section 3. Upon being satisfied as to the bona fides of the complaint the secretary shall, or the secretary upon his own motion may, make any and all necessary investigations, examinations or inspections of any transaction involving a suspected violation of any provision of this act.

C. 4:13-47. Action to restrain violations.

5. The secretary may bring an action to restrain the violation or threatened violation of any provision of this act in the Superior Court.

C. 4:13-48. Penalty for violation.

6. Any processor who shall violate any of the provisions of this act shall forfeit and pay a penalty of not less than $100.00 nor more than $500.00 for each offense to be sued for and recovered by and in the name of the "State of New Jersey."

C. 4:13-49. Collection of penalty.

7. In proceedings for the collection and enforcement of a penalty imposed because of the violation of any provision of this act, process shall issue in the name of the State as plaintiff, upon the com-

plaint of the secretary. The penalty shall be collected and enforced in summary proceedings pursuant to the Penalty Enforcement Law (N. J. S. 2A:58–1 et seq.). The court shall, if judgment be rendered for the plaintiff, cause any defendant who may refuse or neglect to pay forthwith the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding 100 days.

8. This act shall take effect immediately.

Approved July 27, 1962.

CHAPTER 132

AN ACT concerning municipalities and amending section 40:60–43 of the Revised Statutes.

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

Section amended.

1. Section 40:60–43 of the Revised Statutes is amended to read as follows:

Lease to historical society or nonprofit corporation.

40:60–43. Any land or buildings or interest therein owned by any municipality and situated within its limits, when and to the extent that it is not required for municipal purposes, may be leased by such body to: (1) any incorporated historical society of the municipality for any term not to exceed 20 years; or (2) to any nonprofit corporation organized for the purpose of maintaining a colony for persons aged 65 or over in need of sanitary shelter for such term as the governing body of the municipality may determine but so long only as said lands or buildings are used for the purposes of such corporation; for such rental, nominal or otherwise, and upon such conditions, terms and

limitations as such body shall by resolution determine.

2. This act shall take effect immediately.

Approved July 27, 1962.

CHAPTER 133

AN ACT to amend "An act concerning State aid for certain libraries and providing for an appropriation," approved December 1, 1959 (P. L. 1959, c. 177).

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. State funds shall be provided annually as follows: C. 18:24A-5. Minimum aids.

(a) Each municipality that supports, in whole or in part, library service from municipal tax sources pursuant to chapter 33 or 54 of Title 40 of the Revised Statutes shall qualify for the sum of $0.35 per capita of the population of the municipality provided that:

1. Its annual expenditure for library purposes shall be equal to or in excess of the local fair share as determined in section 4 of this act; and

2. The municipality shall be a member of a regional or county library system, or its annual expenditure for library purposes shall not be less than $50,000.00, or, if it is a member of a federation, the sum of the annual expenditure for library purposes of the municipalities contracting to form the federation shall not be less than $50,000.00.

(b) Each municipality that supports, in whole or in part, library services from municipal tax sources pursuant to R. S. 40:33–1 et seq., or R. S.

40:54–1 et seq., and does not qualify for aid under subdivision (a) of this section shall qualify for the sum of $0.05 per capita.

Section amended.

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

C. 18:24A-8. Establishment grants.

8. Each county that shall, after the effective date of this act, establish a free county library or unite with one or more other counties in the establishment and maintenance of a regional library pursuant under chapter 33 of Title 40 of the Revised Statutes, or each federation that shall be established, provided that such federation includes all municipalities situated within the county, shall receive from State funds the sum of $20,000.00 per year for a period of 3 years in addition to other aids under this act.

Section amended.

3. Section 11 of the act of which this act is amendatory is amended to read as follows:

C. 18:24A-11. Payment of State aid.

11. The sums payable as State aid, as finally determined by the commissioner, shall be payable on October 1 following the final determination in each such year. Payments shall be made by the State Treasurer upon certificate of the Commissioner of Education and warrant of the Director of the Division of Budget and Accounting. Payment shall be made to the governing body of each municipality qualifying for aid under this act provided that it is not a member of a regional or county library system. Payment shall be made to the treasurer of each county for the municipalities qualifying for aid under this act and that participate in a regional or county library system. Upon resolution of the regional library board of trustees or the county library commission, as the case may be, these funds may be reallocated to the municipalities in whose name the county receives aid, provided that this reallocation shall not exceed for any one municipality $0.15 per capita of the population of that municipality.

Section amended.

4. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 18:24A-13. Reports.

13. On or before March 1 in each year each library receiving State aid according to the provisions of this act shall make and transmit a report to the Bureau of Public and School Library Services of such information, based upon the statistics of the preceding calendar year, as the head of the bureau shall require.

5. This act shall take effect immediately.

Approved July 27, 1962.

CHAPTER 134

AN ACT providing for the establishment and maintenance of regional libraries, and supplementing chapter 33 of Title 40 of the Revised Statutes.

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

C. 40:33-13.3. Regional library.

1. Any 2 or more counties may, by joint agreement adopted by similar resolutions of their boards of chosen freeholders, provide for the establishment and maintenance of a regional library for the use and benefit of the residents of the municipalities within said counties.

C. 40:33-13.4. Agreement; contents.

2. The regional library agreement shall provide for:

(a) the establishment and maintenance of a regional library upon the approval of such agreement by such counties as the agreement shall provide;

(b) a proposed initial budget for the regional library;

(c) the apportionment of the initial, annual and other appropriations for the regional library among the participating counties and the factor or factors upon which such apportionments shall be based;

(d) the withdrawal of any participating county from such agreement, the termination of the re-

gional library and the apportionment of all assets and obligations of the regional library among the participating counties in the event of such withdrawal or termination;

(e) the number and initial terms of the members of the board of trustees of the regional library within the limits set forth in this act; and

(f) such other matters not inconsistent with the provisions of this act as may be necessary or desirable to accomplish the objectives of this act.

C. 40:33-13.5. Amending and supplementing agreement; filing.

3. The regional library agreement may, from time to time, be amended or supplemented by the adoption of similar resolutions by all the boards of chosen freeholders of the participating counties. A copy of the original regional library agreement, of any amendments or supplements thereto and of the resolutions approving such agreement, amendments or supplements shall be filed with the Commissioner of Education and with the Director of the Division of Local Government.

C. 40:33-13.6. Resolution published.

4. Upon the introduction of a resolution approving such agreement, or any amendment or supplement thereto, such resolutions, agreement, amendment, or supplement shall be and remain on file for public inspection in the office of the clerk of the board of chosen freeholders. Such resolution shall be published at least once 2 weeks or more before final consideration and passage in a newspaper published in the county or having a substantial circulation therein.

C. 40:33-13.7. Trustees; number; terms; vacancies; initial terms.

5. The regional library shall be under the management and control of a board of trustees to be designated as "the trustees of the ..... (names of the participating counties) regional library" or by other appropriate designation. The board of trustees shall consist of 1, 2 or 3 members from each of the participating counties, as provided in the agreement. The trustees shall be appointed by the respective boards of chosen freeholders for 5-year terms ending on December 31. Vacancies shall be filled for the unexpired term only. No

trustee shall be appointed to more than 2 consecutive 5-year terms. Trustees shall serve without compensation.

The initial terms of the trustees shall be so fixed in the joint library agreement to insure that no 2 terms of the trustees appointed from any one county shall expire in the same year, and, as nearly as may be, that the least possible number of terms of all the trustees shall expire in the same year.

C. 40:33-13.8. Organization.

6. The board of trustees shall organize annually and elect, from among its members, a president and vice-president. It shall also appoint a treasurer and secretary. The treasurer may be treasurer of one of the participating counties. All officers shall serve for one year and until their successors are elected.

C. 40:33-13.9. Corporate body; powers.

7. The board of trustees shall be a body public and corporate and may:

(a) sue and be sued;

(b) adopt a corporate seal;

(c) hold in trust and manage all property of the regional library;

(d) acquire and dispose of any real and personal property, including books and all other library materials, by purchase, sale, gift, lease, bequest, device or other similar manner for its corporate purposes;

(e) employ and fix the compensation of a library director, to whom it shall delegate the administrative responsibilities of the library, and such other professional librarians and other employees it deems necessary;

(f) adopt rules and regulations and do all things necessary for the proper establishment and operation of the library;

(g) contract with other counties, municipalities, library boards of trustees and other agencies for the furtherance of its purpose; and

(h) invest any funds in the same manner as the governing body of a municipality is authorized by law to invest moneys held by it.

C. 40:33-13.10. Annual report.

8. The board of trustees shall make annual reports to the boards of chosen freeholders of the participating counties, to the governing bodies of such municipalities with which it has contractual arrangements to provide library services and to the boards of trustees of public libraries within such municipalities.

C. 40:33-13.11. Budget request.

9. The board of trustees shall annually, not later than November 1, propose to the boards of chosen freeholders of each of the participating counties the total sum required for the operation and other expenses of the library for the ensuing calendar year, including such sums proposed for the acquisition of lands or buildings or the improvement thereof, and that part of this total sum to be provided by each such county in accordance with the method of apportionment provided in the regional library agreement. If any board of chosen freeholders shall object to the amount or apportionment so proposed, the director thereof shall confer with the directors of the boards of chosen freeholders of the other participating counties and with the board of trustees. If, thereafter, any such director of a board of chosen freeholders shall object to such amount or apportionment, the matter shall be referred by said respective directors to their boards of chosen freeholders for determination. Such determination shall be made on the basis of fairness and equity, to promote the objectives of this act and the terms of the regional library agreement and to insure the public interest.

C. 40:33-13.12. Amount certified to county tax board; quarterly payments.

10. Each board of chosen freeholders shall certify to its county board of taxation the sum to be provided by that county as certified or determined pursuant to section 8 of this act. The county board of taxation shall apportion such sum, in accordance with the provisions of section 54:4–49 of the Revised Statutes, among the municipalities within that county served by the regional library pursuant to the regional library agreement. The amounts thus apportioned shall be assessed, levied and collected in each such municipality in the same manner and

at the same time as other county taxes are assessed, levied, and collected. Each such county shall pay over the sum so collected, in quarterly installments on February 15, May 15, August 15 and November 15 of each year, to the treasurer of the regional library.

C. 40:33-13.13. Treasurer custodian of money; payments; bond; audit.

11. The treasurer of the board of trustees shall receive and hold, in behalf of the board, all funds of the library and shall pay out or transfer such funds as directed by resolution of the board of trustees, by check signed by him and countersigned by the president of the board of trustees or other trustee or trustees designated by the board of trustees. The treasurer shall give adequate bond or bonds, conditioned for the faithful performance and discharge of his duties, payable to the board of trustees and to the participating counties, in an amount or amounts required by the board of trustees. All accounts and financial transactions of the regional library shall be audited annually by a registered municipal accountant of New Jersey and filed with the Director of the Division of Local Government on or before May 31.

C. 40:33-13.14. Agreements to serve other municipalities approved.

12. The board of trustees may enter into agreements with the governing body of any municipality which is not then served by the regional library to increase or improve the library services available to the residents of said municipality or to the residents of the municipalities then served by the regional library. Any such agreement shall specify the services to be rendered by the regional library and by the municipality and the amount and nature of payment of any consideration for such services. Any municipality may enter into such agreements with the board of trustees for periods of not more than 5 years and may renew such agreements for like periods.

No such agreement shall be concluded (a) without the approval of the boards of chosen freeholders of the counties participating in the regional library and, (b) in the event that the municipality maintains a municipal public library, without the ap-

proval of the board of trustees of such library. Such agreement may be amended and supplemented, from time to time, and a copy of such agreement, amendments and supplements, together with resolutions of the board of trustees approving such agreement, amendments and supplements, shall be filed with the Commissioner of Education and with the Director of the Division of Local Government.

C. 40:33-13.15. Use of miscellaneous moneys received by library.

13. Money paid to the regional library for lost or damaged books or other library materials, for use of "pay" or "rental" collections and for the sale of library books or other library property shall be held by the board of trustees and spent only for the purchase of books or other materials or for the replacement of library property.

Fines, nonresident fees and other miscellaneous revenue received by the regional library shall be turned over to the treasurers of the participating counties in proportionate shares as stipulated in the regional library agreement or in accordance with the apportionment of annual appropriations set forth therein. Each board of chosen freeholders of the participating counties may, by resolution, reappropriate the sums so received to the board of trustees, in addition to the other moneys appropriated for regional library purposes.

C. 40:33-13.16. Terms of members terminated; assets and obligations transferred.

14. Upon the establishment of a regional library, the terms of office of all members of any county library commission of any participating county shall terminate. The assets and obligations of any such commission and of the county library under its supervision shall devolve upon such county, unless otherwise provided in the regional library agreement.

C. 40:33-13.17. Public agency.

15. Any regional library established pursuant to this act shall be deemed a "public agency or organization" as that term is used in the Public Employees' Retirement Act (P. L. 1954, c. 84) and as defined in section 71 of said act.

C. 40:33-13.18. Procedure for withdrawal.

16. If the board of chosen freeholders of any participating county shall determine by resolution to

withdraw its participation in the support, maintenance and control of the regional library, it shall give notice thereof to the boards of chosen freeholders of other participating counties and to the board of trustees of the regional library. The directors of all boards of chosen freeholders participating in the regional library and the board of trustees shall confer as soon as practicable for the purpose of reaching an agreement among the participating counties as to the time and method of withdrawal by such county, the use of the library facilities thereafter, the adjustment, apportionment, accounting for, settlement, allowance and satisfaction of the rights and liabilities in or with respect to any property, obligations or other matters or things connected with said library and any other matters relating to the regional library. If said boards of chosen freeholders shall be unable to agree as to the terms and conditions of such withdrawal, the matter shall be referred by the board of chosen freeholders of the county which has adopted a resolution to withdraw to the Director of the Division of Local Government for determination on the basis of fairness and equity, the objectives of this act and the regional library agreement, and the public interest. Upon final approval of the resolution or determination by the Director of the Division of Local Government, the participation of the county in the support, maintenance and control in the regional library shall terminate in accordance with the terms of the withdrawal agreement or determination.

17. This act shall take effect immediately.

Approved July 27, 1962.

CHAPTER 135

AN ACT concerning certain powers and duties of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers.

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

C. 30:4C-27.1. "Foster parent" defined.

1. As used in this act "foster parent" shall mean any person with whom a child in the care, custody or guardianship of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, is placed for temporary or long-term care, but shall not include any persons with whom a child is placed for the purpose of adoption.

C. 30:4C-27.2. Clothing warehouses discontinued; monthly allowance increased.

2. Notwithstanding the provision of any other law, the maintenance of a clothing warehouse and distribution center for the distribution of clothing to children in the care, custody or guardianship of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, shall be discontinued and in lieu thereof the board or said instrumentality or agency shall increase the monthly allowance payable to any foster parent caring for any of said children in a sufficient amount to enable said foster parent to purchase the necessary clothing items required by said children from the local merchants of the locality wherein the foster parent resides.

3. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 136

AN ACT concerning certain agreements between the State Board of Child Welfare, or any instrumentality or agency of the State succeeding to its powers, and foster parents.

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

C. 30:4C-26.4. "Foster parent" defined.

1. As used in this act "foster parent" shall mean any person with whom a child in the care, custody or guardianship of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, is placed for temporary or long term care, but shall not include any persons with whom a child is placed for the purpose of adoption.

C. 30:4C-26.5. Not to prohibit adoption by foster parents.

2. Notwithstanding the provisions of any other law or any rule or regulation of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, no agreement entered into between said board, instrumentality or agency and any foster parent for the care of any child in the care, custody or guardianship of said board, instrumentality or agency shall contain any provision prohibiting the adoption of any said child by the foster parent.

3. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 137

AN ACT concerning the establishment and maintenance of child care shelters by the State Board of Child Welfare, or by any instrumentality or agency of the State succeeding to its powers.

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

C. 30:4C-26.1. "Foster home" defined.

1. As used in this act "foster home" means and includes both private residences and institutions wherein any child in the care, custody or guardianship of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, may be placed for temporary or long-term care, and shall include any private residence maintained by persons with whom any such child is placed for adoption.

C. 30:4C-26.2. Child care shelters.

2. The State Board of Child Welfare, or any instrumentality or agency of the State succeeding to its powers, shall establish and maintain, within the limits of available appropriations, child care shelters in such numbers and at such locations throughout the State as the Commissioner of the Department of Institutions and Agencies with the approval of the State Board of Control shall deem to be necessary.

C. 30:4C-26.3. Equipped and used for temporary care, staff.

3. Such shelters shall be equipped and used for the temporary care and supervision of children who are placed in the care, custody or guardianship of the State Board of Child Welfare, or with the instrumentality or agency of the State succeeding to its powers, during the interim between such placement and placement in a suitable foster home. Such shelters shall be properly staffed to provide for child care and supervision and shall contain the necessary facilities for both physical and psychological examinations of such children.

4. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 138

AN ACT supplementing "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138).

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

C. 30:4C-30.1. Cost of hospital care borne by State.

1. Notwithstanding the provisions of the act of which this act is a supplement, the total cost of hospital care for children as provided for therein shall be borne by the State and the contributions required to be paid by the counties toward the cost of maintenance of said children shall include no part of the cost of such hospital care.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 139

AN ACT concerning the State Board of Child Welfare, or the instrumentality or agency of the State succeeding to its powers, in relation to the placement of children for adoption in certain cases.

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

C. 30:4C-26.6. "Foster parent" defined.

1. As used in this act "foster parent" shall mean any person with whom a child in the care, custody or guardianship of the State Board of Child Welfare, or of any instrumentality or agency of the State succeeding to its powers, is placed for temporary or long-term care, but shall not include any persons with whom a child is placed for the purpose of adoption.

C. 30:4C-26.7. Application for adoption by foster parents.

2. Any husband and wife, who, as foster parents, have cared for a child continuously for a period of 2 years or more, may apply to the State Board of Child Welfare, or to the instrumentality or agency succeeding to its powers, for the placement of said child with them for the purpose of adoption and if said child is eligible for adoption, the board or said instrumentality or agency shall give preference and first consideration to their application over all other applications for adoption placements.

3. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 140

AN ACT concerning actions and proceedings in any court involving the State Board of Child Welfare, or any instrumentality or agency of the State succeeding to its powers, and supplementing chapter 138 of the laws of 1951.

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

C. 30:4C-4.1. Approval required before commencing proceeding.

1. Notwithstanding the provisions of any other law, no action or proceeding, including an application for a writ of habeas corpus, in any court which the State Board of Child Welfare is authorized by law to commence or maintain shall be commenced or maintained by the said board, or by any instrumentality or agency of the State succeeding to its powers, without the consent and approval of the State Board of Control of Institutions and Agencies or the Commissioner of the Department of Institutions and Agencies, as hereinafter provided.

C. 30:4C-4.2. May give general consent by rules and regulations.

2. The said State Board of Control, by departmental rule or regulation, may, as to the commencement or maintenance of certain specified actions or proceedings in any court, grant its consent and approval generally, and as to others, require the consent and approval of the Commissioner of the Department of Institutions and Agencies as the duly authorized agent of the State Board of Control, but in no case shall the State Board of Child Welfare, or any instrumentality or agency of the State succeeding to its powers, defend against any action or proceeding or make or oppose any application for a writ of habeas corpus without the express consent and approval of the State Board of Control of Institutions and Agencies thereto or the consent and approval of the Commissioner of the Department of Institutions and Agencies as the

duly authorized agent of the State Board of Control.

C. 30:4C-4.3. Copy of rules or consents given to attorney general.

3. The Commissioner of the Department of Institutions and Agencies shall cause a copy of every rule or regulation and a certification of every consent and approval issued or granted by the State Board of Control of Institutions and Agencies or the Commissioner of the Department of Institutions and Agencies pursuant to the provisions of this act to be given to the Attorney General and to the Deputy Attorney General assigned to the Department of Institutions and Agencies.

4. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 141

AN ACT amending "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138).

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. 30:4C-15. Guardianship; petition.

15. Whenever (a) it appears that a court wherein a complaint has been proffered as provided in chapter 6 of Title 9 of the Revised Statutes, has entered a conviction against the parent or parents, guardian, or person having custody and control of any child because of abuse, abandonment, neglect of or cruelty to such child; or (b) it appears that any

child has been adjudged delinquent by a court of proper jurisdiction in this State; or (c) it appears that the best interests of any child under the care or custody of the State Board of Child Welfare require that he be placed under guardianship; or (d) it appears that the parent or parents, guardian, or person having custody and control of any child is grossly immoral or unfit to be intrusted with the care and education of such child, or shall fail to provide such child with proper protection, maintenance and education, or is of such vicious, careless dissolute habits as to endanger the welfare of such child; or (e) it appears that a parent or guardian of a child, following the acceptance of such child by the State Board of Child Welfare pursuant to sections 11 and 12 of this act, or following the placement or commitment of such child in the care of an authorized agency, whether in an institution or in a foster home, and notwithstanding the diligent efforts of such agency to encourage and strengthen the parental relation, has failed substantially and continuously or repeatedly for a period of more than one year to maintain contact with and plan for the future of the child, although physically and financially able to do so; a petition, setting forth the facts in the case, may be filed with the juvenile and domestic relations court of the county where such child may be at the time of the filing of such petition. A petition as provided in this section may be filed by any person or any association or agency, interested in such child, or by the State Board of Child Welfare in the circumstances set forth in items (c) and (e) hereof. No petition shall be filed in the circumstances set forth in item (d) hereof unless and until action has been taken with respect to the child pursuant to sections 11 and 12 of this act.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 142

AN ACT authorizing the State Board of Child Welfare in the Department of Institutions and Agencies to contract with certain persons for payment for the provision of care and custody of children by said board and providing for liens upon the property of certain persons so contracting and the enforcement thereof.

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

C. 30:4C-29.1. Agreement for payment of board; lien.

1. In any case in which the Department of Institutions and Agencies, through the State Board of Child Welfare, is providing care and custody for any child, the board may, on behalf of the department, accept an agreement in writing made by any person or persons for the payment to the board for said services of such amount or amounts as shall be prescribed therefor by schedule approved by the department and if such person or persons are legally obligated to provide support for any such child, the board shall have a lien against the property of any person so contracting in an amount equal to the amount or amounts so contracted to be paid, which lien shall have priority over all unrecorded encumbrances.

C. 30:4C-29.2. Filing certificate of amount due or to become due; lien on real property.

2. At any time during the period during which said child is within the care and custody of the board and within 2 years after the date upon which said care and custody is terminated, the board, through any officer or employee authorized by it so to do, may execute and file a certificate with the county clerk, or if there be such an officer in the county, with the register of deeds and mortgages of the county, or with the clerk of the Superior Court, as the case may be, which certificate shall state the name of the child, the date when the child

came under the care and custody of the board and the date of the agreement, the name of the person or persons by whom the agreement was made, and the sum or sums which said person or persons agreed to pay to the board for the support and maintenance of said child, and the amount due the board for such service at the time of the filing of the certificate, and the rate of accumulation, if any shall occur thereafter, and the person or persons from whom such sum or sums are or will become due, and upon the filing of said certificate the lien shall immediately attach to and become binding upon all real property in the ownership of the person or persons against whom it is filed in the county if it is filed in the county, or wherever situate in the State, if it is filed in the Superior Court, and it shall have the force and effect of a judgment at law.

C. 30:4C-29.3. Certificates of lien and other papers recorded.

3. The clerk or register of deeds and mortgages of the county, or the clerk of the Superior Court, as the case may be, shall provide suitable books in which all certificates of lien and other papers incidental thereto shall be received and recorded without the payment of any fee, which books shall be properly indexed in the name of the person or persons against whom the lien is claimed.

C. 30:4C-29.4. Lien binding on all goods, rights, credits, etc.; notice of lien.

4. The lien shall become binding upon any goods, rights, credits, chattels, moneys or effects which are held, for the present or subsequent use, of the person against whom the lien is claimed, by any person, firm or corporation, after notice of the existence of the lien forwarded by certified mail to said person, firm or corporation, who or which shall thereafter be precluded from disposing of said property rights until said lien is satisfied or the board consents thereto and any person, firm or corporation disposing of such properties or moneys after receipt of such notice of lien shall be liable to the board for the value of such properties or moneys so disposed of, except that when the notice of the lien is served upon a banking institution the lien shall be effective against such banking institution only in the amount of the acumulated delinquent maintenance stated therein.

C. 30:4C-29.5. May compromise lien.

5. The board is authorized to compromise and make settlement of any claim for which any lien is filed under the provisions of this act and the making and consummation of any such compromise shall be sufficient authorization for the discharge thereof.

C. 30:4C-29.6. Discharge of lien.

6. Any such lien may be discharged by filing in the office in which the certificate of lien is filed, a certificate setting forth that said lien is discharged of record, signed and acknowledged by the duly authorized officer or employee of the board.

7. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 143

AN ACT concerning the salaries to be paid to the mayor and councilmen in boroughs in counties of the second class having less than 265,000 inhabitants, amending section 40:87–60 of the Revised Statutes and to amend the title of "An act concerning the salaries to be paid to the mayor and councilmen in boroughs in counties of the second class, and supplementing chapter 87 of Title 40 of the Revised Statutes," approved August 10, 1953 (P. L. 1953, c. 355), as said title was amended by chapter 173 of the laws of 1957, so that the same shall read "An act concerning the salaries to be paid to the mayor and councilmen in boroughs in certain counties of the second class," and to amend the body of said act.

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

Section amended.

1. Section 40:87–60 of the Revised Statutes is amended to read as follows:

Salaries of mayor and councilmen.

40:87–60. The salaries of the mayor and councilmen shall be governed by article 6 of chapter 46 of this Title (§ 40:46–23 et seq.), except in boroughs in counties of the first class having less than 800,000 inhabitants, in which boroughs they may be fixed by ordinance at not in excess of $1,500.00 per year for the mayor and $1,000.00 per year for each councilman, and except in boroughs in counties of the second class having less than 265,000 inhabitants and in counties of the third class, in which boroughs they may be fixed by ordinance at an annual salary or at a rate not in excess of $15.00 for the mayor and $10.00 for each councilman, for each day actually engaged in discharging the duties of their respective offices, but, in either case, not to exceed $1,500.00 per year for the mayor and $1,000.00 per year for each councilman, and except in boroughs in counties of the fourth class and boroughs in counties of the sixth class, in which boroughs they shall be fixed by ordinance as in the case of other salaries. All other officers shall be paid such salary or compensation as the council may by ordinance fix.

C. 40:87-60.1. Previously adopted ordinances effective.

2. Any ordinance authorized by section 40:87–60 of the Revised Statutes heretofore adopted in any borough in a county of the third class shall remain in full force and effect notwithstanding that the county in which the borough is situate is, since the promulgation of the 1960 census, a county of the second class.

Title amended.

3. The title of "An act concerning the salaries to be paid to the mayor and councilmen in boroughs in counties of the second class, and supplementing chapter 87 of Title 40 of the Revised Statutes," approved August 10, 1953 (P. L. 1953, c. 355), as said title was amended by chapter 173 of the laws of 1957, is amended to read "An act concerning the salaries to be paid to the mayor and councilmen in boroughs in certain counties of the second class."

New title.

Section amended.

4. Section 1 of P. L. 1953, c. 355 is amended to read as follows:

C. 40:88-3.1. Salaries of mayor and members of governing body of certain boroughs.

1. Notwithstanding the provisions of sections 40:46–23 to 40:46–28 of the Revised Statutes, the governing body of any borough in counties of the second class having a population of more than 265,000 inhabitants may fix and determine by ordinance as in the case of other salaries, the salary to be paid to the mayor and to its members, as follows:

a. In boroughs having less than 500 population, the annual salary of the mayor shall be not more than $150.00, and that of each councilman not more than $75.00.

b. In boroughs having from 500 to 2,500 population, the annual salary of the mayor shall be not more than $250.00, and that of each councilman not more than $150.00.

c. In boroughs over 2,500 but not exceeding 5,000 population, the annual salary of the mayor shall be not more than $500.00, and that of each councilman not more than $350.00.

d. In boroughs over 5,000 but not exceeding 10,000 population, the annual salary of the mayor shall be not more than $750.00, and that of each councilman not more than $500.00.

e. In boroughs over 10,000 but not exceeding 15,000 population, the annual salary of the mayor shall be not more than $1,000.00, and that of each councilman not more than $750.00.

f. In boroughs over 15,000 but not exceeding 20,000 population, the annual salary of the mayor shall not be more than $1,250.00, and that of each councilman not more than $1,000.00.

g. In boroughs over 20,000 population, the annual salary of the mayor shall not be more than $1,500.00, and that of each councilman not more than $1,250.00.

5. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 144

AN ACT concerning the salaries of the mayor or other chief executive officer and members of governing bodies in municipalities, and amending sections 40:46–23 and 40:46–26 of the Revised Statutes.

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

1. Section 40:46–23 of the Revised Statutes is amended to read as follows: Section amended.

40:46–23. The governing body may, by ordinance, notwithstanding any maximum or minimum limitation fixed by statute, fix and determine the salaries, wages or compensation to be paid to each officer and employee of the municipality who, by law, is entitled thereto, except the members of the governing body and mayor or other chief executive officer therein, whose salaries shall, except as otherwise provided in section 40:46–26 of this chapter, be fixed (1) by vote of the legal voters as hereinafter provided, or (2) in municipalities in counties of the second class having a population of less than 230,000 and in counties of the third class and fifth class having a population over 80,000 by ordinance, subject, however, to referendum to the legal voters as provided by section 40:46–26 of this chapter, and except all such officers and employees whose salaries shall have been adopted by a referendum vote less than 2 years prior to introduction of any such ordinance. In case any officer is re-elected to succeed himself after having served one full term, his salary may be once increased during the term for which he is so re-elected. Salaries of officers and employees; exception.

2. Section 40:46–26 of the Revised Statutes is amended to read as follows: Section amended.

Salaries of mayor and members of governing body; exception; increase in salary; referendum.

40:46–26. The legal voters of any municipality may, by vote at a general election held in such municipality, fix and determine the salary or other compensation to be paid the members of the governing body. They may in the same manner fix the salary or other compensation to be paid the mayor, except in municipalities having a population of more than 20,000, in which municipalities the governing body shall fix the salary of the mayor by ordinance. In case the mayor of any municipality is re-elected to succeed himself after having served one full term in such office his salary may be increased not more than once during such term for which he is so re-elected.

In any municipality in counties of the second class having a population of less than 230,000 and in counties of the third class and fifth class having a population over 80,000 in which the legal voters have not fixed and determined the salaries of the mayor or other chief executive officer or members of the governing body in the manner aforesaid, the governing body may, by ordinance, fix the annual salary to be paid the mayor or other chief executive officer and members of the governing body, but any such salary shall not be in excess of $1,000.00 per annum in municipalities having a population not in excess of 12,000, or $2,500.00 per annum in municipalities having a population in excess of 12,000. 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 voters of such municipality equal in number to at least 15% of the entire vote cast 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.

This section shall not be construed to prevent the payment of a per diem compensation, pursuant to section 40:146–14 of this Title, to members of a township committee who are not paid a salary.

This section shall not apply to municipalities governed by the provisions of subtitle 4 (40:70–1 et seq.) or subtitle 5 (40:79–1 et seq.) of this Title or boroughs in counties of the fourth or the sixth class, in which boroughs such salaries may be fixed by ordinance pursuant to section 40:87–60 of this Title, or townships having a population in excess of 9,000 and not in excess of 14,000, in which townships such salaries are fixed by section 40:146–15 of this Title, or to townships in counties of the sixth class bordering on the Atlantic ocean, in which townships such salaries are fixed by chapter 201, laws of 1946, or to cities of the fourth class in counties of the sixth class having councilmanic form of government, in which cities the members of the governing body are hereby empowered, by ordinance, to fix the compensation for the mayor at a sum not exceeding $3,500.00 per annum and for each of the members of the governing body thereof at a sum not to exceed $1,000.00 per annum, or to any city of the third class in any county of the fourth class in which cities the members of the governing body are hereby empowered, by ordinance, to fix the compensation of the mayor and the members of the governing body as provided by law.

C. 40:46-26.1. Previously adopted ordinance effective.

3. Any ordinance authorized by section 40:46–26 of the Revised Statutes heretofore adopted in any municipality in a county of the third class shall remain in full force and effect notwithstanding that the county in which the municipality is situate is, since the promulgation of the 1960 census, a county of the second class having a population of less than 230,000.

4. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 145

AN ACT to amend "The Banking Act of 1948" (P. L. 1948, c. 67), approved April 29, 1948.

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. 17:9A-6. Capital stock; par value and classes.

6. Capital stock; par value and classes.

A. Except as otherwise provided in this section the par value of the shares of the capital stock issued by any bank shall be not less than $2.00 per share.

B. No bank shall create more than one class of stock, except to the extent and for the purposes in this act or otherwise by law expressly provided.

C. The minimum par value imposed by subsection A of this section shall not apply to stock issued before the effective date of this act. Notwithstanding any other provision of this act, any bank heretofore organized may, in increasing or decreasing its capital stock, or in converting its preferred stock into common stock, assign to its shares the same par value as that assigned to such stock issued and outstanding on the effective date of this act.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 146

AN ACT concerning fur farming, designating fur farming to be an agricultural pursuit and supplementing Title 4 of the Revised Statutes.

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

C. 4:2-15. Supervision and control of fur farming; construing.

1. The Department of Agriculture shall supervise and control fur farming, including the breeding, raising, producing and marketing of fox, rabbit, mink, chinchilla, marten, fisher, muskrat, karakul and all other fur-bearing animals raised in captivity, in like manner as is provided for other animals under Title 4 of the Revised Statutes. Such farming is hereby declared to be an agricultural pursuit, in like manner as provided for other animals under said title, and the employees of those engaged therein are hereby declared to be agricultural laborers. Nothing in this act shall be construed to exempt any person from the provisions of the Fish and Game Act regulating the release or escape from captivity of certain animals or the provisions of other acts forbidding the importation or the raising in captivity of certain animals.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 147

AN ACT to amend "An act relating to the sale by municipalities of certificates of tax sale including subsequent municipal liens held by such municipalities," approved April 8, 1943 (P. L. 1943, c. 149).

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

Section amended.

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

C. 54:5-114.5. Extension of time for recording judgment; failure to record within time.

4. The governing body on good cause shown shall have the power to extend the time and to grant further extension or extensions of time within which the final decree or judgment must be recorded as hereinabove described; provided that an application for such extension, further extension or extensions of time shall be made to the governing body, before the expiration of the 2-year period or the expiration date or dates of said further extension or extensions as hereinabove provided.

If the final decree or judgment shall not have been recorded within 2 years from the date of the confirmation of the sale, or on the expiration of the extended time or times, then the sale shall be null and void, and the right, title and interest of the purchaser shall cease and revert to the municipality.

As to all sales of tax sale certificates made prior to July 3, 1956, under this act, where the final decree or judgment was not or has not been filed within 2 years from the date of the confirmation of the sale, or within the time limited by any extension or extensions theretofore granted, the governing body, on good cause shown, shall have the power to extend the time within which the final decree or judgment must be recorded; provided, that the first application for such extension shall

be made to the governing body within 2 years after July 3, 1961, and in the event that such application is made within said time and is granted by said governing body said final decree or judgment and the sale, right, title and interest of the purchaser in the tax sale certificate shall be valid, anything contained in this act to the contrary notwithstanding.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 148

AN ACT concerning motor vehicles and traffic regulation and amending section 39:4–92 of the Revised Statutes.

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

1. Section 39:4–92 of the Revised Statutes is amended to read as follows: Section amended.

39:4–92. Upon the immediate approach of an authorized emergency vehicle giving audible signal, and equipped, as required by section 39:4–91 of this Title, and unless otherwise directed by a police or traffic officer, Clearance for following or parking near an authorized emergency vehicle.

(a) The driver of every vehicle shall immediately drive to position as near as possible and parallel to the right-hand edge or curb of the highway, clear of an intersection of highways, and shall stop and remain in that position until the authorized emergency vehicle has passed and

(b) The driver or person in control of a street car shall immediately stop the car clear of an intersection of highways and keep it stationary until the authorized emergency vehicle has passed.

No driver of any vehicle other than one on official business shall follow any authorized emer-

gency vehicle, traveling in response to an emergency call, closer than 300 feet, or drive nearer to, or park the vehicle within 200 feet of, where any fire apparatus has stopped in answer to a fire alarm.

2. This act shall take effect 30 days after enactment.

Approved July 31, 1962.

CHAPTER 149

AN ACT concerning employees of municipalities amending section 40:47–4 of the Revised Statutes.

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

Section amended.

1. Section 40:47–4 of the Revised Statutes is amended to read as follows:

Age limits for police and firemen.

40:47–4. No person shall be appointed a member of the paid fire or police department or force of any municipality who is less than 21 or more than 30 years of age except in counties of the third class having a population of less than 75,000 inhabitants, any person may be appointed a member of the police department who is not less than 21 nor more than 35 years of age. In any municipality which shall be subject to the terms of Title 11, Civil Service, of the Revised Statutes, any person who shall have met the requirements of this section at the announced closing date of a civil service examination for such position shall be considered within the age requirements during the existence of the civil service list promulgated as a result of that examination. But upon the creation of paid fire or police department in any municipality, nothing herein contained shall be construed to prohibit the continuance in office or employment of any person

who is permanently employed by the municipality in a part-paid fire or police department at a fixed annual salary and whose sole occupation is that of fireman or policeman.

The provisions of this section are subject to the provisions of chapter 98 of the laws of 1944.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 150

AN ACT to amend "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

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

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

3. (1) After the date of the establishment of this retirement system, any person becoming a full time policeman or fireman in a county or municipality or fire district located in a township where, prior to the date this act takes effect, a pension under chapter 16 of Title 43 or article 4 of chapter 10 of Title 43 of the Revised Statutes for policemen or firemen has been established, shall become a member of this retirement system as a condition of his employment; provided, that his age at becoming such full time policeman or fireman is not over 30 years or if such person shall have met the requirements at the announced closing date of a civil service examination for such position and was appointed during the existence of the civil service list promulgated as a result of such examination; and C. 43:16A-3. Membership; termination; return of contributions.

further provided, that he shall furnish such evidence of good health at the time of becoming a member as the board of trustees shall require.

Any person who became a policeman or fireman in any such county, municipality or fire district after June 30, 1944, and prior to April 11, 1945, and who at the time of becoming such policeman or fireman was over 30 years and not more than 35 years of age, shall become a member of this retirement system as a condition of his employment; provided, that he shall furnish such evidence of good health at the time of his becoming a policeman or fireman as the board of trustees shall require.

(2) After the date upon which this act becomes effective in any county, municipality or political subdivision thereof, pursuant to a referendum as hereinafter provided (a) Any person becoming a full time policeman or fireman in any such county, municipality or political subdivision shall become a member of this retirement system as a condition of his employment; provided, that his age at becoming such full time policeman or fireman is not over 30 years; and provided further, that he shall furnish such evidence of good health at the time of becoming a member as the board of trustees shall require; and (b) Any person in service as a full time policeman or fireman in any such county, municipality or political subdivision on the date this act becomes effective therein who, within the time and in the manner permitted by this act, elects to become a member of this retirement system, shall become such member.

(3) The board of trustees may accept as members into the retirement system, full time policemen and firemen who are serving as probationers. The board of trustees may in its discretion deny the right to become members to any class of policemen or firemen whose compensation is only partly paid by the employer and shall deny it to those who are serving in a temporary or other than per annum basis, and it may also, in its discretion, make

optional with members in any such class their individual entrance into membership.

(4) Should any member in any period of 4 consecutive years after last becoming a member be absent from service for more than 2 years, or withdraw his aggregate contributions, or become a beneficiary or die, he shall thereupon cease to be a member.

(5) Should any member resign or be dismissed from the police or fire service of the employing agency and not make application for the return of his aggregate contributions, the board of trustees may upon receiving conclusive advice of such separation, terminate the membership immediately thereafter. The employees' contributions from memberships so terminated shall be held by the retirement system and returned to the employee without interest when application for such return is made.

(6) Any member of this retirement system in good standing on the effective date of this amendment shall not have his membership affected as a result of this amendment but the same shall apply to any person becoming a full time policeman or fireman after the effective date of this amendment.

2. This act shall take effect immediately.

Approved July 31, 1962.

CHAPTER 151

AN ACT to amend "An act concerning salaries of members of the governing body in certain cities of the second class," approved July 19, 1951 (P. L. 1951, c. 339).

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. 40:46-27.1. Salaries of members of governing body and mayor.

1. In any city of the second class having a population exceeding 20,000, the salary or other compensation to be paid the members of the governing body other than the mayor, may be fixed by ordinance, at not exceeding $2,500.00 per annum for each member of the governing body, and at not exceeding $3,000.00 per annum for the chairman of the governing body. Any such ordinance shall become operative 30 days after the publication thereof after its final passage, unless within said 30 days, a petition, signed by legal voters of such city equal in number to at least 15% of the entire vote cast 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. The said ordinance may be retroactive but only to the first day of the calendar year in which the said ordinance is enacted, and the said ordinance may establish the salary for the members of the governing body then serving and voting on the same.

2. This act shall take effect immediately.

Approved August 3, 1962.

CHAPTER 152

AN ACT concerning alcoholic beverages and supplementing Title 33 of the Revised Statutes.

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

C. 33:1-12.31. Not to acquire beneficial interest in more than 2 retail licenses.

1. On and after the effective date of this act no person, as the same is defined in section 33:1–1 of the Revised Statutes, shall, except as hereinafter provided, acquire a beneficial interest in more than a total of 2 alcoholic beverage retail licenses, but nothing herein shall require any such person who has, on the effective date of this act, such interest in more than 2 such licenses to surrender, dispose of, or release his interest in any such license or licenses.

C. 33:1-12.32. Application of act.

2. The provisions of this act shall not apply to the acquisition of an additional license or licenses or an interest therein, when such license is issued to a person for use in connection with the operation of a hotel containing at least 50 sleeping rooms, nor shall the provisions of this act affect the right of any person to dispose of an interest in a license or licenses by will or to the transfer of such an interest by descent and distribution.

C. 33:1-12.33. Procedure when interest is acquired by inheritance.

3. Whenever a person shall acquire a beneficial interest in a retail license from the estate of a decedent which results in such person having a beneficial interest in more than 2 licenses, the Director of Alcoholic Beverage Control shall, by order, prescribe a reasonable time within which such person shall comply with the provisions of this act and the holding of any such license or interest during the time permitted under such an order shall not constitute a violation of this act.

C. 33:1-12.34. Membership in club not acquisition of interest.

4. Membership in any organization which is or may become the holder of a club license shall not constitute acquisition of an interest in a retail license.

C. 33:1-12.35. Not to affect present licensees.

5. Nothing in this act shall affect the right of any holder of retail licenses heretofore acquired to continue to hold, use and renew such licenses.

C. 33:1-12.36. Not to affect stock ownership; limit.

6. Nothing in this act shall affect the right of any person having a beneficial interest in a retail license or licenses to hold or acquire an interest of not more than 10% of any corporation the shares of which are traded on a national securities exchange or regularly traded in an over-the-counter market by one or more members of a national or affiliated securities association.

C. 33:1-12.37. Penalty for violation.

7. Any person violating any provision of this act or of any rule or regulation issued pursuant to this act shall be punished by a fine of not less than $50.00 and not more than $250.00 and to the revocation of any license issued in violation of this act, in accordance with section 33:1–31.1 of the Revised Statutes.

8. This act shall take effect immediately.

Approved August 3, 1962.

CHAPTER 153

AN ACT concerning motor vehicles, and amending section 39:3–67 of the Revised Statutes.

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

Section amended.

1. Section 39:3–67 of the Revised Statutes is amended to read as follows:

Brake equipment required.

39:3–67. Every motor cycle when operated upon a highway shall be equipped with at least one brake adequate to control the movement of and to stop such vehicle.

Every motor vehicle, except a motor cycle and except a motor-drawn vehicle, shall be equipped with brakes adequate to control the movement of

and to stop and to hold such vehicle, including 2 separate means of applying the brakes. If these 2 separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the vehicle without brakes adequate to stop and to hold such vehicle. One of these means of applying the brakes shall be so constructed that it can be set to hold the vehicle, or any combination of which it forms a part, stationary on any up or down grade upon which it is operated, whether the vehicle or combination is empty or loaded.

Every combination of motor vehicles shall be equipped with brakes upon one or more of such motor vehicles, adequate to stop and to hold such combination of motor vehicles. Every motor vehicle, except a motor cycle, manufactured on or after July 1, 1938 when used on a highway shall be equipped with brakes on all wheels, except the front wheels of a 3-axle truck tractor and except any trailer or semitrailer of a gross weight not exceeding 3,000 pounds; provided, however, that the gross weight of any such trailer without brakes shall not exceed 40% of the gross weight of the towing vehicle, and that the gross weight of any such semitrailer without brakes shall not exceed 40% of the gross weight of the towing vehicle when the vehicles are connected. All brakes on a combination of vehicles shall be controlled by the driver thereof.

Every trailer and semitrailer, required to be equipped with brakes, shall be equipped with brakes of such a character as to be automatically applied upon break-away from the towing vehicle, and means shall be provided to stop and hold such vehicle for an adequate period of time.

In any combination of motor vehicles, means shall be provided for applying the trailer or semitrailer brakes, of any trailer or semitrailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the wheels of the rearmost vehicle at the fastest rate; or means shall

be provided for applying braking effort first on the rearmost vehicle equipped with brakes; or both of the above means capable of being used alternatively may be employed.

No person shall drive, move, park or be in custody of on any highway any motor vehicle not equipped as herein required.

2. This act shall take effect immediately.

Approved August 7, 1962.

CHAPTER 154

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:

Tax exempt property.

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 historical 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 building 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 buildings, not exceeding 2, actually occupied as a parsonage by the officiating clergymen of any religious corporation of this State, together with the accessory buildings located on the same premises to an amount not exceeding $25,000.00; 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 nonprofit 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 occu-

pying 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 exemption 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 August 7, 1962.

CHAPTER 155

AN ACT concerning motor vehicles and traffic regulations, 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 tractors registration; fee; constructor registration plates, speed regulations; weight requirements; penalty; weight allowance; sections 39:3-84 and 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
40,001 to 44,000 lbs.	270 00

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

The applicant for "constructor" registration plates authorized herein shall pay therefor on each

vehicle at the rate of $15.00 per thousand pounds of gross weight of vehicle and load.

Vehicles registered and using "constructor" registration plates may not be operated at a distance greater than 30 miles from the point established as a headquarters for the particular construction operation and such vehicles, except as hereafter provided, must comply with the speed limitations of Title 39 of the Revised Statutes. Such vehicles when carrying a gross weight of vehicle and load less than 50% of the certificate of registration shall comply with applicable speed laws and shall not move along a highway at a speed greater than 40 miles per hour. When carrying a gross weight of vehicle and load in excess of 50% of the certificate of registration, such vehicles shall comply with applicable speed laws and shall not move along a highway at a speed greater than 30 miles per hour.

It shall be unlawful for any vehicle registered under this act having gross weight of load and vehicle in excess of the gross weight provided on the registration certificate to be operated on the highways of this State. The owner, lessee, and bailee of any commercial motor vehicle, tractor, trailer or semitrailer registered under this act and found on a highway with a gross weight of vehicle and load in excess of that provided for on the certificate of registration of the vehicle, shall be fined in an amount equal to $0.02 per pound for each pound of excess weight, if the excess weight does not exceed 10,000 pounds, and $0.03 per pound for each pound of excess weight if the excess weight exceeds 10,000 pounds, but in no event less than $50.00.

In the event that a tractor, trailer or semitrailer registered under this act is found on a highway in combination with a tractor, trailer or semitrailer duly registered in any other State or Federal district, the unit of the combination registered under this act shall have a gross weight registration equal at least to ½ of the combined gross weight of both vehicles and load. If it does not, the owner, lessee

and bailee shall be fined an amount equal to $0.02 for each pound by which ½ of said combined gross weight exceeds the gross weight registration of the unit registered under this act, if the excess is not greater than 10,000 pounds, and $0.03 for each pound of the excess if it is greater than 10,000 pounds, but in no event less than $50.00.

Nothing in this section shall be deemed to alter or affect the application of the 5% allowance as to statutory and registered weight limitations set forth in section 5 of chapter 142, laws of 1950. Said allowance shall be applicable as heretofore to all registered weight limitations provided in this section. In the case of a tractor, trailer or semitrailer registered under this act in combination with a tractor, trailer or semitrailer duly registered in any other State or Federal district, known as a mixed combination, the 5% allowance shall be applied by adding to the registered weight of the unit registered under this act 5% of said registered weight. If the resulting sum is equal at least to ½ of the combined gross weight of the mixed combination, then the mixed combination shall be in compliance with the registration requirements of this section.

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

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

2. This act shall take effect immediately.

Approved August 22, 1962.

CHAPTER 156

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

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

Section amended.

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

Requirements for group insurance; permissible provisions; insurable groups; persons eligible; limitation on amount.

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

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

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

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

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

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

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

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

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

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

(c) The policy may be issued only if the group of eligible debtors is then receiving new entrants at the rate of at least 100 persons yearly or may reasonably be expected to receive at least 100 new entrants during the first policy year, and only if the policy reserves to the insurer the right to require evidence of indi-

vidual insurability if less than 75% of the new entrants become insured.

(d) The amount of insurance on the life of any debtor shall at no time exceed the amount owed by him which is repayable in installments to the creditor, or $10,000.00, whichever is less.

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

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

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

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

for their insurance must insure all eligible members.

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

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

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

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

principally connected with such trusteeship. If the fund is established by the members of an association of employers, the policy may provide that the term "employees" shall include the employees of the association.

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

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

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

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

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

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

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

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

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

2. This act shall take effect immediately.

Approved August 22, 1962.

CHAPTER 157

AN ACT concerning certain deeds heretofore made by married women and the estates taken and vested thereunder.

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

Certain deeds by married women valid.

1. Any deed executed and delivered before July 4, 1934 by any married woman above the age of 21 years for any real estate or interest therein without the joinder of her husband, shall as to the grantee or grantees, and all other persons claiming under said grantee or grantees, be as valid and effectual in law as if her husband had joined in the said deed; provided, (a) such deed of said married woman is duly acknowledged, with acknowledgment certificate attached according to law, and (b) the said deed has been of record in the office of the county clerk or register of deeds of the county wherein the said lands are situate for a period of at least 10 years. This act shall not affect the title or interest, if any, of her husband in said lands, and shall not affect the title or interest of any person or persons in possession of such lands who do not claim under the said grantee or grantees, his or their heirs or assigns.

2. This act shall take effect immediately.

Approved August 22, 1962.

CHAPTER 158

AN ACT concerning counties and amending section 40:25–4 of the Revised Statutes.

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

Section amended.

1. Section 40:25–4 of the Revised Statutes is amended to read as follows:

Certain contracts unaffected.

40:25–4. The provisions of this chapter shall not apply to the hiring of motor vehicles or doing of work by employees of any county or any department thereof, or the hiring of labor or equipment for the removal of snow from county roads and bridges during emergency caused by storm, or for the purchase of fresh vegetables, dairy products, eggs, poultry, live stock, meat, fish, and motor vehicles.

2. This act shall take effect immediately.

Approved August 22, 1962.

CHAPTER 159

AN ACT concerning the small loan law relative to obtaining or providing credit life insurance in connection with small loans, and supplementing chapter 10 of Title 17 of the Revised Statutes.

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

C. 17:10-14.1. Credit life insurance with small loans.

1. When the borrower consents thereto in writing, a licensee may obtain or provide insurance on the life of the obligor, but only one obligor, irrespec-

tive of the number of obligors on such contract, pursuant to the provisions of "An act to provide for the regulation of credit life insurance and credit accident and health insurance as defined and supplementing Title 17 of the Revised Statutes" (P. L. 1958, c. 169), and may deduct from the principal of a loan and retain an amount equal to the premium lawfully charged by the insurance company. The amount so deducted and retained shall not be considered a prohibited charge or amount of any examination, service, brokerage, commission, expense, fee, or bonus or other thing or otherwise. If a borrower obtains such insurance from or through a licensee, the statement required by R. S. 17:10–15 shall show the amount of the charge therefor, and the licensee shall cause to be delivered to the borrower a copy of the policy, certificate or other evidence of such insurance when the loan is made. Nothing in the small loan law shall prohibit the licensee, or any employee, affiliate, subsidiary or associate of the licensee, from collecting the premium or identifiable charge for life insurance permitted by this section and from receiving and retaining any dividend, or any other gain or advantage resulting from such insurance, nor shall the sale or provision of such insurance be deemed to require prior authorization under the provisions of R. S. 17:10–13.

2. This act shall take effect immediately.

Approved August 22, 1962.

CHAPTER 160

AN ACT providing an additional procedure for the forfeiture to the county treasury of certain funds deposited with the county treasurer and supplementing chapter 152 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:152-9.1. Procedure for forfeiture of certain funds.

1. Whenever any money, currency or cash seized or captured from a person in connection with any arrest for violation of or conspiracy to violate any gambling law of this State shall have been on deposit with the county treasurer, pursuant to N. J. S. 2A:152–8 for a period of more than 2 years from the date of ultimate disposition of the charges against, or indictments of, the person from whom such funds were seized or captured, the county treasurer may make application to the County Court for an order forfeiting said money, currency or cash to the sole use and gain of the county.

Amounts seized or captured from any number of persons may be consolidated in a single application.

C. 2A:152-9.2. Posting and publication of notice; contents.

2. The county treasurer shall cause a notice signed by him to be posted in a public place in the county court house and published once in a newspaper circulating in the county stating that on a date specified therein, which shall be at least 10 days after the date of posting and publication of the notice, application will be made to the County Court for an order for the forfeiture to the county of funds deposited with him pursuant to N. J. S. 2A:152–7. The notice shall contain a list of the names of the persons from whom the amounts set forth in the application were seized or captured, or if the names of such persons are unknown, the dates, places and amounts seized or captured.

3. Upon the date set forth in the notice, the county treasurer may apply to the County Court for an order for forfeiture and a hearing shall be held in a summary manner, proof being made to the satisfaction of the court that no action or proceeding, then pending and undetermined has been filed in any court of competent jurisdiction seeking recovery of any of the amounts contained in the application. C. 2A:152-9.3. Order for forfeiture.

4. A certified copy of the order of the court made in compliance with this act shall be kept on file by the county treasurer. C. 2A:152-9.4. Certified copy held by treasurer.

5. The remedy provided by this act shall be in addition to all other remedies authorized by law. C. 2A:152-9.5. Remedy deemed additional.

6. This act shall take effect immediately.

Approved August 24, 1962.

CHAPTER 161

AN ACT authorizing municipalities to bid and purchase the fee to real property at tax sales in certain cases, amending section 54:5–34 and supplementing chapter 5 of Title 54, of the Revised Statutes.

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

1. Whenever the governing body of a municipality shall by resolution determine that a particular parcel or parcels of real estate, scheduled to be sold at public auction pursuant to the tax sale law, would be useful for a public purpose, it may authorize and direct a municipal official to attend the auction and bid for such parcel or parcels at such sale on behalf of the municipality in the same manner as any other bidder. C. 54:5-30.1. Authorized to bid at tax sales.

Section amended.

2. Section 54:5–34 of the Revised Statutes is amended to read as follows:

Sale; purchase by municipality; rights.

54:5–34. The officer making sale shall strike off and sell to the municipality in fee for redemption any parcel of real property purchased in accordance with a successful bid made pursuant to a resolution of the governing body or at 8% any parcel of real property for which there shall be no other purchaser, and the municipality shall have the same remedies and rights as other purchasers, including the right to bar or foreclose the right of redemption.

3. This act shall take effect immediately.

Approved August 24, 1962.

CHAPTER 162

AN ACT concerning electrical contracting, providing for the regulation thereof, establishing a Board of Electrical Examiners and making an appropriation.

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

C. 45:5A-1. Short title.

1. This act may be cited as "The Electrical Contractors Licensing Act of 1962."

C. 45:5A-2. "Electrical contractor" defined.

2. The words "electrical contractor," as used in this act shall mean a person, firm, corporation or other legal entity whose principal occupation is contracting to install, erect or repair electrical wire or conductors to be used for the transmission of electric current for electric light, heat or power purposes, or mouldings, ducts, raceways or conduits for the reception or protection of such wires or conductors to electrical machinery, apparatus, devices or fixtures to be used for electric light, heat or power purposes. An electrical contractor shall be a person having the necessary qualifications,

training, experience, and technical knowledge to plan, lay out, and supervise the installation and repair of electrical wiring apparatus and equipment for electric light, heat, and power in accordance with the standard rules and regulations governing such work.

C. 45:5A-3. Board of Examiners of Electrical Contractors; members; terms; qualifications.

3. There is created a Board of Examiners of Electrical Contractors in the Department of Law and Public Safety consisting of 7 members, hereinafter referred to as the "board." The members of such board shall be citizens of the State appointed by the Governor, with the advice and consent of the Senate. They shall be appointed initially for the following terms: Three members for terms of 1 year from July 1, 1962, 2 members for terms of 2 years from July 1, 1962, and 2 members for terms of 3 years from July 1, 1962. Thereafter members shall be appointed for terms of 3 years and until the appointment and qualification of their successors. The Governor shall fill any vacancy in said board for the unexpired portion of the term. No more than 4 members of the board shall be members of the same political party. Three members of the board shall be qualified electrical contractors with not less than 10 years experience as an electrical contractor, one shall be a qualified electrical inspector, with not less than 5 years experience as an electrical inspector, one shall be a qualified journeyman employed in the electrical construction industry for 5 years. One shall be a public member not associated with the electrical industry, and one shall be a licensed professional engineer with not less than 5 years experience in the electrical industry.

C. 45:5A-4. Compensation.

4. Each member of the board shall receive $25.00 for each day of actual service in attending meetings of the board at which business is transacted; provided, such compensation in one fiscal year shall not exceed $1,000.00 per member.

C. 45:5A-5. Organization; director and clerical assistants.

5. At the meeting for organization after the first appointment of said board the members thereof shall choose from among their number a chairman,

who shall preside at all meetings of the board, and a secretary who need not be a member of the board. The chairman and secretary shall hold office for 1 year and until their successors are chosen. Vacancies in the office of chairman or secretary between regular appointments shall be filled by the board. The board is authorized to appoint, with the approval of the Attorney General, a director, and such clerical assistants as may be required and to fix their compensation. The board shall be authorized to incur such other expenses, within available appropriations therefor, as may be required to carry out its purpose and function. All moneys received by said board shall be remitted to the State Treasury.

C. 45:5A-6. Rules and regulations.

6. The board may adopt and amend all rules and regulations not inconsistent with the Constitution and laws of this State which may be reasonably necessary for the proper performance of its duties and the purposes of this act and for the conduct of the proceedings before it.

C. 45:5A-7. Power to subpœna.

7. In carrying into effect the provisions of this act the board under the hand of its chairman and the seal of the board may subpœna witnesses and compel their attendance and it also may require the production of such papers or documents, in any case involving the revocation or suspension of a license. Any member of the board may administer oaths or affirmations to witnesses appearing before the board.

C. 45:5A-8. Record of proceedings.

8. The Board of Examiners of Electrical Contractors shall keep a record of its proceedings and a register of all applications for licenses, which register shall show: (a) the name, age and residence of each applicant, (b) the date of the application, (c) the place of business of such applicant, (d) the qualifications of the applicant, (e) whether or not an examination was required, (f) whether the applicant was rejected, (g) whether a license was granted, (h) the date of the action of the board and (i) such other information as may be deemed necessary by the board.

C. 45:5A-9. License required to engage in business; fee; experience to qualify as a contractor; scope.

9. Six months after the passage of this act no person, firm, corporation or other legal entity shall enter into, engage in, or work in business as an electrical contractor for hire, unless such person or a representative of the firm or corporation has obtained a license and a certificate therefor granted by the board on payment of the prescribed fee. A fee of $25.00 shall be paid by each applicant for an initial electrical contractors examination, said fee to be forfeited upon failure to qualify. For each subsequent examination a fee of $15.00 shall be paid, which fee shall be forfeited upon failure to qualify. A period of 6 months shall intervene before admission for re-examination. Except as herein otherwise provided, any person before making application for a license as electrical contractor shall have been employed or engaged at the business of electrical construction and installation for a period of not less than 5 years preceding the time of such application, or shall, otherwise establish to the satisfaction of the board that the applicant has the necessary background and experience to satisfactorily qualify as an electrical contractor.

Every such examination shall be so designed as to establish the competence and qualifications of the applicant to perform each and all of the several types of work, for each and all of the several purposes set forth in this section.

C. 45:5A-10. Requirements for licensing without examination.

10. Upon payment of the prescribed fee as hereinafter set forth any person who has been continuously employed or engaged at the business of electrical construction and installation in this State for a period of 6 years prior to the effective date of this act, at least 2 of which years immediately preceding making of application as herein provided shall be as an electrical contractor, shall be granted a license without examination; provided application shall be made to the board within 6 months after the effective date of this act; upon presenting satisfactory proof to said board of fitness to conduct such business; and provided such person, firm or corporation has its principal office and place of

business in this State. The application shall consist of a sworn statement (a) describing the experience of the applicant in the electrical contracting business, (b) listing representative electrical contracts performed by the applicant, (c) such other information as may be required by the board and (d) payment of the initial license fee.

C. 45:5A-11. Board to issue licenses.

11. The board shall receive all applications for license filed by persons, partners or representatives of a firm, corporation or other legal entity seeking to enter upon or continue in the electrical contracting business as herein defined within this State and upon proper qualification of such applicant shall issue the license applied for.

C. 45:5A-12. Conditions and scope of examinations; 4 annual examinations.

12. The board shall prescribe the conditions of examination of, and subject to the provisions of this act, shall give examinations to all persons who are, under the provisions of this act, required to take such examinations. The scope of such examination shall cover such matters as the provisions of nationally recognized electrical installation safety standards and the theoretical and practical application of the same encountered in electrical work. It shall hold a minimum of 4 examinations each year at such time and or place within the State as the board shall designate. Public notice shall be given of the time and place of all examinations. In the conduct of the examination the board shall prescribe a standard form of examination which may be revised from time to time as circumstances require. Said examinations shall give ample opportunity for all applicants to be thoroughly and carefully examined, may be written or practical, or both, and shall be supervised by 3 or more of the examiners, but no license shall be granted except by the board.

C. 45:5A-13. License fee; renewals; expiration; re-examination upon failure to renew.

13. Before a license shall issue fees shall be paid for same in the following amounts: (a) for initial license—$150.00, (b) for renewal—$50.00.

Any initial license or renewal thereof shall expire on the first day of the twenty-fifth month following the calendar month in which it was issued. The

board, however, may issue initial licenses or renewals thereof which shall expire on a date fixed by it, which date shall not be earlier than 15 months and not later than 30 months after issuance, in which case the fee shall be an amount equal to 1/24 of the normal fee times the number of whole months between issuance and expiration. Renewal shall be governed by the standards applicable to initial issuance. The board may require a re-examination upon failure to apply for a renewal within 30 days of the date of the expiration of said license. Any license expiring while the holder thereof is outside the continental limits of the United States in connection with any project undertaken by the Government of the United States, or while in the service of the Armed Forces of the United States shall be renewed without further examination upon payment of the prescribed fee at any time within 4 months after such person's return to the United States or discharge from the armed forces.

C. 45:5A-14. Denial of license in event of death, etc. to firms, corporations, etc.

14. No firm or corporation or other legal business entity shall be denied the privilege of continuing business as electrical contractor in the event of death, illness, or other physical disability of the representative thereof who qualified the firm, corporation or other business entity for a license for at least 6 months following the date of such death, illness or other physical disability; provided, the principal office of such firm, corporation or other business entity is located in this State and that said business is conducted under such qualified supervision as the board deems adequate.

C. 45:5A-15. Nontransferable.

15. No license issued under this act shall be assignable or transferable.

C. 45:5A-16. Grounds for suspension, revoking or refusing to renew license; preferring charges; hearing.

16. The board may suspend, revoke or refuse to renew any license if the holder has:

(a) secured such permit by misrepresentation;

(b) failed to maintain the qualifications required by this act;

(c) engaged in fraudulent business activities or in misleading advertising practices;

(d) violated a provision of this act; or

(e) committed an act of gross negligence.

Any person may prefer charges as set forth above against any licensed electrical contractor. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges unless dismissed by the board as unfounded or trivial shall be heard by the board within 3 months after the date on which they shall have been preferred. The time and place for the hearing shall be fixed by the board and a copy of the charges together with a notice of the time and place of hearing shall be personally served on or mailed to the last known address of the licensee at least 30 days before the date fixed for the hearing. At any hearing the accused licensee shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense. No license shall be suspended or revoked except upon the agreement of at least 4 members of the board.

An applicant whose license has been revoked may become eligible not earlier than 1 year from the date of said revocation for a new license upon meeting all of the requirements of this act and upon the satisfactory completion of an examination as herein provided.

C. 45:5A-17. Not to impair municipal powers.

17. (a) This act shall not deny to any municipality the power to inspect electrical work or equipment or the power to regulate the standards and manner in which electrical work shall be done but no municipality shall require any electrical contractor licensed under this act to obtain a municipal license to engage in the business of electrical contracting in such municipality.

(b) Any licensee who willfully fails to comply with any municipal ordinance concerning the inspection of electrical work shall be guilty of a violation of this act.

C. 45:5A-18. Electrical work or construction not affected by this act.

18. Electrical work or construction which is performed on the following facilities or which is by or for the following agencies shall not be included

within the business of electrical contracting so as to require licensing under this act:

(a) Minor repair work such as the replacement of lamps and fuses.

(b) The connection of portable electrical appliances to suitable permanently installed receptacles.

(c) The testing, servicing or repairing of electrical equipment or apparatus.

(d) Electrical work in mines, on ships, railway cars or automotive equipment.

(e) Municipal plants or any public utility as defined in section 48:2–13 of the Revised Statutes organized for the purpose of constructing, maintaining and operating works for the generation, supplying, transmission and distribution of electricity for electric light, heat, or power.

(f) A public utility subject to regulation, supervision or control by a Federal regulatory body, or a public utility operating under the authority granted by the State of New Jersey, and engaged in the furnishing of communication or signal service, or both, to a public utility, or to the public, as an integral part of a communication or signal system, and any agency associated or affiliated with any public utility and engaged in research and development in the communications field.

(g) A railway utility in the exercise of its functions as a utility and located in or on buildings or premises used exclusively by such an agency.

(h) Commercial radio and television transmission equipment.

(i) Construction by any branch of the Federal Government.

(j) Any work with a potential of less than 10 volts.

(k) Repair, manufacturing and maintenance work on premises occupied by a firm or corporation, and installation work on existing buildings occupied by a firm or corporation and performed by a regular employee who is a qualified journeyman electrician.

(l) Installation, repair or maintenance performed by regular employees of the State or of a municipality, county, or school district on the premises or property owned or occupied by the State, a municipality, county, or school district.

(m) The maintaining of, installing or connecting automatic oil, gas or coal burning equipment, to a supply of adequate size at the load side of the distribution board.

C. 45:5A-19. Bonds; conditions; term.

19. Any electrical contractor licensed under the provisions of this act shall not undertake to do any electrical work in the State of New Jersey or any political subdivision thereof unless and until he shall have entered into bond in favor of the State of New Jersey in the sum of $1,000.00, executed by a surety company authorized to transact business in the State of New Jersey, approved by the Department of Banking and Insurance and to be conditioned on the faithful performance of the provisions of this act, and of all work in connection with the restoration of sidewalk and street areas to normal conditions, previously excavated or disturbed by reason of the installation of wires, wiring or cable, the laying of conduits and the construction of manholes and appurtenances thereto. The aforesaid bond shall be for the term of 24 months and must be renewed upon expiration for the ensuing 24 months.

C. 45:5A-20. Violation penalty.

20. Any person, firm or corporation violating any provision of this act shall be liable for the first offense to a penalty of not less than $100.00 or more than $500.00, for the second and each succeeding offense to a penalty of not less than $200.00 nor more than $1,000.00. The penalties shall be collected by a civil action in the name of the board to be instituted in the county district court of the county, or in the municipal court of the municipality, where the violation occurred or the defendant resides.

C. 45:5A-21. Disorderly person.

21. Any person, firm or corporation engaging in the business of electrical contracting without having a license from the board is a disorderly person.

22. There is appropriated to the Department of Law and Public Safety, for the purposes of administering this act until June 30, 1963, the sum of $35,000.00, or so much thereof as may be necessary. Appropriation.

23. This act shall take effect immediately.

Approved August 30, 1962.

CHAPTER 163

AN ACT concerning life insurance companies, and amending section 17:24–1 of the Revised Statutes.

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

1. Section 17:24–1 of the Revised Statutes is amended to read as follows: Section amended.

17:24–1. Any insurance company of this State, for the purpose of investing its capital, surplus and other funds, or any part thereof, may: Investments by insurance companies.

a. Purchase or hold as collateral security or otherwise and sell and transfer any bonds or public stock issued, created or guaranteed by the United States, or any territory or insular possession thereof, or the Commonwealth of Puerto Rico, or by this State, or by any of the other States of the United States or the District of Columbia, or by Canada or any of the provinces thereof, or by any of the incorporated cities, counties, parishes, townships or other municipal corporations situated in any of the places hereinabove mentioned; or bonds authorized to be issued by any commission appointed by the Supreme Court of this State as the said court was constituted prior to September 15, 1948.

b. Purchase or hold real estate for business or residential purposes (other than as provided for in

sections 17:19–8 to 17:19–12, inclusive, of this Title) as an investment for the production of income, and improve or otherwise develop such real estate; provided, that if the commissioner shall determine, after due hearing upon notice to any such insurance company, that the interests of such insurance company's policyholders require that any specified real estate so purchased or held be disposed of, then such insurance company shall dispose of such real estate within such reasonable time as the commissioner shall direct; and provided further, the aggregate amount of such investments for the production of income, but excluding real estate held as provided for in said sections 17:19–8 to 17:19–12, inclusive, shall not exceed 5% of the total admitted assets of such insurance company as of December 31 next preceding. The term "real estate for business or residential purposes" as used in this subsection "b" shall include any real property used or operated as a part of or in connection with a business or a residential development, and shall also include a leasehold of such real estate having an unexpired term of not less than 20 years, inclusive of the term or terms which may be provided by any enforceable option or options of extension or of renewal. Income produced by investment in any such leasehold shall be applied by such insurance company in a manner calculated to amortize the amount invested for acquisition and improvement thereof within a period not exceeding $\frac{8}{10}$ of such unexpired term of the leasehold following such acquisition or improvement, or within a period of 40 years thereafter, whichever is less.

c. Invest in bonds or notes secured by mortgages or trust deeds on unencumbered fee simple or leasehold real estate, which shall include areas above the surface of the ground but not contiguous thereto, or any interest therein, located within the United States, any territory or insular possession thereof, the Commonwealth of Puerto Rico, or Canada, worth at least $\frac{1}{3}$ more than the sum so invested. No loan may be made on leasehold real

estate unless the terms of such loan provide for amortization payments to be made by the borrower on the principal thereof in amounts sufficient to completely amortize the loan within a period not exceeding $^{9}/_{10}$ of the term of the leasehold, inclusive of the term or terms which may be provided by any enforceable option or options of extension or of renewal, which is unexpired at the time the loan is made. For the purpose of this subsection "c" fee simple or leasehold real estate or any interest therein shall not be deemed to be encumbered within the meaning of this subsection "c" by reason of the existence of taxes or assessments that are not delinquent, easements, profits or licenses, nor by reason of building restrictions or other restrictive covenants, nor when such real estate or interest therein is subject to lease in whole or in part whereby rents or profits are reserved to the owner; provided, that the security created by the mortgage or trust deed on such real estate or interest therein securing such bond or note is a first lien upon such real estate or interest therein. No insurance company shall, pursuant to this subsection "c," invest in or loan upon the security of any one property more than $30,000.00 or more than 2% of its total admitted assets, whichever is the greater. The total investments of any insurance company made pursuant to this subsection "c," shall not exceed 40% of its total admitted assets.

d. Invest in bonds or notes evidencing loans to veterans if the full amount of any such loan is guaranteed by the government of the United States or by the Administrator of Veterans' Affairs pursuant to the Servicemen's Readjustment Act of 1944, as heretofore or hereafter amended; and in the case of loans so guaranteed for less than the full amount thereof, the maximum amount which may be loaned or invested by any such insurance company pursuant to the provisions of any law of this State shall be increased by the amount so guaranteed.

e. Lend on or purchase mortgage or collateral trust bonds of railroad companies organized under the laws of said States, or the District of Columbia, or the Commonwealth of Puerto Rico, or Canada or any province thereof, or operated wholly or partly therein; or equipment trust certificates or obligations which are adequately secured or other adequately secured instruments evidencing an interest in transportation or municipal sanitation equipment wholly or in part within the United States or any territory or insular possession thereof, the Commonwealth of Puerto Rico or Canada and a right to receive determined portions of rental, purchase or other fixed obligatory payments for the use or purchase of such equipment; or certificates of receivers of any corporation where such purchase is necessary to protect an investment in the securities of such corporation theretofore made under authority of chapters 17 to 33 of this Title; or the bonds or other evidences of indebtedness of public utility companies organized under the laws of Canada or any province thereof; or the capital stock, bonds, securities or evidences of indebtedness created by any corporation of the United States or of any State, or of the District of Columbia, or of the Commonwealth of Puerto Rico or of Canada or of any province thereof; provided, that no purchase of any bonds or evidence of indebtedness which is in default as to interest shall be made by such company unless such purchase is necessary to protect an investment theretofore made under authority of said chapters 17 to 33 in the securities of the corporation which issued, assumed or guaranteed such bond or evidence of indebtedness in default; provided further, that no purchase of the stock of any company of a class on which dividends have not been paid during each of the past 5 years preceding the time of purchase shall be made unless the stock so purchased shall represent a majority in control of all the stock then outstanding; and provided further, that in the case of the stock of a corporation resulting from or

formed by merger or consolidation less than 5 years prior to such purchase, each consecutive year next preceding the effective date of such merger or consolidation during which dividends shall have been paid by any one or more of its constituent corporations on any or all classes of its or their stock in an aggregate amount sufficient to have paid dividends on that class of stock of the existing corporation whose stock is to be purchased, had such corporation then been in existence, shall be deemed a year during which dividends have been paid on such class of stocks; provided, however, that nothing herein contained shall prohibit the purchase of stock of any class which is preferred, as to dividends, over any class the purchase of which is not prohibited by this section; and provided further, that no purchase of its own stock shall be made by any insurance company except for the purpose of the retirement of such stock or except as specifically permitted by any law of this State applicable by its terms only to insurance companies.

f. Invest in bonds or notes evidencing loans if the full amount of any such loan is insured by the government of the United States, or by the Administrator of the Farmers' Home Administration pursuant to the Bankhead-Jones Farm Tenant Act of 1937 as heretofore or hereafter amended.

g. Make loans or investments not qualifying or permitted under the preceding subsections of this section to an amount, not including the amount of investments otherwise expressly authorized by law, not exceeding in the aggregate at any one time 2% of the total admitted assets of such insurance company as of December 31 next preceding.

2. This act shall take effect immediately.

Approved August 30, 1962.

CHAPTER 164

AN ACT concerning general registration of certain motor vehicles, and amending section 39:3–18 of the Revised Statutes.

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

Section amended.

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

General registration; plates; manufacturer; converter; dealers; persons financing; insurers; transporting; fees.

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

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

A bona fide dealer in motor vehicles, motor-drawn vehicles or motor cycles doing business in this State and having a license to do business as such issued by the director may, with regard to motor or motor-drawn vehicles or cycles owned by him, obtain general registration and registration plates therefor of the style and kind provided for

in this subtitle, with the letter "D" stated thereon. Such plates shall only be placed on any vehicle or cycle owned by such dealer; and provided, such vehicle is not used for hire. Any person who shall be convicted of a violation of this paragraph shall be subject to a fine not exceeding $100.00.

Any person engaged in the business of financing the purchase of motor or motor-drawn vehicles or lending money thereon may, with regard to motor or motor-drawn vehicles owned or controlled by him obtain general registration and registration plates therefor the style and kind provided for in this subtitle, with the word "temporary" stated thereon. Such plates can be placed on any such vehicle only when it is being transported from the place where it has been kept by the purchaser or borrower to the place where it is to be kept by the repossessor, or when the reposessor desires to operate it for the purpose of demonstration for sale.

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

Any person, partnership or corporation engaged in the business of transporting motor or motor-drawn vehicles from the place of manufacture for delivery to dealers may, with regard to such vehicles, obtain general registration and registration plates therefor of the kind and style provided for in this subtitle, with the word "temporary" stated thereon, but only if the director is satisfied as to

the financial responsibility of such person, partnership or corporation to meet any claim for damages arising out of any automobile accident and satisfactory evidence of such responsibility has been filed with him.

The annual fee for the issuance of a certificate of registration, 4 duplicates thereof and 5 sets of "D" or "temporary" plates bearing a number corresponding to the number on the certificate of registration shall be $50.00; but the annual fee for the issuance of a certificate of registration for motor cycles, 2 duplicates thereof and 3 sets of "D" plates bearing a number corresponding to the number on the certificate of registration shall be $15.00.

2. This act shall take effect immediately.

Approved August 30, 1962.

CHAPTER 165

AN ACT concerning crimes and supplementing chapter 115 of Title 2A of the New Jersey Statutes.

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

C. 2A:115-1.1. "Obscene" defined.

1. The word "obscene" wherever it appears in the chapter to which this act is a supplement shall mean that which to the average person, applying contemporary community standards, when considered as a whole has as its dominant theme or purpose an appeal to prurient interest.

2. This act shall take effect immediately.

Approved October 18, 1962.

CHAPTER 166

AN ACT relating to obscenity, defining the word "obscene" and providing for the issuance of a judgment granting relief in the nature of injunctive relief by the Superior Court to prevent the acquisition, possession or sale of obscene materials, and supplementing Title 2A of the New Jersey Statutes.

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

C. 2A:115-3.3. Legislative findings.

1. Legislative findings. It is hereby declared that the publication, sale and distribution to minors of comic books devoted to crime, sex, horror, terror, brutality and violence and of "pocket books," photographs, pamphlets, magazines and pornographic films devoted to the presentation and exploitation of illicit sex, lust, passion, depravity, violence, brutality, nudity, immorality and other obscene materials are a contributing factor to juvenile crime, a basic factor in impairing the ethical and moral development of our youth and constitute a clear and present danger to the people of the State. Therefore, the provisions, hereinafter prescribed, are enacted and their necessity in the public interest is hereby declared as a matter of legislative determination.

C. 2A:115-3.4. "Obscene" defined.

2. The word "obscene" where it appears in this act act shall mean that which to the average person, applying contemporary community standards, when considered as a whole has as its dominant theme or purpose an appeal to prurient interest.

C. 2A:115-3.5. Action for injunctive relief.

3. The county prosecutor, chief of police, or any person acting pro tem as such officer in any county or municipality, in which a person, firm or corporation sells or distributes or is about to sell or distribute or has in his possession with intent to sell or distribute or is about to acquire possession with

intent to sell or distribute any book, magazine, pamphlet, comic book, story paper, writing paper, picture drawing, photograph, figure, image or any written or printed matter of an indecent character, which is obscene, lewd, lascivious, filthy or indecent or which contains an article or instrument of indecent or immoral use or purports to be for indecent or immoral use or purpose, may maintain an action for a judgment granting relief in the nature of injunctive relief against such person, firm or corporation in the Superior Court to prevent the sale or further sale or the distribution or further distribution or the acquisition or possession with intent to sell or distribute of any book, magazine, pamphlet, comic book, story paper, writing, paper, picture, drawing, photograph, figure or image or any written or printed matter of an indecent character, herein described.

C. 2A:115-3.6. Right of trial.

4. The person, firm or corporation sought to be restrained shall be entitled to a trial of the issue within 1 day after joinder of issue and a judgment shall be rendered by the court as promptly as possible after the conclusion of the trial. Should trial by jury be demanded, as of right, the judgment of the court shall follow jury verdict.

C. 2A:115-3.7. Seizure and destruction of matter.

5. In the event that a final judgment be entered against the person, firm or corporation sought to be restrained, such final judgment shall contain a provision directing the person, firm or corporation to surrender to the sheriff of the county in which the action was brought any of the matter described in section 3 hereof and such sheriff shall be directed to seize and destroy the same.

C. 2A:115-3.8. Not required to file any undertaking.

6. In any action brought as herein provided such county or municipal officer shall not be required to file any undertaking before the issuance of any judgment provided for in section 4 hereof and shall not be liable for costs in cases where judgment is rendered in favor of the person, firm or corporation sought to be restrained.

C. 2A:115-3.9. Chargeable with knowledge of contents.

7. Every person, firm or corporation who sells, distributes, or acquires possession with intent to

sell or distribute any of the matter described in section 3 hereof, after the service upon him of a summons and complaint in an action brought by such municipal officer pursuant to this act is chargeable with knowledge of the contents thereof.

C. 2A:115-3.10. Supplemental remedies.

8. The provisions hereof are supplemental to other remedies set forth in Title 2A of the New Jersey Statutes.

9. This act shall take effect immediately.

Approved October 18, 1962.

CHAPTER 167

AN ACT concerning the North Jersey District Water Supply Commission and the South Jersey District Water Supply Commission and water treatment, filtration, transmission and distribution facilities to be acquired or constructed by them, providing for the issuance of bonds and other obligations for financing such facilities and prescribing powers and duties of said commissions and of municipalities with respect thereto and supplementing chapter 5 of Title 58 of the Revised Statutes.

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

C. 58:5-31. Short title.

1. This act shall be known as and may be cited as the "water transmission facilities act."

C. 58:5-32. Legislative findings.

2. The Legislature hereby finds that:

(a) the State has heretofore acquired certain real property for the purpose of providing additional supplies of water which will be needed to meet the future requirements of the people of the State;

(b) the State through the Commissioner of Conservation and Economic Development is establishing reservoirs and water supplies on real property acquired for said purpose pursuant to the New Jersey Water Supply Law of 1958; and

(c) many millions gallons per day of water will soon become available from said reservoirs.

C. 58:5-33. State policy.

3. 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 prompt, efficient and economical transmission, treatment, filtration, distribution and use of the water supplies acquired and developed by the State. It is the purpose and object of this act further to implement such policy by, among other things, giving additional powers to certain public corporations heretofore authorized to supply and distribute water, to the end that such public corporations will be enabled to finance, construct and operate facilities necessary for the treatment, filtration, transmission and distribution of water made available by the State to municipalities and persons, pursuant to the provisions of the Water Supply Law.

C. 58:5-34. Terms defined.

4. Definitions. As used in this act, the following words and terms shall have the following meanings, unless the context indicates another or different meaning or intent:

(1) "Bonds" means bonds or other obligations, including notes, issued pursuant to this act;

(2) "Commission" means (1) when used with reference to the North Jersey water supply district, or a water supply system or transmission facility in such district, the North Jersey district water supply commission heretofore appointed under section 3 of the original act as such commission may be constituted at any particular time; (2) when used with reference to the South Jersey water supply district, or a water supply system or transmission facility in such district, the commission described as the South Jersey district water supply commission in said section, and after the appointment thereof, such commission as it may be con-

stituted at any particular time; (3) when used without particular reference to either water supply district, or without other words indicating a particular commission, both of said commissions;

(3) "Construct" and "construction" connote and include, in addition to the usual connotations thereof, acts of construction, reconstruction, replacement, extension, improvement and betterment of a water transmission facility;

(4) "Contracting municipality" means with reference to any particular project any municipality which shall enter into an agreement with a commission which provides among other things for periodic payments from said municipality to the commission for the purpose of paying all or part of the costs of financing the acquisition, construction, maintenance and operation of such project;

(5) "Cost" means, in addition to the usual connotations thereof, the cost incurred, or to be incurred, by the State or a commission, in planning, designing, constructing and putting fully in operation, all or any part of a water transmission facility, and of acquiring all or any real or personal property, or any agreements or franchises, necessary, useful or convenient therefor, or in connection therewith, and shall include without limiting the generality of the foregoing: the cost of engineering, architectural, legal, accounting and other professional surveys, studies, estimates, inspections, reports, plans, specifications and advice, including the repayment of any advances from the State or the United States, or any agency of either, or from any other source, for any of such purposes; financing charges and bond discount; interest, insurance, administrative and other operating expenses prior to, during and for 1 year after construction; operating deficits and other deficiencies in revenues; and all other expenses as may be necessary or incident to the financing, acquisition and construction of a water transmission facility and putting the same fully in operation;

(6) "Governing body" means the commission, council, board or body, by whatever name it may be known, having charge of the finances of a municipality;

(7) "Municipality" means any city of any class, any borough, village, town, township, or any other municipality (other than a county or a school district) any agency thereof or any 2 or more thereof acting jointly;

(8) "Operating expenses" means, in addition to the usual connotations thereof, all costs and expenses of operating, maintaining, managing, repairing and reconstructing a project and each and every part thereof including without limiting the generality of the foregoing: administrative expenses, premiums on insurance, including use and occupancy insurance and casualty, compensation and other insurance, costs of collection of any revenues, legal and engineering expenses, payments to pension, retirement, health and hospitalization funds, expenses, liabilities and compensation of fiduciaries, and any other expenses required to be paid for or with respect to proper operation or maintenance of such project all to the extent properly and directly attributable to such project, whether paid or incurred by the State or by the commission operating such project;

(9) "Original act" means chapter 5 of Title 58 of the Revised Statutes and the acts continued thereby and the acts heretofore adopted amendatory thereof and supplemental thereto;

(10) "Owner" means a person having any estate, interest or right in property being acquired under this act or any lien, charge or encumbrance thereon;

(11) "Participant" means any municipality which has accepted or which may hereafter accept a contract with a commission providing for the raising and payment of funds to meet the costs of acquisition and operation of a water supply or additional water supply pursuant to the terms of the original act;

(12) "Person" means any natural person, or any association, corporation, including any publicly or privately owned utility corporation, authority, county, municipality or the State and any agency or subdivision of any of them;

(13) "Project" means any water transmission facility, or any part of such a facility planned, acquired, constructed, or undertaken by a commission to carry out the purposes of this act;

(14) "Real property" means lands both within and without the State, and improvements thereof or thereon, any and all rights of way, water, riparian and other rights, any and all easements and privileges in real property, and any right or interest of any kind or description in, relating to or connected with real property;

(15) "Water supply system" or "supply system" means any water supply or additional water supply acquired or operated pursuant to the terms of the original act and all property of any kind used in connection therewith;

(16) "Water transmission facility" or "transmission facility" means any real property and rights therein, and any plants, structures, machinery and equipment and other property real, personal and mixed, acquired, constructed or operated, or to be acquired, constructed or operated for or in connection with the treatment, filtration, transmission or distribution by a commission of water made available by the State, including without limiting the generality of the foregoing, standpipes and other storage facilities, pumping stations, treatment plants, filtration plants, conduits, transmission mains, aqueducts, pipelines, mains, canals, open waterways and channels, connections and interconnections, roads and other plants, structures, machinery, tools, equipment, boats, conveyances, and other real and personal property, and rights therein, and any and all appurtenances necessary, useful, convenient or incidental to or in connection with the acquisition, construction, operation or maintenance of any of the foregoing;

(17) "Unused water" means with reference to any particular project any water allocated to but not presently required by a contracting municipality in such project and which would remain unused unless disposed of by the commission as provided in this act;

(18) "Water supply law" means the act of the Legislature of the State of New Jersey entitled "An act concerning water supplies, providing for increased water supplies for public potable, industrial, irrigation and other purposes, prescribing the functions, powers and duties of the Department of Conservation and Economic Development in connection therewith, and supplementing Title 58 of the Revised Statutes" approved May 12, 1958, constituting chapter 34 of the laws of 1958 (c. 58:22–1 et seq.) as heretofore amended and supplemented;

C. 58:5-35. Commissions public corporations.

5. Commissions public corporations. The North Jersey district water supply commission shall continue to be, and the South Jersey district water supply commission when appointed shall be, a public body politic and corporate established as an instrumentality exercising public and essential governmental functions and to provide for the public health and welfare.

C. 58:5-36. Powers.

6. Powers. A commission shall have the power in its own name and on its own behalf, to acquire, hold, use and dispose of its revenues and other moneys and to provide for and secure the payment of any bonds or notes and the rights of the holders thereof and to carry out the purposes of this act, shall have the power in addition to all other powers granted to it by law:

(a) to own, maintain, repair, reconstruct, operate and use water transmission facilities and, to that end, to acquire, by purchase, gift, condemnation or otherwise, and, to construct, maintain, repair, reconstruct, operate and use all plants, structures, equipment and other real and personal property, deemed necessary for, or incident to, any such facilities; and for said purposes may enter into any contracts or agreements, execute all instruments,

and do all things necessary or convenient to carry out any power given in this act;

(b) to enter into contracts pursuant to and in accordance with the provisions of the water supply law with the State to be executed on behalf of the State by the Commissioner of Conservation and Economic Development for the purchase of water from the State and determining the terms and conditions of such purchase; and

(c) to enter into contracts with any municipality or person for the sale or exchange of water and determining the terms and conditions of such sale or exchange.

C. 58:5-37. Contracts with municipalities.

7. Contracts with municipalities relating to water transmission facilities. Subject to the provisions of the water supply law, but notwithstanding the provisions of any other law, a commission and any municipality or municipalities may enter into a contract or contracts providing for or relating to: the treatment, filtration, transmission or distribution of any supply of water made available by the State including the formulation of plans for a project, the necessary engineering, financial and other studies and investigations of the feasibility of such project and the method of payment of the costs of such studies and investigations; the acquisition and construction of a project and the financing of the costs thereof and of any additions, extensions and improvements thereof and the terms and conditions upon which such acquisition, construction and financing shall be undertaken; and the operation and maintenance of a project, the treatment, filtration, or transmission of water, and the apportionment and distribution of water among and to the municipalities participating in a project, and the payments to be made to the commission by the municipalities to meet the costs of purchase of water, operating and maintenance expenses and debt service including any payments into reserve or other funds for the security of bondholders and to meet or discharge other obligations to bondholders. Any such contract may provide for the

payment to the commission by a municipality annually or at more frequent intervals of such sum or sums of money, computed at fixed amounts or by formula based on any pertinent factors or other matters or in any other manner as said contract may provide. Any such contract may be authorized on behalf of the municipality by ordinance and may be made with or without consideration and for a specified or an unlimited time and on any terms and conditions which may be approved by such municipality and which may be 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 such municipality prior to authorization or execution thereof. Such municipality is hereby authorized and directed to do and perform any and all acts or things necessary, convenient or desirable to carry out and perform every such contract and to provide for the payment or discharge of any obligation thereunder in the same manner as other obligations of such municipality. 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.

C. 58:5-38. Municipal appropriation of funds.

8. Appropriation of funds by municipality. Any municipality shall have power, in the discretion of its governing body, to appropriate moneys for the purposes of the commission, and to pay, lend or donate such moneys to the commission in such installments and upon such terms as may be agreed upon between such municipality and the commission.

C. 58:5-39. Property not subject to certain claims.

9. Property held by a commission under the original act (R. S. Title 58, Ch. 5) not subject to certain claims. No trustee or receiver appointed under this act, and no holder of any bond or coupon or other obligation issued pursuant to this act, no contracting municipality or person having any right or interest in any project acquired or constructed under this act and no creditor or other claimant

whose claim arises out of or in connection with the acquisition, construction, operation or ownership of any project by a commission under or pursuant to this act, shall acquire or have any rights whatsoever against any part of any water supply or water supply system acquired or operated by a commission for and on behalf of one or more participants pursuant to the provisions of the original act or any agreements thereunder. No moneys or other property received by a commission for payment of the costs of acquiring, constructing, maintaining or operating a particular water supply system shall be used for or in connection with any other water supply system or project.

C. 58:5-40. Apportioning general expenses of commission.

10. Notwithstanding any other provision of this act, a commission may apportion to and among participants and contracting municipalities as part of the operating expenses of a project or water supply system in which they have an interest a portion of its general expenses not wholly or directly attributable to the operation or maintenance of any particular project or water supply system. Such allocation shall be fair and equitable taking into account the amounts of direct cost of operating and maintaining, or the volume of water supplied or allocated by or to, particular projects and water supply systems and such other factors as may reasonably be considered for the purpose of such apportionment. Except as provided in this section, a commission shall not use any moneys received by it for use in connection with a particular water supply system or project to pay any costs or expenses incurred by it in connection with any other water supply system or project.

C. 58:5-41. Sale of unused water by a commission.

11. Sale of unused water by a commission. (a) A commission shall have power to sell any unused water to any municipality or person for the account of any contracting municipality or municipalities having the right to use such water (herein called "interested municipality"). Any such sale shall be subject however to the prior right of the interested municipality to use such water;

(b) Any such sale shall be made by an agreement in writing on such terms and for such periods as the commission shall determine, but not at a price lower than the cost of the water to the interested municipality unless such municipality shall consent thereto;

(c) No sale of unused water shall be made to any consumer without the consent of the municipality in which such water will be used, but such consent shall not unreasonably be withheld;

(d) No person and no municipality which is not a contracting municipality in a project shall have any right to require a commission to sell nor have any right to purchase any unused water available as a result of such project unless and until a party to a sale agreement and then only to the extent and upon the terms set forth therein.

C. 58:5-42. Control of project after payment of bonds and obligations.

12. Control of project after payment of bonds. After all bonds issued by a commission to finance the acquisition of a project, and all obligations to the holders of any such bonds, have been fully met and discharged, the commission shall retain and have sole control and charge of such project, in trust however, for the contracting municipalities in the same manner and to the same extent as if the project were a water supply or water supply system acquired and constructed under the original act.

C. 58:5-43. Bond resolutions.

13. Bond resolution. For the purpose of raising funds to pay the cost of any part of any project or for the purpose of funding or refunding any bonds, including refunding by exchange of bonds for outstanding bonds, a commission shall have power to authorize or provide for the issuance of bonds pursuant to this act. Such commission shall adopt 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 project or part thereof 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 bonds in accordance with the provisions of this act.

C. 58:5-44. Issuance of bonds.

14. Issuance of bonds. Upon adoption of a bond resolution, a commission shall have power to incur indebtedness, borrow money and issue its bonds (including bonds to be exchanged for outstanding 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 one or more series and shall bear such date or dates, mature at such time or times not exceeding 50 years from the date thereof, bear interest at such rate or rates 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.

C. 58:5-45. Sale of bonds.

15. Sale of bonds. Bonds of a 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. 58:5-46. Publication of bond resolution; limitation on actions.

16. Publication of bond resolution; limitation on actions. A commission may 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 contracting municipality or municipalities and may thereupon cause to be published once in a newspaper or newspapers circulating in the contracting municipality or municipalities, 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 of its creation and establishment of the commission or the validity or proper authorization of bonds provided for by the bond resolution, or the validity of any covenants, agreements or contract provided for by the bond resolution shall be commenced within 20 days after the publication of such notice. If any such notice shall at any time be published and if no action or proceeding questioning the validity of the creation and establishment of the commission, or 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 contract provided for by said bond resoution shal be commenced or instituted within 20 days after the first publication of said notice, then all residents and taxpayers and owners of property in any contracting municipality 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 of the creation and establishment of the commission, or the validity of proper authorization of such bonds, or the validity of any such covenants, agreements or contracts, and said commission shall be conclusively deemed to have been validly created and established and to be authorized to transact business and exercise powers as a commission 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. 58:5-47. Bonds negotiable.

17. Negotiability of bonds. 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 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. 58:5-48. Agreements with holders of bonds.

18. Agreements with holders of bonds. Any bond resolution of a commission providing for or authorizing the issuance of any bonds may contain provisions, and such 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:

(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 a project;

(3) the use, regulation, operation, maintenance, insurance or disposition of all or any part of a project 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 a project;

(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 commission, including revenues (in this act sometimes called "project revenues") derived or to be derived from the operation of all or any part of a project, 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 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 a project, and the powers and duties of any trustee with regard thereto;

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

(8) determination or definition of project revenues or of the expenses of operation and maintenance of a project;

(9) the rents, rates, fees, or other charges for connection with or the use or services of a project, 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 project 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 a project or any obligations having or which may have a lien on any part of the project revenues;

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

(12) limitations on the powers of the commission to construct, acquire or operate, or permit the construction, acquisition or operation of, any plants, structures, facilities or properties which may compete or tend to compete with a project;

(13) vesting in a trustee or trustees within or without the State 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 19 of this act, and limiting or abrogating the right of such holders to appoint a trustee pursuant to section 19 of this act or limiting the rights, duties and powers of such trustee;

(14) payment of costs or expenses incident to the enforcement of the bonds or of the provisions of the

bond resolution or of any covenant or contract with the holders of the bonds;

(15) 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 the holders of which must consent thereto, and the manner in which such consent may be given or evidenced; or

(16) 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.

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, or by proceeding in lieu of prerogative writ.

C. 58:5-49. Trustees for bondholders.

19. Trustees for bondholders. (1) If the bond resolution of a 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 in the event that 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 in the event that the commission shall fail or refuse to comply with the provisions of this act 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 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.

(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, writ, proceeding in lieu of prerogative writ, or other proceeding, enforce all rights of the holders of such bonds, including the right to require the commission to charge and collect service charges adequate to carry out any contract as to, or pledge of, project 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;

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

(c) By action, require the commission 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 commission 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 constitute taxable costs and disbursements, and all costs and disbursements, allowed by the court, shall be a first charge upon any service charges and project revenues of the commission pledged for the payment or security of bonds of such series.

C. 58:5-50. Receivers; powers.

20. Receivers; powers. If the bond resolution of a 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 19 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 as of right to the appointment of a receiver of the project, the revenues of which are pledged for the payment or security of bonds of such series. Such receiver may enter upon and take possession of said project 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 said project 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 said project and fix, charge, collect, enforce and receive all revenues from said project 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. 58:5-51. Liability on bonds.

21. Liability on bonds. Neither the members 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, or of any municipality or municipalities and shall not create or constitute any indebtedness, liability or obligation of the State or of any such municipality, either legal, moral or otherwise, and nothing in this act contained shall be construed to authorize any commission to incur any indebtedness on behalf of or in any way to obligate the State or any municipality.

C. 58:5-52. Acquisition of real property.

22. Real property; acquisition. (1) In addition to the powers granted to it by the provisions of the original act, to acquire or use for its purposes land and other property, each commission is hereby empowered, in its own name but for the contracting municipality or municipalities, to acquire by purchase, gift, grant or devise and to take for public use real property, within the district, in fee simple absolute, or any interest therein which may be deemed by the commission necessary for its purposes. Each commission is hereby empowered to acquire and take such property including 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 in its own name all of the powers of a municipality to acquire or take property for public use.

(2) Upon the filing by a commission of a complaint in any action to fix the compensation to be paid for any 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 one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the commission. 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 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 (d) an allegation that, in compliance with the provisions of this act, the commission has established and is maintaining a trust fund as hereinafter provided.

(3) Upon the filing by a commission of a declaration of taking of property as provided in this act, 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 the State in an amount at least equal to 25% 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. 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 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 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.

(4) Upon the filing by a commission 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 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.

(5) Each commission 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 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 property is located. Such service, mailing or publication shall be made within 30 days' after filing such declaration.

(6) A commission 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. 58:5-53. Limitations on mortgage and sale of facilities.

23. Limitations on mortgage and sale of facilities. Neither a commission nor any contracting municipality shall have power to mortgage, pledge, encumber or otherwise dispose of any part of a water transmission facility, except that a commission may dispose of such part or parts thereof 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. 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, however, 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. 58:5-54. Bonds legal investment.

24. Investment in bonds of a commission. 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 of a commission and such bonds shall be authorized security for any and all public deposits.

C. 58:5-55. Interest and revenue tax exempt.

25. Tax exemption of interest and revenues. All bonds of a commission are hereby declared to be issued by a political subdivision of this State and

for an essential public and governmental purpose and to be bonds of a public instrumentality exercising public and essential governmental functions and such bonds, and the interest thereon and the income therefrom, and all funds, income, facility 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 estate and transfer inheritance taxes and taxes on transfers by or in contemplation of death.

C. 58:5-56. State's pledge to bondholders.

26. Pledge of State to bondholders. The State of New Jersey does hereby pledge to and covenant and agree with the holders of any bonds of a commission that the State will not limit or alter the rights hereby vested in the commission to acquire, construct, maintain, reconstruct and operate the project and to fulfill the terms of any agreement made with the holders of such bonds or other obligations, and will not 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. 58:5-57. Construction.

27. Construction. This act shall be construed liberally to effectuate the legislative intent and purpose and as complete and independent authority for the performance of every act and thing herein authorized. The powers granted to and duties imposed upon a commission by this act are granted or imposed in addition to and not in substitution for existing powers or duties of a commission and of any municipality, and are not subject to any limitation or restriction prescribed in the original act or by any other law excepting only the water supply law. If there shall be any conflict between the terms or provisions of this act and the terms and provisions of the original act, the terms and provisions of this act shall govern.

C. 58:5-58. Provisions severable.

28. Severability clause. If any section, subsection, clause or provision of this act shall be adjudged unconstitutional or 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 one or more instances or under any one 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.

29. This act shall take effect immediately.

Approved October 25, 1962.

CHAPTER 168

AN ACT concerning municipalities and supplementing Title 40 of the Revised Statutes.

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

C. 40:50-5.7. Contracts for airplane fuel, limit on term.

1. The governing body of any municipality may contract with any person, firm or corporation for the supplying of fuel or oil for use of airplanes for any term exceeding the fiscal year but not exceeding 3 years.

2. This act shall take effect immediately.

Approved November 11, 1962.

CHAPTER 169

AN ACT concerning certain transactions involving the estate of Marshall Morgan, deceased.

Preamble. WHEREAS, Marshall Morgan died in 1950, a resident of the county of Warren in this State, leaving a last will and testament which was duly admitted to probate; and

Preamble. WHEREAS, By said last will and testament said Marshall Morgan appointed his son, Louis Morgan, executor thereof, and said Louis Morgan duly qualified as such; and

Preamble. WHEREAS, On or about July 1, 1959, by deed acknowledged July 1, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Deeds E-69, page 91, the estate of Marshall Morgan, deceased, by said Louis Morgan, executor, acquired the tract of land described in section 1 of this act from Elizabeth G. Bayles for a sum of $26,000.00 paid from the funds in said estate; and

Preamble. WHEREAS, By deed dated July 3, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Deeds E-69, page 95, said estate of Marshall Morgan, deceased, by said Louis Morgan, executor, conveyed said tract of land to one Charles W. Shoop and Mary Jane Shoop, his wife, for $30,000.00; and

Preamble. WHEREAS, The payment of said $30,000.00 purchase price was satisfied in part in cash and in part in the form of an obligation of the said Charles W. Shoop and Mary Jane Shoop to pay the principal sum of $20,000.00 to said estate of Marshall Morgan, deceased, which obligation was secured by a purchase money mortgage given by said

purchasers to said estate, dated July 3, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Mortgages V-36, page 489; and

Preamble. WHEREAS, Said acts were undertaken by said Louis Morgan, executor, on behalf of said estate, under an apparent misapprehension of his rights so to do, there being no known authority for the same under the provisions of said last will and testament or otherwise under law; and

Preamble. WHEREAS, By said acts said Louis Morgan, executor, caused no loss to the estate of Marshall Morgan, deceased, but, on the contrary, substantially enhanced the value of said estate and is believed to have acted in good faith throughout; and

Preamble. WHEREAS, The parties affected have assumed and relied upon the validity of said transactions, and it is in the public interest that the transactions and the rights and duties arising therefrom be validated and confirmed according to their terms as assumed and relied upon; and

Preamble. WHEREAS, Notice of intention to apply for passage of this bill has been duly published and the other steps incident to the presentation and passage of a private, local or special bill have been duly taken, all in accordance with law; now, therefore,

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

Certain deeds and mortgages validated. 1. (a) The acquisition of lands by the estate of Marshall Morgan, deceased, from Elizabeth G. Bayles, by deed executed on or about July 1, 1959, acknowledged July 1, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Deeds E-69, page 91;

(b) The conveyance of lands by the estate of Marshall Morgan, deceased, to Charles W. Shoop and Mary Jane Shoop, his wife, by deed dated July

3, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Deeds E-69, page 95; and

(c) The purchase money mortgage taken by the estate of Marshall Morgan, deceased, from said Charles W. Shoop and Mary Jane Shoop, his wife, dated July 3, 1959, and recorded in the office of the clerk of Morris county on July 6, 1959, in Book of Mortgages V-36, page 489, insofar as the same pertain to a tract of land situate in the township of Washington, county of Morris and State of New Jersey, said tract being more particularly described as follows:

Beginning at an existing stone heap, said point of beginning being the eleventh corner of the whole tract of which this is a part, thence (1) partly along the eleventh course of the said whole tract North thirty-two degrees thirty minutes West 1121.33 feet to a stake, thence (2) along the lands of John Pizzigon, South eighty-two degrees ten minutes West 90.77 feet, thence (3) still along said lands North twelve degrees forty-two minutes West 249.51 (243.51) feet to a stake in the southerly side of a lane, thence (4) North thirty-two degrees thirty minutes West 130.0 (31.0) feet to an iron pipe, thence (5) partly along the twelfth course described in said tract, North seventy-eight degrees East 142.0 feet to a stake, thence (6) North twelve degrees West 433.85 feet to a point, thence (7) South thirty-three (eighty-eight) degrees ten minutes West 130.0 feet more or less to an iron pipe, thence (8) along lands of formerly Paul L. Ort, North fifty-seven degrees fifteen minutes West 490.27 feet to a stake, thence (9) South seventy-four degrees twenty-four minutes West 42.85 feet to a stake in the right-of-way 20.0 feet in width, thence (10) along the center of said right-of-way North twenty-five degrees six minutes West 111.84 feet to a spike, thence (11) still along the center of said right-

of-way North three degrees fifty-four minutes East 42.65 feet to a spike, thence (12) along lands of formerly George Eckhardt South fifty-four degrees forty-six minutes West 60.4 feet to a stake, thence (13) along said lands North thirty-five degrees twenty-one minutes West 249.17 feet to a stake, thence (14) still along said lands North fifty degrees thirty minutes West 368.02 feet to a stake, thence (15) along lands of Richard Parbel North seventy-eight degrees twenty-seven minutes West 245.09 feet to a stake, thence (16) still along said lands North eleven degrees forty-five minutes East 44.9 feet, thence (17) North eighty-one degrees fifty-one minutes West 151.85 feet to a stake, thence (18) South fifteen degrees forty-five minutes West 48.3 feet to a point, thence (19) North seventy-five degrees eighteen minutes West 312.35 feet to a stake, thence (20) North fifty-five degrees fifteen minutes West 85.67 feet to a stake, thence (21) North sixty-six degrees thirty-five minutes West 145.35 feet to a stake, thence (22) North fifty-one degrees twenty-two minutes West 196.0 feet to a stake, thence (23) South twenty-three degrees thirty-seven minutes fifty seconds West 681.15 feet to a stake, thence (24) along the seventeenth course of Tract 2, South thirty-six degrees thirty minutes West 567.6 feet more or less to a corner, thence (25) along the first course of the second tract, South fifty-six degrees fifteen minutes East 1247.4 feet more or less to a point, thence (26) along the second course of said second tract, South forty-seven degrees fifteen minutes East 699.0 (693.0) feet more or less to a point, thence (27) South forty-one degrees West 211.2 feet more or less to a hickory on the East side of a brook, thence (28) South forty-three degrees fifteen minutes East 544.5 feet more or less to a chestnut on East side of a brook, thence (29) South six degrees thirty minutes East 135.96 feet more or less to an Elm

tree on the East side of a brook, thence (30) South twenty degrees West 487.74 feet more or less to a Butternut tree on the East side of a brook, thence (31) South thirty-six degrees forty-five minutes West 326.7 feet more or less to a corner, thence (32) North sixty-two degrees West 355.0 feet more or less to a corner, thence (33) South twenty-two degrees West 528.0 feet more or less to a point, thence (34) South thirty-seven degrees East 241.5 feet to a point, thence (35) North fifty-seven degrees East 138.6 feet more or less to a point, thence (36) North thirty degrees East 143.2 feet more or less to a point, thence (37) North forty-five degrees East 340.5 feet more or less to a point, thence (38) North thirty-seven degrees East 1111.4 feet more or less to a point, thence (39) South fifty-four degrees East 725.0 feet more or less to a point, thence (40) North sixty degrees East 627.0 feet more or less to the point and place of beginning. Containing 116.0 acres of land be the same more or less.

Together with such rights-of-way across adjoining property as has been heretofore granted and established, as also shown on survey by Robert C. Evertz dated June 1, 1959.

Subject to rights-of-way of record in the New Jersey Power & Light Company.

Subject to 10 foot right of way, being one-half of the total right-of-way along the tenth and eleventh courses in the above description.

are hereby validated and confirmed and made effectual in law as of the date of execution and delivery thereof in accordance with the terms thereof, as if the estate of Marshall Morgan, deceased, by Louis Morgan, executor were then fully authorized under law to receive, execute, deliver, accept and otherwise effectuate the same.

Cancellation or release of mortgage.

2. The purchase money mortgage described in section 1, hereof, may be validly canceled of record or released, as to any part or parts of the tract of

land described in said section, by the executor of said estate of Marshall Morgan, deceased, on behalf of said estate, in the manner and under the conditions otherwise prescribed by law.

Application of act.

3. This act shall not apply to any event, transaction, document or other thing with respect to the validity or effect of which an otherwise timely action, suit or other proceeding of any nature shall have been instituted prior to the thirty-first day following the date of enactment of this act.

Act effective.

4. This act shall take effect immediately, but shall be inoperative until the thirty-first day following the date of its enactment.

Approved November 21, 1962.

CHAPTER 170

AN ACT concerning the employment and promotion in the public service, of certain soldiers, sailors, marines or nurses, and to amend section 11:27–11.1 of the Revised Statutes.

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

Section amended.

1. Section 11:27–11.1 of the Revised Statutes is amended to read as follows:

Employment or promotion of veterans who have received certain military decorations; no limitation.

11:27–11.1. Any soldier, sailor, marine or nurse, who has served in the army, navy, or marine corps of the United States of America, and who has been awarded the Congressional Medal of Honor, the Distinguished Service Cross, or Navy Cross, while a resident of this State, shall be employed or promoted without complying with any of the rules or regulations of the Civil Service Commission. The head or person in charge of any department or subdivision of this State and the various counties and municipalities thereof, to whom such soldier, sailor,

marine or nurse as above provided shall apply for employment or promotion, shall within his discretion employ or promote such person, as in his judgment shall deem proper and necessary for the good of his department. Upon said promotion, appointment or employment, the said person shall then become subject to and under the direct supervision, rules and regulations governing such employment by the Civil Service Commission.

Nothing in this act shall be construed to limit the qualified veteran under this statute to only one appointment or to only one promotion.

2. This act shall take effect immediately.

Approved November 21, 1962.

CHAPTER 171

AN ACT supplementing 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-59.3. Reduction not to be made; limits period of time for retirement; payment of liability.

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 men born after January 1, 1892 and before July 2, 1893 and after July 1, 1898, and in the case of women born after January 1, 1892 and before July 2, 1896 and after July 1, 1901 provided such individuals have retired or, in the case of individuals who were born prior to January 1, 1900, shall file application for retirement prior to January 1, 1963, for retirement to become effective not later than July 1, 1963, and, in the case of such individuals who were born on or after January 1, 1900, shall file application for retirement prior to January 1, 1964, for retirement to become effective

not later than July 1, 1964, and provided further that such individuals do not earn additional quarters of social security coverage from public employment in New Jersey after the date of retirement or the effective date of this act, whichever is later, and before reaching age 65. Wherever a reduction in retirement allowances 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 any such retired member. The liability created by this act shall be computed by the actuary and shall be paid by the employers in annual installments over a period of 30 years commencing July 1, 1963, in such a manner as will provide for this liability.

C. 43:15A-59.4. Period of time in which eligibility to be computed.

2. Limitation "(b)" of the reduction provided in section 59, of the act to which this act is a supplement, notwithstanding, the eligibility to the old age insurance benefit shall be computed from the effective date of this act until December 31, 1964 in the same manner as computed by the Federal Social Security Administration but in accordance with the provisions of Title II of the Social Security Act in effect on December 31, 1959. In determining such eligibility only the quarters of coverage and wages or compensation for services performed in the employ of the State, or one or more of its instrumentalities, or one or more of its political subdivisions, or one or more instrumentalities of its political subdivisions, or one or more instrumentalities of the State and one or more of its political subdivisions shall be included.

3. This act shall take effect immediately.

Approved November 29, 1962.

CHAPTER 172

AN ACT concerning education, and authorizing State support to counties granting financial assistance to junior colleges.

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

C. 18:22-125. Application for State support; form of application; terms defined.

1. The board of chosen freeholders of any county which grants financial assistance to a qualified junior college in the county, pursuant to c. 43, P. L. 1941, as the title and body of said act were amended by c. 30, P. L. 1947, or c. 42, P. L. 1962, shall be entitled to apply to the State Board of Education for and may receive State support toward the operational costs of such junior college in accordance with the provisions of this act.

The county's application shall be upon forms prepared and provided by the State board and shall contain such information as the State board shall require to carry out the provisions of this act. Each application shall contain a certification by the county board of chosen freeholders that the higher educational requirements of the county and surrounding areas makes it necessary and in the public interest for the county and State to provide financial assistance to the junior college for which State support is sought.

For the purposes of this act, a "qualified junior college" or "qualified county-assigned junior college" shall mean a junior college, other than a junior college established pursuant to the provisions of c. 41, P. L. 1962, which is certified annually, on or before January 31, by the Commissioner of Education to the State Treasurer to be operated in accordance with the applicable rules and regulations relating to the operation of county junior colleges which have been adopted by the State board pursuant to the provisions of chapter 41, P. L. 1962.

C. 18:22-126. Operational support by State limitation; use of funds.

2. The State Board of Education shall formulate annual budget requests for funds for State support of qualified county-assisted junior colleges. Within the limits of funds appropriated to the State Board of Education for such purposes, the board of chosen freeholders of any county having a qualified county-assisted junior college may apply to the State board and receive State support for the operational costs of such junior college in an amount equivalent to the annual amount last appropriated and paid by the county for junior college support or $200.00 per equated full-time student in the junior college who is a resident of the State, whichever is the lesser amount.

Funds paid to a board of chosen freeholders pursuant to the provisions of this act shall be used by said board only for the purpose of paying the operational costs of the junior college and shall be paid to the junior college in the manner prescribed by the State board. Such funds that are unexpended at the end of a fiscal period shall be returned by the county board to the General Treasury of the State unless the State board and the Director of the Division of Budget and Accounting of the Department of the Treasury shall otherwise direct.

C. 18:22-127. Rules and regulations.

3. The State Board of Education may adopt such rules and regulations as shall be necessary to implement the provisions of this act.

Note: Act effective.

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

Approved December 3, 1962.

CHAPTER 173

AN ACT concerning counties and municipalities in relation to the dual holding of offices and positions and supplementing chapter 11 of Title 40 of the Revised Statutes.

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

C. 40:11-1.1. May hold dual offices.

1. It shall be lawful for a person to hold simultaneously an elective county office and an elective municipal office.

C. 40:11-1.2. Members of Legislature may hold dual offices.

2. It shall be lawful for a member of the Legislature of the State to hold simultaneously any elective or appointive office or position in county or municipal government.

C. 40:11-1.3. May abstain from voting.

3. Nothing contained in this act shall be deemed to prevent the incumbent of any office from abstaining from voting in any matter in which he believes he has a conflict of duty or of interest, nor to prevent a challenge of a right to vote on that account under the principles of the common law or any statute.

C. 40:11-1.4. Construction and application of act.

4. (a) Nothing herein contained shall be deemed to repeal or supersede any statute prohibiting the dual holding of offices or positions.

(b) This act shall apply to persons now holding elective offices or positions with the counties and municipalities or now serving as members of the Legislature of the State.

(c) For the purposes of this act the term "elective office" shall mean an office to which an incumbent is elected by the vote of the general electorate.

5. This act shall take effect immediately.

Approved December 3, 1962.

CHAPTER 174

A SUPPLEMENT to "An act concerning the sale and distribution of newspapers, magazines and other publications in certain cases, and supplementing subtitle 10 of Title 2A of the New Jersey Statutes," approved June 7, 1955 (P. L. 1955, c. 48).

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

C. 2A:170-77.2a. Notice by retail dealer a bar to delivery.

1. No person, firm or corporation engaged in the business of distribution of books, magazines or publications of any kind to retail dealers, after notification in writing by a retail dealer not to send or deliver to such dealer any book, magazine or other publication, shall send or deliver to such dealer such book, magazine or other publication.

C. 2A:170-77.2b. Penalty for failure to comply with provisions of act.

2. Any person, firm or corporation which fails to comply with the provisions of section 1 of this act, after oral or written notification of such failure to comply by a retail dealer, shall forthwith remove from the possession of such dealer the book, magazine or other publication which was improperly delivered without cost or charge to the dealer. Any person, firm or corporation failing or refusing to remove such publications by the end of the second business day following notification of improper delivery shall be a disorderly person and shall be subject to a fine of not less than $500.00 or imprisonment for 30 days or both.

Note: Act effective.

3. This act shall take effect 45 days after enactment.

Approved December 3, 1962.

New Jersey State Library

CHAPTER 175

AN ACT to amend 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 11 of the act of which this act is amendatory is amended to read as follows:

C. 18:25-12. Unlawful employment practice or unlawful discrimination.

11. It shall be an unlawful employment practice, or, as the case may be, an unlawful discrimination:

a. For an employer, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, however, it shall not be an unlawful employment practice to refuse to accept for employment an applicant who has received a notice of induction or orders to report for active duty in the armed forces.

b. For a labor organization, because of the race, creed, color, national origin, ancestry, or age of any individual, or because of the liability for service in the Armed Forces of the United States, of any individual, to exclude or to expel from its membership such individual or to discriminate in any way against any of its members, against any applicant for, or individual included in, any apprentice or other training program or against any employer or any individual employed by an employer.

c. For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment,

or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, ancestry, or age or liability of any applicant for employment for service in the Armed Forces of the United States, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification.

d. For any employer, labor organization or employment agency to discharge, expel or otherwise discriminate against any person because he has opposed any practices or acts forbidden under this act or because he has filed a complaint, testified or assisted in any proceeding under this act.

e. For any person, whether an employer or an employee or not, to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this act, or to attempt to do so.

f. For any owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public accommodation directly or indirectly to refuse, withhold from or deny to any person any of the accommodations, advantages, facilities or privileges thereof, or to discriminate against any person in the furnishing thereof, or directly or indirectly to publish, circulate, issue, display, post or mail any written or printed communication, notice, or advertisement to the effect that any of the accommodations, advantages, facilities, or privileges of any such place will be refused, withheld from, or denied to any person on account of the race, creed, color, national origin, or ancestry of such person, or that the patronage or custom thereat of any person of any particular race, creed, color, national origin or ancestry is unwelcome, objectionable or not acceptable, desired or solicited, and the production of any such written or printed communication, notice or advertisement, purporting to relate to any such place and to be made by any owner, lessee, proprietor, superintendent, or manager thereof, shall

be presumptive evidence in any action that the same was authorized by such person.

g. For the owner, lessee, sublessee, assignee or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent, lease, assign, or sublease any real property or part or portion thereof, or any agent or employee of any of these:

(1) To refuse to sell, rent, lease, assign, or sublease or otherwise to deny to or withhold from any person or group of persons any real property or part or portion thereof because of the race, creed, color, national origin or ancestry of such person or group of persons;

(2) To discriminate against any person or group of persons because of the race, creed, color or national origin of such person or group of persons in the terms, conditions or privileges of the sale, rental or lease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post or mail, or cause to be printed, published, circulated, issued, displayed, posted or mailed any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment or sublease of any real property or part or portion thereof, or to make any record or inquiry in connection with the prospective purchase, rental, lease, assignment, or sublease of any real property, or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination, and the production of any such statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

h. For any real estate broker, real estate salesman or employee or agent thereof:

(1) to refuse to sell, rent, assign, lease or sublease, or offer for sale, rental, lease, assignment, or sublease any real property or part or portion thereof to any person or group of persons or to refuse to negotiate for the sale, rental, lease, assignment, or sublease of any real property or part or portion thereof to any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons, or to represent that any real property or part or portion thereof is not available for inspection, sale, rental, lease, assignment, or sublease when in fact it is so available, or otherwise to deny or withhold any real property or any part or portion or facilities thereof to or from any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons;

(2) To discriminate against any person because of his race, creed, color, national origin or ancestry in the terms, conditions or privileges of the sale, rental, lease, assignment or sublease of any real property or part or portion thereof or in the furnishing of facilities or services in connection therewith; or

(3) To print, publish, circulate, issue, display, post, or mail, or cause to be printed, published, circulated, issued, displayed, posted or mailed, any statement, advertisement, publication or sign, or to use any form of application for the purchase, rental, lease, assignment, or sublease of any real property or part or portion thereof or to make any record or inquiry in connection with the prospective purchase, rental, lease, assignment, or sublease of any real property or part or portion thereof which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry or any intent to make any such limitation, specification or discrimination, and the production of any such

statement, advertisement, publicity, sign, form of application, record, or inquiry purporting to be made by any such person shall be presumptive evidence in any action that the same was authorized by such person.

i. For any person, bank, banking organization, mortgage company, insurance company or other financial institution or lender to whom application is made for financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any real property or part or portion thereof or any agent or employee thereof:

(1) To discriminate against any person or group of persons because of the race, creed, color, national origin or ancestry of such person or group of persons or of the prospective occupants or tenants of such real property or part or portion thereof, in the granting, withholding, extending, modifying or renewing, or in the fixing of the rates, terms, conditions or provisions of any such financial assistance or in the extension of services in connection therewith; or

(2) To use any form of application for such financial assistance or to make any record or inquiry in connection with applications for such financial assistance which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin or ancestry, or any intent to make any such limitation, specification or discrimination.

2. This act shall take effect immediately.

Approved December 3, 1962.

CHAPTER 176

AN ACT to amend "An act imposing a tax on the sale, delivery or use within the State of white seed potatoes; providing for the use of the proceeds of the tax and for the collection of the tax imposed; providing penalties for violation; creating the White Potato Industry Council, and prescribing its powers and duties; and making an appropriation," approved August 2, 1957 (P. L. 1957, c. 169).

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

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

6. Every distributor of seed potatoes shall on or before August 1 in each year file with the department a report of all seed potatoes handled by him as a distributor of seed potatoes during the 12 months immediately preceding July 1, and shall accompany such report with the payment of the tax collected or to be paid by him for the period covered by the report. No such report shall be subject to public inspection except pursuant to legal process. C. 54:47B-6. Annual report; payment of tax; forms furnished.

Such report shall be made on forms prescribed and furnished by the department and shall contain such information as the department shall require for the proper administration of this act.

2. This act shall take effect immediately.

Approved December 4, 1962.

CHAPTER 177

AN ACT concerning planning and zoning and supplementing chapter 55 of Title 40 of the Revised Statutes.

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

C. 40:55-33.2. Bars enactment of certain ordinances.

1. No municipality shall enact a planning or zoning ordinance governing the use of land by, or for, single family dwellings which shall, by any of its terms or provisions or by any rule or regulation adopted in accordance therewith, discriminate between children who are members of such single families by reason of their relationship by blood, marriage or adoption, and foster children placed with such families in such dwellings by the New Jersey State Board of Child Welfare or a duly incorporated child care agency.

Any planning or zoning ordinance, heretofore or hereafter enacted by a municipality, which violates the provisions of this section, shall be invalid and inoperative.

2. This act shall take effect immediately.

Approved December 4, 1962.

CHAPTER 178

AN ACT concerning disorderly persons in relation to shoplifting; creating certain presumptions arising out of the concealment of unpurchased merchandise; and providing that the detaining for probable cause and for a reasonable time of persons under suspicion of shoplifting, by certain officers or merchants shall not render any such officer or merchant criminally or civilly liable in any manner or to any extent whatsoever, and supplementing subtitle 12 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:170-97. Terms defined.

1. For the purposes of this act, unless the context clearly requires a different meaning:

"Shoplifting" shall consist of any one or more of the following acts:

a. For any person willfully to take possession of any merchandise offered for sale by any store or other retail mercantile establishment with the intention of converting the same to the use of such person without paying to the owner the value thereof.

b. For any person willfully to conceal upon his person or otherwise any merchandise offered for sale by any store or other retail mercantile establishment with the intention of converting the same to the use of such person without paying to the owner the value thereof.

c. For any person willfully to alter any label, price tag or marking upon any merchandise offered for sale by any store or other retail mercantile establishment with the intention of depriving the owner of all or some part of the value thereof.

d. For any person willfully to transfer any merchandise offered for sale by any store or other retail merchandise establishment from the container in or on which the same shall be displayed to any other container with intent to deprive the owner of all or some part of the value thereof.

"Store or other retail mercantile establishment" shall mean a place where merchandise is sold or offered to the public for sale.

"Merchandise" shall mean any goods, chattels, foodstuffs or wares of any type and description, regardless of the value thereof.

"Merchant" shall mean any owner or proprietor of any store or other retail mercantile establishment, or any agent, servant or employee of such owner or proprietor.

"Person" shall mean any individual or individuals, including an agent, servant or employee of a merchant where the facts of the situation so require.

C. 2A:170-98. Disorderly person.

2. Any person found guilty of shoplifting, as the same is defined in section 1 of this act, is a disorderly person.

C. 2A:170-99. Deemed prima facie evidence of willful concealment.

3. Any person willfully concealing unpurchased merchandise of any store or other retail mercantile establishment, either on the premises or outside the premises of such store or other retail mercantile establishment, shall be prima facie presumed to have so concealed such merchandise with the intention of converting the same to his own use without paying the purchase price thereof within the meaning of section 1 of this act, and the finding of such merchandise concealed upon the person or among the belongings of such person shall be prima facie evidence of willful concealment; and if such person conceals, or causes to be concealed, such merchandise upon the person or among the belongings of another, the finding of the same shall also be prima facie evidence of willful concealment on the part of the person so concealing such merchandise.

C. 2A:170-100. May arrest on probable cause; detention; no liability; arrest without warrant.

4. A law enforcement officer, or a special officer, or a merchant, who has probable cause for believing that a person has willfully concealed unpurchased merchandise and that he can recover such merchandise by taking the person into custody, may, for the purpose of attempting to effect such recovery, take the person into custody and detain him in a reasonable manner for not more than a reasonable time. Such taking into custody by a law enforcement officer or special officer or merchant shall not render such law enforcement officer, special officer or merchant criminally or civilly liable in any manner or to any extent whatsoever.

Any law enforcement officer may arrest without warrant any person he has probable cause for believing has committed the offense of shoplifting as defined in section 1 of this act.

A merchant who causes such arrest as provided for in this section, of a person for shoplifting shall not be criminally or civilly liable in any manner or to any extent whatsoever where the merchant has probable cause for believing that the person arrested committed the offense of shoplifting.

C. 2A:170-101. Provisions severable.

5. It is declared to be the legislative intent that, if any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

6. This act shall take effect immediately.

Approved December 5, 1962.

CHAPTER 179

AN ACT directing and authorizing the sale and conveyance of certain premises of the Department of the Treasury situate in the city of Trenton, county of Mercer.

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

Authorized to sell certain land and premises; location and description.

1. The State Treasurer, acting for and on behalf and in the name of the State of New Jersey, is hereby directed and authorized to sell on such terms and conditions as he deems to be in the best interest of the State by sealed bids to the highest bidder the following premises:

All that certain lot, tract or parcel of land, building and premises, known as 29 Perrine avenue, situate, lying and being in the City of Trenton, County of Mercer, and State of New Jersey, being more particularly described as follows to wit: All that certain lot, tract or parcel of land and premises with the buildings thereon, erected situate in the City of Trenton, County of Mercer and State of New Jersey, bounded and described as follows, beginning at a point in the westerly line of Perrine Avenue, distant three hundred and five feet measured in a southerly direction along the westerly side of said avenue from the southwesterly corner of Clinton and Perrine Avenues; and running from said beginning point in a southerly direction on the westerly side of said Perrine Avenue ninety-five feet and which said tract of land herein described extends from said beginning point ninety-five feet in front or width on the said westerly side of Perrine Avenue and extending back therefrom in a westerly direction at right angles to said Perrine Avenue, the same width (ninety-five feet) for a depth of one hundred feet more or less to the line of lands of the Belvidere Division of the Pennsylvania Railroad Company, in rear, being lots 101 and 102 and part of lot 103 as laid down on a map

or plan of lots of Daniel P. Forst, deceased, also lot 100 on said plan the said premises being known as No. 21 to No. 29 Perrine Avenue, being the same premises which Louis F. Knecht and Anna M., his wife by deed dated June 18, 1909, and recorded in the Office of the Clerk of the County of Mercer in volume 316 of Deeds, page 217 &c granted and conveyed unto F. A. Poth and Sons Incorporated in fee.

Together with all and singular the improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances to the same belonging or in anywise appertaining; and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and of every part and parcel thereof, and also, all the estate, right, title, interest, property possession, claim and demand whatsoever, both in law and equity of the said party of the first part, of, in and to the said premises, and every part thereof, with the appurtenances.

Conditions on sale; deed.

2. Said premises have been declared by the State Treasurer to be unsuitable for Department of the Treasury purposes and their sale has been authorized by the Governor. The sale made hereunder shall be subject to such further terms and conditions as shall be fixed by the State House Commission. Upon the acceptance and performance by the highest bidder of all terms and conditions as may be fixed by the State Treasurer and the State House Commission and upon payment of the required consideration, the State Treasurer is hereby authorized and empowered to make and deliver in the name of the State of New Jersey a deed to the purchaser of said premises.

Proceeds of sale.

3. The moneys derived from said sale are hereby reappropriated to the General State Treasury in the Department of the Treasury.

Sold under provisions of 2A:61-1.

4. The sale of said premises shall be advertised and conducted in accordance with the provisions of New Jersey Statutes 2A:61–1.

5. This act shall take effect immediately.

Approved December 5, 1962.

CHAPTER 180

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 tax assessor; 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 (1) that the valuations shown on the assessment roll prepared by such assessor for the year 1959, 1960, 1961, 1962, or 1963 are not at the true value, or at the full and fair value, of the property so assessed for local tax purposes or (2) that for the year 1963 such assessor has not applied the exemption from taxation to which a veteran or a widow may be entitled under chapter 184, laws of 1951, as amended, or the exemption from taxation to which a person over the age of 65 may be entitled under chapter 9, laws of 1961, as amended, or the exemption from taxation to which a parsonage may be entitled under R. S. 54:4–3.6, as amended, or the exemption from taxation to which a head of family may be entitled under R. S. 54:4–3.16, as amended, against the true value of the property subject to local taxation; provided, however, that this act shall not relieve any assessor from the duty of making such assessments or applying such exemption in a uniform and impartial manner, nor from the duty of complying with the order of 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 December 5, 1962.

CHAPTER 181

AN ACT to amend and supplement "An act to regulate and control the production, distribution and sale of milk as herein defined; to create a milk control board for such purposes; to prescribe the jurisdiction, duties and powers of said board; to require licenses of and establish fees to be paid by stores, milk dealers, processors and subdealers; to provide methods for enforcement and penalties for violations thereof and declaring an emergency affecting the production, distribution and sale of milk as defined herein," approved July 15, 1941 (P. L. 1941, c. 274).

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

1. Section 36 of the act of which this act is amendatory is amended to read as follows: Section amended.

36. Every person required by this act to be licensed shall pay a yearly license fee as follows: C. 4:12A-36. Schedule of fees.

Store—each and every store selling milk shall pay a license fee of $10.00; provided, however, that a store selling milk exclusively for consumption on the premises shall not be required to obtain a license nor pay a license fee; and provided, further, that a store selling only milk which is evaporated or condensed in hermetically sealed cans shall not be required to obtain a license or pay a license fee.

Milk dealers—where a milk dealer sold in the State of New Jersey during the 12 calendar months immediately preceding the period for which the license is applied or issued a monthly average quantity of milk.

(1) Not exceeding 2,500 pounds, a license fee of $20.00;

(2) Exceeding 2,500 pounds, but not exceeding 5,000 pounds, a license fee of $30.00;

(3) Exceeding 5,000 pounds, but not exceeding 25,000 pounds, a license fee of $44.00;

(4) Exceeding 25,000 pounds, but not exceeding 100,000 pounds, a license fee of $154.00;

(5) Exceeding 100,000 pounds, but not exceeding 200,000 pounds, a license fee of $275.00;

(6) Exceeding 200,000 pounds, but not exceeding 500,000 pounds, a license fee of $520.00;

(7) Exceeding 500,000 pounds, but not exceeding 1,000,000 pounds, a license fee of $780.00;

(8) Exceeding 1,000,000 pounds, but not exceeding 2,000,000 pounds, a license fee of $1,300.00;

(9) Exceeding 2,000,000 pounds, but not exceeding 5,000,000 pounds, a license fee of $1,820.00;

(10) Exceeding 5,000,000 pounds, a license fee of $2,080.00;

Where a milk dealer is engaged in handling milk in the State of New Jersey, but selling milk only in another State or engaged only in manufacturing; he shall not be subject to the foregoing schedule, but shall pay a license fee of $150.00.

Processors—every processor shall pay a license fee of $650.00.

Subdealers—every subdealer shall pay a license fee of $30.00 for each route owned or operated at the commencement of the license period.

It is the intent where the amount of license fee is to be determined by the quantity of milk that the whole milk equivalent of milk in each of its forms as included in definition of milk in paragraph 1 of this act shall be used.

Any person applying for a license to engage in the business of a milk dealer or processor who has not been engaged in such business prior to the effective date of this act, upon filing application with the director to engage in such business, shall, in the case of applying for a license as a milk dealer or processor, deposit with the director $100.00 in cash. This deposit shall be retained by the director until such time as the director is able to determine from the monthly reports of such applicant for license the proper fee to be charged such applicant

in accordance with the schedules hereinbefore set forth, at which time any part of such deposit in excess of the license fee so determined shall be returned to the applicant.

The license fee shall accompany the application for a license; said application shall not be received or acted upon if it is not accompanied by the proper fee. Where a license is applied for and the director declines to grant the license to the applicant, the license fee shall be charged and retained by the director only pro rata for so much of the license year as expired prior to the issuance of the order refusing the license. There shall be no refund in such case where the applicant is a store, subdealer or milk dealer whose fee is not more than $25.00.

C. 4:12A-36.1. License to terminate renewal for ½ year.

2. Any license heretofore granted by the director to operate as a milk dealer, processor, subdealer or store shall terminate on December 31, 1962; unless prior to said date the licensee shall pay to the director ½ the yearly fee prescribed by this act.

C. 4:25-36.2. Uniform system of accounting and reporting.

3. The director is hereby authorized and directed to establish by rule or regulation a uniform system of accounting and reporting for licensees under this act to be used in determining the cost of milk sold or services rendered in connection therewith. Every licensee shall adopt the uniform system of accounting and reporting so established.

Appropriation.

4. There is hereby appropriated to Office of Milk Industry for use during the fiscal period ending June 30, 1963, the proceeds from the license fees which have been increased by this act. Such proceeds shall be used to employ such professional and technical assistance as shall be necessary to establish, operate and enforce the uniform system of accounting and reporting provided for herein and to defray the expenses incurred by Office of Milk Industry in implementing this act.

5. This act shall take effect immediately.

Approved December 5, 1962.

CHAPTER 182

AN ACT concerning emergency powers of the Office of Milk Industry and supplementing "An act to regulate and control the production, distribution and sale of milk as herein defined; to create a milk control board for such purposes; to prescribe the jurisdiction, duties and powers of said board; to require licenses of and establish fees to be paid by stores, milk dealers, processors and subdealers; to provide methods for enforcement and penalties for violations thereof and declaring an emergency affecting the production, distribution and sale of milk as defined herein," approved July 15, 1941 (P. L. 1941, c. 274).

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

C. 4:12A-59. Short title.

1. This act may be referred to as the "Emergency Milk Control Law of 1962."

C. 4:12A-60. Emergency power of director.

2. If the Director of the Office of Milk Industry, at any time when State established minimum resale prices are not in effect, shall determine that there exists in the milk industry conditions which have created or have threatened to create competitive trade practices which may demoralize the price structure of milk or may demoralize the agricultural interests of the State engaged in the production of milk or may interfere with the maintenance of an ample supply of fresh, wholesome milk, he is hereby authorized, for a period designated by the director not to exceed 180 days in duration;

(a) To suspend the issuance of new licenses to applicants not then holding licenses unless the applicant can show to the satisfaction of the director that it is necessary to the health and welfare of the general public to render the service for which a license is sought;

(b) To require licensees to withhold or suspend any notices of intent to change their sources of supply or to engage additional sources of supply except upon application to the director and with his approval for good cause shown;

(c) To require licensees to withhold or suspend any notices to discontinue a producer or add additional producers except upon application to the director and with his approval for good cause shown;

(d) To establish and adjust, from time to time, without the necessity of hearings but upon public notice, the prices below which all licensees or any class thereof may not purchase or sell milk and milk products, provided, however, except as otherwise provided herein:

(1) The resale prices so established are within the range of the prices posted with the Office of Milk Industry or actually in existence during the 30 days preceding the action of the director, and

(2) The resale prices so established within such range and producer prices established under this act are at a level which the director, in his opinion, determines will maintain fair price competition, help insure an ample supply of fresh, wholesome milk and promote orderly marketing conditions.

The director in establishing or adjusting any resale price pursuant to the provisions of this subsection shall take into consideration any changes in the prices which are to be paid producers under the provisions of this act or any Federal marketing order.

C. 4:12A-61. Studies and investigations to prevent recurrences of conditions.

3. Whenever the director shall proceed pursuant to the provisions of section 2 of this act, he shall, within the period of time designated, undertake such studies, examinations and investigations as necessary to determine what actions should be taken by the Office of Milk Industry under any of

its existing powers and authority to eliminate, alleviate or otherwise prevent the continuance of the conditions which required resort to the provisions of this act.

C. 4:12A-62. Provisions inoperative.

4. The provisions of this act shall become inoperative on December 31, 1963, unless extended by legislative act.

5. This act shall take effect immediately.

Approved December 5, 1962.

CHAPTER 183

AN ACT concerning annual appropriations by certain counties to maintain patients in charitable hospitals, and amending section 44:5–11 of the Revised Statutes.

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

Section amended.

1. Section 44:5–11 of the Revised Statutes is amended to read as follows:

Appropriations to maintain patients in charitable hospitals.

44:5–11. The board of chosen freeholders of a county which has no hospital located therein maintained by the county other than the hospital or sick ward of the county poor home, a county tuberculosis hospital or sanatorium, a county hospital or sanatorium for the insane, or a hospital for contagious and infectious diseases, may make an appropriation of not more than $600,000.00 in each year in the manner in which appropriations for other county purposes are made, except that in counties having a population of more than 300,000, according to the latest census, the board of chosen freeholders may make such an annual appropriation of not more than $1,000,000.00, which sum so appropriated shall be included in the annual tax levy of the county, and collected in the same manner

and at the same time as other county taxes, and shall be applied to the purpose of supporting and maintaining such patients as may be sent to any hospital or hospitals supported by private charity and located in the county or in an adjoining county.

The sum so appropriated shall be used and applied for the benefit, comfort and maintenance of such patients, inmates of that hospital, as are residents of the county at the time of being sent to that hospital.

2. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 184

AN ACT to amend the "water transmission facilities act," approved October 25, 1962 (P. L. 1962, c. 167).

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

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

6. Powers. A commission shall have the power in its own name and on its own behalf, to acquire, hold, use and dispose of its revenues and other moneys and to provide for and secure the payment of any bonds or notes and the rights of the holders thereof and to carry out the purposes of this act, shall have the power in addition to all other powers granted to it by law: C. 58:5-36. Powers.

(a) to own, maintain, repair, reconstruct, operate and use water transmission facilities and, to that end, to acquire, by purchase, gift, condemnation or otherwise, and, to construct, maintain, repair, reconstruct, operate and use all plants, structures, equipment and other real and personal

property, deemed necessary for, or incident to, any such facilities; and for said purposes may enter into any contracts or agreements, execute all instruments, and do all things necessary or convenient to carry out any power given in this act; provided, however, that a commission shall not have the power to condemn any waterworks, reservoir, transmission facility, water supply system, pipeline or any appurtenances thereto owned by a municipality or by a municipal or intermunicipal authority or commission;

(b) to enter into contracts pursuant to and in accordance with the provisions of the water supply law with the State to be executed on behalf of the State by the Commissioner of Conservation and Economic Development for the purchase of water from the State and determining the terms and conditions of such purchase; and

(c) to enter into contracts with any municipality or person for the sale or exchange of water and determining the terms and conditions of such sale or exchange.

Section amended.

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

C. 58:5-40. Annual budgets; apportionment of expenses.

10. Annual budgets and apportionment of expenses. (a) A commission shall cause to be prepared, not later than December 31 of each year, a separate annual budget for the operating expenses of each water supply system and water transmission facility which it may operate pursuant to the original act or to the provisions of this act. The commission shall thereupon fix a time and place for a hearing on each of the said budgets. Notice of each hearing, together with a copy of each of the said budgets, shall be sent to the participants and contracting municipalities of all water supply systems and water transmission facilities administrated by or under the control of such commission at least 10 days before the date fixed for the hearing by mailing a copy of the same to the officer of the board or body having charge of the water supply of said municipality. The commission shall

approve the budget not later than 15 days after the beginning of the municipal budget year. Copies thereof shall be filed with the respective municipal officials within 5 days after approval.

(b) 1. The operating expenses of a water supply system operated by a commission pursuant to the original act shall be estimated in advance each year and be apportioned among participants in proportion to the amounts of water contracted to be used by each. Payment shall be made to the commission in advance upon request.

2. At the end of each year the commission shall apportion the actual cost of the operation of such system which it operates pursuant to the original act among participants upon the basis of the actual water consumed by each municipality, but such amount shall be in no event less than the quantity contracted for. In apportioning such cost, no municipality shall be charged with any item of interest or rental upon, or the cost of operation of, any part of a water supply system which is not used in supplying water to the municipality. Each participant and contracting municipality shall be charged with the amount so apportioned and credited with any amount previously paid on account of the estimated operating expenses for such year.

(c) Notwithstanding any other provision of this act, a commission may apportion to and among participants and contracting municipalities as part of the operating expenses of a project or water supply system in which they have an interest a portion of the commission's general expenses not wholly or directly attributable to the operation or maintenance of any particular project or water supply system. Such allocation shall be fair and equitable taking into account the amounts of direct cost of operating and maintaining, or the volume of water supplied or allocated by or to, particular projects and water supply systems and such other factors as may reasonably be considered for the purpose of such apportionment. Except as provided in this

section, a commission shall not use any moneys received by it for use in connection with a particular water supply system or project to pay any costs or expenses incurred by it in connection with any other water supply system or project.

Section amended.

3. Section 13 of the act of which this act is amendatory is amended to read as follows:

C. 58:5-43. Bond resolution.

13. Bond resolution. For the purpose of raising funds to pay the cost of any part of any project or for the purpose of funding or refunding any bonds, including refunding by exchange of bonds for outstanding bonds, a commission shall have power to authorize or provide for the issuance of bonds pursuant to this act. Such commission shall adopt 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 project or part thereof 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 bonds in accordance with the provisions of this act.

No general bond resolution establishing an issuance of bonds of the commission shall become effective unless at least 10 days prior to its adoption the commission shall have given notice thereof to all participants and contracting municipalities having an interest in any water supply system or water transmission facility under the administration or control of the commission. Such notice shall specify the time and place at which such resolution will be considered by the commission for adoption and shall be served, together with a copy of the proposed resolution, either personally or by certified or registered mail upon the clerk of each such participant or contracting municipality.

Section amended.

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

C. 58:5-52. Acquisition of real property.

22. Real property; acquisition. (1) In addition to the powers granted to it by the provisions of the original act, to acquire or use for its purposes land and other property, each commission is hereby empowered, in its own name but for the contracting municipality or municipalities, to acquire by purchase, gift, grant or devise and to take for public use real property, within the district, in fee simple absolute, or any interest therein which may be deemed by the commission necessary for its purposes. Each commission is hereby empowered, subject to the limitations specified in subsection (a) of section 6 of this act, to acquire and take such property including public property or interest 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 in its own name all of the powers of a municipality to acquire or take property for public use.

(2) Upon the filing by a commission of a complaint in any action to fix the compensation to be paid for any 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 one or more of the tracts or parcels of land or property described in the complaint is thereby being taken by and for the use of the commission. 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 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 decla-

ration, and (d) an allegation that, in compliance with the provisions of this act, the commission has established and is maintaining a trust fund as hereinafter provided.

(3) Upon the filing by a commission of a declaration of taking of property as provided in this act, 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 the State in an amount at least equal to 25% 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. 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 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 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.

(4) Upon the filing by a commission 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 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.

(5) Each commission 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 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 property is located. Such service, mailing or publication shall be made within 30 days' after filing such declaration.

(6) A commission 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.

Section amended.

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

C. 58:5-57. Construction.

27. Construction. This act shall be construed liberally to effectuate the legislative intent and purpose and as complete and independent authority for the performance of every act and thing

herein authorized. The powers granted to and duties imposed upon a commission by this act are granted or imposed in addition to and not in substitution for existing powers or duties of a commission and of any municipality, and are not subject to any limitation or restriction prescribed in the original act or by any other law excepting only the water supply law. If there shall be any conflict between the terms or provisions of this act and the terms and provisions of the original act, the terms and provisions of this act shall govern, except that nothing contained herein shall be construed to alter the application of the terms and provisions of the original act to any water supply system or plant provided for thereunder, or to any water supply system or plant presently operating thereunder and the contracts entered into in connection therewith.

6. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 185

AN ACT to amend "An act concerning electrical contracting, providing for the regulation thereof, establishing a Board of Electrical Examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

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. 45:5A-2. Terms defined.

2. For the purpose of this act, unless otherwise indicated by the context:

(a) "Act" means this act and the rules and regulations adopted under it;

(b) "Board" means the Board of Examiners of Electrical Contractors created by section 3 of this act;

(c) "Department" means the Department of Law and Public Safety;

(d) "Electrical contractor" means a person who engages in the business of contracting to install, erect, repair or alter electrical equipment for the generation, transmission or utilization of electrical energy;

(e) "Person" means a person, firm, corporation or other legal entity.

Section amended.

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

C. 45:5A-3. Board of Examiners of Electrical Contractors; members; terms; qualifications.

3. There is created a Board of Examiners of Electrical Contractors in the Department of Law and Public Safety consisting of 7 members, hereinafter referred to as the "board." The members of such board shall be citizens of the State appointed by the Governor, with the advice and consent of the Senate. They shall be appointed initially for the following terms: Three members for terms of 1 year from July 1, 1962, 2 members for terms of 2 years from July 1, 1962, and 2 members for terms of 3 years from July 1, 1962. Thereafter members shall be apointed for terms of 3 years and until the appointment and qualification of their successors. The Governor shall fill any vacancy in said board for the unexpired portion of the term. No more than 4 members of the board shall be members of the same political party. Three members of the board shall be qualified electrical contractors with experience of not less than 10 years as an electrical contractor, one shall be a qualified electrical inspector, with experience of not less than 5 years as an electrical inspector, one shall be a qualified journeyman employed in the electrical construction industry for not less than 5 years. One shall be a public member not associated with the electrical industry, and one shall be a licensed professional engineer with experience of not less than 5 years in the electrical industry.

Section amended.

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

C. 45:5A-4. Compensation; payment of expenses.

4. Each member of the board shall receive $25.00 for each day of actual service in attending meetings of the board at which business is transacted and in addition shall be entitled to be reimbursed for his necessary traveling expenses; provided, such compensation in 1 fiscal year shall not exceed $1,000.00 per member.

Section amended.

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

C. 45:5A-5. Organization; chairman; secretary and clerical assistants.

5. At the meeting for organization after the first appointment of said board the members thereof shall choose from among their number a chairman, who shall preside at all meetings of the board, and a secretary who need not be a member of the board. The chairman and secretary so chosen shall be subject to the approval of the Attorney General. The chairman and secretary shall hold office for 1 year and until their successors are chosen. Vacancies in the office of chairman or secretary between regular appointments shall be filled by the board, with the approval of the Attorney General. The board is authorized to appoint, with the approval of the Attorney General, such clerical assistants as may be required. The board, with the approval of the Attorney General, shall fix the compensation of the secretary and the clerical assistants, within the limits of available appropriations and subject to applicable civil service provisions. The board shall be authorized to incur such other expenses, within available appropriations therefor, as may be required to carry out its purpose and function. All moneys received by said board shall be remitted to the State Treasury.

Section amended.

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

C. 45:5A-7. Power to subpœna.

7. In carrying into effect the provisions of this act the board under the hand of its chairman and the seal of the board may subpœna witnesses and compel their attendance, and it also may require the production of papers or documents in any case in-

volving the revocation or suspension of a license. Any member of the board may administer oaths or affirmations to witnesses appearing before the board.

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

Section amended.

C. 45:5A-8. Record of proceedings; register of applications and business permits.

8. The Board of Examiners of Electrical Contractors shall keep a record of its proceedings and a register of all applications for licenses and business permits, which register shall show: (a) the name, age and residence of each applicant, (b) the date of the application, (c) the place of business of such applicant, (d) the qualifications of the applicant, (e) whether or not an examination was required, (f) whether the applicant was rejected, (g) whether a license or business permit was granted, (h) the date of the action of the board and (i) such other information as may be deemed necessary by the board.

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

Section amended.

C. 45:5A-9. Business permit and license required; limitation; qualifications for examination; scope; forms provided; fee.

9. (a) On or after July 1, 1963, no person shall enter into, engage in or work in business as an electrical contractor for hire, unless such person has secured a business permit and such person or an officer, partner or employee who is or will be actively engaged in the business for which a business permit is sought has obtained a license from the board in accordance with the provisions of this act. A licensee shall not be entitled to qualify more than 1 person for a business permit.

(b) Except as otherwise provided in section 10, no person shall be granted an electrical contractors license unless he shall first establish his qualifications therefor and shall take and pass the examination for electrical contractors. An applicant for such examination shall have been employed or engaged in the business of electrical construction and installation or have equivalent practical experience for a period of not less than 5 years preceding the time of such application, or shall otherwise establish to the satisfaction of the board that the

applicant has the necessary educational background and experience to qualify to take the examination for a license.

The examination shall be so designed as to establish the competence and qualication of the applicant to perform and supervise the various phases of electrical contracting work. Any applicant who shall fail to pass such examination shall not be eligible to retake an examination until 6 months from the date of such failure.

(c) An applicant for an examination for a license shall apply to the board for permission to take such examination upon forms provided by the board and shall provide the board with such information as shall be necessary to establish his qualifications to take the examination. The applicant for an initial examination shall pay a fee to the board of $25.00. An applicant for re-examination shall pay a fee to the board of $15.00. Such fees shall not be refundable.

Section amended.

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

C. 45:5A-10. Requirements for licensing without examination; form and content of application.

10. Upon payment of the prescribed fee as hereinafter set forth any person who has been employed or engaged in the business of electrical contracting in this State for a period of at least 6 years prior to the effective date of this act, and whose principal business for at least 2 years immediately preceding making of application as herein provided shall have been that of electrical contractor, shall be granted a license without examination; provided application shall be made to the board on or before July 1, 1963 and satisfactory proof is presented to said board of the applicant's fitness to engage in such business. The application shall consist of a sworn statement (a) describing the experience of the applicant in the electrical contracting business, (b) listing representive electrical contracts performed by the applicant, and (c) containing such other information as may be required by the board and shall be accompanied by the proper fee.

9. Section 11 of the act of which this act is amendatory is amended to read as follows:

Section amended.

11. The board shall receive all applications for licenses or business permits filed by persons seeking to enter upon or continue in the electrical contracting business as herein defined within this State and upon proper qualification of such applicant shall issue the license or permit applied for.

C. 45:5A-11. Board to issue license or permit.

10. Section 13 of the act of which this act is amendatory is amended to read as follows:

Section amended.

13. Before a license or business permit shall issue fees shall be paid for same in the following amounts: (a) for initial license—$150.00, (b) for renewal—$50.00, (c) for initial business permit or renewal thereof—$25.00.

C. 45:5A-13. Fees required; application for business permit, contents; expiration; re-examination upon failure to renew.

A person seeking issuance or renewal of any business permit shall file with the board an application in writing upon forms prescribed by the board. The application shall designate the person who possesses a license issued pursuant to the provisions of this act and shall contain such other information as the board may prescribe. The application shall be accompanied by the proper fee.

If the applicant is a natural person, the application shall be signed and sworn to by the applicant. If the applicant is a partnership or other business association, the application shall be signed and sworn to by all natural persons composing such partnership or business association. If the applicant is a corporation, the application shall be signed and sworn to by the president and secretary thereof.

A person seeking issuance or renewal of any license shall file with the board an application in writing upon forms prescribed by the board, containing such information as the board shall require to maintain the register provided for in section 8 of this act and to establish the qualifications of the applicant. The application shall be signed and sworn to by the applicant and shall be accompanied by the proper fee.

Any initial license or business permit or renewal thereof shall expire on the first day of the twenty-

fifth month following the calendar month in which it was issued. The board, however, may issue initial licenses or business permits or renewals thereof which shall expire on a date fixed by it, which date shall not be earlier than 15 months and not later than 30 months after issuance, in which case the fee shall be an amount equal to $\frac{1}{24}$ of the normal fee times the number of whole months between issuance and expiration. Renewal shall be governed by the standards applicable to initial issuance. The board may require a re-examination upon failure to apply for a renewal within 30 days of the date of the expiration of any license. Any license expiring while the holder thereof is outside the continental limits of the United States in connection with any project undertaken by the Government of the United States, or while in the service of the Armed Forces of the United States shall be renewed without further examinations upon payment of the prescribed fee at any time within 4 months after such person's return to the United States or discharge from the Armed Forces.

Section amended.

11. Section 14 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-14. Continuance of permit or license in event of death or disability.

14. No person shall be denied the privilege of continuing business as an electrical contractor in the event of death, illness, or other physical disability of the representative thereof who qualified the person for a business permit for at least 6 months following the date of such death, illness or other physical disability; provided that said business is conducted under such qualified supervision as the board deems adequate.

Section amended.

12. Section 15 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-15. Non-transferable.

15. No license or business permit issued under this act shall be assigned or transferable.

Section amended.

13. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-16. Grounds for suspension, revoking or refusing to renew license or business permit; preferring charges; hearing.

16. The board may suspend, revoke or refuse to renew any license or business permit if the holder has:

(a) secured such license or business permit by misrepresentation;

(b) failed to maintain the qualifications required by this act or demonstrated a level of competence manifestly inconsistent with retention of the license or business permit in question;

(c) engaged in fraudulent business activities or in misleading advertising practices;

(d) violated a provision of this act; or

(e) committed an act of gross negligence or condoned such an act by an employee of his.

Any person may prefer charges as set forth above against any licensee or permit holder. Such charges shall be in writing and shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges unless dismissed by the board as unfounded or trivial shall be heard by the board after completing any necessary investigation. The time and place for the hearing shall be fixed by the board and a copy of the charges together with a notice of the time and place of hearing shall be personally served on or mailed to the last known address of the licensee at least 30 days before the date fixed for the hearing. At any hearing the accused licensee or permit holder shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him and to produce evidence and witnesses in his own defense. No license or business permit shall be suspended or revoked except upon the agreement of at least 4 members of the board.

An applicant whose license or business permit has been revoked may become eligible not earlier than 1 year from the date of said revocation for a new license or business permit upon meeting all of the requirements of this act and, in the case of an application for a license, upon the satisfactory completion of an examination as herein provided.

Section amended.

14. Section 17 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-17. Not to impair municipal powers.

17. (a) This act shall not deny to any municipality the power to inspect electrical work or equipment or the power to regulate the standards and manner in which electrical work shall be done but no municipality shall require any business permit holder or electrical contractor licensed under this act to obtain a municipal license or business permit to engage in the business of electrical contracting in such municipality.

(b) Any licensee or business permit holder who willfully fails to comply with any municipal ordinance concerning the inspection of electrical work shall be guilty of a violation of this act.

Section amended.

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

C. 45:5A-18. Electrical work or construction not affected by this act.

18. Electrical work or construction which is performed on the following facilities or which is by or for the following agencies shall not be included within the business of electrical contracting so as to require the securing of a business permit under this act:

(a) Minor repair work such as the replacement of lamps and fuses.

(b) The connection of portable electrical appliances to suitable permanently installed receptacles.

(c) The testing, servicing or repairing of electrical equipment or apparatus.

(d) Electrical work in mines, on ships, railway cars, elevators, escalators or automotive equipment.

(e) Municipal plants or any public utility as defined in section 48:2–13 of the Revised Statutes organized for the purpose of constructing, maintaining and operating works for the generation, supplying, transmission and distribution of electricity for electric light, heat, or power.

(f) A public utility subject to regulation, supervision or control by a Federal regulatory body, or a public utility operating under the authority granted by the State of New Jersey, and engaged

in the furnishing of communication or signal service, or both, to a public utility, or to the public, as an integral part of a communication or signal system, and any agency associated or affiliated with any public utility and engaged in research and development in the communications field.

(g) A railway utility in the exercise of its functions as a utility and located in or on buildings or premises used exclusively by such an agency.

(h) Commercial radio and television transmission equipment.

(i) Construction by any branch of the Federal Government.

(j) Any work with a potential of less than 10 volts.

(k) Repair, manufacturing and maintenance work on premises occupied by a firm or corporation, and installation work on existing buildings occupied by a firm or corporation and performed by a regular employee who is a qualified journeyman electrician.

(l) Installation, repair or maintenance performed by regular employees of the State or of a municipality, county, or school district on the premises or property owned or occupied by the State, a municipality, county, or school district.

(m) The maintaining, installing or connecting of automatic oil, gas or coal burning equipment, gasoline or diesel oil dispensing equipment and the lighting in connection therewith to a supply of adequate size at the load side of the distribution board.

The board may also exempt from the business permit provisions of this act such other electrical activities of like character which in the board's opinion warrant exclusion from the provisions of this act.

Section amended.

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

C. 45:5A-19. Bond; conditions; term.

19. In addition to such other bonds as may otherwise be required, any person engaged in the business of electrical contracting under the provisions of this act shall not undertake to do any electrical

work in the State of New Jersey or any political subdivision thereof unless and until he shall have entered into bond in favor of the State of New Jersey in the sum of $1,000.00, executed by a surety company authorized to transact business in the State of New Jersey, approved by the Department of Banking and Insurance, and to be conditioned on the faithful performance of the provisions of this act. The board shall, by rule and regulation, provide who shall be eligible to receive the financial protection afforded by said bond. The aforesaid bond shall be for the term of 24 months and must be renewed upon expiration for the ensuing 24 months.

Section amended.

17. Section 20 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-20. Penalty for violation.

20. Any person violating any provision of this act shall be liable for the first offense to a penalty of not less than $100.00 or more than $500.00, and for the second and each succeeding offense to a penalty of not less than $200.00 nor more than $1,000.00. The penalties shall be collected by a civil action in the name of the board to be instituted in the county district court of the county, or in the municipal court of the municipality where the violation occurred or the defendant resides.

Section amended.

18. Section 21 of the act of which this act is amendatory is amended to read as follows:

C. 45:5A-21. Disorderly person.

21. Any person engaging in the business of electrical contracting without having a business permit from the board is a disorderly person.

19. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 186

AN ACT concerning newspapers and amending section 35:1–2.2 of the Revised Statutes.

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

1. Section 35:1–2.2 of the Revised Statutes is amended to read as follows: Section amended.

35:1–2.2. Whenever, by law, it is required that there be published by printing and publishing in a newspaper or newspapers ordinances, resolutions or notices or advertisements of any sort, kind or character by any county, city or other municipality or municipal corporation, or by any municipal board or official board, or body, or office, or officials, or by any person or corporation, such newspaper or newspapers must, in addition to any other qualification now required by law, meet the following qualifications, namely: said newspaper or newspapers shall be entirely printed in the English language, shall be printed and published within the State of New Jersey, shall be a newspaper of general paid circulation possessing an average news content of not less than 35%, shall have been published continuously in the municipality where its publication office is situate for not less than 2 years and shall have been entered for 2 years as second-class mail matter under the postal laws and regulations of the United States. In case a newspaper cannot meet these qualifications itself but has acquired another newspaper which meets these qualifications, the acquiring newspaper shall be deemed to meet these qualfications if it is published in the same municipality and entered in the same post office as was the acquired newspaper. Continuous publication within the meaning of this section shall not be deemed interrupted by any involuntary suspension of publication for a period

Publication by counties, municipalities; individuals and corporations; qualifications of newspapers; construing as to location of establishment.

not exceeding 6 months resulting from loss, destruction, mechanical or electrical failure of typesetting equipment or printing presses or the unavailability, due to conditions beyond the control of the publisher, of paper or other materials and supplies necessary for operation, or resulting from a labor dispute with a recognized labor union, and any newspaper so affected shall not be disqualified hereunder in the event that publication is resumed within said period of 6 months.

For the purposes of this section and for the purpose of qualifying for legal advertisements generally, any newspaper which for not less than 2 years shall have been continuously printed in a building located within 2 municipalities and which for not less than 2 years shall have continuously maintained its editorial and business offices in said building shall be deemed to have been published continuously in each of said municipalities during that period and its publication office shall be deemed to have been situate in each municipality during that period.

2. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 187

AN ACT concerning the practice of chiropody and amending section 5 of chapter 261 of the laws of 1954 and section 45:5–7 of the Revised Statutes.

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

Section amended.

1. Section 5 of chapter 261 of the laws of 1954 is amended to read as follows:

C. 45:5-5.1. Educational requirements.

5. No person who shall have graduated after January 1, 1955, shall be admitted to examination

for a license to practice chiropody unless in addition to the requirements set forth in section 45:5–3 of this Title, he shall prove further to the said board (1) that prior to the receipt of a diploma conferring the degree of doctor of surgical chiropody, he had completed a satisfactory course of one full school year in a legally incorporated and recognized college or university, approved by the Commissioner of Education of this State; (2) that he had then studied chiropody for not less than 4 full school years, including the satisfactory completion of 4 courses of at least 8 months each, in 4 different calendar years in a legally incorporated American school or college of chiropody, requiring personal attendance, in good standing in the opinion of said board, wherein the curriculum of study included instructions as provided in section 45:5–3; and that (3) after the receipt of such diploma, as aforesaid, he had served a rotating internship in a duly licensed clinic, hospital or institution approved by the board, for one full year devoted to the practice of chiropody in all its branches.

Section amended.

2. Section 45:5–7 of the Revised Statutes is amended to read as follows:

Scope of examination; application and examination; terms defined; license displayed; reciprocity; certificate upon removal from State; licensing after revocation.

45:5–7. All examinations shall be written in the English language, but the board, in its discretion, may use supplementary oral or practical examinations, either of the whole class or of individuals. The examinations shall be in all subjects taught and practiced in the legally incorporated schools or colleges of chiropody, in good standing in the opinion of the board, which confer the degree of doctor of surgical chiropody. Said application and examination papers shall be deposited in the files of the said board for at least 5 years, and they shall be prima facie evidence of all matters therein contained. All licenses shall be signed by the president and secretary of the board and shall be attested by the seal thereof.

If the examination is satisfactory, the board shall issue a license entitling the applicant to practice chiropody in this State.

"Chiropody" or "practice of chiropody" is defined to be the diagnosis of or the holding out of a right or ability to diagnose any ailment of the human foot, or the treatment thereof, or the holding out of a right or ability to treat the same by any one or more of the following means: local medical, mechanical, minor surgical, manipulative and physio-therapeutic or the application of external medical or any other of the aforementioned means except minor surgical and local medical to the lower leg and ankle for the treament of a foot ailment; not including, however, the treatment of tuberculosis, osteomyelitis, malignancies, syphilis, diabetes, tendon transplantations, bone resections other than partial ostectomies of the metatarsals and phalanges, amputations, fractures other than simple (not compound) fractures of the metatarsals and phalanges requiring only supportive dressings, dislocations other than dislocations of the phalangeal or metatarso-phalangeal joints, the treatment of varicose veins by surgery or injection, the administration of anesthetics other than local, the use of radium, the use of X-ray except for diagnosis, or the treatment of congenital deformities by the use of a cutting instrument or electrosurgery other than those deformities which, but for the congenital aspect, may be treated under this act. For the purposes of this act, the term "partial ostectomies" shall mean the excision of a part of a bone and, except with respect to the sesamoids, is not to be construed as encompassing or authorizing the removal or excision of an entire bone. The term "local medical" hereinbefore mentioned shall be construed to mean the prescription or use of a therapeutic agent or remedy where the action or reaction is intended for a localized area or part.

Every person practicing chiropody under this act shall at all times conspicuously display in his place of practice his license and yearly registration to practice. It shall be unlawful to practice chiropody in this State without so displaying such license and registration. Any applicant for a li-

cense to practice chiropody upon proving that he has been examined and licensed by the examining and licensing board of another State, territory of the United States, or the District of Columbia, may in the discretion of the board be granted a license to practice chiropody without further examination upon payment to the board of a license fee of $100.00; provided, such applicant shall furnish proof that he can fulfill the requirements demanded in the other sections of this chapter relating to applicants for admission by examinations; provided further, that the laws of such State, territory or the District of Columbia accords equal reciprocal rights to a licensed chiropodist of this State, who desires to practice his profession in such State, territory or the District of Columbia; provided further, that said applicant has been in lawful and ethical practice of chiropody in the State, territory or District of Columbia from which he applies for 5 full consecutive years next prior to filing his application; and provided, further, that said applicant shall, within 6 months after the issuance of his license hereunder, remove to this State, establish his permanent and only legal residence and practice therein, abandon his present residence and cease to operate his practice in the State from which he applies and not use such license for part time practice in this State. An affidavit setting forth his intention to comply with the requirements of this proviso must be filed with the application for license. The board shall consider each application for such license on its individual merits and may, in its discretion and without establishing a precedent, waive the requirements for internship in lieu of 10 or more years of active and continuous ethical practice outside of this State.

The board may issue to any licensed chiropodist of this State, known to it to be of good moral character and who has conducted an ethical practice in this State, and who desires to remove his residence and practice to another State, a certificate or certification authenticated with its seal, which shall

attest such information as may be necessary for competent boards of other States to determine reciprocity qualifications, upon payment of a fee of $10.00. In any such application for a license without examination, all questions of academic requirements of other States, territories or the District of Columbia shall be determined by the Commissioner of Education of this State.

The board, in its discretion, may grant a license without further examination to any person whose previous license has been revoked under section 45:5–8 of the Revised Statutes and upon payment to the board of a license fee of $100.00.

3. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 188

AN ACT concerning pensions and providing for pensions to certain public employees and their widows.

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

C. 43:12-1.12. Pension for certain public employees and their widows.

1. Any public employee who is at least 70 years of age and who has served as a member of the General Assembly and as a county prosecutor and as an elected or appointed official of a city and which several services in the aggregate have been for upwards of 36 years and who shall be retired, upon application therefor, shall receive a pension for the remainder of his life from his last employer of not less than ¾ of the salary which said employee was receiving at the time of his retirement. If, after his retirement and receipt of said pension, the said employee shall die leaving him surviving a widow, his said widow shall receive a widow's

pension for the remainder of her life, equal to ½ of the salary which the said employee was receiving at the time of his retirement. In the event that the said employee shall die before retirement and leaving surviving him a widow, his said widow, upon application therefor, shall receive for the remainder of her life a widow's pension in an amount equal to ½ of the salary received by the said employee at the time of his death. Any pension payable under this act to a retired employee or to his widow shall be in lieu of the pension and insurance benefits which would accrue to the said employee and his widow under any retirement system established by the State or any of its political subdivisions.

C. 43:12-1.13. Provisions for payment of pension; contributions paid to employer.

2. The payment of pensions granted pursuant to this act shall be provided for in the budget of the employer granting the pension. If the employer was contributing to a retirement system on behalf of said employee and his widow, the adoption of the provisions of this act and the payment of pension or widow's benefits provided hereunder shall be considered as a discharge of the employer's liability to the retirement system with respect to such employee and his widow so that a credit for the discharge of such liability shall be reflected in the subsequent valuations of the employer's liabilities under the retirement system for all other employees.

Upon the employee's or his widow's acceptance of the pension granted pursuant to this act, and as a condition thereof, the employee or his widow shall pay over to the employer the value of his contribution and interest which was credited to his account in any retirement system established by the State or any of its political subdivisions in order to defray part of the cost of the pension to be paid by the employer.

C. 43:12-1.14. "Public employee" defined.

3. For the purposes of this act, the term "public employee" shall be deemed to mean and include a person who holds or has held an office, position or employment in county or municipal government.

4. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 189

AN ACT concerning municipalities and amending section 40:44–5 of the Revised Statutes.

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

Section amended.

1. Section 40:44–5 of the Revised Statutes is amended to read as follows:

Readjustment of wards.

40:44–5. Whenever the population of any ward in any municipality, shall exceed the population of any 2 other wards of the municipality, the governing body may provide for the readjustment of, or the increase or decrease of the number of wards in the manner hereinbefore provided.

No change in the number of wards or in the lines and boundaries of wards in any municipality shall be made oftener than once in 5 years.

2. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 190

AN ACT relating to State institutional buildings and making appropriations for construction, reconstruction, development, extension and improvement of several State mental, charitable, hospital, relief, training, correctional, reformatory or penal institutions, including equipment and facilities therefor, all for health and welfare purposes.

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

Appropriation State Home for Boys.

1. There is hereby appropriated to the Department of Institutions and Agencies, from the State 1960 Institution Construction Fund, the sum of $6,927,094.00 or so much thereof as may be necessary, for the construction, reconstruction, development, extension and improvement of the several State mental, charitable, hospital, relief, training, correctional, reformatory and penal institutional buildings, including equipment and facilities therefor, at the following institutions in the following respective amounts:

State Home for Boys:	
Replacement of Cottages, Special Treatment Unit, Administration Building	$1,447,160.00
New Reformatory First Phase	5,479,934.00
	$6,927,094.00

Issuing expense.

2. There is also appropriated from the proceeds of the sale of the bonds hereinafter mentioned such sums as may be necessary to meet any expense incurred by the issuing officials under the act hereinafter mentioned for advertising, engraving, printing, clerical, legal or other services necessary to carry out the duties imposed upon them by the provisions of said act.

Source of funds for appropriations.

3. It is the declared purpose of this act that the funds from which said appropriations shall be met shall be those funds which shall be derived from the sale of the State Institution Construction Bonds, the issuance of which is provided for in chapter 156 of the laws of 1960 (as amended by chapter 73 of the laws of 1961), which said act was submitted to the people and approved by the people at the general election held on November 7, 1961.

Treasurer to set up and maintain appropriations; use of funds.

4. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to

set up and maintain the aforementioned appropriations in the State 1960 Institution Construction Fund, established heretofore pursuant to the act hereinabove mentioned. The funds herein appropriated may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of said act.

Federal aid.

5. The State Treasurer, the State Department of Institutions and Agencies and the State Board of Control of Institutions and Agencies are, and each of them is, hereby empowered, subject to the approval of the Governor, to enter into negotiations with the Federal Government for the purpose of securing any available financial grants and to receive any such grants and thereafter the State Treasurer may cause them to be established and maintained in the aforementioned State 1960 Institution Construction Fund. Any such funds so established and maintained may be requisitioned by the Department of Institutions and Agencies for the uses and purposes specifically enumerated herein, subject to the same restrictions and control as are exercised over all other appropriated State funds, but not inconsistent with the provisions of the act hereinabove mentioned.

Corrections made to comply with intent.

6. The State Treasurer is hereby authorized, empowered and directed and it shall be his duty to make such correction of the title or text, or both, of any item in this act contained necessary to make such appropriation available for the purpose or purposes of its intention. Such correction shall be by written ruling reciting any appropriate details, the fact thereof and the reason therefor, attested by the signature of the State Treasurer and filed by him in his office as an official record, and any action thereunder, including disbursements, and the audit thereof, shall be legally binding and of full force and effect.

Transfers.

7. In order that some degree of flexibility in administering the provisions of this act may be had, the State Board of Control of Institutions and Agencies may apply to the Director of the Division of Budget and Accounting in the Department of the Treasury for leave to transfer a part of any item to any other item or to a new item. Upon the approval of such application by said director and by the Legislative Budget and Finance Officer in writing, said director shall make such transfer.

Acquisition of additional lands.

8. The State Board of Control of Institutions and Agencies, subject to the approval of and by and through the Director of the Division of Purchase and Property in the Department of the Treasury, is hereby authorized and empowered to acquire, on behalf of the State, within the limits of available appropriations therefor, any additional lands that may be necessary to carry into effect the aims and purposes of this act either by purchase, gift, grant, devise or by the exercise of the power of eminent domain and, by and through the said Division of Purchase and Property in the Department of the Treasury, is further authorized and empowered to do all things necessary to carry out the provisions of this act and to give full force and effect thereto.

9. This act shall take effect immediately.

Approved December 7, 1962.

CHAPTER 191

AN ACT to supplement "An act concerning passenger railroad and ferry 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," approved June 22, 1960 (P. L. 1960, c. 66), as said title was amended by chapter 1, P. L. 1962, and making an appropriation therefor.

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

C. 48:12A-17. Legislative findings and determination.

1. The Legislature hereby finds and determines that it is necessary to authorize the Division of Railroad Transportation in the Department of Highways to undertake the improvements to capital facilities set forth in this act in order to protect the State's present and planned investment in the master plan for highway construction, to co-ordinate with interstate transportation improvements in connection with the Port of New York Authority program for the Hudson and Manhattan Railroad, to achieve greater efficiency in rail passenger operations by eliminating unnecessary duplications, consolidating facilities and co-ordinating rail passenger operations.

C. 48:12A-18. Contract for improvement of passenger service authorized; limitation on public's share of cost.

2. The commissioner is hereby authorized, subject to the provisions of this act, to contract with such carriers as shall be necessary to undertake improvements to capital facilities to provide connecting passenger service between the Central Railroad Company of New Jersey and service operated by or in connection with the Port Authority Trans-Hudson Corporation (formerly the Hudson and Manhattan Railroad) by rerouting the Central Railroad Company of New Jersey passenger trains

to operate between the Pennsylvania Railroad Station in Newark and terminal stations on the Central Railroad Company right of way by utilizing the Lehigh Valley Railroad tracks and the Pennsylvania Railroad System tracks easterly of Cranford Junction, and to consolidate the passenger service now operated by the Central Railroad Company of New Jersey and the Pennsylvania Railroad over the right of way of the New York and Long Branch Railroad, by eliminating the service operated from Bayhead Junction by the Central Railroad Company and supplementing that operated by the Pennsylvania Railroad and rerouting all passenger trains over the Pennsylvania Railroad right of way to the City of Newark or to the City of New York provided that the public share of the cost of these improvements does not exceed the total of $3,000,000.00.

C. 48:12A-19. Conditions specified in contract.

3. Any contract entered into by the commissioner with a carrier pursuant to the provisions of this act shall specify the obligations of the carrier and the State under such contract and shall require the carrier to take all necessary action to initiate, expedite and complete, within the period stated in the contract, the improvements to capital facilities required by the contract.

Such contract shall provide the public share of the cost of the improvements to capital facilities included in said contract and shall specify the State's obligation to pay to the contracting carrier the amount agreed upon periodically in accordance with the provisions of the contract by any obligation to pay the carrier shall be subject to the condition that the work on such improvements to be performed by the carrier has been done in accordance with the contract.

The commissioner may require, as a condition of the State entering into such a contract, that the contracting carrier also execute a contract to provide approved passenger service under the terms and conditions of the act to which this act is a supplement for such period of time as the commis-

sioner shall determine shall be in the public interest.

C. 48:12A-20. Terms defined.

4. As used in this act, unless the context indicates another or different meaning or intent:

(a) "Carrier" sheall mean any individual, copartnership, association, corporation, joint stock company, receiver or trustee, operating any railroad in the State for public use;

(b) "Commissioner" shall mean the State Highway Commissioner;

(c) "Improvements to capital facilities" shall mean the construction, reconstruction, relocation, establishment, improvement (by way of betterments, additions or otherwise) or rehabilitation in connection with passenger service of passenger stations and terminals, automobile parking facilities for railroad patrons, track connections, signal systems, power systems, roadbeds, equipment storage and service facilities, and shall include the reconstruction or rehabilitation of railroad passenger cars, lomotives, self-propelled passenger carrying rail cars.

Appropriation.

5. There is hereby appropriated from the sums previously appropriated to the Division of Railroad Transportation, State Highway Department, by chapter 79, P. L. 1962, notwithstanding any existing allocation of such sums, so much as shall be required to carry out the provisions of this act but not in excess of $3,000,000.00.

6. This act shall take effect immediately.

Approved December 10, 1962.

CHAPTER 192

AN ACT concerning inspection and regulation of newpaper plants and printeries by the Department of Labor and Industry, and supplementing chapter 6 of Title 34 of the Revised Statutes.

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

C. 34:6-67.2. Inspection of newspaper plants and printeries.

1. Whenever, in the chapter to which this act is a supplement, reference is made to a factory, to a workshop, or to a place where the manufacture of goods of any kind is carried on, it shall be presumed, unless the context of the particular section in which it appears expressly states to the contrary, that said words or phrases, or any of them, refer, among other things, to newspaper plants, in which newspapers are printed or published, and to any place in which persons are employed in the printing and publishing industry. Said newspaper plants and other places in which persons are employed in the printing or publishing industry are expressly included within the terms and provisions, the requirements and prohibitions contained in said chapter 6 of Title 34, wherever reference is made to any factory, workshop, mill or other place where the manufacture of goods is carried on, except where the context of the particular section of said chapter expressly states to the contrary.

2. This act shall take effect immediately.

Approved December 10, 1962.

CHAPTER 193

AN ACT concerning the purchase, sale, encumbering and transfer of motor vehicles, and amending sections 39:10–8, 39:10–9 and 39:10–11 of the Revised Statutes.

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

Section amended.

1. Section 39:10–8 of the Revised Statutes is amended to read as follows:

Certificate of origin of new motor vehicle; penalty.

39:10–8. When a new motor vehicle is delivered in this State by the manufacturer to his agent or a dealer, or a person purchasing directly from the manufacturer, the manufacturer shall execute and deliver to his agent or a dealer, or a person purchasing directly from the manufacturer, a certificate of origin in the form prescribed by the director of motor vehicles, and no person shall bring into this State any new motor vehicle unless he has in his possession the certificate of origin as prescribed by the director. The certificate of origin shall contain the manufacturer's vehicle identification number and the motor number when used of the motor vehicle sold, name of the manufacturer, the manufacturer's shipping weight, a general description of the body, if any, the type and model.

When a new motor vehicle is sold in this State, the manufacturer, his agent or a dealer shall execute and deliver to the purchaser an assignment of the certificate of origin, with the genuine names and business or residence addresses of both stated thereon, and certified to have been executed with full knowledge of the contents and with the consent of both purchaser and seller. If, in connection with such sale, a security interest is taken or retained by the seller to secure all or a part of the purchase price of the motor vehicle, or is taken by a person who by making an advance or incurring an obliga-

tion gives value to enable the purchaser to acquire rights in the motor vehicle, the name and the business or residence address of the secured party or his assignee shall be noted on the manufacturer's certificate of origin. Nothing in this section shall apply to security interests in motor vehicles which constitute inventory held for sale, but such interests shall be subject to chapter 9 of Title 12A of the New Jersey Statutes.

Section amended.

2. Section 39:10–9 of the Revised Statutes is amended to read as follows:

Sale of used motor vehicle.

39:10–9. When a used motor vehicle is sold in this State, the seller shall, except as provided in section 39:10–15 of this Title, execute and deliver to the purchaser, an assignment of the certificate of ownership or an assignment of the bill of sale issued prior to October 1, 1946. If a security interest exists at the time of such sale or if, in connection with such sale, a security interest is taken or retained by the seller to secure all or a part of the purchase price of the motor vehicle, or is taken by a person who by making an advance or incurring an obligation gives value to enable the purchaser to acquire rights in the motor vehicle, the name and the business or residence address of the secured party or his assignee shall be noted on the certificate of ownership. Nothing in this section shall apply to security interests in motor vehicles which constitute inventory held for sale, but such interests shall be subject to chapter 9 of Title 12A of the New Jersey Statutes.

Section amended.

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

Submitting evidence of purchase; recording; fee; chattel mortgage.

39:10–11. A. The purchaser of a motor vehicle in this State shall, within 10 days after its purchase, submit to the director evidence of the purchase. Upon the presentation to the director of the certificate of origin, or certificate of ownership, or bill of sale issued prior to October 1, 1946, with proper assignment and certification of the seller, a record of the transaction shall be made and filed. A certificate of ownership shall be issued by the

director and delivered to the buyer, in case of a sale not subject to a security interest, and the director shall collect a fee of $1.50 for the issuance and filing thereof.

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

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

D. The financing statement required to be filed pursuant to subsection C hereof shall be signed only by the buyer, shall not be required to be acknowledged or proved, and shall show, in addition to such matters as the director may require for the proper identification of the motor vehicle affected, the date of the security agreement, and the names

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

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

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

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

the director shall collect a fee of $0.50 for the issuing and filing thereof.

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

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

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

4. This act shall take effect January 1, 1963.

Approved December 10, 1962.

CHAPTER 194

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

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

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

GENERAL STATE OPERATIONS

Law Revision and Legislative Services.

003-100. LAW REVISION AND LEGISLATIVE SERVICES COMMISSION

Extraordinary:

For additional expenses of the commission and for reimbursement of advances made to the Welfare Investigating Commission $15,000 00

DEPARTMENT OF LABOR AND INDUSTRY

Labor and Industry.

391-400. DISABILITY INSURANCE SERVICE

(Payable Out of Temporary Disability Benefits Administration Fund)

In addition to the funds heretofore appropriated in P. L. 1961, c. 38 to the Disability Insurance Serv-

ice, there are hereby appropriated out of the State Disability Benefits Fund Administration Account such additional sums not to exceed $130,000.00 as may be required to administer the Disability Insurance Program, the allotment of which shall be subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

Tercentenary Commission.

813-100. NEW JERSEY TERCENTENARY COMMISSION

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

In addition hereto, all other receipts are hereby appropriated.

STATE AID

Conservation and Economic Development.

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

DIVISION OF RESOURCE DEVELOPMENT

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

Shore Protection:
For shore protection outlined in R. S. 12:6A–1 and 6A–4 ..... $1,000,000 00

For State aid for shore protection to municipalities and counties participating in the Federal program under The Public Works Acceleration Act (Public Law 87–658) not to exceed 2% of the total cost of shore protection projects in which the Federal Government will participate under said act, said total costs to include direct construction, legal advertising and project inspectors but not including municipal and county legal and engineering fees and costs. The shore protection work to be executed under contract by the municipality or county shall be subject to supervision and inspection by the department including approval of plans, specifications, bidding and contract award and the making of surveys as necessary to co-ordinate with existing State comprehensive planning. An allowance of 2.5% of the total cost of shore protection projects approved for construction shall be available to the department to defray the costs of such State supervision and inspection. In conjunction with approval of contract award by the department, a sum representing 90% of State aid approved shall be paid over to the municipality or county subject to final approval of the completed work and audit and accounting of the project funds. Final payment to the municipality or the county shall be made upon determination of the final amount subject to State aid and completion of the final audit.

CAPITAL CONSTRUCTION

Law and Public Safety.

DEPARTMENT OF LAW AND PUBLIC SAFETY

140-100. DIVISION OF MOTOR VEHICLES

Supplemental requirement for the establishment of a new inspection station in northern Hudson county consisting of a 3-lane inspection station, reinspection lane, station office, lunch-room, locker-room, rest room and storage area	$262,554 00

Treasury.

DEPARTMENT OF THE TREASURY

210-100. ADMINISTRATIVE DIVISION

For purchase of real estate on the north side of West State street, Trenton, New Jersey, known as 134 West State street and 138-140 West State street, in the sums of $60,000.000 and $124,-000.00 respectively, together with cost of acquisition, subject to approval by the State House Commission	$184,000 00

Defense.

DEPARTMENT OF DEFENSE

346-100. DIVISION OF CIVIL DEFENSE

To provide 50% of part of the cost of architectural and engineering services required to construct an emergency operating control center as an alternate seat of	

government and to carry out State-wide civil defense emergency operations, the total cost of which is estimated to be $2,500,000.00 toward which the Federal Government will contribute 50%	$12,000 00
Grand Total, Supplemental Appropriations	$1,473,554 00

2. This act shall take effect immediately.
Approved December 10, 1962.

CHAPTER 195

AN ACT concerning annual leave for vacation purposes of certain employees in the classified service of the State, and supplementing chapter 14 of Title 11 of the Revised Statutes.

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

C. 11:14-1.2. Payment for unused vacation leave.

1. Whenever any employee in the permanent State classified service dies, having to his credit any annual vacation leave properly accumulated in accordance with section 11:14–1 of the Revised Statutes, there shall be calculated and paid to his estate a sum of money equal to the compensation which would have been received by the employee during such period of vacation leave had the employee lived.

2. This act shall take effect immediately.
Approved December 11, 1962.

CHAPTER 196

A SUPPLEMENT to "An act concerning civil service employees in the various counties, municipalities and school districts in the State, and supplementing subtitle 3, Title 11, of the Revised Statutes of New Jersey," approved July 18, 1939 (P. L. 1939, c. 232).

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

C. 11:24A-1.2. Payment for unused vacation leave.

1. Whenever any employee in the permanent classified service of a county, municipality or school district dies, subsequent to the enactment of this act, having to his credit any annual vacation leave properly accumulated in accordance with the act to which this act is a supplement, there shall be calculated and paid to his estate a sum of money equal to the compensation which would have been received by the employee during such period of vacation leave had the employee lived.

2. This act shall take effect immediately.

Approved December 11, 1962.

CHAPTER 197

AN ACT to reorganize the administration of public welfare functions within the Department of Institutions and Agencies; and for that purpose to amend sections 30:1–7, 30:4–1, 30:4–26.2, and 30:6–1 of the Revised Statutes, to amend and supplement "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138), as amended, to amend "An act relating to the reorganization of the executive and administrative offices, departments, instrumentalities of the State Government; concerning the Division of Welfare in the State Department of Institutions and Agencies, and supplementing Title 30 of the Revised Statutes," approved June 1, 1950, (P. L. 1950, c. 166), to repeal sections 30:6–3, 30:6–4, 30:6–5, 30:6–8, 30:6–9, 30:6–10 and 30:6–14 of the Revised Statutes, to repeal "An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6–3, 30:6–5 and 30:6–14 of the Revised Statutes," approved April 25, 1946 (P. L. 1946, c. 168), and to supplement chapter 7 of Title 44 of the Revised Statutes.

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

Section amended.

1. Section 30:1–7 of the Revised Statutes is amended to read as follows:

General jurisdiction and powers of State board; institutions enumerated.

30:1–7. Within the limitations imposed by general legislation applicable to all agencies of the State,

the State board is hereby granted complete and exclusive jurisdiction, supreme and final authority, and the requisite power to accomplish its aims and purposes in and upon the institutions, boards, commissions and other agencies, hereinafter in this section named, and designated as charitable, hospital, relief, training institutions and correctional institutions of this State, to the end that they shall be humanely, scientifically, efficiently and economically operated. Any particular grant of power hereinafter in this Title contained shall be in specification but not in limitation of the general grant of power.

The charitable, hospital, relief and training institutions and noninstitutional agencies of this State, within the meaning of this Title, shall include the following, and, as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

New Jersey State Hospital at Trenton,

New Jersey State Hospital at Greystone Park,

New Jersey State Hospital at Marlboro,

New Jersey State Hospital at Ancora,

New Jersey Neuropsychiatric Institute,

New Jersey Sanatorium for Chest Diseases at Glen Gardner,

New Jersey Training School at Totowa,

State Colony at New Lisbon,

State Colony at Woodbine,

Vineland State School at Vineland,

Woodbridge State School,

New Jersey Memorial Home for Disabled Soldiers at Menlo Park,

New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and Their Wives and Widows at Vineland,

Diagnostic Center at Menlo Park,

Arthur Brisbane Child Center at Allaire,

Board of Public Welfare,

Commission for the Blind.

The correctional institutions of this State, within the meaning of this Title, shall include the following, and as well, any institution established hereafter for any similar purpose, as now established and as the same are to be hereafter maintained and operated pursuant to law:

New Jersey State Prison at Trenton,
New Jersey State Prison Farm at Rahway,
New Jersey State Prison Farm at Leesburg,
New Jersey Reformatory at Bordentown,
New Jersey Reformatory for Women at Clinton,
New Jersey Reformatory at Annandale,
State Home for Boys at Jamesburg,
State Home for Girls at Trenton.

Section amended.

2. 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 noninstitutional agencies.

Except in the case of the Board of Public Welfare as otherwise specifically provided by statute, 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 and the women's reformatory 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.

Section amended.

3. Section 30:4–26.2 of the Revised Statutes is amended to read as follows:

Child to accompany mother, when; maintenance expense; disposition and custody before or on reaching age two; commitment to bureau of childrens services.

30:4–26.2. If any female committed to any of the institutions referred to in section 30:1–7 of this Title, at the time of such commitment, is the mother of a child in her care under 2 years of age, or is pregnant with child, which shall be born after such commitment, such child may accompany its mother to and, subject to the provisions of this section, may remain in such institution. The name and history of such child shall be entered upon the records of the institution.

If the mother is a State indigent patient, such child shall be maintained at the expense of the State, and if such mother is a county indigent patient, such child shall be maintained at the expense of the county chargeable with maintenance of the mother. The rate for maintenance shall be fixed by the State House Commission. The chief executive officer of the institution, as a condition precedent to charging the maintenance of such child, shall notify the Director of the Division of Budget and Accounting in the case of charging the State, and shall notify the director of the board of freeholders in the case of charging a county.

Whenever it would be in the best interest of such child, and in any event prior to the time when such child arrives at the age of 2 years, the chief executive officer of the institution shall take such action as is authorized by the laws of this State to place such child in the care, custody or guardianship of the Bureau of Childrens Services.

Section amended.

4. Section 1 of chapter 166 of the laws of 1950 is amended to read as follows:

C. 30:4B-1. Division of public welfare.

1. The Division of Welfare established in the State Department of Institutions and Agencies by the State Board of Control is continued, but shall thereafter be known as the Division of Public Welfare and shall be governed by the provisions of this act. Said division shall consist of the Director of Public Welfare, the Bureau of Assistance (heretofore known variously as the Division of Old Age Assistance and the Bureau of Assistance), the Bureau of Childrens Services (heretofore known

variously as the State Board of Children's Guardians and the State Board of Child Welfare), the Commission for the Blind (including the executive and staff of such commission), and of such reconstituted, reorganized or additional bureaus and other administrative units as such State Board of Control may, from time to time, establish therein.

Section amended.

5. Section 2 of chapter 166 of the laws of 1950 is amended to read as follows:

C. 30:4B-2. Functions, powers and duties transferred.

2. All functions, powers and duties relating to public assistance and welfare services, which are exercised by or within the State Department of Institutions and Agencies by any officer or agency thereof, shall be administered through the said Division of Public Welfare, together with such other related functions and duties as the State Board of Control may, from time to time, find appropriate to be administered through the said division.

Section amended.

6. Section 3 of chapter 166 of the laws of 1950 is amended to read as follows:

C. 30:4B-3. Board of public welfare created; members; qualifications; terms; appointments; organization.

3. There is hereby created and established within the Department of Institutions and Agencies a board to be known as the Board of Public Welfare. Said board shall consist of 15 members, at least 3 of whom shall be women. Twelve of such members shall be appointed by the State Board of Control with the approval of the Governor, from among citizens of the State with demonstrated interest in community service programs, at least 3 of whom shall be executives of privately sponsored agencies providing family and children's services. They shall be appointed without regard to political belief or affiliation. They shall receive no compensation for services, but shall be reimbursed for actual expenditures incurred in the performance of their duties. All such 12 members shall hold office for a term of 3 years commencing on July 1 and ending on June 30 of the third year thereafter; except that of the members first to be appointed hereunder, 4 shall be assigned to terms expiring on June 30 of the year next succeeding appointment, and 4 to

terms expiring on June 30 of the second year succeeding appointment, but their successors shall be appointed for 3-year terms, and any vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only. In addition to such 12 members, 3 additional members shall be persons annually designated for such purpose by the State Board of Control from among persons concurrently serving as members of the Commission for the Blind. The Commissioner of Institutions and Agencies shall, with the advice and consent of the Board of Public Welfare, appoint the chief executive officer of the Division of Public Welfare who shall be known as the director of such division and who shall be in charge of the work of the division under the immediate direction and supervision of the Commissioner of Institutions and Agencies. In the event of disagreement with respect to such appointment between the commissioner and the Board of Public Welfare, the State Board of Control shall make the appointment. The Board of Public Welfare, acting on behalf of the State Board of Control and subject to the authority and direction thereof, shall organize to meet at such times as it may determine or as may be prescribed by the State Board of Control. It shall establish within itself committees directly concerned with the Bureau of Assistance and the Bureau of Childrens Services respectively, and may establish such other committees as it may determine. It shall become and continue to be thoroughly acquainted with the operations of the Division of Public Welfare and regularly review all programs and practices within the division and within the respective bureaus and other units thereof. It shall establish policies and procedures within general directives of the State Board of Control. It shall assist the director of the division and the bureau chiefs in formulating the annual budget requests. It shall promote and maintain constructive relationships with the county welfare boards, local assistance boards, and other official bodies and organized agencies concerned

with public welfare. It may, subject to the approval of the State Board of Control, establish any subsidiary unsalaried advisory or consultant committees or study groups as it may deem necessary and proper and appoint the members thereof.

Section amended.

7. Section 4 of chapter 166 of the laws of 1950 is amended to read as follows:

C. 30:4B-4. Appointment of executive officers; terms of members not affected.

4. The Commissioner of Institutions and Agencies shall, with the advice and consent of the Board of Public Welfare and of the director of the division, appoint the chief executive officers of the Bureau of Assistance and the Bureau of Childrens Services, which positions shall be in the competitive class of the classified civil service. The Commission for the Blind shall, from among persons nominated by the commissioner, and with the advice and consent of the Board of Public Welfare and of the director of the division, appoint the chief executive officer of the commission, which position shall be in the unclassified service. In the event of any disagreement with respect to any of such appointments as between 2 or more of the parties whose participation in such appointment is so required, the State Board of Control shall make the appointment. This act shall not affect the terms of office of members of the State Commission for the Blind, and such agency shall continue to be constituted and to exercise such functions as otherwise provided by law, operating as a constituent agency within the Division of Public Welfare pursuant to the provisions of this act.

Section amended.

8. Section 2 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-2. Terms defined.

2. For the purposes of this act the following words and terms shall, unless otherwise indicated, be deemed and taken to have the meanings herein given to them:

(a) The title "Bureau of Childrens Services" means the State agency for the care, custody, guardianship, maintenance and protection of children, as more specifically described by the provisions of this act, and succeeding the agency here-

tofore variously designated by the laws of this State as the State Board of Child Welfare or the State Board of Children's Guardians.

(b) The word "child" includes stepchild and illegitimate child, and further means any person under the age of 21 years.

(c) The term "care" means cognizance of a child for the purpose of providing necessary welfare services, or maintenance, or both.

(d) The term "custody" means continuing responsibility for the person of a child, as established by a surrender and release of custody or consent to adoption, for the purpose of providing necessary welfare services, or maintenance, or both.

(e) The term "guardianship" means control over the person and property of a child as established by the order of a court of competent jurisdiction, and as more specifically defined by the provisions of this act. Guardianship by the Bureau of Childrens Services shall be treated as guardianship by the Commissioner of Institutions and Agencies, exercised on his behalf wholly by and in the name of the Bureau of Childrens Services, acting through the chief executive officer of the bureau or his authorized representative. Such exercise of guardianship by the bureau shall be at all times and in all respects subject to the supervision of the commissioner.

(f) The term "maintenance" means moneys expended by the Bureau of Childrens Services to procure board, lodging, clothing, medical, dental, and hospital care, or any other similar or specialized commodity or service furnished to, on behalf of, or for a child pursuant to the provisions of this act.

(g) The term "welfare services" means consultation, counselling, and referral to or utilization of available resources, for the purpose of determining and correcting or adjusting matters and circumstances which are endangering the welfare of a child, and for the purpose of promoting his proper development and adjustment in the family and the community.

(h) The term "foster parent" means any person other than a natural or adoptive parent with whom a child in the care, custody or guardianship of the Bureau of Childrens Services is placed by said bureau, or with its approval, for temporary or long-term care, but shall not include any persons with whom a child is placed for the purpose of adoption.

(i) The term "foster home" means and includes both private residences and institutions wherein any child in the care, custody or guardianship of the Bureau of Childrens Services may be placed by the said bureau or with its approval for temporary or long-term care, and shall include any private residence maintained by persons with whom any such child is placed for adoption.

(j) The singular includes the plural form.

(k) The masculine noun and pronoun include the feminine.

(l) The word "may" shall be construed to be permissive.

Section amended.

9. Section 3 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-3. Duties, bureau of childrens services.

3. The Bureau of Childrens Services, in administering the provisions of this act, shall:

(a) provide care and custody for children eligible therefor in such manner that the children may, so far as practicable, continue to live in their own homes and family life be thereby preserved and strengthened;

(b) provide necessary welfare services as may be required by such children, so far as practicable, without assumption of custody;

(c) encourage the development of private and voluntary agencies qualified to provide welfare services for children to the end that through cooperative effort the need for such services may be limited or reduced.

Section amended.

10. Section 4 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-4. Powers, bureau of childrens services.

4. The Bureau of Childrens Services shall have the requisite powers to:

(a) exercise general supervision over children for whom care, custody or guardianship is provided in accordance with article 2 of this act;

(b) administer for the Department of Institutions and Agencies the powers and duties provided in chapter 3 of Title 9 of the Revised Statutes (Adoption), as amended and supplemented, as the same may be delegated and assigned by the said department;

(c) administer for the Commissioner of Institutions and Agencies the powers and duties as provided in chapter 7 of Title 9 of the Revised Statutes (dependent children; bringing into State), as amended and supplemented, as the same may be delegated and assigned by the said commissioner;

(d) administer for the State Board of Control the powers and duties provided in sections 30:1–14 through 30:1–17 of chapter 1 of Title 30 of the Revised Statutes (visitation and inspection), as amended and supplemented, so far as the same may be delegated and assigned by the said State Board of Control with respect to institutions, organizations and noninstitutional agencies for the care, custody and welfare of children;

(e) provide care and exercise supervision over children paroled or released from State correctional institutions for juveniles in accordance with rules and regulations established by the State Board of Control;

(f) make investigations or provide supervision of any child in this State at the request and on behalf of a public or private agency or institution of any other State;

(g) meet and confer, as the unmet needs of New Jersey's children may require, with representatives of the public welfare boards and the private agencies and institutions for the care of children in this State in order that the programs of such boards, agencies and institutions may be developed and fully utilized and that there may be a co-ordination of all public and private facilities for the protection and care of children;

(h) issue such reasonable rules and regulations as may be necessary for the purpose of carrying into effect the meaning of this act, which rules and regulations shall be binding so far as they are consistent with such purpose.

(i) promulgate and file with the Secretary of State, subject to the approval of the Board of Public Welfare, rules and regulations as may be necessary as a basis for the provision for payment for services rendered by privately sponsored agencies or institutions to children under the care, custody or guardianship of the Bureau of Childrens Services. Such rules and regulations shall include, but shall not be limited to, standards of professional training, experience and practices, and requirements relating to the moral responsibility of the trustees, officers or other persons supervising or conducting the program, the adequacy of the facilities, the maintenance of adequate casework records, and the furnishing of comprehensive reports.

Section amended.

11. Section 5 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-5. Consent of parents or guardian required.

5. Except as provided in section 12 and sections 15 through 22 of this act, nothing in this act shall authorize the Bureau of Childrens Services to accept the care or custody of any child, nor to provide welfare services for any child, except with the voluntary approval and consent of the parent, parents, legal custodian, guardian or other person with whom the child may be living.

Section amended.

12. Section 6 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-6. Recipient not deemed a pauper; construing.

6. No person to whom or for whom payments for maintenance are made under this act shall be deemed to be or classified as a pauper by reason thereof.

The provisions of this act shall not be construed to deny treatment by spiritual means or prayer, of any child, in accordance with the religious faith of the parents or parents of such child. The provisions of this act shall not be construed to author-

ize or empower the Bureau of Childrens Services to compel a child to undergo medical or surgical treatment, if the child, or parent or guardian of said child, objects thereto in a signed statement upon the ground that the proposed action interferes with the free exercise of his religious principles.

Section amended.

13. Section 7 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-7. Certificates of vital records issued free.

7. All birth, death and marriage certificates which may be required under the provisions of this act, or under any rule or regulation issued by the Bureau of Childrens Services, shall be issued free of charge upon the order of such bureau.

Section amended.

14. Section 11 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-11. Application for welfare; verification and investigation.

11. Whenever it shall appear that any child within this State is of such circumstances that his welfare will be endangered unless proper care or custody is provided, an application setting forth the facts in the case may be filed with the Bureau of Childrens Services by a parent or other relative of such child, by a person standing in loco parentis to such child, by a person or association or agency or public official having a special interest in such child or by the child himself, seeking that the Bureau of Childrens Services accept and provide such care or custody of such child as the circumstances may require. Such application shall be in writing, and shall contain a statement of the relationship to or special interest in such child which justifies the filing of such application. The provisions of this section shall be deemed to include an application on behalf of an unborn child when the prospective mother is within this State at the time of application for such services.

Upon receipt of an application as provided in this section, the Buerau of Childrens Services shall verify the statements set forth in such application and shall investigate all the matters pertaining to the circumstances of the child. If upon such verification and investigation it shall appear (a)

that the welfare of such child will be endangered unless proper care or custody is provided; (b) that the needs of such child cannot properly be provided for by financial assistance as made available by the laws of this State; (c) that there is no person legally responsible for the support of such child whose identity and whereabouts are known and who is willing and able to provide for the care and support required by such child; and (d) that such child, if suffering from a mental or physical disability requiring institutional care, is not immediately admissable to any public institution providing such care; then the Bureau of Childrens Services may accept and provide such care or custody as the circumstances of such child may require.

Section amended.

15. Section 12 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-12. Filing complaint; investigation; application to court for an order; hearing.

12. Whenever it shall appear that the parent or parents, guardian, or person having custody and control of any child within this State is grossly immoral or unfit to be entrusted with the care and education of such child, or shall fail to provide such child with proper protection, maintenance and education, or is of such vicious, careless or dissolute habits as to endanger the welfare of such child, a written or oral complaint may be filed with the Bureau of Childrens Services by any person or by any public or private agency or institution interested in such child. When such a complaint is filed by a public or private agency or institution, it shall be accompanied by a summary setting forth the reason for such complaint and other social history of the child and his situation which justifies such complaint; or, if this is not feasible, such summary shall be made available to the Bureau of Childrens Services as soon thereafter as possible.

Upon receipt of a complaint as provided in this section, the Bureau of Childrens Services shall investigate, or shall cause to be investigated, the statements set forth in such complaint. If the circumstances so warrant, the parent, parents, guard-

ian, or person having custody and control of the child shall be afforded an opportunity to file an application for care, as provided in section 11 of this act. If the parent, parents, guardian, or person having custody and control of the child shall refuse to permit or shall in any way impede investigation, and the bureau determines that further investigation is necessary in the best interests of the child, the bureau may thereupon apply to the Juvenile and Domestic Relations Court of the county where the child resides, for an order directing the parent, parents, guardian, or person having custody and control of the child to permit immediate investigation. The court, upon such application, may proceed to hear the matter in a summary manner and if satisfied that the best interests of the child so require may issue an order as requested.

If, after such investigation has been completed, it appears that the child requires care and supervision by the Bureau of Childrens Services but the parent, parents, guardian, or person having custody and control of the child continue to refuse to apply for care in the manner provided in section 11, the bureau may apply to the Juvenile and Domestic Relations Court of the county where the child resides for an order making the child a ward of the court and placing such child under the care and supervision of the Bureau of Childrens Services.

The court, at a summary hearing held upon notice to the Bureau of Childrens Services, and to the parent, parents, guardian, or person having custody and control of the child, if satisfied that the best interests of the child so require, may issue an order as requested, which order shall have the same force and effect as the acceptance of a child for care by the bureau as provided in section 11 of this act; provided, however, that such order shall not be effective beyond a period of 6 months from the date of entry unless the court, upon application by the Bureau of Childrens Serv-

ices, at a summary hearing held upon notice to the parent, parents, guardian, or person having custody of the child, extends the time of the order.

Section amended.

16. Section 13 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-13. Matter referred to person or agency before providing care or custody; bureau to furnish services.

13. If in the course of verifying and investigating any applications or complaints, as provided for in sections 11 and 12 hereof, it shall appear that there is a person legally responsible for the support of the child who is willing and able to provide the care and support required by such child; or it shall appear that the needs of the child can properly be provided for by financial assistance as made available by the laws of this State; then, the Bureau of Childrens Services, before accepting and providing care or custody, shall first make proper referral of the matter to such legally responsible person, or to the agency charged with the administration of such financial assistance. If it shall appear that the welfare of the child is endangered, and that such condition can be eliminated or ameliorated by making available to or for such child any one or more of whatever specific services the Bureau of Childrens Services may be authorized, within the limits of legislative appropriations, to provide for all children in similar circumstances, then the child shall be found eligible for care or custody, and the bureau shall proceed to furnish such services either by direct provision or, if the bureau so determines in the specific case, by purchasing such services from any appropriate privately sponsored agency or institution which complies with whatever rules and regulations, established pursuant to this act, may govern such arrangements for purchase of service.

Section amended.

17. Section 14 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-14. Notice of action taken.

14. The Bureau of Childrens Services shall give due notice in writing to the applicant or complainant of the action taken on any application as provided in sections 11 and 12 hereof.

18. Section 15 of chapter 138 of the laws of 1951 is amended to read as follows:

Section amended.

15. Whenever (a) it appears that a court wherein a complaint has been proffered as provided in chapter 6 of Title 9 of the Revised Statutes, has entered a conviction against the parent or parents, guardian, or person having custody and control of any child because of abuse, abandonment, neglect of or cruelty to such child; or (b) it appears that any child has been adjudged delinquent by a court of proper jurisdiction in this State; or (c) it appears that the best interests of any child under the care or custody of the Bureau of Childrens Services require that he be placed under guardianship; or (d) it appears that a parent or guardian of a child, following the acceptance of such child by the Bureau of Childrens Services pursuant to sections 11 or 12 of this act, or following the placement or commitment of such child in the care of an authorized agency, whether in an institution or in a foster home, and notwithstanding the diligent efforts of such agency to encourage and strengthen the parental relationship, has failed substantially and continuously or repeatedly for a period of more than 1 year to maintain contact with and plan for the future of the child, although physically and financially able to do so; a petition, setting forth the facts in the case, may be filed with the juvenile and domestic relations court of the county where such child may be at the time of the filing of such petition. A petition as provided in this section may be filed by any person or any association or agency, interested in such child, or by the Bureau of Childrens Services in the circumstances set forth in items (c) and (d) hereof.

C. 30:4C-15. Guardianship petition.

19. Section 17 of chapter 138 of the laws of 1951 is amended to read as follows:

Section amended.

17. When a petition is filed under section 15 hereof by a person, association or agency other than the Bureau of Childrens Services, the court, in addition to causing service to be made upon the parent, parents, guardian or person having

C. 30:4C-17. Notice of hearing; interlocutory order.

custody and control of such child in accordance with rules of court, shall also cause a copy of the petition and notice of the time and place of hearing to be served on or mailed to the Bureau of Childrens Services at least 20 days before the time of such hearing.

Whenever a petition is filed under section 15 hereof, and there shall be filed with such petition a statement or statements made under oath and attesting that the best interests of the child require that he be placed under the guardianship of the Bureau of Childrens Services immediately and pending final hearing, the court, at a special summary hearing held upon notice to the Bureau of Childrens Services, may make an interlocutory order committing such child to the Bureau of Childrens Services until a final hearing on the petition. Such interlocutory order shall have the same force and effect as an order of commitment provided for in section 20 hereof.

Section amended.

20. Section 18 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-18. Verification of petition; report.

18. Immediately upon receipt of the copy of a petition served on or mailed to the Bureau of Childrens Services as provided by section 17 hereof, such bureau shall verify such petition and investigate all the facts pertaining to the eligibility of the child for commitment, and prior to the day set for hearing shall file with the court a report of its findings. Such report shall show such facts as will assist the court in making a decision in the matter.

Section amended.

21. Section 20 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-20. Interlocutory order of commitment to guardianship of bureau.

20. If upon the completion of such hearing the court is satisfied that the best interests of such child require that he be placed under proper guardianship, such court shall make an order terminating parental rights and committing such child to the guardianship and control of the Bureau of Childrens Services, and such child shall thereupon become the legal ward of such bureau, and such bureau shall be the legal guardian of such child

for all purposes, including the placement of such child for adoption.

If the court shall have made an interlocutory order as provided in section 17 hereof, but at the final hearing a further order of commitment shall not be made as provided in this section, the Bureau of Childrens Services shall return the child forthwith to the parent or parents, guardian or person having had custody of the child immediately prior to the filing of the petition; provided, however, that if such parent or parents, guardian or person having had custody cannot be found or, for other reason satisfactory to the court, is unable to accept the child, the Bureau of Childrens Services, upon order of the court, may place the child with such other person or persons who, at the time of final hearing, expressed willingness to accept the child, but such order shall in no wise be construed as a grant of custody or guardianship. In all such cases the interlocutory order shall continue in full force and effect until the Bureau of Childrens Services shall have made disposition of the child as provided herein, but in no case for a period longer than 30 days after the final hearing.

Section amended.

22. Section 21 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-21. Committing order not to be restrictive.

21. The order of the court committing a child to the guardianship of the Bureau of Childrens Services, shall in no wise be restrictive of the duties, powers and authority of such bureau in the care, custody, placement, welfare and exclusive guardianship of the child as provided in this act, and such bureau shall be removed as such guardian only by a court of competent jurisdiction upon charges preferred and upon good cause shown after an opportunity to be heard.

Section amended.

23. Section 22 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-22. Guardianship of bureau to be complete; jurisdiction of county court.

22. The guardianship of the Bureau of Childrens Services shall be full and complete for all purposes and shall vest in such bureau the custody and control of both the person and property of its

wards, whether committed prior or subsequent to the effective date of this act, without the necessity of giving bond, and notwithstanding any previous appointment of a guardian for such wards.

Such guardianship of the Bureau of Childrens Services shall enable such bureau, acting through the chief executive officer of the bureau or his authorized representative, to prosecute suits, claims and any and all manner of proceedings or actions in law or equity for and on behalf of its wards; to demand and receive from all persons, including guardians previously appointed, any and all property of its wards; and to hold and administer the real and personal property of its wards, or any interest they may have therein; provided, however, that it shall be proper for the said bureau, in its discretion, to hold funds of its wards on deposit in one or more banks, building and loan associations, or trust companies in this State, and to apply funds, other than earnings, of any ward against expenditures for the maintenance of such ward.

The County Court of the county where the commitment was made shall have jurisdiction to hear and determine any and all proceedings affecting the guardianship of the Bureau of Childrens Services. The County Court of each county shall have jurisdiction to hear and determine petitions by such bureau, on behalf of its wards, for the transfer of any or all assets being held by guardians previously appointed. The County Court shall have jurisdiction, in its discretion, to waive costs in any proceedings by the Bureau of Childrens Services on behalf of its wards.

Section amended.

24. Section 23 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-23. Additional methods of establishing guardianship.

23. In addition to the methods otherwise provided in this article for establishing guardianship by the Bureau of Childrens Services, and when necessary to carry out the provisions of this act, the Bureau of Childrens Services, after due investigation and consideration, may, in cases where

it would be to the permanent advantage of the child, take voluntary surrenders and releases of custody and consents to adoption from the parent, parents, guardians or other persons or agencies having the right or authority to give such surrenders, releases or consents. Such surrenders, releases or consents, when properly acknowledged before a person authorized to take acknowledgments of proofs in the State of New Jersey, shall be valid and binding irrespective of the age of the person giving the same, and shall be irrevocable except at the discretion of the Bureau of Childrens Services or upon order of a court of competent jurisdiction.

Section amended.

25. Section 24 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-24. Care of noneligible children.

24. Whenever the director of welfare of any county or municipality in this State shall be called upon to serve any child whose needs cannot properly be provided for by financial assistance as made available by the laws of this State, such director shall, within 24 hours thereafter, give written notice thereof to the Bureau of Childrens Services, and shall file an application for care or custody, as provided in section 11 of this act, or shall file a complaint as provided in section 12 of this act, or shall file a petition as provided in section 15 of this act, as the situation of the child may require. Such notice shall contain all available information concerning the child and his circumstances, which will enable the Bureau of Childrens Services to take proper action. If the immediate needs of the child so require, the director shall provide for his care in a suitable place, approved with reasonable promptness for that purpose by the bureau, paying therefor as a charge against county or municipal funds until such time as the child has been found eligible for care, custody or guardianship in accordance with the provisions of this act.

Section amended.

26. Section 25 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-25. Agents to visit children.

25. The Bureau of Childrens Services, by its agent or agents, shall regularly visit all children under its care, custody or guardianship under the provisions of this act in order to assure the maximum benefit from such services.

Section amended.

27. Section 26 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-26. Placing child in foster home or institution; prohibits discriminatory ordinances.

26. Whenever the circumstances of a child are such that his needs cannot be adequately met in his own home, the Bureau of Childrens Services may effect his placement in a foster home, with or without payment of board, or in an appropriate institution if such care is deemed essential for him. The Bureau of Childrens Services shall make every reasonable effort to select a foster home or an institution of the same religious faith as the parent or parents of such child.

Whenever the Bureau of Childrens Services shall place any child, as provided by this section, in any municipality and county of this State, the child shall be deemed a resident of such municipality and county for all purposes, and he shall be entitled to the use and benefit of all health, educational, recreational, vocational and other facilities of such municipality and county in the same manner and extent as any other child living in such municipality and county.

No municipality shall enact a planning or zoning ordinance governing the use of land by, or for, single family dwellings which shall, by any of its terms or provisions or by any rule or regulation adopted in accordance therewith, discriminate between children who are members of such single families by reason of their relationship by blood, marriage or adoption, and foster children placed with such families in such dwellings by the Bureau of Childrens Services.

Any planning or zoning ordinance, heretofore or hereafter enacted by a municipality, which violates the provisions of this section, shall be invalid and inoperative.

Section amended.

28. Section 27 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-27. Maintenance of child; medical examination and expense; consent to treatemnt; construing.

27. Pursuant to the providing of care, custody or guardianship for any child, in accordance with the provisions of this act, the Bureau of Childrens Services may expend such sums as may be necessary for the reasonable and proper cost of maintenance, including board, lodging, clothing, medical, dental, and hospital care, or any other similar or specialized commodity or service as the needs of any such child may require, except that the bureau shall not maintain a clothing warehouse for the distribution of clothing to children under its jurisdiction. In lieu thereof, the bureau may pay foster parents caring for children under their supervision a sufficient amount to enable them to purchase necessary clothing items required by the children from the local merchants of the locality in which they reside. Such maintenance costs shall be chargeable against State and county funds as made available in accordance with article 4 of this act, except that the total cost of hospital care for children as provided for herein shall be borne by the State and contributions required to be paid by the counties toward the cost of maintenance of the children involved shall include no part of the cost of such hospital care. However, no costs shall be chargeable if incurred earlier than the date of the child's acceptance in care as provided in section 12 hereof, or earlier than the date of an order of commitment to guardianship as provided in section 20 hereof.

Whenever a medical or psychological examination shall be required for any child as a condition to providing care or custody, or whenever the Bureau of Childrens Services avails itself of the facilities and services of any privately sponsored agency or institution, the cost of the examination or service shall be a proper charge against State and county funds, within the limits of available appropriations, in the same manner and extent as expenditures and maintenance.

In providing care, custody or guardianship for any child or in the course of determining the eligibility of any child for care, custody or guardianship in accordance with the provisions of this act, the Bureau of Childrens Services may avail itself of the facilities and services of any privately sponsored agency or institution, with due regard to the religious background of the child, which complies with those rules and regulations as established pursuant to this act, paying such fees for service as may be mutually agreed upon by the bureau and the privately sponsored agency or institution providing service.

Whenever a child under care, custody or guardianship is in need of operation, anaesthesia, diagnostic tests or treatment, the Bureau of Childrens Services may give its consent thereto. A consent to operation, anaesthesia, diagnostic tests or treatment when given by the Bureau of Childrens Services on behalf of any child receiving care, custody or guardianship shall be deemed legal and valid for all purposes with respect to any person or hospital affording service to such child pursuant to and in reliance upon such consent.

Nothing contained herein shall modify the provisions of section 6 of the act of which this act is amendatory.

Section amended.

29. Section 28 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-28. Discharge from care, custody, etc.

28. The Bureau of Childrens Services may at any time discharge from its care, custody or guardianship any child, if in the opinion of such bureau the best interests of the child will be promoted thereby.

Section amended.

30. Section 29 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-29. Payment for maintenance.

29. Subject to the provisions of section 30 hereof, payments for maintenance shall be made by the Bureau of Childrens Services.

The Bureau of Childrens Services is hereby empowered to receive from the State Treasurer and from the county treasurer of each county such sums as shall be appropriated for the purposes of this

act, and shall cause such sums to be set up in a special account or accounts subject to disbursement by the Bureau of Childrens Services.

31. Section 30 of chapter 138 of the laws of 1951 is amended to read as follows: Section amended.

30. Except as provided in section 27 hereof relating to hospital care, the cost of maintenance provided under this act for or on behalf of any child shall be shared equally by the State and by that county where such child may be or may have been at the time of the filing of an application seeking care or custody or at the time of the filing of a petition seeking guardianship. C. 30:4C-30. Sharing of cost by State and county.

The Governor shall fix and determine and state in his annual budget message a sum sufficient to pay the estimated amount required to carry into effect the provisions of this act, together with the deficiencies, if any, incurred in the previous year. The Legislature shall include the amount so determined and stated in the annual appropriation bill.

Payments from State funds appropriated for the provision of maintenance as authorized by this act shall be made monthly in advance by the State Treasurer, on the warrant of the Director of the Division of Budget and Accounting to the Bureau of Childrens Services, upon statements furnished by the Bureau of Childrens Services, approved by the Department of Institutions and Agencies.

The Bureau of Childrens Services shall annually fix and determine and report to the board of chosen freeholders of each county a sum sufficient to pay the estimated amount of the county's proportionate share of maintenance. Each board of chosen freeholders shall appropriate and make available such amount to the order of the Bureau of Childrens Services. Should the amount so appropriated, however, be expended or exhausted during the year and for the purpose for which it was appropriated, additional sums shall be appropriated by such board of chosen freeholders as occasion demands to carry out the provisions of this act, from funds in the county treasury available therefor. Where

such county funds are not available or adequate, or should there be no such county funds, such additional sums shall be raised by temporary loans or notes, certificates of indebtedness or temporary loan bonds, to be issued as otherwise provided and limited by law for counties of this State, and the amounts necessary to pay such obligations shall be placed in the budget for the next ensuing fiscal year.

Payments from county funds appropriated for the provision of maintenance as authorized by this act shall be made monthly in advance by the treasurer of the county to the Bureau of Childrens Services on the basis of commitments for such county upon bills furnished by the Bureau of Childrens Services.

Section amended.

32. Section 31 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-31. Federal assistance; compliance with Federal requirements.

31. The State Board of Control or its duly authorized representative is hereby empowered to negotiate with the Federal Government to secure such financial assistance for the carrying out of this act as may be provided in the Federal Social Security Act, and the State Treasurer is hereby empowered to receive such moneys and shall cause them to be placed in the account or accounts of the Bureau of Childrens Services, acting as the agent of the State Board of Control, for the purpose of carrying into effect the provisions of this act.

The State Board of Control is further empowered to organize the work of the Department of Institutions and Agencies in behalf of children to comply, in any manner consistent with law, with the reasonable requirements of the Federal Department of Health, Education and Welfare pursuant to Federal law, and to cooperate in extending and strengthening public welfare services for the protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent.

Section amended.

33. Section 32 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-32. Burial of child who was receiving care, etc.

32. Whenever a child receiving care, custody, or guardianship as provided by this act has died, and an investigation by the Bureau of Childrens Services discloses that there are insufficient funds from any other source to provide proper burial, such bureau may authorize the expenditure of an amount reasonably necessary to provide proper burial for such child, and such amount shall be a proper charge against State and county funds, within the limits of available appropriations, in the same manner and extent as expenditures for maintenance.

Section amended.

34. Section 33 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-33. Compromise and settlement of claims.

33. The Bureau of Childrens Services may compromise and settle any claim due or which may become due such bureau for reimbursement of moneys paid to any individual or organization for maintenance of a child. A memorandum of the compromise and settlement shall be entered in the official records of the bureau.

Section amended.

35. Section 34 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-34. Recovery and disposition of recovered moneys.

34. Whenever the Bureau of Childrens Services shall recover or receive reimbursement of any moneys paid to any individual or organization for the maintenance of a child, the moneys so recovered or received shall be credited to the State treasury or to the Federal Government in the same proportion as they were charged in the original instance. The Bureau of Childrens Services is hereby authorized to take all necessary and proper action under the laws of this State for the recovery of any such moneys wrongfully received or retained by any individual or organization, or for the recovery from the person or persons responsible under the laws of this State for the support of such child the value of maintenance furnished to such child.

Section amended.

36. Section 35 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-35. Contributions.

35. The Bureau of Childrens Services is authorized to retain any voluntary contributions of

money heretofore received by it, and to receive future contributions. All such contributions, whether already received or hereafter received, shall be kept in a separate fund, and shall be used only upon order of the bureau for the purposes for which the contributions were made, and such funds shall be in the custody and control of the Bureau of Childrens Services; provided, however, that any such contribution made to the bureau, the original purpose of which is no longer practicable or possible of achievement, may be used by the bureau, at its discretion, for the general benefit and welfare of children under its supervision.

Section amended.

37. Section 36 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-36. Petty cash fund.

36. On application in writing by the Bureau of Childrens Services the State Treasurer on warrant of the Director of the Division of Budget and Accounting may pay to the bureau from its annual appropriation such amount not exceeding $5,000.00 as may be necessary to establish a petty cash fund for the payment of traveling expenses and such other current expenses as require a prompt cash outlay.

The Bureau of Childrens Services shall file an account with vouchers attached showing all expenditures from its petty cash fund and on receipt of the amount thereof from the State Treasurer shall reimburse the fund. Any questions with reference to the allowance, expenditure, accounting and reimbursement of petty cash moneys shall be finally determined by ruling of the Director of the Division of Budget and Accounting.

Section amended.

38. Section 37 of chapter 138 of the laws of 1951 is amended to read as follows:

C. 30:4C-37. Procedure when checks, drafts, etc., not cashed within 1 year.

37. Whenever the Bureau of Childrens Services shall have issued, or shall hereafter issue, any checks, drafts or warrants to be paid from moneys received from the Federal Government, the State, or any county of this State for the cost of maintenance, and such checks, drafts or warrants shall not be cashed for a period of 1 year from the date of issue, the following procedure shall be taken:

(a) The Bureau of Childrens Services shall give due notice to the bank on which such checks, drafts or warrants were issued that no payment shall be made thereon.

(b) The Bureau of Childrens Services shall then from time to time deposit in a special fund moneys in an amount equal to that represented by such checks, drafts or warrants, which moneys shall be held for the payments of such checks, drafts or warrants. Such special fund shall be in the custody and control of the Bureau of Childrens Services.

(c) The moneys so deposited shall be maintained in such special fund for a period of 6 years from the date of deposit, and, if still unclaimed after that time by anyone having a legal right thereto, shall be credited to the Federal Government, the State, or any county of this State in the same proportion as such moneys were received by the Bureau of Childrens Services in the original instance.

Whenever the Bureau of Childrens Services shall have credited any moneys to the Federal Government, the State or any county of this State pursuant to the provisions of this section, it shall thereupon be free of all obligations as to those checks, drafts or warrants for which such moneys have been held for payment.

C. 30:4C-2.1. Deemed a continuation.

39. Except as otherwise provided by this act, the Bureau of Childrens Services shall in all respects and for all purposes be deemed a continuation of the agency heretofore known as the State Board of Children's Guardians or the State Board of Child Welfare.

Section amended.

40. Section 30:6–1 of the Revised Statutes is amended to read as follows:

Commission for the blind; register; physicians' report; municipal, county and institutional report.

30:6–1. The commission for the amelioration of the condition of the blind, hereinafter in this article referred to as the "commission," shall hereafter be known as the Commission for the Blind. It shall provide all means which it deems feasible for ameliorating the condition of the blind and shall prepare and maintain a register of all the blind within the State. Every physician shall report to

the commission every case of defective vision which in his judgment may result in permanent blindness. Every municipal and county, health and welfare agency, and every institution and noninstitutional agency within the State Department of Institutions and Agencies shall promptly report to the commission every individual coming to its attention who is known to be or is believed likely to become permanently blind.

C. 44:7-43. Persons entitled to relief.

41. Subject to the provisions of this act and the provisions of chapter 7 of Title 44 of the Revised Statutes as hereinafter specified, any needy person residing in New Jersey who has attained the age of 18 years and who is blind, shall be entitled to receive assistance from the county welfare board of the county in which he resides.

C. 44:7-44. Assistance for the blind.

42. The assistance to be extended under this act shall be known as "assistance for the blind," but shall in all other respects be governed by the conditions of eligibility and all other requirements, conditions, limitations and procedures established by and pursuant to chapter 7 of Title 44 of the Revised Statutes, excepting section 44:7–3, subsection a. of section 44:7–5, sections 44:7–14 to 44:7–16 inclusive, and section 44:7–25 of the Revised Statutes.

C. 44:7-45. Rules and regulations to assure maximum Federal assistance.

43. Under general policies established by the State Board of Control, the Commissioner of Institutions and Agencies is authorized, directed and empowered to issue, or to cause to be issued by the appropriate departmental officers or agencies, all necessary rules and regulations and administrative orders, and to do or cause to be done all other acts and things necessary to secure for the State of New Jersey the maximum Federal financial participation that is available with respect to a program of assistance for the blind and otherwise to accomplish the purposes of this act, including specifically the following:

(a) To assure that the program shall be in effect in all counties of the State and be mandatory upon them;

(b) To assure that all individuals wishing to make application for assistance for the blind shall have opportunity to do so, and that assistance shall be furnished with reasonable promptness to or for all eligible individuals;

(c) To provide that, in determining need for financial assistance and the amount of assistance to be granted, there shall be taken into consideration all other income and resources of the person seeking or receiving assistance, except that, in making such determination, there shall be disregarded the first $85.00 per month of earned income plus ½ of earned income in excess of $85.00 per month, of such person, and there shall further be disregarded, for a period not in excess of 12 months, such additional amounts of other income and resources in the case of an individual who has a plan for achieving self-support approved by the county welfare board, as may be necessary for the fulfillment of such plan;

(d) To provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the program;

(e) To assure that all persons to or for whom assistance is being paid under the provisions of this act shall not receive, during the same period, any other financial assistance from this State or any political subdivision thereof, with respect to any maintenance requirements or other items for which allowance is made in the assistance grant paid pursuant to this act;

(f) To prescribe appropriate services which shall be made available by or utilized by the county welfare boards for the purpose of helping needy blind individuals to attain self-support or self-care, including particularly the services of the Commission for the Blind, and requiring every county welfare board to promptly report to such commission every individual coming to its attention who is known to be or is believed likely to become permanently blind, and to prescribe administrative

and procedural methods assuring opportunity for the commission to review all such cases to make appropriate recommendations, and otherwise to participate in the planning and providing of special services for such cases;

(g) To assure that payments of assistance will be denied or promptly terminated with respect to any person who publicly solicits alms by wearing, carrying or exhibiting signs denoting blindness, or carrying receptacles for the reception of alms, or doing same by proxy or by begging from house to house.

C. 44:7-46. Payments to county welfare boards.

44. The State shall pay to each county welfare board the full amount of any funds received by the State from the Federal Government as Federal participation with respect to expenditures made by such county welfare board for assistance for the blind, plus an additional amount equal to 50% of the balance of such expenditures after deducting the amount of such Federal participation.

The State shall also pay to each county welfare board the full amount of any funds received by the State from the Federal Government as Federal participation with respect to the costs of administration of the program of assistance for the blind by such county welfare board.

C. 44:7-47. Function, powers, duties and unexpended appropriation transferred.

45. All of the functions, powers and duties of, and records and property maintained by, and unexpended appropriation balances available to the Commission for the Blind, under and with respect to statutes repealed by sections 47 and 48 of this act, are hereby transferred to and vested in the Bureau of Assistance and shall be exercised, performed and used by the bureau in accordance with the provisions of sections 41 through 44 of this act and as otherwise provided by law.

C. 44:7-48. Sections supplemental.

46. Sections 41 through 45 of this act shall supplement chapter 7 of Title 44 of the Revised Statutes.

C. 30:7-49. Sections repealed.

47. Sections 30:6–3, 30:6–4, 30:6–5, 30:6–8, 30:6–9, 30:6–10 and 30:6–14 of the Revised Statutes are repealed.

C. 44:7-50. Ch. 168, L. 1946 repealed.

48. The act entitled "An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6–3, 30:6–5 and 30:6–14 of the Revised Statutes," approved April 25, 1946 (P. L. 1946, c. 168) is repealed.

Note: Act effective.

49. This act shall become effective July 1, 1963, but all arrangements necessary or appropriate to enable the act to become fully effective on said date shall be made as promptly as possible as though the act were effective immediately.

Approved December 11, 1962.

CHAPTER 198

AN ACT concerning public utilities, amending, supplementing and repealing parts of Title 48 of the Revised Statutes and supplements thereto and amending and supplementing section 14:2–2 of the Revised Statutes.

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

Section amended.

1. Section 48:2–2 of the Revised Statutes is amended to read as follows:

Organization; seal; employees; compensation.

48:2–2. The board shall have a common seal. It shall appoint a secretary, assistant secretaries, counsel and such other employees as it may deem necessary and fix their duties and terms of service. It shall fix the compensation of all officers and employees, subject to the provisions of Title 11, Civil Service, except where otherwise provided by statute.

Section amended.

2. Section 48:2–4 of the Revised Statutes is amended to read as follows:

Duties of secretary.

48:2–4. The secretary or in his absence an assistant secretary shall keep full and correct minutes

of all the transactions and proceedings of the board and perform the other duties required of him. He shall be the official reporter of the proceedings of the board.

Section amended.

3. Section 48:2–5 of the Revised Statutes is amended to read as follows:

Compensation.

48:2–5. The members of the board shall each receive such compensation as shall be provided by law.

Section amended.

4. Section 48:2–6 of the Revised Statutes is amended to read as follows:

Traveling expenses.

48:2–6. The members, secretary, assistant secretaries and other employees of the board shall be entitled to receive from the State their necessary traveling expenses while traveling on the business of the board. Such traveling expenses shall be paid on proper voucher therefor approved by the president of the board.

Section amended.

5. Section 48:2–8 of the Revised Statutes is amended to read as follows:

Certain connections and relations prohibited.

48:2–8. No member or employee of the board shall have any official or professional relation or connection with, or hold any stock or securities in, any public utility as herein defined, operating within this State, or hold any other office of profit or trust under the government of this State or of the United States; but the inhibition herein contained shall not apply to anyone holding any municipal office under the government of this State, or commissions or other offices in the Armed Forces of the United States.

Section amended.

6. Section 48:2–9 of the Revised Statutes is amended to read as follows:

Reports of findings and decisions; publication.

48:2–9. The board shall furnish its secretary or in his absence an assistant secretary such of its findings and decisions as, in its judgment, may be of general public interest. The secretary or in his absence an assistant secretary shall compile the same for the purpose of publication in a series of volumes to be designated "Reports of the Board of Public Utility Commissioners of the State of New Jersey," which shall be published in such form and

manner as may be best adapted for public information and use. Such publications shall be competent evidence of the reports and decisions of the commission therein contained without any further proof or authentication thereof. The contents of the reports shall not be under the supervision or control of the official State editor.

Section amended.

7. Section 48:2–10 of the Revised Statutes is amended to read as follows:

Certified copies of records as evidence.

48:2–10. Copies of all official documents and orders filed or deposited in the office of the board, certified by a member thereof or the secretary to be true copies, under the official seal of the board, shall be evidence in like manner as the originals in all courts of this State. The board may charge and collect for such copies in accordance with section 48:2–56. The fees so collected shall be paid into the treasury of the State.

Section amended.

8. Section 48:2–11 of the Revised Statutes is amended to read as follows:

Annual report.

48:2–11. The board shall report annually on or before January 15, to the Governor, making such recommendations as it may deem proper. The report shall be laid before the next succeeding Legislature.

Section amended.

9. Section 48:2–13 of the Revised Statutes is amended to read as follows:

Jurisdiction; "public utility" defined.

48:2–13. The board shall have general supervision and regulation of and jurisdiction and control over all public utilities as hereinafter in this section defined and their property, property rights, equipment, facilities and franchises so far as may be necessary for the purpose of carrying out the provisions of this Title.

The term "public utility" shall include every individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever, their successors, heirs or assigns, that now or hereafter may own, operate, manage or control within this State any railroad, street railway, traction railway, autobus, canal, express, subway, pipeline, gas, elec-

tric light, heat, power, water, oil, sewer, telephone or telegraph system, plant or equipment for public use, under privileges granted or hereafter to be granted by this State or by any political subdivision thereof.

Nothing contained in this Title shall extend the powers of the board to include any supervision and regulation of, or jurisdiction and control over any vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxicab service unless such service becomes or is held out to be regular service between stated termini; hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations, including local airports, or bus employed solely for transporting school children and teachers, to and from school, or any autobus with a carrying capacity of not more than 10 pasengers now or hereafter operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parellel upon the same street the line of any street railway or traction railway or any other autobus route.

Section amended.

10. Section 48:2–16 of the Revised Statutes is amended to read as follows:

Supervisory and regulatory power in general.

48:2–16. 1. The board may, after hearing, upon notice, by order in writing, require every public utility:

(a) To comply with the laws of the State and any municipal ordinance relating thereto, and to conform to the duties imposed upon it thereby or by the provisions of its own charter, whether obtained under general or special law of this State.

2. The board may, upon notice, by order in writing require every public utility:

(a) To keep its books, records and accounts so as to afford an intelligent understanding of the conduct of its business and to that end require every public utility of the same class to adopt a uniform system of accounting. Such system shall conform, in so far as in the judgment of the board

is practicable, to any system adopted or approved by any Federal regulatory agency having jurisdiction.

(b) To furnish periodically a detailed report of finances and operations in such form and containing such matters as the board may from time to time prescribe.

(c) To give such notice to the board as the board may by rule require, of any and all accidents which may occur within the State upon the property of any public utility directly or indirectly arising from or connected with its maintenance or operation, and the board may investigate any such accident and make such order or recommendation with respect thereto as in its judgment may be just and reasonable.

Section amended.

11. Section 48:2–17 of the Revised Statutes is amended to read as follows:

Filing list of officials and their duties.

48:2–17. The board may require every public utility to file with the board a statement in writing, verified by the oaths of the president and secretary of the public utility, setting forth the name, title of office or position and post-office address, and the authority, power and duties of every officer, member of the board of directors, trustees, executive committee, superintendent, chief or head of construction and operation, or department, division or line of construction and operation thereof, in such form as to disclose the source and origin of each administrative act, rule, decision, order or other action of the corporation.

Every public utility shall, within 10 days after any change is made in the title of, or authority, powers or duties appertaining to any such office or position or the person holding the same, file with the board a like statement, verified in like manner, setting forth such change.

Every public utility shall file with the board the name, address and telephone number of the person or persons whom the board may contact, at any time, in the event of an emergency.

Section amended.

12. Section 48:2–18 of the Revised Statutes is amended to read as follows:

Depreciation accounts; rates of depreciation.

48:2–18. The board may, after hearing, upon notice, by order in writing, require every public utility to carry, whenever in the judgment of the board it may reasonably be required for the protection of stockholders, bondholders or creditors, a proper and adequate depreciation account in accordance with such rules, regulations and forms of account as the board may prescribe.

The board shall from time to time ascertain and determine, and by order in writing after hearing, fix proper and adequate rates of depreciation of the property of each public utility in accordance with such regulations or classifications. Such rates shall be sufficient to provide the amounts required, over and above the expense of maintenance, to keep the property in a state of efficiency corresponding to the progress of the industry.

Each public utility shall conform its depreciation accounts to the rate so ascertained. Amounts so provided shall not be expended otherwise than for depreciation, improvements, new construction, replacements, extensions or additions to the property of the public utility or for the retirement of debt incurred in connection therewith.

Section amended.

13. Section 48:2–21 of the Revised Statutes is amended to read as follows:

Rates.

48:2–21. (a) The board may require every public utility to file with it complete schedules of every classification employed and of every individual or joint rate, toll, fare or charge made, charged or exacted by it for any product supplied or service rendered within this State, as specified in the requirement.

(b) The board may after hearing, upon notice, by order in writing:

1. Fix just and reasonable rates, joint rates, tolls, charges or schedules thereof, as well as commutation, mileage and other special rates which shall be imposed, observed and followed

thereafter by any public utility, whenever the board shall determine any existing rate, toll, charge or schedule thereof, commutation, mileage or other special rate to be unjust, unreasonable, insufficient or unjustly discriminatory or preferential. In every such proceeding the board shall complete and close the hearing within 6 months and enter its final order within 8 months after the filing of the order of the board initiating such proceeding, when such proceeding is on the board's own motion; or after issue is joined through the filing of an answer to a complaint, when such proceeding is initiated by complaint.

2. Fix just and reasonable joint rates, which shall be charged, enforced, collected and observed by railroads and street railroads in the carrying of freight. Whenever the railroads or street railroads involved fail to agree upon the apportionment or division of a joint rate so established, the board may issue a supplemental order declaring the apportionment or division of the joint rate.

(c) The board may fix the rates or charges to be made by any corporation subject to the provisions of this chapter for the detention of a railroad car containing property transported by railroad to any point in this State or for the use of railroad tracks occupied by such car, commonly called demurrage or car service, or for both such detention and use. Such rates and charges shall conform as nearly as possible to the rates and charges for demurrage or car service prescribed and fixed by the Interstate Commerce Commission for similar service.

(d) When any public utility shall increase any existing individual rates, joint rates, tolls, charges or schedules thereof, as well as commutation, mileage and other special rates, or change or alter any existing classification, the board, either upon written complaint or upon its own initiative, shall have power after hearing, upon notice, by order in

writing to determine whether the increase, change or alteration is just and reasonable. The burden of proof to show that the increase, change or alteration is just and reasonable shall be upon the public utility making the same. The board, pending such hearing and determination, may order the suspension of the increase, change or alteration until the board shall have approved the same, not exceeding 4 months. If the hearing and determination shall not have been concluded within such 4 months the board may during such hearing and determination order a further suspension for an additional period not exceeding, 4 months. The board shall approve the increase, change or alteration upon being satisfied that the same is just and reasonable.

Section amended.

14. Section 48:2–21.1 of the Revised Statutes is amended to read as follows:

Adjustment of rates during pendency of hearing.

48:2–21.1. The board may, during the pendency of any hearing instituted by it, on its own initiative or on petition, in which the approval or fixing of just and reasonable individual rates, joint rates, tolls, charges or schedules thereof, as well as commutation, mileage or other special rates is in issue, or at any other time, negotiate and agree with any public utility for an adjustment of the individual rates, joint rates, tolls, charges or schedules thereof, as well as commutation, mileage or other special rates for any product or service supplied or rendered by such public utility. Such adjustment may be for, or without, a specified limit of time. In no event shall any such adjustment be regarded as contractual. Such adjustment shall at all times be subject to change through the proceedings provided for by this chapter, or through negotiation and agreement under this section. The board as a part of any such negotiation and adjustment shall provide for the continuance, suspension or other disposition of any hearing of the character aforesaid then pending.

Section amended.

15. Section 48:2–23 of the Revised Statutes is amended to read as follows:

Safe and adequate service.

48:2–23. The board may, after hearing, upon notice, by order in writing, require any public utility to furnish safe, adequate and proper service and to maintain its property and equipment in such condition as to enable it to do so.

The board may, pending any such proceeding, require any public utility to continue to furnish service and to maintain its property and equipment in such condition as to enable it to do so.

Section amended.

16. Section 48:2–24 of the Revised Statutes is amended to read as follows:

Permission to discontinue, curtail, etc., service required.

48:2–24. No public utility shall discontinue, curtail or abandon any service without obtaining permission from the board, after notice. The board may withhold permission until after hearing to determine if the discontinuance, curtailment or abandonment will adversely affect public convenience and necessity. With respect to common carriers the provisions of this paragraph shall apply only to service operated in accordance with base schedules on file with the board.

A public utility may terminate service for a violation of the terms of its approved tariffs on file with the Board of Public Utility Commissioners upon giving the customer at least 3 days' notice of such termination unless otherwise provided for by rules, regulations or orders of the board, except that in those situations where a hazardous condition prevails the utility may terminate service without notice.

If any public utility shall discontinue, curtail or abandon service and the board after hearing upon notice shall find and determine that service should be resumed, the board may order that service be resumed forthwith or on such date as it may fix.

Section amended.

17. Section 48:2–29.2 of the Revised Statutes is amended to read as follows:

Prohibit or limit payment of dividends.

48:2–29.2. The board may, after hearing, upon notice, by order in writing, prohibit or limit the payment of dividends by a public utility if the board, after such hearing, finds and determines that such public utility fails to comply with any order

of the board ascertaining, determining and fixing reasonably adequate working capital or rates of depreciation or with any order requiring such public utility by adequate maintenance to keep its property and equipment in condition to furnish safe, adequate, and proper service. Every order so made by the board shall continue in effect until the board by its order in writing determines that the conditions on the existence of which the making of the order was based have been corrected.

Section amended.

18. Section 1 of P. L. 1951, c. 357 (C. 48:2–31.1) is amended to read as follows:

C. 48:2-31.1. Payment of compensation and expenses of legal counsel.

1. Whenever there is pending before the Board of Public Utility Commissioners a proceeding instituted by a public utility as defined in section 48:2–13 of the Revised Statutes (hereinafter called "the public utility") for authority to increase the rates, tolls, fares, or charges made or charged by it for any product supplied or service rendered within this State, the Attorney General may employ, on a temporary basis, and, subject to the provisions of this act, may fix the compensation of, such legal counsel, experts and assistants as in his judgment may be necessary to protect the public interest in such proceeding. The public utility shall pay to the State, in the manner hereinafter provided, the reasonable compensation and expenses of such legal counsel, experts and assistants; provided, however, that the total amount which the public utility may be required to pay pursuant to this act with respect to such proceeding shall not exceed 1/10 of 1% of its revenues derived in the calendar year last preceding the institution of such proceeding from its intrastate sales of the product supplied or intrastate service rendered the rates, tolls, fares, or charges for which are the subject matter of such proceeding provided, however that in cases where the compensation, as computed above, is deemed to be inadequate by the Attorney General, the Board, on application of the Attorney General, after hearing on notice, may fix reasonable compensation not to exceed $250.00. Any and all amounts paid by

the public utility pursuant to this act shall be deemed to be operating expenses of the public utility.

19. Section 48:2–32 of the Revised Statutes is amended to read as follows: Section amended.

48:2–32. All hearings and investigations before the board or any member thereof or any hearing examiner designated by the board shall be governed by rules adopted by the board. Neither the board nor such member or hearing examiner shall be bound by the technical rules of evidence. The members of the board may sit singly for the purpose of taking testimony in any proceeding. Hearings and investigations.

20. Section 48:2–33 of the Revised Statutes is amended to read as follows:

48:2–33. The board may compel the attendance of witnesses and the production of tariffs, contracts, papers, books, accounts and all other documents. Any member of the board or any hearing examiner designated by the board to preside at a hearing may administer oaths to all witnesses. Subpœnas issued by the board shall be signed by one of the members thereof and by the secretary, or an assistant secretary and may be served by any person of full age.

21. Section 48:2–35 of the Revised Statutes is amended to read as follows: Section amended.

48:2–35. If a person subpœnaed to attend before the board or a member thereof fails to obey the command of the subpœna without reasonable cause, or if a person in attendance before the board or a member thereof refuses without lawful cause to be examined or to answer a legal or pertinent question, or to produce a book or paper, when ordered so to do by the board or a member thereof, the board or the member may apply to the Superior Court or any judge thereof, upon proof by affidavit of the facts, for an order returnable in not less than 2 nor more than 10 days, directing such person to show cause before the court or judge why he should not comply with the subpœna or order of the board. Compelling witness to testify or produce documents; contempt.

Upon the return of the order the court or judge before whom the matter shall come on for hearing shall examine under oath such person whose testimony may be relevant and such person shall be given an opportunity to be heard, and if the court or judge shall determine that such person refused without legal excuse to comply with the subpœna or the order of the board, the court or judge may order such person to comply forthwith with the subpœna or order. Any failure to obey the order of the court or judge may be punished by the court or judge as a contempt of the Superior Court.

Section amended.

22. Section 48:2–38 of the Revised Statutes is amended to read as follows:

Testimony in civil suits.

48:2–38. No member or employee of the board shall be required to give testimony or to furnish documents in a civil suit to which the board is not a party, with regard to information obtained by him in the discharge of his official duty.

Section amended.

23. Section 48:2–39 of the Revised Statutes is amended to read as follows:

Fees for witnesses.

48:2–39. The fees of witnesses required to attend before the board shall be at the same rates as are prescribed by law for attendance under subpœna in the Superior Court of the State.

Section amended.

24. Section 48:2–41 of the Revised Statutes is amended to read as follows:

Enforcement of orders.

48:2–41. Observance of the orders of the board may be enforced by complaint in lieu of prerogative writ or injunction in appropriate cases, or by suit in equity to compel the specific performance of the order or of the duties imposed by law upon the public utility affected by the order.

Section amended.

25. Section 48:2–43 of the Revised Statutes is amended to read as follows:

Review of orders; certiorari; application; notice.

48:2–43. Any order made by the board may be reviewed by appeal to the appellate division of the Superior Court. Notice of appeal shall be within the time provided by rules of court. The notice shall be served upon the secretary of the board either personally or by leaving it at the office of the board. The evidence presented to the board

together with the findings and the order issued thereon, shall be certified by the board to the appellate division as its return.

Section amended.

26. Section 48:2–46 of the Revised Statutes is amended to read as follows:

Setting aside orders.

48:2–46. The Superior Court, appellate division is hereby given jurisdiction to review any order of the board and to set aside such order in whole or in part when it clearly appears that there was no evidence before the board to support the same reasonably or that the same was without the jurisdiction of the board.

No order shall be set aside in whole or in part for any irregularity or informality in the proceedings of the board unless the irregularity or informality tends to defeat or impair the substantial right or interest of the appellant.

Section amended.

27. Section 48:2–47 of the Revised Statutes is amended to read as follows:

Ordering rehearing by the board.

48:2–47. If, with respect to any order brought under review it shall appear equitable and just that a rehearing should be had before the board, the Superior Court, appellate division may order that a rehearing be had before the board upon such terms and conditions as are reasonable. The board shall thereupon proceed to a rehearing on the evidence upon which the order under review was based, and upon such additional evidence, if any, as may be produced. As the result of the rehearing the board may readopt the order or alter, amend, modify or extend it.

The Supreme Court of New Jersey on appeal from a judgment of the Superior Court, appellate division to review an order of the board, may, whenever it shall deem it equitable and just that a rehearing should be had before the board, remit the record and proceedings before it to the Superior Court, appellate division to the end that said court may order that such rehearing may be had before the board upon such terms and conditions as are reasonable, as hereinbefore provided.

Section amended.

28. Section 1 of P. L. 1959, c. 43 (C. 48:2–56) is amended to read as follows:

C. 48:2-56. Fees and charges.

1. The Board of Public Utility Commissioners is hereby empowered, authorized and required to charge and collect fees and charges for the purposes and in the amounts hereinafter set out.

A. Filing of Annual Reports

	Charge Per Report
(1) Sewer	$20 00
Classes A, B, C, and D	20 00
Class E (Income Sheets)	5 00
(2) Railroad	50 00
Nonoperating	10 00
(3) Telephone	
Class A	50 00
Class B	20 00
(4) Water	
Class A	50 00
Classes B and C	20 00
Class D	10 00
Class E (Income Sheets)	5 00
(5) Bus	
Class A	50 00
Class B	25 00
Class C	10 00
(6) Gas	50 00
(7) Electric	50 00
(8) Combination gas and electric	100 00
(9) Street railway	20 00

B. Examination and Audit of Annual Reports

(1) The total fee is to be based on reported intrastate operating revenues, and, except as noted below for certain interstate utilities, will consist of a base charge plus an incremental charge per unit of $1,000.00 or fraction thereof for each such unit in excess of the lower limit of the indicated range.

If the Reported Operating Revenes Fall within the Range	The Base Charge is	The Incremental Charge per $1,000 Unit is
Under $10,000 .	$10 00	.....
$10,000 to 25,000 .	15 00	.....
25,000 to 50,000 .	25 00	.....
50,000 to 500,000 .	25 00	$0 50/M
500,000 to 1,000,000 .	250 00	0 39/M
1,000,000 to 5,000,00 .	445 00	0 15/M
5,000,000 to 10,000,000 .	1,045 00	0 10/M
10,000,000 to 50,000,000 .	1,545 00	0 08/M
50,000,000 to 100,000,000 .	4,745 00	0 07/M
100,000,000 to 200,000,000 .	8,245 00	0 05/M
200,000,000 and over	13,245 00	0 03/M

(2) Public utilities engaged in interstate commerce who are required to file annual reports with the board and who derive 50% or more of their operating revenues from interstate commerce shall pay a fee for examination and audit of their annual report in accordance with the following schedule. The board may establish reasonable rules for the determination of such intrastate revenues in cases where the same have not been reported.

For Intrastate Revenues Within the Range	The Fee is
Under $10,000	$25 00
$10,000 to 50,000	50 00
50,001 to 200,000	75 00
200,001 to 500,000	150 00
500,001 to 1,000,000	300 00
over 1,000,000	500 00

C. Pamphlets and Publications	Charge Per Copy
(1) Annual report of the Board of Public Utility Commissioners ..	$2 00
(2) Utility annual report forms	
Sewer	5 00
Income Sheets	2 00
Railroad	10 00
Telephone	10 00
Water	
Classes A, B and C	10 00
Class D	5 00
Class E (Income Sheets) ..	2 00
Buses	
Class A	10 00
Class B	5 00
Class C	2 00
Gas	10 00
Electric	10 00
Street railway	10 00
(3) Pamphlets containing rules and regulations and all other pamphlets published by the board	
Pamphlets with less than 25 pages	2 00
Pamphlets with 25 pages or more but less than 50 pages	2 50
Pamphlets with 50 pages or more	2 50
Plus $0.25 for each additional 25 pages or fraction thereof in excess of 50 pages	
(4) Uniform system of accounts	10 00
(5) Photocopies of documents or reports—per page	1 00

	Charge for Each Year Covered
(6) Compilation of board's decisions	$2 00
(7) Statistics of utilities—private and municipal	3 00

D. Subpœnas—Petition for and Issuance

	Charge per Subpœna
(1) subpœna for the attendance of witnesses	$2 00
(2) subpœna duces tecum	5 00

E. Applications and Petitions Submitted to the Board

(1) For approval of issuance of securities or evidences of indebtedness the filing fee shall be based on the estimated proceeds before costs and expenses of issuance. When the actual proceeds become known, the fee will be adjusted accordingly. The total filing fee will consist of a base charge plus an incremental charge per unit of $1,000.00 or fraction thereof of proceeds in excess of the lower limit of the range of the indicated block. In the case of stock dividends, the proceeds shall be taken as the amount to be transferred from earned surplus account.

If the Proceeds of the Transaction Fall Within the Range		The Base Charge is	The Incremental Charge per $1,000 Unit is
Under	$5,000	$10 00	.....
5,001 to	10,000	15 00	.....
10,001 to	20,000	30 00	.....
20,001 to	30,000	50 00	.....
30,001 to	100,000	50 00	$0 70/M
100,001 to	500,000	99 00	0 60/M
500,001 to	1,000,000	339 00	0 50/M
1,000,001 to	5,000,000	589 00	0 40/M
5,000,001 to	10,000,000	2,189 00	0 35/M
10,000,001 to	25,000,000	3,939 00	0 30/M
25,000,001 and over		8,439 00	0 25/M

(2) For increases in rates or fares, whether by petition, filing of revised tariff, or by petition for negotiated relief under R. S. 48:2–21.1, provided that when 2 petitions or a petition with an amendment relate to one and the same increase only one fee shall be charged, the fees are to be based on the proposed increase in annual operating revenues for which application is made and will consist of a base charge plus an incremental charge per unit of $1,000.00 or fraction thereof for each such unit in excess of the lower limit of the indicated range.

If the Proposed Increase Falls Within the Range		The Base Charge is	The Incremental Charge per $1,000 Unit is
Up to	$5,000 ..	$25 00	.....
$5,000 to	30,000 ..	25 00	$2 00/M
30,000 to	100,000 ..	75 00	1 80/M
100,000 to	300,000 ..	201 00	1 60/M
300,000 to	600,000 ..	521 00	1 40/M
600,000 to	1,000,000 ..	941 00	1 20/M
1,000,000 to	5,000,000 ..	1,421 00	1 00/M
5,000,000 to	10,000,000 ..	5,421 00	0 80/M
10,000,000 to	20,000,000 ..	9,421 00	0 60/M
20,000,000 and over	.....	15,421 00	0 30/M

Filing of an initial rate, a contract for a special rate or any other document involving a tariff change not otherwise provided for above	$25 00
In addition to the filing fee computed in accordance with the foregoing, the public utility shall pay a processing fee of 1/10 of 1% of the new or initial annual operating revenues or increase in annual operating revenues that may be authorized by the board, which fee in no event shall be less than	$25 00
Filing automatic adjustment clause tariff revision	$25 00

(3) For sales of property or leases of property (Based on the Consideration or Annual Rental)

	Filing Fee
Up to $1,000	$10 00
$1,001 to 5,000	25 00
5,001 to 10,000	50 00
10,001 to 20,000	75 00
20,001 to 50,000	150 00
50,001 to 100,000	250 00
100,001 and over	350 00

(4) For approval of mergers

The filing fee for approval of mergers is to be based on the total utility plant account of the surviving utility and will be computed according to the schedule of charges set forth herein for sales of property or leases of property.

(5) For approval of a municipal consent 20 00

Where petition requests approval of more than one municipal consent on the same route for each additional consent 10 00

(6) For rehearing, reopening, reargument or reconsideration of any matter 15 00

(7) For approval of contracts under R. S. 48:3–7.1 ..... 100 00

(8) For establishment of new railroad-highway crossing at grade 50 00

(9) For grade crossing separation .. 100 00

(10) For relocation or widening of grade crossing 100 00

(11) For abandonment of grade crossing 50 00

(12) For discontinuance of station agents and stations 50 00

	Filing Fee
(13) For authority to exercise eminent domain–for each separate parcel of property involved	$100 00
(14) Any application or petition not herein specifically designated or described	25 00
(15) For inspection or test of electric, water or gas meter ..... (This fee is to be returned to the customer and collected from the utility in cases where the meter is found to be registering fast beyond the allowable limit of accuracy established by the board.)	5 00
F. Autobuses or Other Motor Vehicles	
(1) For approval of transfer of municipal consents	$25 00
(2) For approval of conditional sale contract, notes or chattel mortgage based on the principal amount involved	
$5,000 or less	10 00
5,001 to $10,000	15 00
10,001 to 25,000	25 00
25,001 to 50,000	50 00
50,001 to 100,000	75 00
Over $100,000	100 00
(3) For changes, extensions or consolidation of existing autobus routes	25 00
(4) For approval of leases of equipment	25 00

	Charges
(5) For inspection of new bus equipment and issuance of certificate of compliance—each bus	$25 00
(6) For issuance of duplicate certificate of compliance—each ..	2 00
(7) For inspection of autobus for restoration to service after removal for lack of insurance ...	10 00
(8) For each periodic inspection of autobus by board's inspector—each bus	5 00

G. Miscellaneous	Filing Fee
(1) Formal complaints—Costs to be assessed against the respondent utility if the complaint is sustained by the board	$25 00
(2) Answers to formal complaints ..	10 00
(3) Where the answer sets up a prayer for affirmative relief ..	25 00
(4) Amendment to any petition or answer	10 00
(5) Reports and statements filed by pipeline companies as required by board's rules issued under the authority of Title 48, R. S. N. J. except accident reports ..	200 00
(6) Discontinuance of train service that becomes a subject of public hearing	50 00

	Charge Per Copy
(7) Extra copy of any decision, order or certificate of the board	$2 00
Plus a charge for each page exceeding 2 pages	1 00

(8) Certification of any document

All filing fees shall be paid at the time of the original filing of the report, application, petition or other document or paper in the matter. No pleading will be considered filed until the appropriate fees are paid. In cases where such payment is not feasible, as may be determined by the board, the amount will be due and payable on the presentation of an invoice.

When a petition covers more than one matter or makes a prayer for relief with respect to more than one matter, the fee for filing the same shall be the sum of the fees that would be paid for each individual matter.

When several utilities or petitioners join in the filing of a single petition, then the fees herein provided shall apply to each petitioner as may be appropriate.

C. 48:2-16.1. Examination and audit of accounts; procedure.

29. The Board may provide for the examination and audit of all accounts and may determine, after notice and hearing, the propriety of the allocation and entry of parts of items to 2 or more accounts, and the propriety of the entry of any items, and of

the account or accounts in which they are entered, upon the books of a public utility.

C. 48:2-16.2. Examination of records.

30. The board's officers and employees may, under direction of the board, inspect and examine all books, accounts, papers, records and memoranda kept by any public utility in respect of any matter within the board's jurisdiction and which would not be privileged in any judicial proceeding.

C. 48:2-21.2. Determination of justness of rate, charges, etc., rate base.

31. In arriving at any determination as to the justness or reasonableness of any existing rate, fare or charge or in prescribing a just and reasonable rate, fare or charge, the board shall not be bound:

1. To find a rate base, if it determines that

(a) the applicable operating expenses plus depreciation and taxes of conducting the business, for which the rate, fare or charge is established, computed on the basis of the 12 months next preceding the month in which the proceeding is initiated, exceeds the revenue from such operation, during said period, under the existing rates, fares or charges and that the revenue under the proposed increased rates, fares or charges will not exceed such operating expenses, depreciation and taxes, or

(b) the gross operating revenue of the public utility, computed on the basis of the 12 months next preceding the month in which the proceeding is initiated, exceeds the depreciated book cost of its property used and useful in its business as a public utility, or

(c) the product or service is a new offering and not covered by an existing rate, fare or charge approved by the board.

When the board shall prescribe a rate, fare or charge without finding a rate base, it shall, in its determination, make a finding of the facts on the basis of which is prescribed such rate, fare or charge.

C. 48:2-21.3. Stipulation waiving effective date of rate.

32. Any public utility may file with the board a written stipulation subject to the board's approval at any time extending the suspension periods pro-

vided for in this chapter or waiving the effective date of any tariff or rate.

C. 48:2-25.1. To fix time within which product, etc., to be supplied.

33. The board may, in any order approving the supplying of any product or service or the installation of any facilities or equipment by any public utility or requiring any public utility so to do, determine and fix the time within which such product or service shall be supplied or such facilities or equipment shall be installed and may provide in any order granting such approval that the approval thereof shall be subject to such condition.

C. 48:2-32.2. Municipal intervention.

34. Every municipality may intervene in any hearing or investigation held by the board, which involves public utility rates, fares or charges, service or facilities, affecting the municipality or the public within the municipality.

C. 48:2-43.1. Board as party to proceedings.

35. On any argument or hearing had in the Superior Court or the Supreme Court in any proceeding in review of any order or determination of the board, the board may appear, and be heard, as a party in said proceeding.

Section amended.

36. Section 48:3–7 of the Revised Statutes is amended to read as follows:

Sales leases, mortgages or consolidations, requires board's approval; exceptions.

48:3–7. No public utility shall, without the approval of the board, sell, lease, mortgage or otherwise dispose of or encumber its property, franchises, privileges or rights, or any part thereof; or merge or consolidate its property, franchises, privileges or rights, or any part thereof, with that of any other public utility.

Every sale, mortgage, lease, disposition, encumbrance, merger or consolidation made in violation of this section shall be void.

Nothing herein shall prevent the sale, lease or other disposition by any public utility of any of its property in the ordinary course of business, nor require the approval of the board to any grant, conveyance or release of any property or interest therein heretofore made or hereafter to be made by any public utility to the United States, State or any county or municipality or any agency, authority or subdivision thereof, for public use.

The approval of the board shall not be required to validate the title of the United States, State or any county or municipality or any agency, authority or subdivision thereof, to any lands or interest therein heretofore condemned or hereafter to be condemned by the United States, State or any, county or municipality or any agency, authority or subdivision thereof for public use.

Section amended.

37. Section 48:3–7.10 of the Revised Statutes is amended to read as follows:

Superior Court, chancery division to enforce compliances.

48:3–7.10. Jurisdiction and power is hereby conferred upon the Superior Court, chancery division of this State, at the suit of the board, to enforce compliance with sections 48:3–7.8 and 48:3–7.9 of this Title through sequestration of, or the appointment of a receiver for, the property in this State of any public utility failing to comply with the same.

Section amended.

38. Section 48:3–7.12 of the Revised Statutes is amended to read as follows:

Railroads and railway express exempted.

48:3–7.12. The provisions of sections 48:3–7.8 to 48:3–7.11 of this Title shall not apply to any public utility subject to the jurisdiction of the interstate commerce commission operating, managing or controlling a railroad or railway express within this State.

Section amended.

39. Section 48:3–9 of the Revised Statutes is amended to read as follows:

Issuance of stocks and bonds, non-payment of demand note for more than 12 months; approval; exceptions.

48:3–9. No public utility shall, unless it shall have first obtained authority from the board so to do:

(a) Issue any stocks, or any bonds, notes or other evidence of indebtedness payable more than 12 months after the date or dates thereof, or extend or renew any bond, note or any other evidence of indebtedness so that any extension or renewal thereof shall be payable later than 12 months after the date of the original instrument, or

(b) Permit any demand note to remain unpaid for a period of more than 12 months after the date thereof.

The board shall approve any such proposed issue, with or without hearing at its discretion, when satisfied that such issue is to be made in accordance with law and the purpose thereof is approved by the board.

The provisions of this act shall not apply to any public utility operating, managing or controlling a railroad or a railway express which is subject to the rules and regulations from time to time issued by the Interstate Commerce Commission.

Section amended.

40. Section 1 of P. L. 1957, c. 130 (C. 48:3–17.2) is amended to read as follows:

C. 48:3-17.2. Terms defined.

1. As used herein:

(a) "public utility" means any public utility defined in 48:2–13;

(b) "right of way" means the area devoted to passing over, on, through or under lands with utility plant facilities as part of a way for such purpose;

(c) "easement" or "easement rights" means privileges essential or appurtenant to the enjoyment of a right of way; and

(d) "street" means any highway, road, street, alley, lane or place dedicated to public use whether or not accepted and whether or not subsequently vacated and includes the sidewalk area and other areas between the sidelines thereof.

Section amended.

41. Section 48:3–18 of the Revised Statutes is amended to read as follows:

Agreements.

48:3–18. Any person municipal or otherwise, may enter into a written agreement with any other such person owning or using any poles erected under municipal consent in any street, highway or other public place for the use by the former person of the poles upon such terms and conditions as may be agreed upon by the persons.

Section amended.

42. Section 48:3–19 of the Revised Statutes is amended to read as follows:

Municipal consent.

48:3–19. The consent of the municipality shall be obtained for the use by a person of the poles of another person unless each person has a lawful

right to maintain poles in such street, highway or other public place.

Section amended.

43. Section 48:3–28 of the Revised Statutes is amended to read as follows:

Receivers or trustees for insolvent companies; appointment; sale or lease of property.

48:3–28. Whenever any railroad, canal or turnpike company, incorporated under the laws of this State, has become insolvent or failed for 90 days after the same becomes due, to pay the principal or interest on any mortgage on its property and franchise, the Superior Court upon the application of a creditor, mortgagee or stockholder of the company, may appoint a receiver or receivers, or 3 trustees, who shall have and exercise all the powers and authority that it is lawful for receivers and trustees to exercise under Title 14, Corporations, General.

The receivers or trustees may sell or lease the canal, railroad or turnpike belonging to the company, together with all its chartered rights, privileges and franchises. The purchasers or lessees of such works, rights, privileges and franchises shall thereafter hold, use and enjoy the same during the residue of the term limited in the charter of the company, or during the term specified in the lease, in as full and ample a manner as the stockholders of the company could or might have enjoyed the same, subject, however, to all the restrictions, limitations and conditions contained in the charter.

Upon filing in the office of the Secretary of State, within 6 months after the sale or lease, a certificate that they accept the charter of the company whose property has been sold or leased, under a corporate name different from that of such company, the purchasers or lessees shall become a corporation under the name so specified, with all the powers, rights, privileges and franchises of the former company.

The purchasers or lessees, or the corporation formed by them as aforesaid, shall hold and enjoy the same, free and clear of all debts, claims and demands of creditors, mortgagees or stockholders, who shall look only to the fund arising from the

sale or lease, which money, as collected, shall be paid into the Superior Court. Where the property is subject to a mortgage, the Superior Court may, with the consent of the complainant, or without such consent if the principal is not due, direct a sale or lease to be made subject to the lien of the mortgage.

Section amended.

44. Section 48:3–34 of the Revised Statutes is amended to read as follows:

Blind person and guide for one fare.

48:3–34. Any totally blind person and guide may be transported by any street railway, traction railway, autobus company, or railroad company at the usual and ordinary fare charged to one person, under such reasonable regulations as may be established by the carrier, anything in this Title to the contrary notwithstanding.

C. 48:3-3.1. Not to deny service.

45. No public utility shall refuse to furnish or supply service to or for any building or premises by reason of a bill remaining unpaid by a previous occupant, providing the person applying for service shall not be in arrears to such company for service previously furnished to or for such building or premises or furnished to or for any other building or premises.

C. 48:3-20.1. Franchise, privilege, etc., not to lapse due to death.

46. No franchise, privilege, authority or consent to operate a public utility, lawfully granted or given by the State or by any political subdivision thereof, to any natural person individually, or as co-partner with other person or persons, shall lapse or become void by reason of the death of any such person but in any such event the same shall vest in and become the property, of the estate of the deceased person or of such estate and the surviving partner or partners and shall be transferable as assets of such estate or of such estate and said surviving partner or partners, with the consent of the board.

C. 48:3-20.2. Appointment of agent.

47. There may be filed with the board a designation containing the name and address of an agent, resident of this State, to act for the estate of such person in case of his death pending the appointment of his personal representative and the lawful authorization of such personal representative to

continue to operate such public utility and such agent shall be authorized to operate or participate in the operation of such public utility until such appointment and authorization is made.

C. 48:3-17.6. Right of eminent domain.

48. Any of the following types of public utilities now or hereafter organized and existing under and by virtue of any law of this State: electric light, heat and power; canal; gas; pipeline; railroad; underground railroad; sewerage; water power; street railway or traction; telegraph or telephone; or water, in addition to and not in substitution of whatever other right, power and authority it may have and possess, may, subject to the restrictions as provided hereinafter, take or acquire under the provisions of chapter 1 of Title 20, Eminent Domain, such property or other interest therein which may be reasonably necessary for the purposes enumerated for each such utility in the succeeding sections hereto.

C. 48:3-17.7. Conditions for use of the power of condemnation.

49. The power of condemnation shall not be used or enforced by any such public utility unless the necessary land or other property or any interest therein as stated in this chapter, cannot be acquired from the owner by reason of disagreement as to the price or legal incapacity or absence of the owner, or inability to convey a valid title, or because the names or addresses of the owner or owners may be unknown, or for any other reason. Except where a governmental agency having jurisdiction has granted the utility the permission to take or acquire property or any interests for the utility's purposes the power of condemnation shall not be used or enforced by any public utility until and unless such utility shall have applied to the Board of Public Utility Commissioners upon the petition of such utility and the board, after due notice, including notice to the owner or owners of the land or other property or interest therein to be condemned, and to any other parties having an interest of record therein, if known and resident of this State, and if unknown or not resident of this State, then by such publication as the board shall

prescribe, and public hearing, shall have found that the land or other property or interest therein desired is reasonably necessary for the service, accommodation, convenience or safety of the public, and that the taking of such land or other property or interest therein is not incompatible with the public interest and would not unduly injure the owners of private property. The board is hereby authorized and empowered to determine the necessity as aforesaid for the use of the land or other property or interest therein so sought to be condemned and to make and establish such reasonable rules and regulations governing the form and method of such application and the time and manner of the notice of such public hearing as it may deem proper, and the board shall have full power and authority to enforce the provisions of this section.

C. 48:6-15.1. Canal utility may condemn; procedure.

50. Every canal utility may take and condemn pursuant to sections 48 and 49 hereof, such lands, waters and streams as may be necessary for the construction and operation of a canal.

No property used by any canal in operation shall be taken, nor shall any canal be interfered with, unless the consent of the utility operating the canal shall be first obtained.

The payment or tender of payment of all damages for the occupancy of all lands, whether covered by water or not, shall be made before the utility shall enter upon the premises, except for the purpose of surveying and locating the canal, unless the consent of the owner of the land be first obtained.

C. 48:7-3.1. Condemnation to acquire right-of-way by electric utility.

51. Every utility organized and existing for the purpose of supplying electricity for light, heat or power may exercise the power of eminent domain as provided in sections 48 and 49 hereof in taking or acquiring any land or interest therein which may be reasonably necessary for a right-of-way for the transmission and distribution of electricity to the public.

No posts or poles, towers or other structures shall be erected by virtue of the authority given by this chapter in any road, street, or highway, without first obtaining a designation of the location thereof by the governing body, official or commission, having control of the road, street, or highway in which the lands to be condemned shall be located, and such posts or poles, towers or other structures shall be subject to such reasonable regulations as may be imposed by the governing body, official or commission having control of such street, road, or highway and shall be so located as in no way to interfere with the safety and convenience of the persons traveling on or over the said roads, streets, or highway.

C. 48:9-24.1. Gas utility may exercise power of eminent domain.

52. Any gas utility which is empowered to manufacture and sell gas of any type or mixture of gas of various types suitable for light, heat or power, may exercise the power of eminent domain as provided in sections 48 and 49 hereof in taking and acquiring any land or other property or any interest therein reasonably necessary for a right-of-way for the transmission to, from or between its plants or for the distribution to the public of gas of any type, whether manufactured gas or natural gas or any mixture of gas of the various types suitable for light, heat or power.

C. 48:10-1.1. Pipe line utilities may exercise power of eminent domain.

53. Pipe line utilities may exercise the power of eminent domain as provided in sections 48 and 49 hereof in taking land and other property necessary for public use for right-of-way.

Nothing in this section shall be construed to limit or affect the power or jurisdiction of the Department of Conservation and Economic Development.

C. 48:13-12.1. Sewerage utility may exercise power of eminent domain.

54. Every sewerage utility desiring to take any lands or to use, occupy and make excavation upon any lands may exercise the power of eminent domain as provided in sections 48 and 49 hereof to take such lands, rights and privileges.

C. 48:14-10.1. Utility formed to construct dam empowered.

55. Every utility formed to construct dams in any of the rivers or streams within this State or between this and another State, for the purpose

of generating, distributing and selling water power and electric power, may exercise the power of eminent domain as provided in sections 48 and 49 hereof in acquiring any waters, streams, lands, property or franchises that may be required for the construction of its dams, canals, raceways and other works.

Nothing in this chapter shall impair the rights of any person to an action against the utility for any damage done to his real estate by the construction of the dams, canals, raceways and works where he has not agreed with the utility or where his damages have not been paid and satisfied by the utility under the provisions of this chapter.

C. 48:14-21.1. Utility formed to build dam or dams empowered.

56. Any utility organized to construct one or more dams in any river, stream, or tributary to Barnegat Bay for the purpose of developing and selling electricity may exercise the power of eminent domain as provided in sections 48 and 49 hereof to take any real or personal property, rights, privileges, franchises or easements necessary for its dams, reservoirs, ponds, locks, weirs, gates, bridges, races, canals, power stations and flowage.

C. 48:15-16.1. Street railway empowered.

57. Any street railway or traction utility may exercise the power of eminent domain as provided in sections 48 and 49 hereof in taking so much land or property as may be necessary for the construction of any railway built under the provisions of this title either as an extension of the line of any existing railway or a new line, not exceeding 60 feet in width except where a greater amount shall be required for the slopes of cuts and embankments, and such easements of lands lying within or without the limits of any street as may be necessary for the accomplishment of the objects of such utility, or such lands or properties as may be required for the purpose of locating and constructing all necessary works, buildings, conveniences and equipments for the construction and operation of such machinery, engines, boilers or appliances, including the erection of poles for the support of wires and conduits or the making of tunnels or subways for

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the production or supply of any of the motive power authorized to be used under this title.

C. 48:17-9.1. Telegraph or telephone utility empowered.

58. Any telegraph or telephone utility may exercise the power of condemnation as provided in sections 48 and 49 hereof in taking or acquiring any land or interest therein which may be reasonably necessary for a right-of-way for its line or lines and associated fixtures for the purpose of supplying telegraph or telephone service to the public.

C. 48:19-15.1. Water utility empowered.

59. Every water utility desiring to take, use or occupy any lands or to take or divert any spring or stream of water necessary for the rendition of its public utility service may exercise the power of eminent domain as provided in sections 48 and 49 hereof to acquire such lands, rights and privileges.

If the owner of any real estate shall not have given his consent in writing to the diversion, or diminution of such spring or stream, and the damage to the real estate by reason of such diversion or diminution shall not have been ascertained and paid pursuant to said chapter 1 of the Title 20, Eminent Domain, then the owner may, by action at law, recover any damages he may sustain by reason of such diversion or diminution. Nothing in this section shall be construed to limit or affect the power or jurisdiction of the Department of Conservation and Economic Development.

C. 48:12-35.1. Railroad utility empowered.

60. Any railroad utility may exercise the power of eminent domain as provided in sections 48 and 49 hereof in taking any land and property required for the right-of-way of its main line and branches, not exceeding 200 feet in width, unless more shall be required for slopes of cuts or embankments or retaining walls, and all such other land and property adjoining such right-of-way as exigencies of business may demand for the erection of freight and passenger depots and all other railroad purposes, and any land and property necessary to comply with any order of the Board of Public Utility Commissioners. In addition, any railroad utility shall have the right to take and acquire, by

the exercise of the power of eminent domain as provided in sections 48 and 49 hereof, any land, property or private road as shall be necessary for any branch line or lines, spur or sidetrack to the premises of a horse race track as provided in section 48:12–32.1, but not in excess of 200 feet in width, for such branch line or lines, spur or sidetrack of railroad; provided that additional land may be so acquired where necessary for the slopes of cuts or embankments or for retaining walls.

When the line of any railroad utility of the State is constructed to the Delaware river and extension of such line is to be undertaken pursuant to section 48:12–44, the utility may acquire, by the exercise of the power of eminent domain as provided in sections 48 and 49 hereof, such lands as may be necessary upon filing and recording the survey of the route with the Secretary of State and in the office of the clerk of the county wherein the lands are situate, and making the deposit required by section 28:12–25 of this Title.

No railroad utility organized under this Title shall take, use or occupy by condemnation any franchise, land or located route of any other railroad or any utility chartered for the purpose of facilitating transportation, except for the purpose of crossing such land or route and except the land of any such utility not necessary for the purpose of its franchise.

Nothing herein shall be deemed to limit the powers of condemnation vested in railroads under any provisions of Title 48 as amended and supplemented by this act and which have not been repealed.

C. 48:12-92.1. Railroad utility meeting requirements of 48:12-91 empowered.

61. Any railroad utility meeting the requirements of section 48:12–91 and after obtaining the consent and approval required by said section, may exercise the power of eminent domain as provided in sections 48 and 49 hereof in acquiring real estate and personal property necessary and useful for the purposes of 48:12–91.

C. 48:12-95.1. Right-of-way for tunnel not to include surface.

62. The right-of-way condemned for a railroad beneath the surface of the ground by an underground railroad utility shall not include the right to use or occupy permanently the surface above the railroad where the same is not broken, but shall be confined to a right to tunnel. The utility may nevertheless acquire by condemnation so much and such parts of the surface as may be necessary or proper to operate its railroad.

C. 48:3-17.8. State property excepted.

63. No public utility shall take by condemnation any land, property, or other interest belonging to the State of New Jersey.

Section amended.

64. Section 48:4–1 of the Revised Statutes is amended to read as follows:

Terms defined and application.

48:4–1. The term "autobus" as used in this chapter means and includes, except as hereinafter noted, any motor vehicle or motorbus operated over public highways or public places in this State for the transportation of passengers for hire in intrastate business, notwithstanding such motor vehicle or motorbus may be used in interstate commerce.

Nothing contained herein shall be construed to include:

a. vehicles engaged in the transportation of passengers for hire in the manner and form commonly called taxicab service unless such service becomes or is held out to be regular service between stated termini;

b. hotel busses used exclusively for the transportation of hotel patrons to or from local railroad or other common carrier stations including local airports;

c. busses operated solely for the transportation of school children and teachers to and from school;

d. any autobus with a carrying capacity of not more than 10 passengers operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route.

The word "person" as used in this chapter means and includes any individual, copartnership, association, corporation or joint stock company, their lessees, trustees, or receivers appointed by any court.

The word "street" as used in this chapter means and includes any street, avenue, park, parkway, highway, road or other public place.

The term "charter bus operation" as used in this chapter means and includes the operation of an autobus or autobusses by the person owning or leasing such bus or busses pursuant to a contract, agreement or arrangement to furnish an autobus or autobusses and a driver or drivers thereof to a person, group of persons or organization (corporate or otherwise) for a trip designated by such person, group of persons or organization for a fixed charge per trip, per autobus or per mile.

The term "special bus operation" as used in this chapter means and includes the operation by the owner or lessee of an autobus or autobusses for the purpose of carrying passengers for hire, each passenger paying a fixed charge for his carriage, on a special trip arranged and designated by such owner or lessee, which fixed charge may or may not include meals, lodging, entertainment or other charges.

Section amended.

65. Section 48:4–2.3 of the Revised Statutes is amended to read as follows:

Receivers and trustees to carry insurance; deposit with commissioner.

48:4–2.3. Receivers appointed by the United States District Court for the district of New Jersey or by the Superior Court of this State, or trustees in bankruptcy, who pursuant to an order of such court are operating any autobus, shall carry such insurance, or make such other provisions as the court appointing such receivers or trustees may by order direct, to indemnify such receivers or trustees against loss from the liability imposed by law for damages on account of bodily injury or death suffered by any person or persons as a result of an accident occurring by reason of the ownership, maintenance or use of such autobusses; but such receivers or trustees shall continue to carry such

insurance as is required to be carried by other owners and operators of autobusses under the provisions of this chapter until such court shall have made an order as herein provided, and upon the making of any such order as herein provided, a certified copy of the same shall be filed with the officer or officers with whom insurance policies are required to be filed by this chapter.

As a condition precedent to the making of such an order such receivers or trustees in bankruptcy shall deposit with the Commissioner of Banking and Insurance of this State the sum of $100,000.00 in cash or in stocks, bonds, or bonds and mortgages, approved by the commissioner, which cash, stocks, bonds and bonds and mortgages shall be held by the commissioner as security for the liability imposed by law upon such receivers or trustees in bankruptcy, for personal injury and death resulting from the operation of said autobusses by such receivers or trustees in bankruptcy, and shall be subject to levy under execution issued upon judgments for such bodily injuries or death against such receivers or trustees in bankruptcy.

Such order shall remain in force and effect only so long as there shall remain in the hands of the commissioner cash, bonds, stocks, or bonds and mortgages aggregating $100,000.00 and meeting with the approval of the commissioner from time to time. So long as said deposit shall be maintained as herein provided, and no levy shall be made thereon, the receivers or trustees making the same shall be entitled to collect and receive the interest and dividends thereon, and to withdraw any deposited stocks, bonds and bonds and mortgages upon depositing with said commissioner other like securities. Said deposit, or the balance thereof remaining, shall be returned to the receivers or trustees making the same upon proof satisfactory to the commissioner that all liabilities secured by said deposit have been discharged or adequately provided for.

66. Section 48:4–6 of the Revised Statutes is amended to read as follows: Section amended.

48:4–6. Any such municipal consent for the operation of an autobus heretofore granted and now in effect or hereafter granted and in effect may be transferred by the holder thereof upon obtaining the approval of the Board of Public Utility Commissioners upon application to it by either the transferor or the transferee. Transfer of consent.

The transferor and the transferee shall be jointly and severally liable for any outstanding debt due the board at the time of the transfer.

67. Section 48:4–9 of the Revised Statutes is amended to read as follows: Section amended.

48:4–9. The holder of a municipal consent for the operation of an autobus may use such autobus for special or occasional trips off its regular route whenever the autobus is not required for the operation of the schedule on its regular route. Special or occasional trips; forbids competition.

No special or occasional trip shall be operated in competition with any autobus route or a street railway line. The provisions of this paragraph shall apply to operators of special or occasional trips whether or not they hold municipal consents.

68. Section 48:4–11 of the Revised Statutes is amended to read as follows: Section amended.

48:4–11. Any person who shall operate an autobus in the streets of a municipality without complying with the provisions of this article shall be adjudged a disorderly person. Penalty and enforcement.

The Board of Public Utility Commissioners shall proceed at law or in equity to prevent any person from operating an autobus in violation of the provisions of this article or otherwise violating any provisions thereof.

Proceedings to prevent a person from operating an autobus without a valid municipal consent may be instituted by any public utility, the business or revenues of which are adversely affected thereby.

69. Section 48:4–12 of the Revised Statutes is amended to read as follows: Section amended.

May carry own insurance; paid up cash capital.

48:4–12. Whenever the owner of any autobus, or the person possessing the right to use the same, is required by any law of this State or any ordinance of any municipality of this State to obtain or file with any public board, body or official within this State an insurance policy against loss from liability imposed by law upon autobus owners, or the persons possessing the right to use same, for damages either as a condition for the obtaining or making or continuing effective the permit or consent of any municipality to operate, or for the operation of, such autobus, or otherwise, said owner or person possessing the right to use the same, if a corporation, organized under the laws of this State, may carry its own liability insurance providing it can reasonably satisfy the Commissioner of Banking and Insurance as to the permanence and financial standing of its business and providing its paid up cash capital is not less than that required in the following schedule:

SCHEDULE

CLASS 1

For any such corporation operating not more than 20 of such autobusses, there shall be required a cash paid up capital of $200,000.00.

CLASS 2

For any such corporation operating not more than 30 of such autobusses, there shall be required a cash paid up capital of $300,000.00.

CLASS 3

For any such corporation operating not more than 40 of such autobusses, there shall be required a cash paid up capital of $400,000.00.

CLASS 4

For any such corporation operating not more than 50 of such autobusses, there shall be required a cash paid up capital of $500,000.00.

CLASS 5

For any such corporation operating more than 50 of such autobusses, there shall be required a cash paid up capital of not less than $1,000,000.00.

Section amended.

70. Section 48:4–13 of the Revised Statutes is amended to read as follows:

Exemption; revocation.

48:4–13. Any owner desiring to be exempt from obtaining or filing such insurance policy, as aforesaid, shall make application to the Commissioner of Banking and Insurance, showing its financial ability to pay such damages, whereupon the commissioner, if reasonably satisfied of the applicant's financial ability, shall by written order make such exemption. The commissioner may from time to time require further statements of the financial ability of such company; and if at any time, in the opinion of the commissioner, such company appears no longer able to pay damages, the commissioner shall revoke his order granting exemption, in which case the said company shall immediately insure its liability as required by law.

Section amended.

71. Section 48:4–20 of the Revised Statutes is amended to read as follows:

Payment of excise tax ½ cent per mile; exception.

48:4–20. Every person owning or operating an autobus which is operated over any highway in this State for the purpose of carrying passengers from a point outside the State to another point outside the State, or from a point outside the State to a point within the State, or from a point within the State to a point outside the State shall pay to the Director of the Division of Motor Vehicles, as an excise for the use of such highway, ½ cent for each mile or fraction thereof such autobus shall have been operated over the highways of this State, except that no excise shall be payable for the mileage traversed in any municipality to which such owner or operator has paid a monthly franchise tax for the use of its streets under the provisions of section 48:4–14 of this Title.

Section amended.

72. Section 48:4–22 of the Revised Statutes is amended to read as follows:

Report of schedule of operations; report of charges.

48:4–22. On or before May 7, 1934, every such owner or operator shall file with the Director of the Division of Motor Vehicles a report of schedule of operations setting forth the routes traveled, their termini, the number of miles traveled daily in this State, the names of municipalities to which monthly franchise tax is payable and the miles traveled therein and the registration numbers of autobusses operated and such other information as the director may require.

Every such owner or operator shall give to the director immediate report in writing of any subsequent change in such schedule, or routes, or number of miles traveled daily, or autobusses, except that no notice need be given in case of the operation of an autobus which is temporarily used to supplement a fixed schedule of operation.

Section amended.

73. Section 48:4–23 of the Revised Statutes is amended to read as follows:

Revenues for highway purposes.

48:4–23. All moneys derived from the excise hereby imposed shall be paid over monthly by the Director of the Division of Motor Vehicles to the State Treasurer and such revenues are hereby appropriated to the State Highway Department for use by it for the construction and maintenance of highways.

Section amended.

74. Section 48:4–24 of the Revised Statutes is amended to read as follows:

Enforcement bond.

48:4–24. The Director of the Division of Motor Vehicles shall enforce the payment of the excise hereby imposed and for such purpose make and enforce such rules and regulations as he may deem necessary. He may require a bond or other surety for the payment of excise and penalties imposed by and payable pursuant to sections 48:4–20 to 48:4–34 of this Title and for compliance with the provisions of said sections and the rules and regulations made by him pursuant hereto.

Section amended.

75. Section 48:4–25 of the Revised Statutes is amended to read as follows:

Examination of records; oath.

48:4–25. The Director of the Division of Motor Vehicles shall have power, whenever he deems it

expedient, to make or cause to be made by deputy, auditor or investigator, an examination or investigation of the books, records, papers, vouchers, accounts and documents of every such owner or operator for the purpose of administering the provisions of sections 48:4–20 to 48:4–34 of this Title.

It shall be the duty of every such owner or operator and of every director, officer, agent or employee thereof to exhibit to the director, his deputy, auditor or investigator all of the books, records, papers, vouchers, accounts and documents of the owner or operator to facilitate, as far as it may be in his or their power so to do, any such examination or investigation.

The director, his deputy, auditor or investigator may take any oath of any person signing a deposition, statement, return or report required by the director in the administration of said sections 48:4–20 to 48:4–34.

Section amended.

76. Section 48:4–26 of the Revised Statutes is amended to read as follows:

Hearings.

48:4–26. The Director of the Division of Motor Vehicles or his deputy, auditors or investigators shall have power to conduct hearings and to administer oaths to, and to examine under oath, any such owner or operator and the directors, officers, agents and employees of such owner or operator, and as well all other witnesses relative to the transportation business of such owner or operator, in respect to any matter incident to the administration of sections 48:4–20 to 48:4–34 of this Title.

Section amended.

77. Section 48:4–27 of the Revised Statutes is amended to read as follows:

Subpœnas; fees.

48:4–27. The Director of the Division of Motor Vehicles shall have power by subpœna to compel the attendance of witnesses and the production of any books, records, papers, vouchers, accounts and documents of any such owner or operator, or of any other person at any such hearing. The fees of witnesses required to attend any such hearing shall be the same as those allowed to witnesses appearing in the Superior Court. Fees shall be paid

in a manner provided for the payment of other expenses incident to the administration of sections 48:4–20 to 48:4–34 of this Title.

Section amended.

78. Section 48:4–28 of the Revised Statutes is amended to read as follows:

Refusal to obey subpœna; procedure; contempt.

48:4–28. If a person subpœnaed to attend any hearing refuses to appear, be examined or answer any question or produce any books, records, papers, vouchers, accounts and documents when ordered so to do by the Director of the Division of Motor Vehicles or his deputy, auditor or investigator designated by him to conduct such hearing, the director, such deputy, auditor or investigator, may apply to the Superior Court, or any judge thereof, who shall have the power of the court for that purpose, upon proof by affidavit of the facts, to make an order returnable not less than 2, nor more than 10 days, directing such person to show cause before the court or a judge thereof, why he should not comply with the direction or order of the director, or of the deputy, auditor or investigator so appointed by the director.

Upon the return of such order, the court or judge before whom the matter shall come, shall examine such person under oath, and such person shall be given an opportunity to be heard and if the court or judge shall determine that such person refused without legal excuse to obey the command of the subpœna, or to be examined, or to answer a question, or to produce any book, paper, voucher, record, account or document which he was ordered to answer or produce, the court or judge may order such person to comply forthwith with the subpœna or order. Any failure to obey such order of the court or judge, may be punished by the court or judge as contempt of the Superior Court.

Section amended.

79. Section 48:4–30 of the Revised Statutes is amended to read as follows:

Revocation of registration; grounds.

48:4–30. Failure to file a report or bond in the manner prescribed by the Director of the Division of Motor Vehicles, or to pay proper excise, or any legal penalties imposed by sections 48:4–20 to

48:4–34 of this Title, or to adhere to any reasonable rules and regulations imposed by the director, or preventing an examination or investigation of books, records, papers, vouchers, accounts and documents, or refusing to exhibit such books, records, papers, vouchers, accounts and documents, or ignoring subpœna whether served within the State or without the State, shall be good cause for the director to revoke the registration certificates for autobusses issued to such owner or operator, or to prevent the operation in this State of autobusses registered in another State.

Section amended.

80. Section 48:4–31 of the Revised Statutes is amended to read as follows:

Collection of excise; prior lien.

48:4–31. The excise imposed by section 48:4–20 of this Title, and interest and penalties thereon from the time the same shall be due and payable, shall be a personal debt due from such owner or operator to the State, recoverable in any court of competent jurisdiction in any action at law to be commenced by the Director of the Division of Motor Vehicles on behalf of the State.

Such excise, interest and penalties shall be a first and prior lien upon the assets of such owner or operator and payment thereof shall be preferred in any distribution of the assets of the owner or operator whether in insolvency, bankruptcy or otherwise.

Section amended.

81. Section 48:4–32 of the Revised Statutes is amended to read as follows:

Penalty for failure to file report or pay excise.

48:4–32. Any such owner or operator who shall fail to file a report as required by section 48:4–20 to 48:4–34 of this Title, or bond when demanded, or fail to pay the excise imposed by said sections 48:4–20 to 48:4–34 within the time herein fixed and limited, shall forfeit and pay to the Director of the Division of Motor Vehicles for the use of the State the sum of $5.00 for each and every day of such default, which sum shall be recovered by the director in the manner hereinbefore provided for the enforcement of the payment of the excise imposed by said sections. Such moneys, when recovered,

shall be paid over to the State Treasurer for the use of the State Highway Commission for construction and maintenance of highways.

Section amended.

82. Section 48:4–36 of the Revised Statutes is amended to read as follows:

Financial coverage required.

48:4–36. Any person engaged in the operation of motor vehicles shall at all times have financial coverage. If such financial coverage shall be by insurance policy, such insurance policy or policies or true copies thereof, shall be filed with the board of public utility commissioners. Said board may reject any policy if and when it determines after hearing upon notice in writing to the insurance company that the company or companies writing or underwriting said policies of insurance is or are not financially responsible to respond in damages. Upon any hearing as provided herein, the burden of proving its financial responsibility shall rest upon said insurance company or companies.

Said insurance policies shall be conditioned for the payment of a minimum sum of not less than hereinafter set forth, hereinafter called "minimum liability," on any one judgment, and a maximum sum of not less than hereinafter set forth, hereinafter called "maximum liability," on all judgments recovered against any such person, upon claims arising out of the same transaction or transactions connected with the same subject of action, to be apportioned ratably among the judgment creditors according to the amount of their respective judgments, for damages because of bodily injury, including death, at any time resulting therefrom, or injury caused in the operation, maintenance, use, or the defective construction of such motor vehicles, as follows:

a. For damages because of bodily injury, including death, at any time resulting therefrom, for each motor vehicle having a seating capacity of not more than 12 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $50,000.00.

b. For each motor vehicle having a seating capacity of not less than 13 nor more than 20 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $100,000.00.

c. For each motor vehicle having a seating capacity of not less than 21 nor more than 30 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $200,000.00.

d. For each motor vehicle having a seating capacity of more than 30 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $300,000.00.

Section amended.

83. Section 48:4–37 of the Revised Statutes is amended to read as follows:

Liability for property damage.

48:4–37. For damages because of injury to or destruction of property, for each motor vehicle an insurance policy with a minimum liability of $5,000.00 and a maximum liability of $10,000.00.

Section amended.

84. Section 48:4–45 of the Revised Statutes is amended to read as follows:

Certain busses excepted.

48:4–45. The provisions of this article shall not apply to autobusses with a carrying capacity of not more than 10 passengers now or hereafter operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route, nor to any autobus solely engaged in transportation of school children, jurisdiction over which is now vested in any board or body other than the Board of Public Utility Commissioners.

Section amended.

85. Section 48:4–46 of the Revised Statutes is amended to read as follows:

Terms defined.

48:4–46. (a) As used in this article "motor vehicle carrying passengers for hire" is hereby defined as meaning any motor vehicle propelled otherwise than by muscular power (excepting such vehicles as run only upon rails or tracks exclusively) carrying passengers for hire of any kind

over the highways in this State except (1) motor vehicles carrying passengers for hire over the highways in this State by virtue of municipal consent or consents upon a route or routes established in any municipality or municipalities; (2) taxicabs; (3) hotel busses; (4) busses employed solely for transporting school children and teachers to or from school; (5) autobusses with a carrying capacity of not more than 10 passengers now or hereafter operated under municipal consent upon a route established wholly within the limits of a single municipality, which route does not in whole or in part parallel upon the same street the line of any street railway or traction railway or any other autobus route; (6) autobusses operated over highways in this State for the purpose of carrying passengers from a point outside the State to another point outside the State or from a point outside the State to a point within the State, or from a point within the State to a point outside the State between fixed termini on a regular schedule.

(b) "Self-insurer" means any person who by virtue of any law of this State, or in case of a nonresident, of the State of which such person is a resident and in which any motor vehicle coming within the provisions of this article is registered, is exempted by some official, board or body of this State or such other State from requirements imposed upon other owners of similar motor vehicles to carry insurance or secure possible claims for damages by a bond of a surety company.

(c) "Financial responsibility" means ability to satisfy claims to the extent set forth in sections 48:4–47 and 48:4–48 of this Title.

(d) "For hire" means compensation in any form, whether directly or indirectly made.

(e) "Financial coverage" means insurance and also self-insurer.

(f) "Magistrate" shall be deemed and understood to mean and include all judges of county and criminal courts, and other officers having powers of the committing magistrate.

86. Section 48:4–47 of the Revised Statutes is amended to read as follows: Section amended.

48:4–47. Any person engaged in the business of operating motor vehicles carrying passengers for hire shall at all times have financial coverage. If such financial coverage shall be by insurance policy, such insurance policy or policies, or true copies thereof, shall be filed with the Board of Public Utility Commissioners. Said board may reject any policy if and when it determines after hearing upon notice in writing to the insurance company that the company or companies writing or underwriting said policies of insurance is or are not financially responsible to respond in damages. Upon any hearing as provided herein, the burden of proving its financial responsibility shall rest upon said insurance company or companies. Financial coverage required.

Said insurance policies shall be conditioned for the payment of a minimum sum, hereinafter called "minimum liability," on any one judgment, and a maximum sum hereinafter called "maximum liability," on all judgments recovered against any such person upon claims arising out of the same transaction or transactions connected with the same subject of action, to be apportioned ratably among the judgment creditors according to the amount of their respective judgments, for damages because of bodily injury, including death, at any time resulting therefrom caused in the operation, maintenance, use or the defective construction of such motor vehicles, as follows:

(a) For damages because of bodily injury, including death, at any time resulting therefrom, for each motor vehicle having a seating capacity of not more than 12 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $50,000.00.

(b) For each motor vehicle having a seating capacity of not less than 13 nor more than 20 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $100,000.00.

(c) For each motor vehicle having a seating capacity of not less than 21 nor more than 30 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $200,000.00.

(d) For each motor vehicle having a seating capacity of more than 30 passengers, an insurance policy with a minimum liability of $10,000.00 and a maximum liability of $300,000.00.

Section amended.

87. Section 48:4–48 of the Revised Statutes is amended to read as follows:

Property damage; liability.

48:4–48. For damages because of injury to or destruction of property, for each motor vehicle an insurance policy with a minimum liability of $5,000.00 and a maximum liability of $10,000.00.

Section amended.

88. Section 48:4–54 of the Revised Statutes is amended to read as follows:

Penalty for refusal to exhibit evidence of financial coverage.

48:4–54. Any person who shall knowingly operate or permit to be operated a motor vehicle carrying passengers for hire who shall fail to display or who refuses to exhibit upon request of a proper person the evidence of insurance or other financial coverage provided for in this article shall, upon conviction, be adjudged a disorderly person and shall be liable to a penalty of not more than $100.00 or imprisonment for a term of not more than 90 days, or both a fine and imprisonment not exceeding the aforesaid maximum, at the discretion of the magistrate before whom the conviction shall be had.

C. 48:4-1.1. Jurisdiction as to specification and insurance.

89. The board shall have jurisdiction with respect to specifications and insurance requirements or financial responsibility as to charter busses and special busses.

C. 48:4-2.1a. Rules, regulations, orders.

90. The board may make rules, regulations and orders applicable to the construction, equipment and insurance required of every motor vehicle within its jurisdiction, and shall inspect, through its agents, inspectors and employees, any such motor vehicle to determine the manner of compliance with such rules, regulations and orders.

In the event of noncompliance with such rules, regulations and orders, or with statutory require-

ments, the board may, through its agents, inspectors and employees, cause the immediate discontinuance of the operation of such motor vehicle, and no such motor vehicle shall be restored to service without the express approval of the board. No person shall remove or deface any notice of discontinuance that has been affixed or otherwise attached to said motor vehicle without approval of the board.

Any person violating any provision of this section shall be deemed to be a disorderly person.

Section amended.

91. Section 48:6–14 of the Revised Statutes is amended to read as follows:

Powers.

48:6–14. Every canal company organized under this Title shall have power.

I. To enter upon all lands or waters to explore, survey and locate the route of the proposed canal, doing no unnecessary injury to private or other property, and subject to responsibility for all damages which shall be done thereto;

II. To purchase, hold and use all such real estate and other property as may be necessary in the construction, operation and maintenance of the canal, necessary for the full and free enjoyment of the canal;

III. Upon depositing in the office of the Secretary of State a survey of the route of the proposed canal, to construct, maintain and operate a canal between the points named in the certificate of incorporation;

IV. To use and let others use the canal and to charge tolls;

V. To demand and receive such sums of money for the transportation of persons and property and for any other services in connection therewith, in accordance with its filed tariff as approved by the Board of Public Utility Commissioners;

VI. To have constructed or to purchase all boats, machinery and other property necessary for the carrying on of its business; and

VII. To do any other act necessary for the full and free use and enjoyment by any canal company of the franchises hereby granted.

Section amended.

92. Section 48:6–17 of the Revised Statutes is amended to read as follows:

Borrowing money; issuing bonds; security.

48:6–17. Every canal company organized under this Title may borrow such sums of money from time to time, not to exceed in the whole its paid up capital stock, as may be necessary to construct and repair the canal and the works on lands adjacent thereto. To secure repayment thereof it may issue bonds secured by a mortage on its property and franchises provided. The bonds shall constitute a lien on the property and franchises of the company and the proceeds of the bonds shall be used for the purposes above specified.

Section amended.

93. Section 48:6–19 of the Revised Statutes is amended to read as follows:

Bridges and passages over canal.

48:6–19. Every canal company organized under this Title shall construct and properly maintain adequate bridges and passages over or under the canal at all places where any road or highway shall cross the canal.

Where the canal intersects any farm lands of any individual, the company shall provide and keep in repair suitable passageways over or under the canal. The canal company may refuse to build bridges to connect any such farm lands, in which event a judge of the Superior Court may appoint commissioners to assess the damages to the owner of the land as provided in chapter 1 of the Title Eminent Domain (§ 20:1–1 et seq.).

Section amended.

94. Section 48:6–21 of the Revised Statutes is amended to read as follows:

Transportation contracts.

48:6–21. Every canal company organized under this Title may make contracts with any person for transporting or conveying goods, freight and passengers in accordance with its filed tariffs.

Section amended.

95. Section 48:7–1 of the Revised Statutes is amended to read as follows:

Erection of poles; consent; street designation.

48:7–1. Any company organized or to be organized pursuant to the laws of this State for the purpose of constructing, maintaining and operating works for the supply and distribution of electricity for electric light, heat or power may use

the public highways, streets and alleys in this State for the purpose of erecting poles to sustain the necessary wires and fixtures, upon first obtaining the consent in writing of the owners of the soil. The poles shall be so located as in no way to interfere with the safety or convenience of persons traveling on the highways.

No poles shall be erected in any street of an incorporated city or town without first obtaining from the incorporated city or town a designation of the street in which the same shall be placed and the manner of placing the same. Such use of the public streets shall be subject to such regulations as may be first imposed by the corporate authorities of the city or town.

Section amended.

96. Section 48:7–2 of the Revised Statutes is amended to read as follows:

Pipes and conduits; restrictions; municipal permission.

48:7–2. Any such company may lay pipes or conduits and wires therein beneath such public highways, streets and alleys as it may deem necessary. Such pipes or conduits shall be laid at least 2 feet below the surface and shall not unnecessarily interfere with public travel, or damage public or private property. They shall be laid at the greatest practicable distance from the outside of any water or gas pipe, but in no event less than 3 feet therefrom, except where it shall be necessary to cross or intersect any such gas or water pipe.

No public streets shall be opened in any municipality for the purpose of laying any such pipes, conduits or wires without the permission of the municipality.

Section amended.

97. Section 48:8–8 of the Revised Statutes is amended to read as follows:

Safe landing places.

48:8–8. All owners or keepers of ferries shall construct and maintain safe places of landing, where they are needed, upon penalty of forfeiting such sum as the County Court of the county where the same is needed, shall, upon complaint, determine to be sufficient to construct or repair such convenient landing. The forfeiture shall, by order

of said court, be appropriated and laid out for that purpose.

Section amended.

98. Section 48:8–17 of the Revised Statutes is amended to read as follows:

Recovery of penalties.

48:8–17. The penalties imposed by this article shall be recoverable by action at law, with costs, in any court having cognizance thereof, by any person who will sue for the same.

Whenever any action for the recovery of any such penalty is prosecuted in a county district court and whenever the action is prosecuted in any other court it may be commenced by capias ad respondendum or summons, any law, usage or custom to the contrary notwithstanding.

Section amended.

99. Section 48:9–17 of the Revised Statutes is amended to read as follows:

Powers.

48:9–17. Every gas company heretofore organized under this chapter or hereafter organized under Title 14, Corporations, General, of the Revised Statutes may manufacture, sell, furnish and distribute such quantities of gas suitable for light, heat, power or other purposes as may be required in the municipality or municipalities where the same shall be located, or its operations lawfully extended.

Every such company may lay conductors and install related facilities for conducting gas through the streets, alleys, squares and public places in any municipality or municipalities in which it may lawfully operate, having first obtained the consent by resolution or ordinance of the governing body of such municipality for the furnishing of gas therein and the approval of such consent by the Board of Public Utility Commissioners. The consent may be subject to reasonable regulations with respect to the opening of streets, alleys, squares and public places, not inconsistent with the provisions of this article.

Section amended.

100. Section 48:9–20 of the Revised Statutes is amended to read as follows:

Laying new mains; notice; liability.

48:9–20. Before any gas company shall dig any trench for laying any new gas mains or pipes or

other apparatus, near to any water or gas pipe or branch or service pipe belonging to any other water or gas company, it shall give 24 hours' written notice thereof to the president, chief clerk, secretary or engineer of the other company, and shall, under the inspection of the president, chief clerk, secretary, engineer or agent of the other company, protect and secure every such water or gas pipe from injury and repair any damage that shall be done to such pipe. The notice shall be delivered to the principal office of the other company between the hours of 10 in the morning and 4 in the afternoon.

In default of repairing the damage, the gas company shall, for each default, forfeit and pay to the other company any sum not exceeding $25.00 together with the costs and expenses which shall have been incurred by it in protecting or securing any such other water or gas pipe or in repairing any injury that may have been done thereto, such costs and expenses to be ascertained by any court, and to be recovered in the same manner as any expenses or penalty under this chapter may be recovered.

Section amended.

101. Section 48:9–21 of the Revised Statutes is amended to read as follows:

Manner of laying pipes.

48:9–21. Every gas company organized under the laws of this State shall lay its main or distributing gas pipes at the greatest practicable distance from any pipe of any other company and at a horizontal distance of 4 feet at least from the nearest part of any such pipe, unless it shall be unavoidably necessary to lay the gas pipe across or nearer to any other pipe, in which case the gas pipe shall be laid under such pipe at the greatest practicable distance therefrom, this distance in no case to be less than 12 inches, and shall form therewith a right angle, or as near thereto as the situation will admit.

In no case shall any pipe be laid or apparatus used that will interfere in any way either with the present or future supply pipes of any company, or that may interfere with or increase the expense of

replacing, removing or repairing the supply pipes or apparatus of any company.

All gas companies which were in operation on April 21, 1876, shall have the same rights and privileges of laying their mains and pipes, and making and supplying gas, that their respective charters and contracts then gave them.

Section amended.

102. Section 48:9–23 of the Revised Statutes is amended to read as follows:

Extension of mains.

48:9–23. Any gas company now existing, whether by special charter or by organization under an act entitled "An act to authorize the formation of gas light corporations and regulate the same," approved April 21, 1876, or hereafter organized under the laws of this State and actually engaged in the manufacture and supply of gas in the municipality for the supply of which it was organized or chartered, may extend its main pipes to any neighboring municipality wherein no gas company exists, for the purpose of supplying the same with gas; provided, the governing body of the neighboring municipality shall grant permission for that purpose.

When such permission shall be granted, the company shall have the same rights and privileges of laying gas mains and the like to and in the neighboring municipality as it has in the municipality where it was originally located.

Section amended.

103. Section 1 of P. L. 1949, c. 110 (C. 48:9–25.4) is amended to read as follows:

C. 48:9-25.4. Distribution of natural gas or mixture of gases; designation of route.

1. Any gas company organized under the laws of this State in addition to but not in limitation of the powers conferred by the laws under which it was organized may construct, lay, maintain and use facilities, conductors, mains and pipes, with the appurtenances thereto, in, through and beyond any municipality or municipalities, for the purpose of transmitting through the same natural gas or any mixture of gas or gases of any other type or types for use in its business; provided, that in each case such corporation shall first have obtained a designation by the governing body or official having control thereof, of the public street, road, highway

or place, which may be occupied by such corporation for such purpose. If any governing body or official having control of any public street, road, highway or place, after having received from such corporation a request to designate such public street, road, highway or place, for occupancy by such corporation for such purpose, shall fail or refuse to make such designation or to designate a practicable route, the Board of Public Utility Commissioners, upon application by the corporation, and after hearing on notice to such governing body or official, shall make such designation.

Section amended.

104. Section 48:12–1 of the Revised Statutes is amended to read as follows:

Application of chapter.

48:12–1. The provisions of this chapter, except as otherwise herein restricted or unless the contrary appears from the context, shall apply to all railroad companies however formed, created or organized under any law of this State.

Any company organized under the act entitled "An act to authorize the formation of railroad corporations and regulate the same," approved April 2, 1873 (L. 1873, c. 413, p. 88), shall be included within the description in this chapter of companies organized under this Title.

The provisions of this chapter so far as applicable shall extend to any receiver, trustee or person operating a railroad in this State under a franchise.

Section amended.

105. Section 48:12–2 of the Revised Statutes is amended to read as follows:

Exclusive franchises; railroads subject to Title 48.

48:12–2. No franchise granted prior to July 4, 1903, to construct a railroad or build or establish bridges or ferries or operate any line of travel and take tolls or fares therefor shall after that date remain exclusive and no like franchise granted after that date shall be exclusive unless in such grant heretofore or hereafter made it be so expressly provided.

All railroad corporations organized under this Title shall be subject to all general laws now or hereafter passed to regulate railroads and their operation.

Section amended.

106. Section 48:12–13 of the Revised Statutes is amended to read as follows:

General powers.

48:12–13. Every railroad company shall have the general powers conferred by Title 14, Corporations, Generally, of the Revised Statutes and the supplements thereto and shall be governed by the provisions and be subject to the restrictions and liabilities therein contained, so far as the same are appropriate to and not inconsistent with this Title or with the provisions of the act under which any such company may have been created and organized, and, in addition thereto, shall have power:

I. To enter at all times upon all lands or waters for the purpose of exploring, surveying and laying out the routes of its railroad and of locating the same, to make such surveys as may be necessary to the selection of the most advantageous route, and to locate all necessary buildings, works, conveniences and appurtenances, doing no unnecessary injury to property and subject to responsibility for all damages done thereto;

II. To acquire from time to time and hold and use all such real estate and other property as may in the judgment of its directors be necessary for terminal purposes and for the construction and maintenance of its railroad, stations, branches, sidings, car yards, engine houses, repair shops and other accommodations necessary to accomplish the objects of its incorporation, and to sell land thus acquired when not necessary for such purposes and objects;

III. To construct and operate its road, to construct or purchase all engines, cars, machinery and appliances for the transportation of persons and property, to charge and collect fares and charges for transportation of passengers and freight and to exercise all other powers by this chapter granted.

Section amended.

107. Section 48:12–30 of the Revised Statutes is amended to read as follows:

Franchise forfeited; priority of location.

48:12–30. Any railroad company organized under the laws of this State which shall fail to comply with the provisions of section 48:12–29 of

this Title shall forfeit thereby the franchises given to it by such laws.

Where any company has failed to construct its road upon any part of the location shown by its filed survey within the time allowed by law and after the expiration of such time any other railroad company duly files a survey of a location crossing or occupying the same, the company last filing its location shall have priority of right over such location.

Section amended.

108. Section 1 of P. L. 1947, c. 17 (C. 48:12–32.1) is amended to read as follows:

C. 48:12-32.1. Branch lines spurs, etc., to horse race meeting premises.

1. Any railroad company may lay out, construct, acquire, lease, contract in respect to, or purchase any branch line or lines, spur or side track of railroad, not exceeding 4 miles in length, either entirely or partially, in, through, along, across or upon any public or private road or street, and may maintain and operate the same, connecting with and extending from the main line or any branch line of the company, to extend to the premises, place, track or enclosure where any horse race meeting is held or conducted or to be held or conducted by any person, partnership, association or corporation, pursuant to a license or permit heretofore or hereafter issued by the New Jersey Racing Commission.

Such railroad company may make and enter into an agreement or contract with any such licensee or permit holder for any such construction, maintenance and operation of any such branch line or lines, spur or side track of railroad.

Such railroad company may take, hold, occupy and use the land necessary for any such purpose or purposes and shall file a map and description of the survey of the route of the branch line or lines, spur or side track of railroad, in the office of the Secretary of State and shall make the deposit required by section 48:12–25 of this Title, pending construction, with the State Treasurer.

Such railroad company shall not construct any branch line or lines, spur or side track of railroad for any such purpose or purposes within the limits

of any city, town, borough, village or township until it shall have first obtained the consent of the municipal governing body, which consent may be given by resolution or by the grant of an easement and any such consent of a municipal governing body shall be subject to the approval of the Board of Public Utility Commissioners.

Section amended.

109. Section 48:12–36 of the Revised Statutes is amended to read as follows:

Crossing another railroad.

48:12–36. No railroad company shall cross another railroad at grade at a less angle than 20 degrees, but a railroad may be located upon the surveyed route or location of any other railroad company with the consent of such other company.

Section amended.

110. Section 48:12–39 of the Revised Statutes is amended to read as follows:

Straightening; improving road; condemnation.

48:12–39. Any railroad company may straighten, shorten or improve its road or connect points thereon by shorter lines or branches upon filing and recording a survey of the straightened, shortened or improved line in the same manner as is required in the case of an original survey of location.

Any such company may take and acquire by condemnation all the land necessary for that purpose.

The company may retain and continue to use or may sell or otherwise dispose of all or any part of the original road for which such line has been substituted after it has constructed its road on its new location.

Section amended.

111. Section 48:12–40 of the Revised Statutes is amended to read as follows:

May abandon part of line; repayment of deposit; new survey.

48:12–40. Any railroad company prior to the operation of any trains may abandon any part of its line before the same shall have been wholly completed upon filing and recording in the office of the Secretary of State a certificate of abandonment, executed by its president and secretary, under its seal, describing the part to be abandoned.

Thereupon the Treasurer of the State shall repay to the company out of the money of the company therefor deposited with the treasurer as required by law, $2,000.00 for every mile, and a

proportionate sum for any distance less than a mile of its route so abandoned.

The company shall not thereafter extend or construct its road upon the portion so abandoned without first filing and recording a new survey thereof in the office of the Secretary of State and making the deposit with the treasurer required by law.

112. Section 48:12–41 of the Revised Statutes is amended to read as follows:

Section amended.

48:12–41. Any railroad company may build and maintain over such streams as its roads may cross, such piers and bridges as it may deem expedient, and may build viaducts over or tunnels under any navigable or other river, stream or bay which the railroad may cross.

Construction and maintenance; State land under water.

Except as hereinafter otherwise provided, every such bridge or viaduct shall have a pivot draw with 2 openings, each of no less width than the widest opening of any viaduct or bridge now built over any such river, stream or bay, at right angles to the main channel, located at a point convenient for navigation.

No such company shall take any land under water belonging to this State without first obtaining the consent of the Department of Conservation and Economic Development, unless such land is at least 25 feet under the bed of the water. The department may convey the same on receiving the compensation it may fix.

113. Section 48:12–43 of the Revised Statutes is amended to read as follows:

Section amended.

48:12–43. Where a railroad is constructed across a stream where the tide ebbs and flows and by reason of the narrowness of the stream or shallowness of water it is unnecessary or impracticable to construct a pivot draw with 2 openings or any draw, the company may apply to the Department of Conservation and Economic Development, who shall, after personal inspection and due inquiry, determine what character of bridge is proper and whether any drawbridge is necessary and if so, the

Bridges over tidal waters; inspection and consent of department.

character and dimensions thereof and how the same shall be maintained, considering the extent and importance both of the navigation of the stream and of the public travel over the railroad.

The determination of the department shall be filed by it with the clerk of the county or counties in which the bridge lies and shall bind the company. A compliance with this determination by the company shall be a full performance of its duties and obligations with respect to the bridge.

Section amended.

114. Section 48:12–44 of the Revised Statutes is amended to read as follows:

Bridges over Delaware river; condemnation; occupying State lands.

48:12–44. Where the line of any railroad company of this State is constructed to the Delaware river, such company may extend such line, with as many tracks as it shall deem necessary, by means of a bridge and its approaches, to the middle of the river and connect the same with any railroad of an adjoining State and may change the location of its line or make such other improvements therein as may be necessary or convenient for this purpose.

The company may acquire by condemnation such lands as may be necessary.

The company may occupy so much of the land belonging to this State as shall be required for the bridge and the piers and abutments thereof and approaches thereto, upon payment to the Department of Conservation and Economic Development of such compensation as it shall fix. The department shall convey such lands in fee to the company upon receiving such payment.

The company may retain that portion of the line which has been relocated if in its opinion the abandonment of the original line would be inconvenient or injurious to the interests of the public and the company.

Section amended.

115. Section 48:12–45 of the Revised Statutes is amended to read as follows:

Interstate tunnel; manner of constructing; changing sewers.

48:12–45. Any railroad company organized under the laws of this State whose route lies in part under the bed of waters of an interstate river or other interstate waters may build its railroad under the same by tunnel.

In approaching such river or waters the company may build its railroad in part by tunnel under lands and longitudinally or otherwise under streets and public places in municipalities and under railroads and rivers, and in part on or above the surface of the land.

The company may construct and secure the foundations and other structures required for the construction, maintenance and operation of the road and may connect the road under the bed of the waters of the river with the railroad of any company organized under the laws of an adjoining State.

The tunnel shall be so built and maintained as to make the surface of the ground above the same firm and safe for building and other erections thereon and shall be at such depths beneath the lands, rivers, railroads, streets and public places as not to interfere with the use thereof.

The company may enter upon, purchase or acquire in the manner provided by law, such lands or rights and easements in lands along its said route, upon, over or beneath the surface of the land as shall be necessary for its purposes.

The right of way beneath the streets and public places and the use thereof for the purpose of the railroad is hereby declared to be a public use consistent with and one of the uses for which the same are publicly held.

Whenever it shall be necessary to alter the position of any public sewer or water pipe the same shall be done at the expense of such company under the direction of the public authorities having charge thereof.

Any such company shall have 10 years from the date of its organization to open and complete one track of its road.

Nothing in this section shall authorize the building of any railroad either upon or above the surface or by open cut longitudinally along any street of a city or town.

Section amended.

116. Section 48:12–46 of the Revised Statutes is amended to read as follows:

Fences; cattle guards; liability.

48:12–46. Every railroad company shall erect and maintain fences on the sides of its road of the height and strength of division fences required by law, with gates or barways at farm crossings. Every such company shall also construct and maintain cattle guards at road crossings sufficient to prevent cattle and other animals from getting on the railroad.

Until such fences and guards are erected the company shall be liable for damages done by its trains to cattle or other animals straying on its railroad. Where such fences and guards have been duly erected and maintained the company shall not be liable for such damages unless negligently or willfully done.

Section amended.

117. Section 1 of P. L. 1960 c. 152 is amended to read as follows:

C. 48:12-49.1. Reconstruction, etc., of bridges, etc.; installation of protective devices; division of expenses.

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 over or under the railroad or right of way pursuant to order of the board under section 48:12–49 of the Revised Statutes; or (b) the installation, change, reconstruction, relocation, or modification of protective devices or other provision for the protection of the traveling public at grade crossings of a railroad which operates passenger service within this State, pursuant to order of the board under sections 48:2–29, 48:12–54 or 48:12–55 of the Revised Statutes, provided, however, that if the board orders the installation of protective devices or other provision for the protection of the traveling public at grade crossings of any other railroad under said sections 48:2–29, 48:12–54 or 48:12–55 and finds that such installation is necessary due to increased vehicular or pedestrian traffic it may pay, out of such funds, a percentage of the entire expense, not to exceed

85%, and the railroad company or companies involved shall pay the remaining percentage of the entire expense. Such expense shall include, without limitation thereto, damages to adjacent property and the cost of removing, relaying or relocating any municipal pipes, conduits or subways.

The protective devices or other provision for the protection of the traveling public at grade crossings installed under (b) above shall be maintained by the railroad at its own cost and expense.

In lieu of the apportionment of expenses as set forth above, if the board finds that such installation, enlargement, change, reconstruction, relocation or modification is necessary due to increased vehicular or pedestrian traffic within the limits of the municipality or county having jurisdiction over the road, street or avenue involved, the board may order the entire expense to be paid as follows: 15% by the railroad company or companies involved, 15% by the municipality (or municipalities) or county (or counties) having jurisdiction over the roads, streets or avenues involved and 70% by the board.

The municipalities and counties involved are hereby authorized and empowered to make such payments.

Section amended.

118. Section 48:12–54 of the Revised Statutes is amended to read as follows:

Protection at grade crossings; application; construing.

48:12–54. Every company operating on a fixed track or tracks, freight or passenger trains or cars, shall provide protection to pedestrians and the traveling public at every crossing of its tracks by any public road. Such protection may be in the form of safety gates, flagmen, electric bell, electric signs or other recognized system of alarm or protection by the Board of Public Utility Commissioners.

When several crossings lie so close together that an audible signal at one crossing may be sufficiently heard at others near it, such crossings may be protected by such device or signals as will sufficiently protect all crossings in the group.

When on any line or part thereof all traffic is discontinued for any part of the night, no crossing guards need be operated while traffic is so discontinued.

This section shall not apply to street car lines or tracks used principally for street car purposes.

The provisions of this section shall be construed to be mandatory and shall be operative without order or direction of the board.

Section amended.

119. Section 48:12–55 of the Revised Statutes is amended to read as follows:

Compelling proper protection.

48:12–55. The Board of Public Utility Commissioners, upon its own initiative or upon the application of any municipality or citizen dissatisfied with the protection provided or the failure to provide any or sufficient protection at any crossing within such municipality or used by such citizen may by order compel proper compliance with section 48:12–54 of this Title. Such application shall be considered and acted upon in accordance with the board's rules of practice.

Section amended.

120. Section 48:12–57 of the Revised Statutes is amended to read as follows:

Bell or whistle on locomotives; penalty.

48:12–57. Every railroad company shall place on each engine a bell weighing not less than 30 pounds which shall be rung continuously in approaching a grade crossing of a highway, beginning at a distance of at least 300 yards from the crossing and continuing until the engine has crossed such highway, or a whistle or horn operated by steam, air or electricity, which shall be sounded, except in cities, at least 300 yards from the crossing and at intervals until the engine has crossed the highway.

For every default the company operating such road shall pay a penalty of $100.00 to be sued for by any informer within 10 days after such penalty was incurred, ½ to go to the informer and ½ to the county wherein such default occurred. Nothing herein shall take away any remedy for such neglect from any person injured thereby.

121. Section 48:12–58 of the Revised Statutes is amended to read as follows: Section amended.

48:12–58. Every railroad company shall install and maintain at each highway crossing at grade a conspicuous sign with such inscription and of such standard and design as shall be approved by the Board of Public Utility Commissioners, so as to be easily seen by travelers. Warning signs at grade crossings.

122. Section 48:12–62 of the Revised Statutes is amended to read as follows: Section amended.

48:12–62. 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 such alterations, reconstructions, changes, relocation or opening, including damages to adjacent property and the cost of removing, relaying or relocating any municipal pipes, conduits or subways. Division of expenses.

In lieu of the apportionment of expenses as set forth above, if the board finds that such alterations, reconstructions, changes, relocations or openings are necessary due to increased vehicular or pedestrian traffic within the limits of the municipality or county having jurisdiction over such public highways involved, the board may order such expenses to be paid as follows: 15% by the railroad company or companies involved, 15% by the municipality (or municipalities) or county (or counties) having jurisdiction over such public highways involved and 70% by the board.

The municipalities and counties involved are hereby authorized and empowered to make such payments.

123. Section 48:12–63 of the Revised Statutes is amended to read as follows: Section amended.

48:12–63. Where the order of the board shall require changes in or the removal of the property or facilities of any other public utility, the public utility shall at its own expense move or change the location or grade of its property or facilities in conformity with such order; provided, that if funds are granted or allotted by the United States Gov- Expenses of change or removal of property; hearing.

ernment or any of its agencies, the board may, with the consent and approval of the Governor, allot and credit any or all of the funds so received toward the payment of the expenses to be borne by such utility or utilities. They shall be deemed parties in interest and be given notice of hearing and opportunity to be heard.

Section amended.

124. Section 48:12–64 of the Revised Statutes is amended to read as follows:

Petition for removal of grade crossing; hearing.

48:12–64. Any railroad company or companies whose tracks cross or are crossed at grade by a public highway, or the body having charge of the finances of any municipality or county having jurisdiction over any such highway, may present to the board a petition in writing setting forth the facts upon which relief under sections 48:12–61 to 48:12–67 of this Title is sought, or the board may of its own motion proceed with respect to any such crossing or crossings.

Thereupon the board shall fix a time and place for a hearing before it and shall order the railroad or railroads to give such notice thereof as it shall deem reasonable to the municipality or county and to the corporations, copartnerships or individuals interested therein. After such hearing the board shall determine or order what, if any, alterations to or changes in or connected with the crossing or crossings and public highway shall be made.

Section amended.

125. Section 48:12–65 of the Revised Statutes is amended to read as follows:

Notice of hearing; publication; contents.

48:12–65. The notice of time and place of hearing required by section 48:12–64 of this Title may, except as to the municipality or county and the railroad company or companies interested in the hearing, be given by publication of a notice in a newspaper circulating in the municipality in which the crossing or crossings to which such hearing relates may be located. The newspaper shall be designated by the board.

The publication shall be at such intervals and for such period of time as the board shall deem reasonable. It shall be directed generally "To whom it

may concern,'' give notice of the time and place of hearing and describe generally the object of the hearing.

Section amended.

126. Section 2 of P. L. 1947, c. 178 (C. 48:12–67.1) is amended to read as follows:

C. 48:12-67.1. Application of sections 48:12-61 to 48:12-66.

2. Sections 48:12–61 to 48:12–66 of the Revised Statutes shall apply to all alterations, reconstructions, changes, relocations or openings ordered by the Board of Public Utility Commissioners, after the effective date of this act, and also to any alterations, reconstructions, changes, relocations or openings ordered prior to such effective date, if no part of the work under such order had been actually commenced on the ground prior to such date. No further application to the board shall be necessary in any proceedings in which an order of the board had been made prior to the effective date of this act to bring the alterations, reconstructions, changes, relocations or openings, so ordered, within the provisions of said sections 48:12–61 to 48:12–66 of this Title.

This section shall not be applicable to any grade crossing elimination under a State Highway Department program, pursuant to the provisions of sections 48:12–68 to 48:12–77 of this Title.

Section amended.

127. Section 48:12–68 of the Revised Statutes is amended to read as follows:

Department to formulate annual program; maximum expenditure.

48:12–68. The State Highway Department, before January 1 of each year, shall formulate a program, covering the work to be started or completed during the ensuing year, for the elimination of railroad crossings at grade on State highways, the improvement, relocation, alteration and reconstruction of crossings of railroads and State highways not at grade, and the location and construction of new crossings of railroads and State highways not at grade, where the construction of the new crossings of railroads and State highways not at grade result or will result in the closing, abandonment or combination of an existing grade crossing at or in the vicinity of the new State highway crossing.

The aggregate estimated cost of the work in such annual program, in which railroad companies will share, shall not exceed $2,000,000.00.

Section amended.

128. Section 48:12–69 of the Revised Statutes is amended to read as follows:

Companies to be furnished programs; co-operation required.

48:12–69. The State Highway Department shall furnish the annual program to every company owning or operating a railroad which is called upon to perform work under the program.

Every such railroad company shall co-operate with the State Highway Department in the prompt execution and completion of the work.

Section amended.

129. Section 48:12–70 of the Revised Statutes is amended to read as follows:

Division of expenses.

48:12–70. The cost of the work to be shared by railroad companies and the State Highway Department provided for in any annual program, exclusive of the cost of the surface paving on roadways and the curbing, sidewalk paving and guard rails on approaches, which shall be constructed at the sole expense of the State, shall be borne and paid 15% by the railroad company or companies involved and 85% by the State.

Section amended.

130. Section 48:12–71 of the Revised Statutes is amended to read as follows:

Agreements for division of costs.

48:12–71. The State Highway Department and any railroad company or companies may enter into an agreement on the basis of the division of the cost, as provided by section 48:12–70 of this Title, covering the work in the annual program, or the elimination of any crossing at grade or the improvement, relocation, alteration or reconstruction of any crossing not at grade on any State highway, in addition to the work provided for in such program.

Section amended.

131. Section 48:12–72 of the Revised Statutes is amended to read as follows:

Department to bear entire expense of crossings not at grade.

48:12–72. The State Highway Department shall bear the entire expense of locating and constructing all crossings of railroads and State highways not at grade to carry new highways over or under the railroads where the construction of such crossings

does not result or will not result in the closing, abandonment or combination of an existing grade crossing at or in the vicinity of the new highway crossing.

Section amended.

132. Section 48:12–73 of the Revised Statutes is amended to read as follows:

Agreements with companies to perform work.

48:12–73. The State Highway Department may enter into an agreement or agreements with the company or companies owning or operating such railroad or railroads for the performance by such company or companies of any work under sections 48:12–68 to 48:12–78 of this Title.

Section amended.

133. Section 48:12–74 of the Revised Statutes is amended to read as follows:

Annual program furnished; expense.

48:12–74. Whenever the work in the annual program involves changes in rails, pipes or lines owned by a municipality or public utility, the State Highway Department shall furnish the program to the municipality or public utility. Thereupon the municipality or public utility shall cooperate with the State Highway Department and the railroad companies.

The municipality or public utility shall, at its own expense, change its rails, pipes and lines to conform to the plan adopted by the State Highway Department; provided, that if funds are granted or allotted by the United States Government or any of its agencies, the State Highway Department, with the consent and approval of the Governor, may allot and credit any or all of the funds so received toward the expenses to be borne by the municipality and the public utility or public utilities, the property or properties of which are required to be changed.

Section amended.

134. Section 48:12–76 of the Revised Statutes is amended to read as follows:

Closing, abandoning or combining crossings.

48:12–76. In connection with the elimination of any crossing at grade, the improvement, relocation, alteration or reconstruction of any crossing not at grade, or the location and construction of any new crossing not at grade under sections 48:12–68 to 48:12–75 of this Title, the Board of Public Utility

Commissioners on petition of the State Highway Department or of any railroad company affected or of any party in interest may close, abandon or combine any railroad crossing or crossings at grade of any State, county or municipal highway or highways, when the board shall determine that the public safety so requires or public convenience so permits and that by reason of said State highway construction or improvement the crossing is or the crossings are no longer necessary.

Section amended.

135. Section 48:12–79 of the Revised Statutes is amended to read as follows:

Contracts between municipalities and railroads; condemnation; division of expenses.

48:12–79. The proper municipal authorities in any municipality may enter into such contracts with any railroad company whose road lies wholly or partially within the municipality or whose route has been located therein as will secure greater safety to persons or property therein, or will facilitate the construction or maintenance of other than grade crossings of streets, highways or other railroads, or will provide for increased or improved station or terminal facilities and transportation service, or will improve the surroundings of or make more convenient the access to a station of the railroad within the municipality.

For such purposes the municipal authorities may construct sidewalks on, pave, repave, curb, gutter, lay out, open, vacate or alter the lines or change the grade of any street, highway, square or other public areas or places, and may lay out, improve and maintain public parks, plazas or other public places as a part of such improvements. The railroad company may locate, relocate, change, alter grades of, depress or elevate any of its railroad tracks, bridges or facilities, and construct new or additional tracks and transportation or station facilities as shall be specified and provided for in the contract.

For the purposes of this section the municipality and the railroad company may take by purchase or condemnation any lands or any interest therein required for such improvements and make such

changes or conveyances of their respective lands or any interest therein as will facilitate such work.

The cost and expenses of such lands, changes and improvements shall be borne by the municipality and the railroad company in such shares or proportions as may be provided in the contract.

Section amended.

136. Section 48:12–81 of the Revised Statutes is amended to read as follows:

Contracts between county and railroads for elimination of grade crossings.

48:12–81. Where a public road maintained at county expense or controlled by the county is intersected by a railroad, the board of chosen freeholders of the county and the company owning or operating the railroad may enter into a contract to provide for the relocation of the public road and the relocation of the tracks of the railroad and to provide for such grades or changes in the grades of the public road and railroad as will facilitate the construction or maintenance of other than grade crossings upon the public road.

For such purposes the board of chosen freeholders may locate, relocate or vacate and alter the lines and change the grades of the public road, construct sidewalks and pave, repave, gutter and otherwise improve the public road as part of the improvement.

The railroad company may locate, relocate, change, alter grades of, depress or elevate any of its tracks, bridges or facilities, and construct new or additional tracks, as provided for in the contract.

For the purposes above enumerated the county and the railroad company may take by purchase or condemnation any lands required for such improvements and may make such exchanges or conveyances of their respective lands or any interest therein as will facilitate the work.

The cost and expense of any such lands, changes and improvements shall be borne by the county and the railroad company in such proportions as may be provided in the contract.

Any company owning or operating a street railroad on the public road at such crossing or crossings may become a party to the contract.

Section amended.

137. Section 48:12–83 of the Revised Statutes is amended to read as follows:

Unprotected crossings; contributory negligence a jury question.

48:12–83. In any action against a railroad company to recover damages for injury or death occurring at any crossing at which the company has not installed any safety gates, bell or other warning or protective device of the kind usually employed to warn and protect the traveling public and such injuries or death are alleged to be due to the negligence of the company, the plaintiff's action shall not be dismissed on the ground of contributory negligence on the part of the person injured or killed, but it shall be left to the jury to determine whether such person was exercising due and reasonable care under the conditions existing at the crossing at the time of such injury or death.

If the jury shall determine that the person injured or killed was not exercising due and reasonable care under the circumstances, the verdict shall be against the plaintiff and in favor of the defendant.

Section amended.

138. Section 48:12–96 of the Revised Statutes is amended to read as follows:

Operation of busses authorized.

48:12–96. Any railroad company operating under this chapter may acquire, own and operate autobusses and autotrucks for the transportation of passengers, freight, mail and other property.

Section amended.

139. Section 48:12–100 of the Revised Statutes is amended to read as follows:

Right to demand and receive fares.

48:12–100. A railroad company may demand and receive such sums of money for the transportation of persons on its railroad and connections and for any other services connected with the business of transportation of persons over its railroad or to or from the same, in accordance with its approved tariff on file with the Board of Public Utility Commissioners.

Section amended.

140. Section 48:12–103 of the Revised Statutes is amended to read as follows:

Extra fares.

48:12–103. Any railroad company may, subject to the approval of the Board of Public Utility Commissioners, collect such extra fare from passengers

who travel in cars furnished in a superior manner and with extra accommodations, commonly known as parlor or sleeping cars, provided the company shall also run trains of ordinary first-class passenger cars in number sufficient to accommodate fully all persons who prefer to travel therein.

Section amended.

141. Section 48:12–117 of the Revised Statutes is amended to read as follows:

Freight charges.

48:12–117. Any railroad company may demand and receive such sums of money for the transportation of property on its railroad and connections and for any other services connected with such transportation on or over its railroad or to or from the same as it may from time to time think reasonable and proper in accordance with its approved tariff on file with the Board of Public Utility Commissioners.

Section amended.

142. Section 48:12–121 of the Revised Statutes is amended to read as follows:

Rates for express matter.

48:12–121. Any railroad company may charge in accordance with the approved tariff on file with the Board of Public Utility Commissioners for the transportation of the following property any rate not exceeding twice the rate such company is allowed to charge for transporting ordinary goods by their respective charters or the law of this State:

a. Express matter in packages weighing less than 100 pounds each or the value of which exceeds $1.00 per pound;

b. Property forwarded in passenger or special trains; or

c. Property the handling or transportation of which is attended with extraordinary expense or risk, such as live animals in less quantities than carloads, valuable furniture not boxed, powder, glass plates, pianos and the like.

Any railroad company may receive from any express or transportation company, person or firm any amount that such company, person or firm shall agree to pay for carrying express goods or other property; any limit to the rate of compensation in the charters of such railroad companies or otherwise to the contrary notwithstanding.

Nothing in this section shall exonerate any railroad company from carrying goods other than of the kind above mentioned that shall be offered to their agents for transportation on the terms prescribed by their respective charters or by the laws of this State.

Section amended.

143. Section 48:12–126 of the Revised Statutes is amended to read as follows:

Lease, consolidation or merger authorized; rates.

48:12–126. Any railroad company of this State, or any railroad company not a corporation of this State authorized by law to own or operate any railroad in this State, may lease its road or any part thereof to any other railroad company of this or any other State, or may take a lease of the road or any part thereof of any such other railroad company, or may unite or consolidate as well as merge its stock, property, franchises and roads with those of any such other railroad company or companies, or may acquire by merger the stock, property, franchises and road of any such other railroad company or companies, or may do both; provided, however, that nothing in this section shall be deemed to authorize any railroad company of this State to be merged into any railroad company that is not a corporation of this State, or of this State and some other State or States, unless the company into which it is proposed to merge such company of this State owns the entire capital stock, or is in possession of and holds under lease all of the railroad and franchises, of such railroad company of this State to be so merged.

After such lease, consolidation or merger the company or companies so acquiring such stock, property, franchises and road may use and operate such road as their own road and collect fares and freight as provided in the case of railroad companies organized under the laws of this State, but not in excess of the charges on the line of any of the consolidated or merged companies, nor in excess of the rates limited by any special act incorporating such company.

Such leasing, consolidation or merger may be made where the roads of the companies connect either directly or over the intervening line of one or more other railroad companies.

144. Section 48:12–131 of the Revised Statutes is amended to read as follows: Section amended.

48:12–131. The several parties to any such agreement of consolidation or merger shall, from the time of the recording thereof in the office of the Secretary of State, be taken to be one railroad company by the name adopted in case of a consolidation or by the name of the acquiring company in case of a merger, possesing within this State all the rights and franchises and subject to all the restrictions, disabilities and duties of the companies of this State, or owning or operating any railroad in this State, so consolidated or merged and in case of a consolidation, if any of the constituent companies so consolidated was a corporation of this State, the new company formed by such consolidation shall be a corporation of this State or of this State and some other State or States. Effect of merger or consolidation.

All the rights, privileges and franchises of each of the companies parties to any such agreement of consolidation or merger and all rights-of-way, real estate and personal property, and all debts, stock subscriptions and other things in action of the companies ccnsolidated or merged shall be taken to be transferred to the new or acquiring company without further act or deed and to be vested in the new or acquiring company as effectually as they were in the former companies.

The new or acquiring company may take land by purchase or condemnation in the same manner and to the same extent as companies organized under the laws of this State.

All rights of creditors and all liens upon property shall be preserved unimpaired and all debts, liabilities and duties of any of the former companies shall thenceforth attach to the new or acquiring company and be enforced against it to the same extent as if incurred by it.

Section amended.

145. Section 48:12–132 of the Revised Statutes is amended to read as follows:

Dissenting stockholders from merger, etc.; procedure.

48:12–132. Any stockholder of any company of this State who shall refuse to convert his stock into the stock or securities of the consolidated or acquiring company or who shall dissent from any merger or lease of the property and franchises of his company to another company, may at any time within 30 days after the adoption of the agreement by the stockholders of his company apply by complaint on reasonable notice to the company, or to the consolidated or acquiring company if the consolidation or merger shall have become effective, to the Superior Court who shall appoint 3 disinterested citizens of this State to estimate the damage if any done to the stockholder by such consolidation, merger or lease. Such appraisers shall also separately appraise the shares of the stockholders at the full market value thereof without regard to any depreciation or appreciation thereof in consequence of the consolidation, merger or lease. Their award when filed with the clerk of the Superior Court and confirmed by the Superior Court shall be final and conclusive.

The company, or the consolidated or acquiring company if the consolidation or merger shall have become effective, may, at its election, pay to the stockholder the amount of damages so found, if any, or the value of the stock so appraised and determined. Upon the payment of the value of his stock it shall be transferred and belong to the company, or to the consolidated or acquiring company if the consolidation or merger shall have become effective, as the case may be, to be disposed of by the directors or retained.

In case the value of the stock shall not be paid within 30 days after the confirmation of the award and notice to the company, or to the consolidated or acquiring company if the consolidation or merger shall have become effective, the damages so found and confirmed shall have the force and effect of a judgment of the Superior Court for such

damages against the company or, in the case of a consolidation or merger which shall have become effective, against the consolidated or acquiring company.

Section amended.

146. Section 48:12–134 of the Revised Statutes is amended to read as follows:

Borrowing money; bonds secured by mortgage.

48:12–134. In all cases of merger or consolidation under this article, the consolidated or acquiring company may borrow an amount of money, sufficient to cover all the indebtedness of the companies united by such consolidation or merger and complete, extend, repair, improve and equip its railroad and furnish all necessary lands, personal property, engines, cars and equipment, and may issue bonds for the money borrowed secured by mortgage on its corporate property and franchises or any part thereof.

Section amended.

147. Section 48:12–137 of the Revised Statutes is amended to read as follows:

Deposit repaid in certain cases.

48:12–137. When any railroad company organized under the laws of this State shall, by agreement of lease, merger or consolidation, become possessed of a line of railroad between the termini named in its certificate of incorporation and cars are actually being operated thereon, and shall file a certificate of that fact with the State Treasurer over its corporate seal, signed by its president and attested by its secretary and verified by the affidavit of its treasurer, the State Treasurer shall repay to such company the sum of money deposited with the State Treasurer as required by section 48:12–8 of this Title or so much thereof as shall not have been already repaid. In case the company has become merged or consolidated, the sum shall be paid to the new or acquiring company formed by the consolidation or merger.

Section amended.

148. Section 48:12–138 of the Revised Statutes is amended to read as follows:

Sale or lease; title vested.

48:12–138. When a sale is made of a railroad in this State under execution or by force of a decree or judgment in foreclosure or insolvency proceedings or otherwise, or when a lease of a railroad is

made by a receiver by order of the Superior Court, the sale and conveyance or lease shall vest in the purchaser or lessee such title of the parties to the suit as the court may direct, and may include all property and franchises of the company subject to all conditions, limitations and restrictions.

Section amended.

149. Section 48:12–139 of the Revised Statutes is amended to read as follows:

Acceptance of former charter by new company.

48:12–139. The purchaser or lessee and his associates or assigns not less than 3 in number, may within 18 months after the sale or lease, organize as a railroad company under a different corporate name from that of the former company by filing and recording in the office of the Secretary of State a certificate that they accept the charter of the company whose property has been sold or leased and setting forth the further particulars required in a certificate of incorporation under this Title, so far as applicable. Such company shall have all the powers and franchises and be subject to all the restrictions, limitations and conditions of the former company.

In lieu of such acceptance of the former charter the purchaser or lessee may form a railroad company under the laws of this State at any time after the sale or lease. The new company may take conveyance of and operate such railroad with the franchises and powers by this chapter conferred in lieu of those granted by special charter.

Section amended.

150. Section 48:12–141 of the Revised Statutes is amended to read as follows:

Foreclosure sale of railroad of another State with part of route in this State.

48:12–141. Where suit is brought to foreclose a mortgage of the railroad and franchises of any railroad company of another State, any part of whose route, whether acquired by lease or otherwise, lies within this State, the suit in this State shall, so far as is consistent with the protection of parties having liens in this State, be conducted as auxiliary to the foreclosure suit in the State where the company is domiciled. The Superior Court may order the sale of property and franchises in this State to be made in such other State at the same time

and place as the foreclosure sale therein under such regulations as to advertisement or otherwise and on such terms as the Chancellor may direct.

No conveyance shall be made until confirmation of the sale by the Superior Court. The Superior Court may impose such terms as may be equitable upon the acquisition by the purchaser of the property and franchises of the company in the hands of the receiver, if any, in this State.

Section amended.

151. Section 48:12–142 of the Revised Statutes is amended to read as follows:

Procedure to acquire property and franchise; transfer of property.

48:12–142. Where a new railroad company is formed in the State of the domicile of such former company by or on behalf of the purchasers, to take and operate the railroad and its franchises, the new company may, within 6 months after the sale, apply to the Superior Court in the foreclosure suit in this State by complaint containing a copy of its charter, certificate of incorporation or other documentary legal evidence, and the Superior Court on due proof may adjudge that the new company has been legally created and has acquired the property and franchises of the original company. A duly certified copy of the complaint, proceedings and judgment shall be filed in the office of the Secretary of State. Said record or a copy thereof, shall be evidence of the incorporation and rights in this State of the new company.

The purchasers at the official sale of the property and franchises may transfer them to the new company, or, if no conveyance has been made, may assign their bids, in which case the Superior Court may direct the receiver, master or officer to make conveyance to the new company on such terms as shall be equitable. The new company shall possess all powers of corporations organized under the laws of this State and all powers conferred by such laws on the company whose property and franchises were sold. The new company may enjoy the property and exercise the franchises so conveyed to it within this State as fully as if it were organized under the laws of this State, subject to all liens,

contracts, limitations, covenants and agreements relative to the mortgaged premises, property and franchises prior to the making of such mortgage. The filing of the record in the office of the Secretary of State shall operate as a covenant to perform such contracts, limitations, covenants and agreements.

Section amended.

152. Section 48:12–145 of the Revised Statutes is amended to read as follows:

Failure to run daily trains; receiver; exceptions.

48:12–145. If a railroad company shall fail or neglect to run daily trains on any part of its road for a space of 10 days the Superior Court, on petition of a citizen of this State and on due proof of the facts, may appoint a receiver who shall take possession of all of the real estate and personal property of the company and operate the road and transact the ordinary business thereof in the transportation of freight and passengers for such time as the Superior Court may direct.

All expenses incurred thereby shall be a first lien on all the earnings of the company prior to any other claim and the surplus if any shall be distributed as the Superior Court may direct. The receiver shall apply all unencumbered personal property not required in the operation of the road and all moneys transferred to him at the time of his appointment, towards the payment of wages then due to employees of the company, not exceeding 2 months' wages.

This section shall not apply to a railroad at any seaside resort built principally for the transportation of summer travelers nor to a temporary suspension necessary to complete, reconstruct or change the grade of any railroad.

Section amended.

153. Section 48:12–146 of the Revised Statutes is amended to read as follows:

Operation of insolvent railroad by receiver; expenses a first lien.

48:12–146. When a railroad company in this State shall become insolvent and its property shall have passed into the hands of a receiver by order of the Superior Court, the receiver shall operate the railroad for the use of the public, subject at all times to the order of the Superior Court. All expenses incident to the operation of the railroad

shall be a first lien on the receipts, to be paid before any other encumbrances whatever.

Section amended.

154. Section 48:12–147 of the Revised Statutes is amended to read as follows:

Sale or lease of railroad by receiver.

48:12–147. The receiver, appointed by the Superior Court, of an insolvent railroad company of this State, or of another State holding railroad franchises and property in this State, may, with the approval of the Superior Court, lease or sell the railroad with all its chartered rights, privileges and franchises.

The purchaser or lessee shall hold, use and enjoy the same during the residue of the term limited in the charter of the company or during the term in such lease specified as fully as the company could have enjoyed the same, subject to all the restrictions, limitations and conditions contained in the charter.

Where the railroad of an insolvent company lies partly in another State, the Superior Court may order the sale of any of its property or franchises at the same time or place, whether in or out of this State, of any official or foreclosure sale thereof out of this State. Such sale may be made in such manner that a purchase thereof may be made on one and the same bid by the purchaser of the property and franchises out of this State or otherwise as the Superior Court may direct, imposing on the purchaser such terms as shall be equitable.

The Superior Court may order the company to join with the receiver in the conveyance of the property and franchises.

Section amended.

155. Section 48:12–148 of the Revised Statutes is amended to read as follows:

Lease of railroad by receiver or trustee; conditions.

48:12–148. No lease of a railroad shall be made by a trustee or receiver appointed by the Superior Court except upon a rental and adequate security for the payment of the same, both to be first approved by the Superior Court and a majority of the stockholders of the railroad in interest, upon such public notice to the parties in interest as the Superior Court shall direct.

Section amended.

156. Section 48:12–149 of the Revised Statutes is amended to read as follows:

Deposit returned to receiver.

48:12–149. When the Superior Court or a court of competent jurisdiction has adjudged a railroad company to be insolvent and appointed a receiver to wind up its affairs, the Superior Court or such court may, upon petition of such receiver and upon such notice as the Superior Court or court may require, order the State Treasurer to pay to the receiver any money of the company deposited with the State Treasurer at the time of its organization, or such part thereof as may remain on deposit.

Upon the making of such order the State Treasurer shall pay the money so deposited, or such part thereof as may remain in his hands, to the receiver who shall, after paying his expenses, distribute the balance to such creditors or stockholders as may by law be entitled to receive the same.

Section amended.

157. Section 48:12–151 of the Revised Statutes is amended to read as follows:

Limitation on actions; injuries to persons; injuries to property; exceptions.

48:12–151. All actions accruing from injuries to persons caused by the wrongful act, neglect or default of any railroad company owning or operating any railroad within this State, shall be commenced and sued within 2 years next after the cause of action accrued, and not after, except for injuries to infants and incompetents occurring subsequent to the effective date of this act. Actions by an executor or administrator for injuries causing the death of the testator or intestate shall be commenced and sued within 2 years next after the death, and not after. All actions for injury done to any property by fire communicated by an engine of any railroad company of any railroad within this State shall be commenced and sued within 2 years after the cause of action accrued, and not after, except that action for injury occurring after the effective date of this act shall be commenced within 6 years after the cause of action accrued, and not thereafter.

Section amended.

158. Section 48:12–166 of the Revised Statutes is amended to read as follows:

Neglect or refusal to pay fare; penalty.

48:12–166. Any person who shall:

a. Travel or attempt to travel on any train on a railroad without having previously paid his fare and with intent to avoid payment thereof; or

b. Having paid his fare for a certain distance, knowingly and willfully proceed on such train beyond such distance without previously paying the additional fare for the additional distance, and with intent to avoid the payment thereof; or

c. Knowingly and willfully refuse or neglect on arriving at the point to which he has paid his fare to quit such train—

Shall for every such offense forfeit to the company running the train a sum not exceeding $5.00.

On complaint made on oath and after summary hearing of the facts and circumstances or on admission of the parties, any magistrate of the municipality where the offender may be arrested shall have jurisdiction to impose such fine with costs.

Section amended.

159. Section 48:13–9 of the Revised Statutes is amended to read as follows:

Entry on lands for preliminary surveys; compensation for damage.

48:13–9. Every sewerage company organized under the laws of this State may enter upon lands in the neighborhood of the municipality which it is intended to supply with a sewerage system and make all such preliminary surveys, examinations, explorations, measurements and levelings as may be necessary for its corporate purposes, subject to the right of the owners to full compensation for damages to their lands.

Section amended.

160. Section 48:13–10 of the Revised Statutes is amended to read as follows:

Construction of works.

48:13–10. Every sewerage company organized under the laws of this State may build, alter, repair, enlarge and maintain all necessary works and apparatus within or without such municipality, and lay all such pipes and conduits for sewerage at such times and in such places as shall be necessary and proper for its corporate purposes.

Section amended.

161. Section 48:13–11 of the Revised Statutes is amended to read as follows:

Laying pipes beneath streets; municipal consent; approval of health department.

48:13–11. Every sewerage company organized under the laws of this State may lay its pipes and conduits beneath such public roads, streets, avenues and alleys as it may deem necessary for its corporate purposes, upon complying with the terms and conditions upon which the consent of the corporate authorities to the organization of the company shall have been obtained, provided that the consent to the laying of such pipes shall be obtained of any municipality through which the same may be laid.

Such pipes shall be laid at least 3 feet below the surface and shall not unnecessarily interfere with public travel or damage public or private property.

No consent shall be granted by the corporate authorities to such company to lay its pipes beneath such public roads, streets, avenues or alleys for the purposes aforesaid until a map and specifications of the proposed system of sewerage shall have been submitted to the State Department of Health and to the corporate authorities of any such municipality in which such system of sewerage is proposed, and the map and specifications shall have been approved by them.

Section amended.

162. Section 48:13–13 of the Revised Statutes is amended to read as follows:

Time of starting and completing system.

48:13–13. Every sewerage company organized under the laws of this State shall commence the construction of the proposed system of sewerage within 6 months from the date of its organization, and shall complete the same within 3 years from the date of commencement. The conditions annexed to the consent of the corporate authorities may designate a shorter period for the completion of such works.

Section amended.

163. Section 48:13–14 of the Revised Statutes is amended to read as follows:

Rental and use of sewers.

48:13–14. Such company may contract with property owners and others for the use of its system of sewerage for such price or rents and such restrictions as the company may think proper in accordance with approved tariffs filed with the Board of Public Utility Commissioners.

Section amended.

164. Section 48:14–2 of the Revised Statutes is amended to read as follows:

Manner of laying pipes and conduits.

48:14–2. Pipes and conduits shall be laid at least 3 feet below the surface and shall not unnecessarily interfere with public travel or damage public or private property.

They shall be laid at least 3 feet from the outside of any water or gas pipe already laid, except when it shall be necessary to cross, in which case they shall be at least 12 inches from the outside of the water or gas pipe.

Section amended.

165. Section 48:14–9 of the Revised Statutes is amended to read as follows:

Surveys; entry on lands.

48:14–9. When a survey of the locations of the dams of any steam or water power company organized under the laws of this State and the routes and locations of its main canals and raceways, branches and improvements, together with the lands and portions of such rivers or streams necessary for the same, shall be completed and deposited in the office of the Secretary of State, such company may enter upon, take possession of, and use, occupy and possess such lands and premises as authorized by this Title.

Every such company may enter upon all lands, whether covered with water or not, for the purposes contemplated by this article, subject to the right of the owners of said lands to full compensation for damages thereto.

Section amended.

166. Section 48:14–11 of the Revised Statutes is amended to read as follows:

Dams; construction; jurisdiction of department of conservation and economic development.

48:14–11. Every steam and water power company organized under the laws of this State may construct and maintain dams on rivers and streams at such points and at such heights as it may deem necessary or advisable, and may flow back and raise the water in the rivers or stream above the dam to a height not exceeding 10 feet above common low water of the rivers and streams.

The plans and construction of the dams shall be approved by the Department of Conservation and Economic Development. For dams on navigable

streams, the department may require the construction of such canals, locks, gates, shoots or other openings as, after public hearing, it may determine that the interests of navigation require. Where judged necessary by it, the department may require all dams constructed under this article to be provided with a fishway for the passage of shad and other fish.

Section amended.

167. Section 48:14–12 of the Revised Statutes is amended to read as follows:

Canals and raceways.

48:14–12. Every steam and water power company organized under the laws of this State may cut or acquire main canals or raceways on each side of the rivers or streams from its dams to such points below as it may deem necessary. The company also may cut and erect as many lateral or branch raceways, locks, weirs, gates and other works, from the main canals or raceways to the rivers or streams as it may deem expedient for the purposes of generating, using and selling the power of the rivers and streams and electric power developed therefrom for mills, manufactories and other purposes. All work pursuant to this section shall be subject to the approval of the Department of Conservation and Economic Development.

The water so diverted from the rivers and streams shall be returned again to them after being so used, as unpolluted as before it was used.

Section amended.

168. Section 48:14–13 of the Revised Statutes is amended to read as follows:

Time of starting and completing works.

48:14–13. Every steam and water power company organized under the laws of this State shall commence its proposed dams and works within 2 years from the date of its organization, and complete the dams and cut or acquire its main canals or raceways within 3 years from the date of commencement aforesaid.

Section amended.

169. Section 48:14–15 of the Revised Statutes is amended to read as follows:

Construction and maintenance of necessary works.

48:14–15. Every steam and water power company organized under the laws of this State may construct, maintain, improve and repair all such

embankments, reservoirs, aqueducts, culverts, locks, bridges and other works as it may deem convenient and necessary for the public purposes of this article.

Section amended.

170. Section 48:14–16 of the Revised Statutes is amended to read as follows:

Development and sale of electric power.

48:14–16. Every steam and water power company organized under the laws of this State may develop electric power for commercial purposes by means of water power and supply current and power at such prices as may be agreed upon. Such company may erect and maintain the necessary buildings, machinery and apparatus for developing power and current and distribute the same to any place or places.

Section amended.

171. Section 48:14–17 of the Revised Statutes is amended to read as follows:

Erection of poles; municipal consent.

48:14–17. Every steam and water power company organized under the laws of this State may enter upon any public highway, street or alley and erect poles on the same to sustain the necessary wires and fixtures, and alter, inspect and repair its system of distribution.

No such company shall enter upon any street or alley of any city, borough or township until after the consent of the governing body thereof shall have been obtained.

Section amended.

172. Section 48:14–18 of the Revised Statutes is amended to read as follows:

Lease of dams and works; consolidation.

48:14–18. Every steam and water power company incorporated under the laws of this State may lease its dams and works or any part thereof to any other company or consolidate and merge its stock, property and franchises with those of any other company or companies of this or any other State. Such other company or companies may take such lease or consolidate and merge its stock, property and franchises with such company to form a new company.

After such lease or consolidation the lessee or the consolidated company may use and operate such dams and works and their own dams and works, or all or any of them according to the provisions and

restrictions contained in this article, notwithstanding any privilege heretofore granted to another company.

Section amended.

173. Section 48:14–19 of the Revised Statutes is amended to read as follows:

Prohibits sale of water for domestic use; diversion by municipality.

48:14–19. No steam and water power company organized under the laws of this State shall supply any municipality or the public with water for potable or other domestic uses.

Nothing in this article shall impair the right or privilege of any municipality to take from the rivers and streams wholly in this State, or between this and any other State, the potable waters thereof for public purposes.

No such company shall be entitled to damages or compensation for the diversion of the waters of any such river or stream or tributaries thereof for the water supply of any municipality.

Section amended.

174. Section 48:14–20 of the Revised Statutes is amended to read as follows:

Survey of dams, etc.; map filed.

48:14–20. Every water power company organized to construct one or more dams in any river or stream tributary to Barnegat bay for the purpose of developing and selling water power and generating, distributing and selling electricity, may cause examinations and surveys to be made of its proposed dams, reservoirs, ponds, locks, weirs, gates, bridges, canals, race and power stations, as well as the land that may be overflowed by the erection of the dams. It may enter upon any lands or waters for the purpose of making such examinations and surveys, subject to liability for all damage done.

A survey and map shall be made of the land to be taken or entered upon, which map shall be signed by the president and secretary of the company and filed in the office of the clerk of the county in which the lands shown on the map are situated.

Section amended.

175. Section 48:15–1 of the Revised Statutes is amended to read as follows:

Terms defined.

48:15–1. The term "street railway or traction company" when used in this chapter means and includes, unless the contrary appears from the con-

text, a company organized under this Title, or any company heretofore organized, reorganized or consolidated under the provisions of any act of this State general, special or private, for the purpose of owning, leasing or operating a street railway or a railroad operated as a street railway and extensions thereof, or any company, which, by virtue of any act of this State, has become subject to the provisions of any law of this State authorizing the incorporation of street railway or traction companies.

The word "street" when used in this chapter means and includes a public street, avenue, highway, road, alley, lane, plaza, square or other public place.

Section amended.

176. Section 48:15–3 of the Revised Statutes is amended to read as follows:

Consent of public body to have force of contract.

48:15–3. Any consent required by this chapter to be given by any public body may be given by a resolution or ordinance of such body and shall have the force and effect of a contract when accepted by any street railway or traction company in a writing under its corporate seal, filed with the clerk of the public body or in the office of the clerk of the county in which such body exists. Nothing herein shall make the provisions of R. S. 48:2–14 inoperative.

Section amended.

177. Section 48:15–28 of the Revised Statutes is amended to read as follows:

Relocation of tracks; approval of commissioners.

48:15–28. Whenever any street railway or traction company shall change the location of its tracks or any part thereof in any street or public park to another part of such street or park, or from a private right of way proposed to be taken for street or public park purposes to a new location within the lines of any street or within the boundaries of such park, or from any street, public park or private right of way to a new location in another street, at the request of the body charged with the maintenance and repair of such streets or public park on or through which such tracks are located and to which such tracks shall be moved, the company so changing the location of its tracks and its successors

and assigns may maintain and operate its tracks with the necessary appurtenances in the new location for as long a period as it had the right to maintain and operate the tracks in their former location at the time of the relocation.

No such change shall be made without first obtaining approval of the Board of Public Utility Commissioners.

Section amended.

178. Section 48:15–29 of the Revised Statutes is amended to read as follows:

Municipal consent.

48:15–29. No street railway shall be constructed in any street or other public place in any municipality except upon the consent of the governing body of the municipality.

Section amended.

179. Section 48:15–30 of the Revised Statutes is amended to read as follows:

Consent of public authority.

48:15–30. If any board, body or public authority other than the governing body of the municipality shall have control of any street in which a proposed street railway is to be constructed, the consent of such other board, body or public authority shall also be required before the street railway is constructed or operated.

The consent shall be given in the same manner as is provided in respect to the consent of a municipal governing body.

Section amended.

180. Section 48:15–39 of the Revised Statutes is amended to read as follows:

Substitution of busses for street railways.

48:15–39. Any company organized under any law of this State operating a street railway in any county of this State may operate autobusses in substitution in whole or in part for street railway service upon any of its lines or parts thereof, subject to the approval of the Board of Public Utility Commissioners.

Section amended.

181. Section 48:15–49 of the Revised Statutes is amended to read as follows:

Construct and operate terminal; acquire property; condemnation.

48:15–49. Any street railway or traction company may construct, maintain and operate a terminal station in any municipality, and for that purpose any such company may purchase, acquire by condemnation in the manner provided by law, and hold

all such property, real and personal, or interest or estate therein, as may be necessary for that purpose and for constructing approaches thereto.

Section amended.

182. Section 48:15–50 of the Revised Statutes is amended to read as follows:

Connecting subways; surface or elevated tracks.

48:15–50. In order to connect the tracks of any street railway system with such terminal the company building or owning the terminal may construct a subway under any street, park or other public place upon such terms and conditions as may be prescribed by the body having control of such street, park or public place and approved by the Board of Public Utility Commissioners.

With the consent of such body and the approval of the Board of Public Utility Commissioners, the company in connecting the tracks of any street railway system with the terminal by surface tracks or elevated tracks built on private property or by both, may cross at grade or overhead substantially at right angles any street lying between the tracks of such system and the terminal.

Section amended.

183. Section 48:15–54 of the Revised Statutes is amended to read as follows:

Compliance with order; fixing compensation.

48:15–54. Upon the making of the order aforesaid, the street railway or traction company, within the time fixed in such order, shall lay its tracks, wires and appurtenances on the bridge and use the same for public travel.

Should the board order the company to lay its tracks, wires and appurtenances on the bridge and to operate its cars thereon but refuse to determine the compensation if any to be paid by the company to the municipality owning the bridge for the use thereof, jurisdiction is hereby given to the Superior Court on complaint of the municipality or the company, to fix the compensation, if any, to be paid.

Notwithstanding any proceeding to review the amount of compensation to be paid, the company shall proceed to lay its tracks, wires and appurtenances on the bridge and operate its cars thereon, pending the controversy as to the amount of the compensation to be paid.

Section amended.

184. Section 48:15–56 of the Revised Statutes is amended to read as follows:

Proceedings where stockholder dissents.

48:15–56. Any stockholder of a company whose property and franchises shall be leased pursuant to section 48:15–55 of this Title and who shall not assent to the lease, or who shall resist or object to the making thereof, may within 30 days after the making of the lease, apply by complaint to the Superior Court to appoint 3 disinterested persons to estimate the damage if any done to the stockholder by the lease and to appraise his stock at the full market value thereof without regard to any depreciation or appreciation in consequence of the lease. The award of the person so appointed or a majority of them when confirmed by the court shall be final and conclusive.

The lessor company may at its election pay to the stockholder either the amount of damages so found and awarded, if any, or the value of the stock so ascertained. Upon the payment of such value of the stock, the stockholder shall transfer the stock to the lessor company to be disposed of or retained for the benefit of the remaining stockholders.

If the value of the stock is not so paid within 30 days from the filing of such confirmation of the award by the court and notice to the lessor company, the damage so found and confirmed shall be judgment against the company and collected as are other judgments.

Section amended.

185. Section 48:17–8 of the Revised Statutes is amended to read as follows:

Poles and conduits; construction; consent of landowner.

48:17–8. Any telegraph or telephone company organized under the laws of this or any other State, or of the United States may erect, construct and maintain the necessary poles, wires, conduits, and other fixtures for its lines, in, upon, along, over or under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles, and through, across or under any of the waters within this State and upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same.

186. Section 48:18–7 of the Revised Statutes is amended to read as follows: Section amended.

48:18–7. When the location of any tunnel and approaches and the location of the necessary buildings, appurtenances and conveyances shall be determined upon, every such tunnel company shall have power to and it shall be lawful for it to proceed to condemn and acquire and take the land necessary for its business, in accordance with chapter 1 of the Title Eminent Domain (§ 20:2–1 et seq.), or agreeably to chapter 2 of the Title Eminent Domain (§ 20:2–1 et seq.). Condemnation; permission of department of conservation and economic development.

As a prerequisite to the institution of any condemnation proceeding pursuant to the provisions of this chapter written permission so to do must first be obtained from the, Department of Conservation and Economic Development which permission shall be recorded in the office of the clerk of the county wherein such lands are situated and filed in the office of the Secretary of State.

187. Section 48:18–11 of the Revised Statutes is amended to read as follows: Section amended.

48:18–11. Before any tunnel company organized under this chapter shall begin the construction of a tunnel or tunnels, it shall apply to the Department of Conservation and Economic Development for a permit so to do. The department is hereby directed to issue a permit to any such company to construct a tunnel or tunnels, and its terminal or termini, in accordance with the provisions of this chapter; but no permit shall be issued for the construction of any such tunnel or tunnels within 10 miles of any bridge now crossing the Delaware river, or within any other limitation provided by statute in connection with any existing bridge. Permit required; restrictions; time limit for starting construction.

Where a permit is issued for the construction of any such tunnel or tunnels no other permit shall be issued for the construction of any additional tunnel or tunnels within 10 miles from any location for which a permit has been previously issued.

Within 2 years after the granting of any permit hereunder the construction of any such tunnel or

tunnels shall be commenced or the permit so issued shall be void.

Section amended.

188. Section 48:18–12 of the Revised Statutes is amended to read as follows:

Revocation of permit.

48:18–12. Any permit granted under the terms of this chapter shall be subject to revocation by the Department of Conservation and Economic Development upon the failure of the holder of any such permit, within 6 months, to secure the necessary and proper approvals of the State with which the tunnel or tunnels shall connect.

Section amended.

189. Section 48:18A–1 of the Revised Statutes is amended to read as follows:

Vacating turnpike or plank road; petition.

48:18A–1. Any turnpike or plank road company incorporated under the laws of this State, where more than ½ of the length of the authorized route of such turnpike or plank road is laid over salt marsh or meadow land, and where an improved public highway parallels such turnpike or plank road its entire authorized route, upon petition to the Board of Public Utility Commissioners, may be relieved of the public duties and obligations arising out of the maintenance and operation of such turnpike or plank road, upon obtaining the consent and approval of such board, which matter may be brought before such board for its consideration, consent and approval, by a petition to such board, setting forth the purpose thereof, and serving a notice of the filing of such petition, together with a copy thereof, on each municipality entered by such turnpike or plank road, and upon the Department of Conservation and Economic Development of this State and the War Department of the United States of America, or its agent, where such turnpike or plank road company maintains a bridge or bridges in any of the navigable waters of this State, and upon the board or boards of chosen freeholders of the county or counties in which such turnpike or plank road is constructed.

Section amended.

190. Section 48:19–11 of the Revised Statutes is amended to read as follows:

Increase capital stock; approval required.

48:19–11. Each water company in this State may increase its capital stock by and with the consent of ⅔ of the stockholders of the company and upon filing certificate of such action in the office of the Secretary of State.

Nothing in this section contained shall be construed as authorizing any water company to issue any capital stock pursuant to this section until such company shall have first obtained authority so to do from the Board of Public Utility Commissioners in the manner provided by section 48:3–9 of this Title.

Section amended.

191. Section 48:19–13 of the Revised Statutes is amended to read as follows:

General powers.

48:19–13. Each water company organized under the laws of this State may take and divert sources of water supply and build, erect, alter, repair, enlarge and maintain reservoirs and works and may lay pipes and conduits and install facilities for water as shall be necessary and proper to enable the company to carry into effect the purposes of its incorporation.

Section amended.

192. Section 48:19–14 of the Revised Statutes is amended to read as follows:

Right of entry.

48:19–14. Each water company may enter upon any lands for the purpose of making all such preliminary examinations, explorations, measurements and levelings as may be necessary and proper for its corporate purposes, and subject to responsibility for all damages which shall be done thereto.

Section amended.

193. Section 48:19–17 of the Revised Statutes is amended to read as follows:

Pipes beneath streets authorized; consent.

48:19–17. Each water company may lay its pipes beneath such public roads, streets, and alleys as it may deem necessary for its corporate purposes, free from all charge to be made by any person or body politic whatsoever for such privilege, and may also construct and maintain hydrants on and along such streets and alleys, provided that the consent shall be obtained of the corporate authorities of the municipality through which the pipes may be laid.

The pipes shall be laid at least 3 feet below the surface and shall not in anywise unnecessarily

obstruct or interfere with the public travel or damage public or private property.

Section amended.

194. Section 48:19–18 of the Revised Statutes is amended to read as follows:

Sale of water.

48:19–18. Each water company organized under the laws of this State may sell and dispose of the water issuing from its reservoirs, aqueducts or pipes for such rates and pursuant to such terms and conditions as are in accordance with its approved tariff on file with the Board of Public Utility Commissioners.

Section amended.

195. Section 48:19–19 of the Revised Statutes is amended to read as follows:

Contracts between companies for water supply.

48:19–19. Every water company organized under the laws of this State may contract with any company organized under any law of the State for a supply of water upon such terms and for such times as may be mutually agreed upon. Such companies may lay such supply mains and pipes as may be thought necessary to furnish such supply through any property upon obtaining the consent in writing of the owner thereof, or under the surface of any streets, roads, highways or public places, provided that the companies first obtain the consent by ordinance of the municipalities through which the mains and pipes are to be laid.

The municipal body having control of such streets, roads, highways or public places shall designate the place therein where and the manner in which the pipes or mains shall be laid.

Section amended.

196. Section 48:19–20 of the Revised Statutes is amended to read as follows:

Extension of works; consent.

48:19–20. Every aqueduct company which was on March 21, 1888, in existence under any special charter in this State and every water company incorporated under the law of this State, may add to and extend its works to and within any municipality to such extent as may be necessary to carry out its corporate purposes, provided municipal consent is obtained and approved by the Board of Public Utility Commissioners, and may take such lands and may divert such streams of water in the manner

provided in chapter 3 of this Title as shall be necessary for that purpose.

Nothing in this section shall empower any company to supply or furnish water within the corporate limits of a municipality of this State owning or controlling its water supply, without the permission of such municipality.

Section amended.

197. Section 14:2–2 of the Revised Statutes is amended to read as follows:

Purposes for which corporations may be formed.

14:2–2. There may be incorporated under this Title corporations for the purpose of

(1) Constructing, maintaining and operating railroads or street railways, or

(2) Constructing, maintaining and operating works, systems, conduits, conductors, lines, equipment, and facilities for the carrying on of one or more of the activities separately described in any one of subsections a through g following:

a. Generation, transmission and distribution of electric current for heat, light and power, or

b. Manufacturing, processing, transmission, distribution and supply of gas for heat, light and power, and other purposes, or

c. Furnishing means of disposal of sewage, or

d. Production, transmission, distribution and supplying of steam heat and power or steam power, or

e. Generation, transmission and distribution of water power or of electrical power generated by water power, or

f. Supplying of telegraph or telephone service or telegraph and telephone service, or

g. Transmission, distribution and supplying of water, and

(3) Furnishing such service or the sale of such product for profit to the public within or outside of this State.

Each corporation heretofore incorporated and organized under any of the provisions of Title 48 of the Revised Statutes, or of any other statutes therein revised, shall hereafter be governed by the provisions of Title 14 of the Revised Statutes to the

same extent that it would have been governed thereby if it had been incorporated thereunder and it shall be subject to the restrictions and conditions in said title contained but shall have, in addition to the powers and privileges conferred by said Title 14 of the Revised Statutes,

a. All the powers conferred upon it by the provisions of the statute under which it was incorporated and organized, and

b. The power to issue its capital stock without nominal or par value and to change its existing capital stock to stock without nominal or par value as may be provided for in its charter or certificate of incorporation or any amendment thereof in the manner prescribed by the statute hereby supplemented subject, however, to such control by the Public Utility Commission as is provided by law.

Repealer.

198. The following statutes are hereby repealed:

P. L. 1949, c. 233 (approved May 24, 1949) (C. 48:9–25.5 to 48:9–25.7.)

Sections 48:2–44 and 48:2–45 of the Revised Statutes.

Section 48:3–8 of the Revised Statutes.

Sections 48:6–1 through 48:6–13 of the Revised Statutes.

Section 48:6–15 of the Revised Statutes.

Sections 48:7–3 and 48:7–4 of the Revised Statutes.

Sections 48:9–1 through 48:9–4 of the Revised Statutes.

Sections 48:9–6 through 48:9–16 of the Revised Statutes.

Section 48:9–22 of the Revised Statutes.

Section 48:9–25 of the Revised Statutes.

Section 48:9–25.10 of the Revised Statutes.

Section 48:11–1 through 48:11–12 of the Revised Statutes.

Sections 48:12–5 through 48:12–12 of the Revised Statutes.

Section 48:12–35 of the Revised Statutes.

Section 48:12–92 of the Revised Statutes.

Sections 48:12–94 and 48:12–95 of the Revised Statutes.

Section 48:12–102 of the Revised Statutes.

Sections 48:13–1 through 48:13–3 of the Revised Statutes.

Sections 48:13–5 through 48:13–8 of the Revised Statutes.

Section 48:13–12 of the Revised Statutes.

Section 48:14–1 of the Revised Statutes.

Sections 48:14–4 through 48:14–8 of the Revised Statutes.

Section 48:14–10 of the Revised Statutes.

Section 48:14–21 of the Revised Statutes.

Sections 48:15–6 through 48:15–9 of the Revised Statutes.

Sections 48:15–15 and 48:15–16 of the Revised Statutes.

Sections 48:15–57 through 48:15–61 of the Revised Statutes.

Sections 48:17–1 through 48:17–7 of the Revised Statutes.

Section 48:17–9 of the Revised Statutes.

Section 48:17–13 of the Revised Statutes.

Section 48:17–15 of the Revised Statutes.

Sections 48:19–1 through 48:19–4 of the Revised Statutes.

Sections 48:19–9, 48:19–10 and 48:19–12 of the Revised Statutes.

Sections 48:19–15 and 48:19–16 of the Revised Statutes.

Section 48:19–21 of the Revised Statutes.

199. This act shall take effect 90 days after enactment. NOTE: Act effective.

Approved December 12, 1962.

CHAPTER 199

AN ACT to amend "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).

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

Section amended.

1. Section 21 of the act of which this act is amendatory is amended to read as follows:

C. 5:8-98. Periodic reports; contents.

21. The commissioner may require periodical reports to be made to him by any licensees. The reports may call for information with respect to the amounts received from operation of the games, the time, character and cost of the prizes given to the players of such games, and such other matters as the commissioner may specify. Reports so required shall be filed at such times and upon such forms as the commissioner shall prescribe.

2. This act shall take effect immediately.

Approved December 18, 1962.

CHAPTER 200

AN ACT to amend "An act authorizing the conducting, operating and playing of certain amusement games, whether of chance or skill, or both, where the prizes or awards to be given shall be of merchandise only, of a retail value not in excess of $15.00, and the charge for the privilege of playing shall not exceed $0.25; providing for the licensing, regulation and control by a commissioner, of the conducting and operating of such games; providing restrictions as to the places where such games may be conducted and operated; providing that certain playing for money or other valuable things is not authorized; providing for the operation and inoperation of the act in any municipality when so determined by referendum vote therein; and providing for the submission of this act to the legal voters of the State for their approval or rejection before the same shall become operative within this State" approved June 16, 1959 (P. L. 1959, c. 109), and to repeal section 15 of said act.

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. Each applicant for such a license shall file with the clerk of the municipality a written application therefor in the form prescribed in said rules and regulations, duly executed and verified, in which shall be stated the name and address of the applicant, together with sufficient facts relating to its incorporation and organization if the applicant be a corporation or organization; the specific kind of C. 5:8-102. Application for license; State license; annual fee.

amusement games intended to be held, operated and conducted by the applicant, and the place or places where, the period, term, date or dates and the time or times when, such amusement games are intended to be conducted by the applicant, under the license applied for; and that no prize or prizes will be offered and given under said license except of merchandise only and same shall be of a value not in excess of the sum or value authorized to be offered and given by this act and such other information as shall be prescribed by such rules and regulations.

Every such license so issued shall be inoperative unless the licensee named therein shall also procure a State license authorizing the licensee holding the municipal license to operate and conduct certain games according to the terms of such municipal license. The said State license shall be issued by the State Amusement Games Control Commissioner, if he find that all of the conditions, terms and requirements of this act and of said rules and regulations have been fully met and complied with. As a condition of granting any such State license the applicant therefor shall pay to the said commissioner an annual fee of $100.00. If any such municipal license authorizes the licensee to conduct and operate games at more than one place or of more than one specific kind the applicant for the State license shall pay the said annual fee of $100.00 for each such place and for each such specific kind.

Section amended.

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

C. 5:8-103. Investigation of applicant; license issued; fee; duration.

4. The governing body of the municipality shall make an investigation of the qualifications of each applicant and the merits of each application, with due expedition after the filing of the application, and if it shall determine that the applicant is duly qualified to hold, operate and conduct amusement games under the provisions of this act governing the issuance of licenses to hold, operate and conduct amusement games and the rules and regulations governing the holding, operation and conduct thereof in the municipality; that the individual

applicant and the officers, directors and stockholders of any corporation holding 5% or more of the capital stock of any corporate applicant, as well as the partners or members, as the case may be, of any partnership, association or organization applicant, are persons of good moral character and have never been convicted of a crime or that such a disqualification has been removed by the commissioner; that such amusement games are to be held, operated and conducted in accordance with the provisions of this act and in accordance with the rules and regulations governing the holding, operation and conduct thereof and if the governing body is satisfied that the prize or prizes to be offered and given in any single game shall be of merchandise only of a retail value not in excess of $15.00 and that no such prize or prizes will be redeemed or redeemable, directly or indirectly, for money, it shall issue a license to the applicant for the holding, operation and conduct of said amusement games applied for, accordingly, upon payment of a license fee or fees to be fixed by the governing body by ordinance taking into consideration the number of days or period upon or during which the licensee shall be authorized to operate or conduct the games, the number of units employed therein, the number of places, the number of specific kinds of games to be conducted and the number of persons who may become players of the games at any one time, but in no case less than $10.00 for any one license for a period of 1 year or for a lesser term.

Any person who would be disqualified from holding a license under this act by reason of a conviction for a crime may apply to the commissioner for removal of the disqualification. Such application may be made upon the expiration of a period of 5 years from the date of conviction or, if the applicant had been confined under sentence imposed as a result of the conviction, from the date of unrevoked release from that confinement. If the commissioner shall find that the applicant has conducted himself in a law abiding manner since his conviction or release

from confinement and that the association of the applicant will not be contrary to the public interest, the commissioner shall remove such disqualification.

Whenever any change shall occur in the facts as set forth in any application for license, the licensee shall file with the municipal governing body and the commissioner a notice in writing of such change within 10 days after the occurrence thereof, and said notice of change shall thereupon become part of said application.

No license for the holding, operation and conduct of any game or games of amusement shall be issued under this act which shall be effective for a period of more than 1 year.

Section amended.

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

C. 5:8-105. Form of license; display.

6. Each license shall be in such form as shall be prescribed in the rules and regulations promulgated by the commissioner and shall contain a description of the kind of amusement games authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, and the place or places where and the period, term or date or dates and time or times when, such amusement games are to be conducted and any other information which may be required by said rules and regulations to be contained therein, and each license issued for the conduct of any game or games of amusement shall be conspicuously displayed at the place or places where the same is to be conducted at all times during the conduct thereof.

C. 5:8-114. Repealed.

4. Section 15 of the act of which this act is amendatory is hereby repealed.

5. This act shall take effect immediately.

Approved December 18, 1962.

CHAPTER 201

AN ACT concerning crimes and supplementing chapter 119 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:119-8.1. High misdemeanor.

1. Any person who:

a. Willfully takes or steals any narcotic drugs from the person of another, with or without his knowledge, or is present aiding or abetting therein; or

b. Willfully enters without breaking, or breaks and enters any store, office, building, structure, room, ship, vessel, car, vehicle or airplane with intent to take or steal any narcotic drugs, or is present aiding or abetting therein; or

c. Steals any narcotic drugs of another—

Is guilty of a high misdemeanor and shall be punished by a fine of not more than $5,000.00 or by imprisonment for not more than 15 years, or both.

2. This act shall take effect immediately.

Approved December 18, 1962.

CHAPTER 202

AN ACT concerning the oath of allegiance and office and providing for the taking of the same as a prerequisite to the assumption of public office, position or employment in this State, and amending section 41:1–3 of the Revised Statutes.

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

Section amended.

1. Section 41:1–3 of the Revised Statutes is amended to read as follows:

Oath of allegiance.

41:1–3. In addition to any official oath that may be specially prescribed, every person who shall be elected, appointed or employed to, or in, any public office, position or employment, legislative, executive or judicial, of, or in, any county, municipality or special district other than a municipality therein, or of, or in, any department, board, commission, agency or instrumentality thereof shall, before he enters upon the execution of his said office, position, employment or duty take and subscribe the oath of allegiance and office as follows:

"I, ...do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of ..... according to the best of my ability.

I do further solemnly swear (or affirm) that I do not believe in, advocate or advise the use of force, or violence, or other unlawful or unconstitutional means, to overthrow or make any change in the government established in the United States or in this State; and that I am not a member of or affiliated with any organization, association, party, group or combination of persons, which so approves, advocates or advises the use of such means. So help me God."

2. This act shall take effect immediately.

Approved December 18, 1962.

CHAPTER 203

AN ACT to amend "An act establishing Title 12A, Commercial Transactions of the New Jersey Statutes, enacting the Uniform Commercial Code, repealing certain statutes and revising parts of the statutory law," approved November 30, 1961.

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

1. Section 12A:9–204 of the New Jersey Statutes is amended to read as follows: Section amended.

12A:9–204. When security interest attaches; after-acquired property; future advances. When security interest attaches; after acquired property; future advances.

(1) A security interest cannot attach until there is agreement (subsection (3) of 12A:1–201) that it attach and value is given and the debtor has rights in the collateral. It attaches as soon as all of the events in the preceding sentence have taken place unless explicit agreement postpones the time of attaching.

(2) For the purposes of this section the debtor has no rights

(a) (deleted by amendment)

(b) in fish until caught, in oil, gas or minerals until they are extracted, in timber until it is cut;

(c) in a contract right until the contract has been made;

(d) in an account until it comes into existence.

(3) Except as provided in subsection (4) a security agreement may provide that collateral, whenever acquired, shall secure all obligations covered by the security agreement.

(4) No security interest attaches under an after-acquired property clause

(deleted by amendment)

(b) to consumer goods other than accessions (12A:9–314) when given as additional security unless the debtor acquires rights in them within 10 days after the secured party gives value.

(5) Obligations covered by a security agreement may include future advances or other value whether or not the advances or value are given pursuant to commitment.

Section amended.

2. Section 12A:9–302 of the New Jersey Statutes is amended to read as follows:

When filing is required to perfect security interest; security interests to which provisions apply.

12A:9–302. When filing is required to perfect security interest; security interests to which filing provisions of this chapter do not apply.

(1) A financing statement must be filed to perfect all security interests except the following:

(a) a security interest in collateral in possession of the secured party under 12A:9–305;

(b) a security interest temporarily perfected in instruments or documents without delivery under 12A:9–304 or in proceeds for a 10-day period under 12A:9–306;

(c) a purchase money security interest in farm equipment having a purchase price not in excess of $500.00; but filing is required for a fixture under 12A:9–313 or for a motor vehicle required to be licensed;

(d) a purchase money security interest in consumer goods; but filing is required for a fixture under 12A:9–313 or for a motor vehicle required to be licensed;

(e) an assignment of accounts or contract rights which does not alone or in conjunction with other assignments to the same assignee transfer a significant part of the outstanding accounts or contract rights of the assignor;

(f) a security interest of a collecting bank (12A:4–208) or arising under the chapter on sales (see 12A:9–113) or covered in subsection (3) of this section.

(2) If a secured party assigns a perfected security interest, no filing under this chapter is required in order to continue the perfected status of the security interest against creditors of and transferees from the original debtor.

(3) The filing provisions of this chapter do not apply to a security interest in property subject to a statute

(a) of the United States which provides for a national registration or filing of all security interests in such property; or

(b) of this State which provides for central filing of, or which requires indication on a certificate of title of, such security interests in such property.

(4) A security interest in property covered by a statute described in subsection (3) can be perfected only by registration or filing under that statute or by indication of the security interest on a certificate of title or a duplicate thereof by a public official.

Section amended.

3. Section 12A:9–307 of the New Jersey Statutes is amended to read as follows:

Protection of buyer of goods.

12A:9–307. Protection of buyers of goods.

(1) A buyer in ordinary course of business (subsection (9) of 12A:1–201) other than a person buying farm products from a person engaged in farming operations takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence.

(2) In the case of consumer goods and in the case of farm equipment having an original purchase price not in excess of $500.00 (other than fixtures, see 12A:9–313), a buyer takes free of a security interest even though perfected if he buys without

knowledge of the security interest, for value and for his own personal, family or household purposes or his own farming operations unless prior to the purchase the secured party has filed a financing statement covering such goods.

Section amended.

4. Section 12A:9–312 of the New Jersey Statutes is amended to read as follows:

Priorities among conflicting security interests in the same collateral.

12A:9–312. Priorities among conflicting security interests in the same collateral.

(1) The rules of priority stated in the following sections shall govern where applicable: 12A:4–208 with respect to the security interest of collecting banks in items being collected, accompanying documents and proceeds; 12A:9–301 on certain priorities; 12A:9–304 on goods covered by documents; 12A:9–306 on proceeds and repossessions; 12A:9–307 on buyers of goods; 12A:9–308 on possessory against nonpossessory interests in chattel paper or nonnegotiable instruments; 12A:9–309 on security interests in negotiable instruments, documents or securities; 12A:9–310 on priorities between perfected security interests and liens by operation of law; 12A:9–313 on security interests in fixtures as against interests in real estate; 12A:9–314 on security interests in accessions as against interest in goods; 12A:9–315 on conflicting security interests where goods lose their identity or become part of a product; and 12A:9–316 on contractual subordination.

(2) (deleted by amendment)

(3) A purchase money security interest in inventory collateral has priority over a conflicting security interest in the same collateral if

(a) the purchase money security interest is perfected at the time the debtor receives possession of the collateral; and

(b) any secured party whose security interest is known to the holder of the purchase money security interest or who, prior to the date of the filing made by the holder of the purchase money security interest, had filed a financing

statement covering the same items or type of inventory, has received notification of the purchase money security interest before the debtor receives possession of the collateral covered by the purchase money security interest; and

(c) such notification states that the person giving the notice has or expects to acquire a purchase money security interest in inventory of the debtor, describing such inventory by item or type.

(4) A purchase money security interest in collateral other than inventory has priority over a conflicting security interest in the same collateral if the purchase money security interest is perfected at the time the debtor receives possession of the collateral or within 10 days thereafter.

(5) In all cases not governed by other rules stated in this section (including cases of purchase money security interests which do not qualify for the special priorities set forth in subsections (3) and (4) of this section), priority between conflicting security interest in the same collateral shall be determined as follows:

(a) in the order of filing if both are perfected by filing, regardless of which security interest attached first under 12A:9–204(1) and whether it attached before or after filing;

(b) in the order of perfection unless both are perfected by filing, regardless of which security interest attached first under 12A:9–204(1) and, in the case of a filed security interest, whether it attached before or after filing; and

(c) in the order of attachment under 12A:9–204(1) so long as neither is perfected.

(6) For the purpose of the priority rules of the immediately preceding subsection, a continuously perfected security interest shall be treated at all times as if perfected by filing if it was originally so

perfected and it shall be treated at all times as if perfected otherwise than by filing if it was originally perfected otherwise than by filing.

Section amended.

5. Section 12A:9–403 of the New Jersey Statutes is amended to read as follows:

What constitutes filing; duration; effect of lapsed filing; duties of filing officer.

12A:9–403. What constitutes filing; duration of filing; effect of lapsed filing; duties of filing officer.

(1) Presentation for filing of a financing statement, tender of the filing fee and acceptance of the statement by the filing officer constitutes filing under this chapter.

(2) A filed financing statement which states a maturity date of the obligation secured of 5 years or less is effective until such maturity date and thereafter for a period of 60 days. Any other filed financing statement is effective for a period of 5 years from the date of filing. The effectiveness of a filed financing statement lapses on the expiration of such 60-day period after a stated maturity date or on the expiration of such 5-year period, as the case may be, unless a continuation statement is filed prior to the lapse. Upon such lapse the security interest becomes unperfected. A filed financing statement which states that the obligation secured is payable on demand is effective for 5 years from the date of filing.

(3) A continuation statement may be filed by the secured party (i) within 6 months before and 60 days after a stated maturity date of 5 years or less, and (ii) otherwise within 6 months prior to the expiration of the 5-year period specified in subsection (2). Any such continuation statement must be signed by the secured party, identify the original statement by file number and state that the original statement is still effective. Upon timely filing of the continuation statement, the effectiveness of the original statement is continued for 5 years after the last date to which the filing was effective whereupon it lapses in the same manner as provided in subsection (2) unless another continuation statement is filed prior to such lapse. Succeeding continuation statements may be filed in the same

manner to continue the effectiveness of the original statement.

(4) A filing officer shall mark each statement with a consecutive file number and with the date and hour of filing and shall hold the statement for public inspection. In addition, the filing officer shall index the statements according to the name of the debtor and shall note in the index the file number and the address of the debtor given in the statement. A financing statement covering collateral which is or is to become a fixture or fixtures, or crops growing or to be grown, shall also be indexed in the name of the record owner of the realty.

(5) The uniform fee for filing, indexing and furnishing filing data for an original or a continuation statement or any amendment of either shall be $3.00.

Section amended.

6. Section 12A:9–404 of the New Jersey Statutes is amended to read as follows:

Termination statement.

12A:9–404. Termination statement.

(1) Whenever there is no outstanding secured obligation and no commitment to make advances, incur obligations or otherwise give value, the secured party must on written demand by the debtor send the debtor a statement that he no longer claims a security interest under the financing statement, which shall be identified by the filing officer's file number. A termination statement signed by a person other than the secured party of record must include or be accompanied by the assignment or a statement by the secured party of record that he has assigned the security interest to the signer of the termination statement. The uniform fee for filing and indexing such an assignment or statement thereof shall be $3.00. If the affected secured party fails to send such a termination statement within 10 days after proper demand therefor he shall be liable to the debtor for $100.00, and in addition for any loss caused to the debtor by such failure.

(2) On presentation to the filing officer of such a termination statement he must note it in the index

and attach it to the original financing statement. The filing officer shall mark terminated the financing statement and any continuation statement, statement of assignment, or statement of release, pertaining thereto.

(3) The uniform fee for filing, attaching and indexing a termination statement including sending or delivering the financing statement shall be $1.00.

New section added.

7. Add a new section to be known as 12A:9–408, as follows:

Destruction of records.

12A:9–408. Destruction of old records.

Unless otherwise provided by law, or unless a filing officer has notice of an action pending relative thereof, he may remove from the files and destroy (a) a lapsed financing statement, a lapsed continuation statement, a statement of assignment or release relating to either and any index of any of them, one year or more after lapse; and (b) a termination statement and the index on which it is noted, one year or more after the filing of the termination statement.

Section amended.

8. Section 12A:10–104 of the New Jersey Statutes is amended to read as follows:

Statutes saved from repeal.

12A:10–104. Statutes saved from repeal.

The following statutes and parts of statutes and all amendments thereof are hereby specifically saved from repeal and shall remain effective as provided in section 12A:9–201:

Uniform Act for Simplification of Fiduciary Security Transfers 1959 laws, chapter 200 (14:18–1 through 14:18–12),

The Banking Act of 1948
1948 laws, chapter 67, § 54 (17:9A–54), § 55 (17:9A–55), § 59 (17:9A–59),

Small Loan Business Law
R. S. 17:10–1 through R. S. 17:10–26,
1958 laws, chapter 107 supplementing the same,

Provident Loan Associations
R. S. 17:11–1 through R. S. 17:11–18,

Savings and Loan Act
1946 laws, chapter 56, § 78 (17:12A–78), § 79 (17:12A–79),

Credit Unions
1938 laws, chapter 293, § 1 through 44 (17:13–26 through 17:13–69),
Safe Deposit Companies Law
R. S. 17:14–1 through R. S. 17:14–8,
Investment Companies Law
1938 laws, chapter 322, § 1 through 20 (17:16A–1 through 17:16A–20),
Retail Installment Sales Law
1960 laws, chapter 40 (17:16C–1 through 17:16C–61),
Home Repair Financing Act
1960 laws, chapter 41 (17:16C–62 through 17:16C–94),
Usury Law
R. S. 31:1–1 through R. S. 31:1–6,
Assignment or Purchase of Wages Law
R. S. 34:11–25, R. S. 34:11–26,
Motor Vehicle Certificate of Ownership Law
R. S. 39:10–1 through R. S. 39:10–25,
Pawnbrokers and Dealers in Secondhand Goods Law
R. S. 45:22–1 through R. S. 45:22–39,
Chattel Mortgages Included in Realty Mortgages
R. S. 46:28–14,
Bridge Companies Law
R. S. 48:5–18,
Railroads Law
R. S. 48:12–18,
Street Railways Law
R. S. 48:15–15.

9. Section 12A:10–105 of the New Jersey Statutes is amended to read as follows: Section amended.

12A:10–105. Statutes repealed. Statutes repealed.

All statutes and parts of statutes inconsistent herewith, except as saved from repeal in section 12A:10–104 are repealed and the following statutes and parts of statutes with all amendments thereof are specifically repealed:

Factors Lien Law
N. J. S. 2A:44–178 through N. J. S. 2A:44–186,
Negotiable Instruments, Loss; Action On
N. J. S. 2A:54–1,

Uniform Fiduciaries Law
N. J. S. 3A:41–4, N. J. S. 3A:41–5,
Crop Mortgages Law
R. S. 4:18–1 through R. S. 4:18–24,
Negotiable Instruments Law
R. S. 7:1–1 through R. S. 7:1–7,
R. S. 7:2–1 through R. S. 7:2–125,
R. S. 7:3–1 through R. S. 7:3–58,
R. S. 7:4–1 through R. S. 7:4–6,
Negotiable and Nonnegotiable Instruments Law
R. S. 7:5–1,
R. S. 7:5–2,
Uniform Stock Transfer Law
R. S. 14:8–23 through R. S. 14:8–46,
The Banking Act of 1948
1948 laws, chapter 67, § 220 (17:9A–220), § 225 (17:9A–225), § 226 (17:9A–226), § 228 (17:9A–228), § 229 (17:9A–229), § 230 through § 246 (17:9A–230 through 17:9A–246),
Chattel Mortgages Law
R. S. 46:28–4 through R. S. 46:28–9,
R. S. 46:28–11 through R. S. 46:28–13,
Sales of Goods in Bulk
R. S. 46:29–1 through R. S. 46:29–3,
Uniform Sale of Goods Law
R. S. 46:30–1 through R. S. 46:30–76,
Uniform Conditional Sales Law
R. S. 46:32–1 through R. S. 46:32–33,
Uniform Trust Receipts Act
1938 laws, chapter 294 (46:35–1 through 46:35–21),
Uniform Bill of Lading Act
R. S. 48:20–1 through R. S. 48:20–54,
Uniform Warehouse Receipts Law
R. S. 57:1–1 through R. S. 57:1–58.

10. This act shall take effect January 1, 1963.

Approved December 18, 1962.

CHAPTER 204

AN ACT concerning economic development, providing for area redevelopment projects, creating the area redevelopment authority in the Department of Conservation and Economic Development and supplementing Title 13 of the Revised Statutes, and providing for a loan pursuant to the provisions set forth in chapter 37 of Title 2A of the New Jersey Statutes.

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

C. 13:1B-15.13. Terms defined.

1. The following terms whenever used or referred to in this act have the following meanings, except in those instances where the context clearly indicates otherwise:

(a) The term "authority" shall mean the authority created by section 3 of this act;

(b) The term "commissioner" shall mean the Commissioner of Conservation and Economic Development;

(c) The term "county" shall mean any county of the State;

(d) The term "department" shall mean the Department of Conservation and Economic Development;

(e) The term "redevelopment area" shall mean any area within the State which has been designated by the Secretary of Commerce of the United States as a redevelopment area pursuant to the provisions of Public Law 87–27 (Area Redevelopment Act);

(f) The term "area redevelopment fund" shall mean the fund created by section 9 of this act;

(g) The term "area redevelopment project" or "project" shall include the acquisition and development of land within a redevelopment area, the construction of new buildings, the rehabilitation of

abandoned or unoccupied buildings and the alteration, conversion or enlargement of existing buildings which undertaking comprises or is connected with or part of an industrial enterprise established or to be established by an area redevelopment agency and may also include, in cases of demonstrated need, machinery and equipment;

(h) The term "area redevelopment agency" shall mean any person, partnership, firm, company or corporation deemed by the authority after proper investigation to be capable of assuming all obligations prescribed by the authority in the establishment of an area redevelopment project and in the operation of an industrial or commercial enterprise therein or thereon;

(i) The term "cost of establishing an area redevelopment project" shall embrace, without limitation thereto, however, any or all of the following: the cost of construction, the cost of all lands, property, rights, easements and franchises acquired which are deemed necessary for such construction, financing charges, interest prior to and during construction, cost of engineering and legal expense, plans, specifications, surveys, estimates of costs and other expenses necessary or incident to determining the feasibility or practicability of any industrial development project, together with such other expenses as may be necessary or incident to the financing and the construction of the area redevelopment project and the placing of the same in operation.

C. 13:1B-15.14. Department to develop and operate on over-all program.

2. The department, through such divisions and agencies as the commissioner shall direct, shall establish and operate an over-all program for the economic development of redevelopment areas in the State and shall co-operate with the authority in establishing and maintaining area redevelopment projects.

C. 13:1B-15.15. New Jersey area redevelopment authority; members; terms; expenses.

3. There is hereby created in the Department of Conservation and Economic Development a body corporate and politic, constituting a public corporation and government instrumentality by the name

of "The New Jersey Area Redevelopment Authority," the board of members of which shall be composed of the following ex-officio members:

(1) Commissioner of Conservation and Economic Development

(2) Commissioner of Banking and Insurance

(3) Commissioner of Labor and Industry

(4) The State Treasurer and their respective successors in office and 5 public members who shall be appointed by the Governor with the advice and consent of the Senate who shall represent the public interest. The ex-officio members may designate a representative from their respective departments to represent them on the authority. The public members of the authority shall be appointed initially for the following terms: 1 member for a term of 1 year; 1 member for a term of 2 years; 1 member for a term of 3 years; 1 member for a term of 4 years; and 1 member for a term of 5 years, to serve from the date of the original appointment for such terms and until their respective successors shall be duly appointed and qualified and the term of each such appointed member shall be designated by the Governor at the time of his appointment. The successors to such appointed members shall each be appointed for a term of 5 years, except that any person appointed to fill a vacancy shall serve only for the unexpired term. Any appointed member of the authority shall be eligible for reappointment. The members of the authority shall be entitled to no compensation for their services as members, but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members.

C. 13:1B-15.16. Purpose.

4. The purpose of the authority shall be to assist area redevelopment agencies to establish area redevelopment projects within the State, to assist in obtaining such Federal financial assistance as may be available and to provide such additional financial assistance as may be required, which assistance shall not exceed, in total, 10% of the cost of establishing an area redevelopment project which cost

shall be divided equally between the authority and the municipality or county or other public or quasi-public agency which is qualified to provide such assistance.

C. 13:1B-15.17. Powers.

5. The authority is hereby granted and shall have and exercise all the powers necessary and appropriate to carry out and execute the purposes of this act, including, in addition to others herein granted, the power:

(a) To determine, upon proper application of an area redevelopment agency

(1) The financial assistance required by such an agency to establish and maintain an area redevelopment project, and

(2) Whether such agency has qualified for Federal financial assistance;

(b) To approve area redevelopment agencies which meet the qualifications set forth in this act for financial assistance pursuant to the provisions of this act;

(c) To enter into agreements with counties and municipalities or other public or quasi-public agencies qualified for providing financial assistance to provide for financial assistance to area redevelopment agencies which have been approved therefor;

(d) (1) To make, upon proper application of area redevelopment agencies, loans to such agencies of moneys held in the area redevelopment fund and to provide for the repayment and redeposits of such loans in the manner hereinafter provided;

(2) To purchase upon proper application of area redevelopment agencies, evidences of indebtedness and to provide for the repayment and redeposit of financial assistance so extended in the manner hereinafter provided.

(e) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying out of its business;

(f) Without limitation of the foregoing, to accept grants from, to enter into contracts or other transactions with any Federal agency;

(g) To sue and be sued;

(h) To adopt, use and alter at will a corporate seal;

(i) To make by-laws for the management and regulation of its affairs;

(j) To appoint, with the approval of the commissioner and subject to available appropriations therefor, officials, agents and employees, which employees shall be subject to the provisions of Title 11 of the Revised Statutes and to prescribe their duties and fix their compensation;

(k) To determine, upon proper application of area redevelopment agencies, whether the declared public purpose of this act has been accomplished or will be accomplished by the establishment by such area redevelopment agencies of an area redevelopment project in a redevelopment area;

(l) To conduct examinations and investigations and to hear testimony and take proof, under oath or affirmation, at public or private hearings, on any matter material for its information and necessary to the determination and designation of such economic areas and the establishment of area redevelopment projects therein;

(m) To issue subpœnas requiring the attendance of witnesses and the production of books and papers pertinent to any hearing before such authority, or before one or more members of the authority appointed by it to conduct such hearing;

(n) To apply to any court, having territorial jurisdiction of the offense, to have punished for contempt any witness who refuses to obey a subpœna, or who refuses to be sworn or affirmed to testify, or who is guilty of any contempt after summons to appear;

(o) To authorize any member or members of such authority to conduct hearings and to administer oaths, take affidavits and issue subpœnas;

(p) To take title by foreclosure to any project where such acquisition is necessary to protect any loan previously made therefor by the authority and to sell, transfer and convey any such project to any

responsible buyer; in the event such sale, transfer and conveyance cannot be effected with reasonable promptness, the authority may, in order to minimize financial losses and sustain employment, lease such area redevelopment project to a responsible tenant or tenants; the authority shall not lease projects except under the conditions and for the purposes cited in this section;

(q) Under rules and regulations prescribed by the authority to assign or sell at public or private sale, or otherwise dispose of for cash or credit, upon such terms and conditions and for such consideration as the authority shall determine to be reasonable, any evidence of indebtedness, contract, claim, personal property or security assigned to or held by the authority in connection with loans made or evidences of indebtedness purchased under this act and collect or compromise all obligations assigned to or held by the authority in connection with such loans or indebtedness; and

(r) To deal with, complete, renovate, improve, modernize, insure, rent or sell for cash or credit upon such terms and conditions and for such consideration as the authority shall deem to be reasonable, any real or personal property conveyed to or otherwise acquired by the authority in connection with loans made or evidences of indebtedness purchased under this act.

C. 13:1B-15.18. Provision for sharing cost of project.

6. When it has been determined by the authority upon application of an area redevelopment agency that the establishment of a particular area redevelopment project will be to the economic well-being of the area in which such project will be located, the authority may contract to provide to such agency an amount not in excess of 10% of the cost of establishing such project which amount shall be provided ½ by a loan from the authority to the agency and ½ by a loan from the county or municipality in which the agency is located or other public or quasi-public agency qualified to purchase such financial assistance to the agency.

C. 13:1B-15.19. Period of time of financial assistance; interest; security.

7. Any financial assistance provided by the authority shall be for such period of time and shall bear interest at such rate as shall be determined by the authority and, unless the authority shall otherwise provide, shall be secured by bond of the area redevelopment agency and by mortgage on the area redevelopment project for which such financial assistance was provided. Except as this act shall otherwise permit, such a mortgage shall be second and subordinate only to the mortgage securing the first lien obligation issued to secure the commitment of funds from independent and responsible sources and used in the financing of the area redevelopment project.

Moneys so provided by the authority to area redevelopment agencies shall be withdrawn from the area redevelopment fund and paid over to the area redevelopment agency in such manner as shall be provided and prescribed by the rules and regulations of the authority.

All payments of interest on the financial assistance provided and the principal thereof shall be deposited by the authority in the area redevelopment fund.

Where any Federal agency participating in the financing of an area redevelopment project is not permitted to take security for such participation which is junior to the security of the authority, the authority shall in such instances be authorized to take security for its loan to the area redevelopment agency which may be subordinate to the lien or liens securing Federal or other non-Federal loans made in connection with the same project.

C. 13:1B-15.20. Agreement required before making loan.

8. No loans shall be made by the authority or by any county or municipality to any area redevelopment agency unless such agency shall enter into an agreement with the authority and such county or municipality by which the agency will undertake to provide specified employment opportunities to such number of persons in the area as shall be agreed upon and shall agree to carry on the particular activities for which it is establishing a project on a

regular and continuous basis unless economic conditions will not otherwise permit for such period of time as shall be agreed upon.

C. 13:1B-15.21. New Jersey state area redevelopment fund established.

9. There is hereby established the New Jersey State Area Redevelopment Fund which shall be held by the State Treasurer and which shall be used and applied for the purposes set forth in this act. All money appropriated to the authority or for the use of the authority shall be deposited in such fund. The money in said fund shall be paid out on the warrant or other order of the treasurer of the authority, or of such other person or persons as the authority may authorize to issue such warrants or orders with the approval of the commissioner.

Loan authorized; no interest; repayment.

10. From the fund established by section 2A:37–41 of the New Jersey Statutes, the State Treasurer is hereby authorized to lend the New Jersey State Area Redevelopment Fund a sum not exceeding $500,000.00 to carry out the purposes of this act. Any such loan shall be without interest and shall be repaid in not more than 30 years.

C. 13:1B-15.22. Short title.

11. This act shall be known and may be cited as "The New Jersey State Area Redevelopment Assistance Act."

NOTE: Act effective.

12. This act shall take effect July 1, 1962.

Approved December 18, 1962.

CHAPTER 205

AN ACT validating certain tax sale certificate foreclosure proceedings, judgments and titles to real property derived therefrom.

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

1. All tax sale certificate foreclosure proceedings instituted between June 23, 1947 and May 28, 1948, under and in compliance with P. L. 1947, c. 333, by any municipality and the judgments therein barring the right of redemption from the tax sales represented by said tax sale certificates and the proceedings thereafter taken as the result of said judgments and the titles to real property derived therefrom are hereby validated, provided the judgment obtained in said foreclosure proceeding has been of record in the office of the clerk of the court wherein the said foreclosure proceeding was conducted for not less than 10 years, and either the municipality bringing the proceeding or its assignee, grantee, or other successor in title, is in possession of the real property described in the said judgment upon the effective date of this act, provided that the provisions of this act shall be inapplicable to any foreclosure judgment, proceeding or title with respect to the validity of which any otherwise timely action or other proceeding of any nature shall have been instituted prior to the one hundred eighty-first day following the effective date of this act. Validates.

2. This act shall take effect immediately.

Approved December 20, 1962.

CHAPTER 206

AN ACT concerning the establishment of an Adoption Resource Exchange in the Department of Institutions and Agencies.

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

C. 30:4C-41. "Approved agency" defined.

1. "Approved agency" as used herein means a legally constituted agency having its principal office within this State, which holds a valid certificate of approval from the Department of Institutions and Agencies, as provided by law, to place children in New Jersey for purposes of adoption.

C. 30:4C-42. Adoption resource exchange.

2. The State Board of Child Welfare, or the instrumentality or agency of the State succeeding to its powers, is hereby authorized and empowered, subject to the availability of appropriations therefor, to establish an Adoption Resource Exchange, the services of which shall be available only to approved agencies as a further resource to facilitate placement of children for adoption by and through such agencies.

C. 30:4C-43. Functions of adoption resource exchange.

3. The Adoption Resource Exchange authorized by this act shall not itself engage in the placement of children for adoption nor shall it be construed as a substitute for other local community resources, whether public or voluntary. It shall be a facility whereby the State Board of Child Welfare and other approved agencies may mutually share and exchange information concerning children available for adoption and homes available for the placement of adoptive children.

C. 30:4C-44. Rules and regulations.

4. The State Board of Child Welfare is hereby authorized and empowered to establish rules, regulations and procedures necessary to accomplish the purposes of this act.

5. This act shall take effect immediately.

Approved December 20, 1962.

CHAPTER 207

AN ACT concerning the collection of moneys due the State of New Jersey for services rendered by and through the Department of Institutions and Agencies.

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

C. 30:4-75.1. Charged with responsibility of collecting moneys due the State.

1. The Bureau of Maintenance Collections heretofore established within the Department of Institutions and Agencies shall aid, assist and cooperate with the boards, officers, agencies or other bodies in the Department of Institutions and Agencies charged with the duty and responsibility for collecting all moneys due to the State for services, assistance, relief or care provided by the State through said department from the recipients thereof or from the persons legally responsible therefor pursuant to any agreement with the State or pursuant to any obligation established by law, and it shall be the duty of all such boards, officers, agencies or other bodies in said department to report to the bureau any defaults in the payment of moneys due to the State under any such agreement or obligation within 60 days of such default.

The Attorney General shall provide all legal assistance necessary and proper to collect said moneys due to the State and shall have all the remedies and may take all of the proceedings for the collection thereof which may be had or taken for or upon the recovery of a judgment in a civil action and may institute and maintain any action or proceeding in the courts necessary therefor.

C. 30:4-75.2. Rules and regulations.

2. The Attorney General and the Commissioner of Institutions and Agencies shall adopt such rules and regulations as shall be necessary to effectuate the provisions of this act and to co-ordinate the collection activities and procedures of the boards,

officers, agencies and other bodies in the Department of Institutions and of the Bureau of Maintenance Collections.

C. 30:4-75.3.

3. All acts or parts of acts inconsistent with the provisions of this act are to the extent of such inconsistency repealed.

4. This act shall take effect immediately.

Approved December 20, 1962.

CHAPTER 208

AN ACT constituting certain moneys deposited or paid on account of the purchase of a plot of land and a dwelling house to be constructed thereon as a trust fund; providing for the enforcement of such trust; providing that violators shall be disorderly persons.

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

C. 2A:29A-1. Deposit deemed trust fund.

1. All moneys paid as a deposit or advance by a person who has contracted or agreed to purchase a dwelling house to be constructed, shall constitute trust funds for the purpose of carrying out the provisions of said contract or agreement. In any case in which more than one dwelling house is to be constructed as part of the development of a tract of land, said trust funds may be used in the development of said tracts of land. Any use of said moneys, other than for the purpose of carrying out the provisions of said contract or agreement, shall constitute an unlawful diversion of trust funds.

C. 2A:29A-2. Enforcement by civil action.

2. Any trust arising under the provisions of this act shall be enforceable by a civil action in the Superior Court of New Jersey and that court shall

have jurisdiction to make any appropriate order or judgment both pendente lite and final to fully effectuate the purposes of this act.

C. 2A:29A-3. Statutory trust in case of bankruptcy.

3. In the event of the insolvency or bankruptcy of the person receiving the said moneys, the claim of the person who paid the said moneys shall constitute a statutory trust with respect to any moneys so received and not previously expended in accordance with the terms of the contract or agreement.

C. 2A:29A-4. Disorderly person.

4. Any person party to said contract or agreement, or any agent of said person, or any officer of a corporation receiving said moneys, who, with knowledge that such moneys constitute trust funds, unlawfully diverts or consents to an unlawful diversion of such moneys shall be a disorderly person and subject to a fine of not less than $200.00 or by imprisonment for not more than 30 days, or both.

Act effective.

5. This act shall take effect July 1, 1962.

Approved December 20, 1962.

CHAPTER 209

AN ACT concerning employees of the Delaware River Port Authority injured in the performance of their duty.

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

C. 32:3A-1. Payment of salary authorized when absence is due to accident while on duty.

1. Whenever any employee of the Delaware River Port Authority is absent from his post of duty as a result of a personal injury caused by an accident arising out of and in the course of his employment, the port authority may pay to such employee his full salary or wages for the period of such absence up to 1 calendar year without having such absence charged to the annual sick

leave or the accumulated sick leave to which such employee may also be entitled as an employee of the port authority.

Salary or wage payments provided in this section may be made for absence during any waiting period, and during the period the employee received or was eligible to receive a temporary disability benefit, under the compensation laws of this State or the Commonwealth of Pennsylvania, as the case may be. Any amount of salary or wages paid or payable to the employee pursuant to this section shall be reduced by the amount of any workmen's compensation award made for temporary disability.

C. 32:3A-2. Act effective.

2. This act shall take effect upon the enactment of substantially similar legislation by the Commonwealth of Pennsylvania or, if such legislation shall already have been enacted, this act shall take effect immediately.

Approved December 20, 1962.

CHAPTER 210

AN ACT concerning leave of absence from public employment, and amending section 38:23–2 of the Revised Statutes.

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

Section amended.

1. Section 38:23–2 of the Revised Statutes is amended to read as follows:

Leave of absence to attend convention.

38:23–2. The head of every public department and of every court of this State, every superintendent or foreman on the public works of this State, the heads of the county offices of the several counties and the head of every department, bureau and office in the government of the various municipalities, shall give a leave of absence with pay to every

person in the service of the State, county or municipality who is a duly authorized representative of the Grand Army of the Republic, United Spanish-American War Veterans, Disabled American Veterans of the World War, Veterans of Foreign Wars, Indian War Veterans, American Legion, Jewish War Veterans of the United States, Catholic War Veterans of the United States, Women's Overseas Service League, American Veterans World War II, Reserve Officers Association of the United States, Marine Corps League of the United States, Army and Navy Legion of Valor, the Twenty-ninth Division Association, Council of State Employees, War Veteran Public Employees Association, New Jersey Civil Service Association, Blind Veterans Association of New Jersey, and the Italian-American War Veterans of the United States, Incorporated, to attend any State or national convention of such organization.

A certificate of attendance to the State convention or encampment shall, upon request, be submitted by the representative so attending.

Leave of absence shall be for a period inclusive of the duration of the convention with a reasonable time allowed for time to travel to and from the convention.

2. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 211

AN ACT concerning insurance and supplementing chapter 22 of Title 17 of the Revised Statutes.

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

C. 17:22-6.16a. Penalty in lieu of revocation, etc., of license.

1. In any case in which the commissioner has the power to revoke, refuse to renew or suspend the license of any insurance broker, agent or solicitor,

the commissioner shall also have the power to impose as an alternative to such revocation, refusal to renew, or suspension, a penalty which the licensee may elect to pay to the Department of Banking and Insurance in lieu of such revocation, refusal to renew, or suspension. The maximum penalty shall be $1,000.00 for each such separate offense.

2. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 212

AN ACT concerning education, authorizing the appointment of school business administrators, defining their qualifications and duties, providing for acquisition of tenure by school business administrators, and amending section 18:5–51 of the Revised Statutes.

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

C. 18:5-51.10. Appointment of school business administrator; qualifications; joint employment.

1. A board of education may, under rules and regulations prescribed by the State Board of Education, appoint a school business administrator by a majority vote of all the members of the board, define his duties, which may include serving as secretary of the board of education, and fix his salary, whenever the necessity for such appointment shall have been agreed to by the county superintendent of schools and approved by the Commissioner of Education and the State Board of Education. No school business administrator shall be appointed except in the manner provided in this section.

The appointee shall be a suitable person who holds an appropriate certificate as prescribed by the State Board of Education. He shall be considered a member of the professional staff of the dis-

trict. No person shall act as school business administrator or perform the duties of a school business administrator, as prescribed by the rules and regulations of the State Board of Education, unless he holds such a certificate.

The boards of 2 or more districts may jointly employ a school business administrator.

Section amended.

2. Section 18:5–51 of the Revised Statutes is amended to read as follows:

Dismissal, preferring charges; hearing.

18:5–51. No secretary, assistant secretary, school business administrator, 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.

C. 18:5-51.11. Tenure.

3. Any person who has acquired, or shall hereafter acquire tenure as a secretary or business manager under any board of education of a school district, and who shall be appointed a school business administrator shall have tenure as a school business administrator.

4. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 213

AN ACT concerning civil rights and amending section 10:2–1 of the Revised Statutes.

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

Section amended.

1. Section 10:2–1 of the Revised Statutes is amended to read as follows:

Discrimination in employment on public works; contracts provisions.

10:2–1. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, or ancestry, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, or ancestry;

c. There may be deducted from the amount payable to the contractor by the contracting public

agency, under this contract, a penalty of $50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

2. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 214

AN ACT concerning insurance rate systems and supplementing chapter 29A of Title 17 of the Revised Statutes.

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

C. 17:29A-7.1. Approval of rate upon application.

1. Upon written application of an insurance company, broker or agent, which application shall include the signed consent of the applicant for insurance, the commissioner may approve, on any specific risk, a rate in excess of that provided by a rate filing which would otherwise be applicable.

2. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 215

AN ACT to amend and supplement the "Air Pollution Control Act (1954)," approved September 16, 1954 (P. L. 1954, c. 212), and to repeal sections 10, 15 and 18 of said act.

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. 26:2C-6. Organization; quorum.

6. The commission shall elect annually a chairman and vice-chairman from its own membership, and 5 members of the commission shall constitute a quorum to transact its business, except that any action to adopt, amend or repeal a code, rule or regulation shall be by at least a majority vote of the entire commission.

Section amended.

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

C. 26:2C-8. Promulgation of codes, rules and regulations; hearing.

8. The commission shall have power to formulate and promulgate, amend and repeal codes and rules and regulations controlling and prohibiting air pollution throughout the State or in such territories of the State as shall be affected thereby; provided, however, that no such code, rule or regulation and no such amendment or repeal shall be adopted except after public hearing to be held after 30 days prior notice thereof by public advertisement of the date, time and place of such hearing, at which opportunity to be heard by the commission with respect thereto shall be given to the public; and provided, further, that no such code, rule or regulation and no such amendment or repeal shall be or become effective until 60 days after the adoption thereof as aforesaid. Any person heard at such public hearing shall be given written notice of the determination of the commission.

The public hearing required by this act to be held before the commission shall be held before not less

than 3 members of the commission designated by the chairman.

Section amended.

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

C. 26:2C-9. Duties.

9. The department shall control air pollution in accordance with the provisions of any applicable code, rule or regulation promulgated by the commission and for this purpose shall have power to—

(a) Conduct and supervise research programs for the purpose of determining the causes, effects and hazards of air pollution;

(b) Conduct and supervise State-wide programs of air pollution control education including the preparation and distribution of information relating to air pollution control;

(c) Require the registration of persons engaged in operations which may result in air pollution and the filing of reports by them containing information relating to location, size of outlet, height of outlet, rate and period of emission and composition of effluent, and such other information as the department shall prescribe to be filed relative to air pollution, all in accordance with applicable codes, rules or regulations established by the Air Pollution Control Commission. Registration reports filed with the department shall be privileged and not admissible in evidence in any court;

(d) Enter and inspect any building or place, except private residences, for the purpose of investigating an actual or suspected source of air pollution and ascertaining compliance or noncompliance with any code, rules and regulations of the commission. Any information relating to secret processes or methods of manufacture or production obtained in the course of such inspection, investigation or determination, shall be kept confidential and shall not be admissible in evidence in any court or in any other proceeding except before the department as herein defined. If samples are taken for analysis, a duplicate of the analytical report shall be furnished promptly to the person suspected of causing air pollution;

(e) Receive or initiate complaints of air pollution, hold hearings in connection with air pollution and institute legal proceedings for the prevention of air pollution and for the recovery of penalties, in accordance with this act;

(f) With the approval of the Governor, cooperate with, and receive money from, the Federal Government, the State Government, or any county or municipal government or from private sources for the study and control of air pollution.

C. 26:2C-10. Repealer.

4. Section 10 of chapter 212 of the laws of 1954 is repealed.

C. 26:2C-9.1. Right of entry.

5. No person shall obstruct, hinder or delay, or interfere with by force or otherwise, the performance by the department or its personnel of any duty under the provisions of this act, or of the act of which this act is amendatory and supplementary, or refuse to permit such personnel to perform their duties by refusing them, upon proper identification or presentation of a written order of the department, entrance to any premises at reasonable hours.

Section amended.

6. Section 14 of the act of which this act is amendatory is amended to read as follows:

C. 26:2C-14. Order to cease violation, procedure when no code in effect.

14. Whenever the department has cause to believe that any person is violating any code, rule or regulation promulgated by the commission, the department shall cause a prompt investigation to be made in connection therewith.

If upon inspection the department discovers a condition which is in violation of the provisions of this act or any code, rule or regulation promulgated pursuant thereto, it shall be authorized to order such violation to cease and to take such steps necessary to enforce such an order. The said order shall state the items which are in violation and shall provide a reasonable specified time within which the violation must cease.

In any case where no code, rule or regulation has been promulgated which sets specific limits for emissions to the atmosphere of the type discovered and alleged, no order to cease such emissions shall be issued until the holding of a preliminary hearing

thereon which shall be held upon not less than 15 days' notice by the department to all interested persons.

The person responsible shall make the corrections necessary to comply with the requirements of this act or code, rule or regulation promulgated pursuant thereto within the time specified in the order.

Nothing herein shall be deemed to prevent the department from prosecuting any violation of this act or any code, rule or regulation promulgated pursuant thereto notwithstanding that such violation is corrected in accordance with its order.

C. 26:2C-15. Repealer.

7. Section 15 of chapter 212 of the laws of 1954 is repealed.

Section amended.

8. Section 16 of the act of which this act is amendatory is amended to read as follows:

C. 26:2C-16. Testimony.

16. The testimony taken at any hearing shall be under oath and recorded stenographically, but the parties shall not be bound by the strict rules of evidence prevailing in the courts of law and equity. True copies of any transcript and of any other record made of or at such hearing shall be furnished to any party thereto upon request and at his expense.

C. 26:2C-14.1. Hearing for aggrieved person; procedure.

9. Any person aggrieved by an order of the department under this act may, upon application made within 15 days after notice thereof, be entitled to a hearing before the department which shall within 30 days thereafter hold a hearing of which at least 15 days written notice shall be given to such persons. Within 30 days after such hearing the department shall issue an appropriate order modifying, approving or disapproving its prior order. A copy of such order shall be served upon all interested parties. Pending the determination by the department and upon application therefor the department may stay the operation of such order upon such terms and conditions as it may deem proper.

C. 26:2C-18. Repealer.

10. Section 18 of chapter 212 of the laws of 1954 is repealed.

Section amended.

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

C. 26:2C-19. Injunction against violation; penalty; compromise.

19. If preventive or corrective measures are not taken in accordance with any order of the department, the department may institute a civil action in any court of competent jurisdiction for injunctive relief to prevent any further violation of such code, rule or regulation. Said court shall have power to grant such injunctive relief upon notice and hearing.

Any person who violates the provisions of this act or any code, rule, regulation or order promulgated or issued pursuant to this act shall be liable to a penalty of not less than $25.00, nor more than $500.00 to be collected in a civil action by a summary proceeding under the penalty enforcement law (N. J. S. 2A:58–1 et seq.) or in any case before a court of competent jurisdiction wherein injunctive relief has been requested. If the violation is of a continuing nature, each week during which it continues after the date given by which the violation must be eliminated in accordance with the order of the department shall constitute an additional, separate and distinct offense.

The department is hereby authorized and empowered to compromise and settle any claim for a penalty under this section in such amount in the discretion of the department as may appear appropriate and equitable under all of the circumstances.

12. This act shall take effect immediately.

Approved January 8, 1963.

CHAPTER 216

AN ACT concerning education and supplementing article 3 of chapter 7 of Title 18 of the Revised Statutes.

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

C. 18:7-26.1. Withdrawal of candidate; time.

1. Any candidate may withdraw his name as a candidate for election at the annual school election by filing a notice in writing, signed by him, of his withdrawal with the secretary of the board of education on or before 4 o'clock P. M. of the thirtieth day before the date of the election and thereupon the name of such candidate shall be withdrawn by the secretary. The name of such candidate shall not be printed on the ballot. The names of any candidates originally designated on the ballot below the name of the withdrawn candidate shall be advanced one place each, respectively, on the ballot.

2. This act shall take effect immediately.

Approved January 9, 1963.

CHAPTER 217

AN ACT to vest in the board of managers of "The New Jersey Firemen's Home" title to a certain tract and parcel of land situate in the town, formerly the township, of Boonton, county of Morris and State of New Jersey.

Preamble.

WHEREAS, By deed dated June 30, 1898 and recorded in the Morris County Clerk's Office in Deed Book R-15 of Deeds for said county at pages 298, etc.,

Anna C. Lathrop, unmarried, daughter and devisee of William G. Lathrop, Sr., deceased of the Town and Township of Boonton in the County of Morris and State of New Jersey, conveyed, and by deed dated June 30, 1898 and recorded in the Morris County Clerk's Office in Deed Book R-15 of Deeds for said county at pages 293 etc., Anna C. Lathrop, Executrix of the Last Will and Testament of William G. Lathrop, Jr., deceased, of Boonton, Morris County, New Jersey, conveyed to Bird W. Spencer, Benjamin W. Cloud, William M. Jeffries, William T. Corliss, Charles N. Reading, John McKiernan, William H. Brown, George T. Werts, Egbert Seymour, William S. Hancock and William Bettle, Commissioners to provide a proper and suitable firemen's home for the aged, indigent and disabled firemen of this State, appointed under and by virtue of an act of the Legislature of the State of New Jersey, entitled "An act authorizing a firemen's home for the aged, indigent and disabled firemen of this State, and providing for the regulation and government of such home," (P. L. 1898, c. 127) certain lands and premises situate in the township of Boonton and County of Morris and State of New Jersey in said respective deeds described; and

Preamble. WHEREAS, By said act said commissioners were authorized and directed to purchase a proper and suitable building and lands or to select a site and erect thereon a proper and suitable building, to be known as "The New Jersey Firemen's Home" for the use, care, support and maintenance of the aged, indigent and disabled firemen of this State; and

Preamble. WHEREAS, Said conveyances were made to said commissioners to carry out the purposes of said act; and

WHEREAS, By a supplement to said act entitled "A supplement to the act entitled 'An act authorizing a firemen's home for the aged, indigent and disabled firemen of this State, and providing for the regulation and government of such home,' approved April 2, 1898," approved March 13, 1899 (P. L. 1899, c. 20) the action of said commissioners in purchasing said building and lands so conveyed to them was recognized and approved and said commissioners were directed to convey and transfer the title thereto to the "Board of Managers of the New Jersey Firemen's Home, their successors and assigns;" and Preamble.

WHEREAS, Thereafter and prior to June 27, 1899, the board of managers entered into possession of the lands and premises and have continued in possession of the same until the present time and no conveyance which may have been executed by said commissioners to said board of managers can be found nor has any such conveyance been recorded; and Preamble.

WHEREAS, The Legislature is of the opinion that said commissioners purchased and received conveyance of and held said lands and premises as trustees for the board of managers of the New Jersey Firemen's Home and that in law the beneficial and legal title both are now vested in said board of managers but in order to dispel any doubts as to the validity of said title in said board of managers, this statute is enacted. Preamble.

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

1. Title to all that tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the town of Boonton (formerly the township of Boonton) county of Morris and State of New Jersey: Title vested; description.

Beginning at an iron bolt in the middle of the road leading from Boonton to Lower Montville in

line of lands late of Henry Banta deceased, thence (1) along said Banta's line by the course given as the first line in a deed from Joseph Howard and wife to William G. Lathrop, dated July 10, 1866, and recorded in Morris County Clerk's Office in Book W 6 of deeds pages 84 &c. south nine degrees fifteen minutes east forty chains and thirty-five links to the Rockaway River (2) down the river north thirty-six and one-half degrees east one chain fourteen links (3) still along the river north forty-one and one-half degrees east two chains (4) still along the river north sixty and one-quarter degrees east two chains (5) north ten degrees East one chain and fifty links (6) north forty-five degrees east nine chains to a corner of formerly Abram Kingsland's land (7) north eight degrees west three hundred feet (8) along the same north forty-five degrees forty-five minutes east two hundred and ninety nine and twenty-one hundredths feet (9) along the same south eight and one-half degrees west three hundred feet to said Kingsland's corner in the continuation of the sixth line of this description and the beginning corner of thirty-four acres of land conveyed by John A. Vreeland to William G. Lathrop by deed dated October 30, 1869 and recorded in said Clerk's Office in Book S 7 of deeds pages 87 &c. thence (10) along the first line in said last mentioned deed by the course given therein reversed north forty-five degrees, thirty minutes east nine hundred and twenty-three and three-tenths feet to an iron monument in the middle of the aforesaid road, thence (11) along in the middle of said road by the courses taken in 1897 north forty-four degrees twenty-one minutes west, two hundred and eleven and one-quarter feet to an iron monument the corner of lands of ..... Underhill; thence (12) along his line and beyond in the middle of said road north forty-one degrees twenty-four minutes west six hundred and ninety-four and ninety-seven one-hundredths feet to the second line in said deed from said John A. Vreeland thence (13) along said second line by the

courses therein reversed south forty-three and one-quarter degrees west two hundred and eighty-eight and six-tenths feet to the second corner thereof thence (14) along the ninth line in the first mentioned deed by the course thereof, north eight and one-half degrees west three hundred and fifteen and fifty-four one-hundredths feet to an iron monument distant southerly seventeen and four-tenths feet from the southeast corner and distant thirty-nine and four-tenths feet from the southwest corner of the coachman's house on the property herein described thence (15) by a course taken in 1887 along the middle of the aforesaid road north eight degrees forty-eight minutes west three hundred and sixty feet to another iron monument distant southeasterly eighty-nine and forty-eight one-hundredths feet from the southeast corner of the Stone House, also, distant seventy-nine and forty-five one hundredths feet from the southeast corner of the addition to said stone house on the northwest corner of the road thence (16) along said road toward Boonton south seventy-five degrees fifty-six minutes west three hundred and sixty-three and four-tenths feet thence (17) along the same south seventy-nine degrees forty-seven minutes west two hundred and seventy-one and fifty-five one hundredths feet, thence (18) along the same north eighty-three degrees seventy-nine minutes west four hundred and forty-eight and ninety-two one-hundredths feet to the place of Beginning. Containing sixty-four and seventy-one one-hundredths acres more or less.

Included in the above description is all of the lot of forty-eight and eight-tenths acres conveyed to William G. Lathrop by Joseph Howard and wife by deed dated July 10, 1866 and recorded in Morris County Clerk's Office in Book W 6 of deeds pages 84 &c. Also all of a lot of three and three-tenths acres conveyed to said William G. Lathrop by Joseph Howard and wife by deed dated March 16, 1867 and recorded in said Clerk's Office in Book Z 6 of Deeds pages 303 &c. Also all of that part of a

tract of thirty-four acres conveyed to said William G. Lathrop by John A. Vreeland by deed dated October 30, 1869 and recorded in said Clerk's Office in Book S 7 of Deeds pages 87 &c. lying west of the aforesaid road from Boonton to Lower Montville,

Is hereby vested in the Board of Managers of the New Jersey Firemen's Home as fully and completely as though the same had been conveyed to said Board of Managers by Bird W. Spencer, Benjamin W. Cloud, William M. Jeffries, William T. Corliss, Charles N. Reading, John McKiernan, William H. Brown, George T. Werts, Egbert Seymour, William S. Hancock and William Bettle, Commissioners.

2. This act shall take effect immediately.

Approved January 9, 1963.

CHAPTER 218

AN ACT concerning the Uniform Commercial Code, amending sections 12A:2–702, 12A:3–122, 12A:9–401 and 12A:9–402 of the New Jersey Statutes.

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

Section amended.

1. Section 12A:2–702 of the New Jersey Statutes is amended to read as follows:

Seller's remedies on discovery of buyer's insolvency.

12A:2–702. Seller's Remedies on Discovery of Buyer's Insolvency.

(1) Where the seller discovers the buyer to be insolvent he may refuse delivery except for cash including payment for all goods theretofore delivered under the contract, and stop delivery under this chapter (12A:2–705).

(2) Where the seller discovers that the buyer has received goods on credit while insolvent he may

reclaim the goods upon demand made within 10 days after the receipt, but if misrepresentation of solvency has been made to the particular seller in writing within 3 months before delivery the 10 day limitation does not apply. Except as provided in this subsection the seller may not base a right to reclaim goods on the buyer's fraudulent or innocent misrepresentation of solvency or of intent to pay.

(3) The seller's right to reclaim under subsection (2) is subject to the rights of a buyer in ordinary course or other good faith purchaser under this chapter (12A:2–403). Successful reclamation of goods excludes all other remedies with respect to them.

2. Section 12A:3–122 of the New Jersey Statutes is amended to read as follows: Section amended.

12A:3–122. Accrual of Cause of Action. Accrual of cause of action.

(1) A cause of action against a maker or an acceptor accrues

(a) in the case of a time instrument on the day after maturity;

(b) in the case of a demand instrument upon its date or, if no date is stated, on the date of issue.

(2) A cause of action against the obligor of a demand or time certificate of deposit accrues upon demand, but demand on a time certificate may not be made until on or after the date of maturity.

(3) A cause of action against a drawer of a draft or an indorser of any instrument accrues upon demand following dishonor of the instrument. Notice of dishonor is a demand.

(4) Unless an instrument provides otherwise, interest runs at the rate provided by law for a judgment

(a) in the case of a maker, acceptor or other primary obligor of a demand instrument, from the date of demand;

(b) in all other cases from the date of accrual of the cause of action.

Section amended.

3. Section 12A:9–401 of the New Jersey Statutes is amended to read as follows:

Place of filing; erroneous filing; removal of collateral.

12A:9–401. Place of Filing; Erroneous Filing; Removal of Collateral.

(1) The proper place to file in order to perfect a security interest is as follows:

(a) when the collateral is consumer goods, or equipment used in farming operations, or farm products, or accounts, contract rights or general intangibles arising from or relating to the sale of farm products by a farmer, then in the office of the recording officer of the county of the debtor's residence or if the debtor is not a resident of this State, then in the office of the recording officer of the county where the goods are kept, and in addition to the foregoing requirements, when the collateral is crops, in the office of the recording officer of the county where the land on which the crops are growing or to be grown is located. The recording officer of the county means the register of deeds and mortgages and his office in counties having such an officer and office, and the county clerk and his office in other counties;

(b) when the collateral is goods which at the time the security interest attaches are or are to become fixtures, then in the office where mortgage on the real estate concerned would be filed or recorded;

(c) In all other cases, in the office of the Secretary of State.

(2) A filing which is made in good faith in an improper place or not in all of the places required by this section is nevertheless effective with regard to any collateral as to which the filing complied with the requirements of this chapter and is also effective with regard to collateral covered by the financing statement against any person who has

knowledge of the contents of such financing statement.

(3) A filing which is made in the proper place in this State continues effective even though the debtor's residence or place of business or the location of the collateral or its use, whichever controlled the original filing, is thereafter changed.

(4) If collateral is brought into this State from another jurisdiction, the rules stated in 12A:9–103 determine whether filing is necessary in this State.

Section amended.

4. Section 12A:9–402 of the New Jersey Statutes is amended to read as follows:

Formal requisites of financing statement; amendments.

12A:9–402. Formal Requisites of Financing Statement; Amendments.

(1) A financing statement is sufficient if it is signed by the debtor and the secured party, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral. A financing statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers crops growing or to be grown or goods which are or are to become fixtures, the statement must also contain a description of the real estate concerned and the name of the record owner thereof. A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by both parties.

(2) A financing statement which otherwise complies with subsection (1) is sufficient although it is signed only by the secured party when it is filed to perfect a security interest in

(a) collateral already subject to a security interest in another jurisdiction when it is brought into this State. Such a financing statement must state that the collateral was brought into this State under such circumstances.

(b) proceeds under 12A:9–306 if the security interest in the original collateral was perfected. Such a financing statement must describe the original collateral.

(3) A form substantially as follows is sufficient to comply with subsection (1):

Maturity Date (if any) .....

For Filing Officer Use
File No. .....
Date & Hour of Filing .....

(Last Name First)
Name of Debtor .....
Address .....
Name(s) of Other Debtor(s) (if any)
.....
Address .....
.....
Address .....
Name of Secured Party .....
Address .....
Name(s) of Other Secured Party(s) (if any)
.....
Address .....
.....
Address .....

1. This financing statement covers the following types (or items) of property:
(Describe) .....

CHECK X THE ITEMS WHICH APPLY

.....
.....

2. ☐ (If collateral is crops) The above described crops are growing or are to be grown on:

(Description of real estate and name of record owner) .....
.....
.....
.....

3. ☐ (If collateral is goods which are or are to become fixtures) The above described goods are affixed or are to be affixed to: Description of real estate and name of record owner)
.....
.....

4. ☐ Proceeds of collateral are also covered.

5. ☐ Products of collateral are also covered.

Signature(s) of Debtor(s)
.....
.....
.....

Signature(s) of Secured Party(s)
.....
.....
.....

(4) The term "financing statement" as used in this chapter means the original financing statement and any amendments but if any amendment adds collateral, it is effective as to the added collateral only from the filing date of the amendment.

(5) A financing statement substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading.

5. This act shall take effect January 1, 1963.

Approved January 9, 1963.

CHAPTER 219

AN ACT to amend "An act concerning banking and banking institutions (Revision of 1948)," approved April 29, 1948 (P. L. 1948, c. 67).

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

Section amended.

1. Section 25 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-25. Additional powers of banks.

25. Additional powers of banks.

In addition to the powers specified in section 24, every bank shall, subject to the provisions of this act, have the following powers, whether or not such powers are specifically set forth in its certificate of incorporation:

(1) to discount, buy, invest in, hold, assign, transfer, sell, and negotiate promissory notes, drafts, bills of exchange, mortages, trade acceptances, bankers' acceptances, bonds, debentures, bonds or notes secured by mortgages, installment obligations, balances due on conditional sales, and other evidences of debt for its own account, or for the account of customers;

(2) to accept for payment at future dates drafts drawn upon it by its customers;

(3) to issue letters of credit authorizing holders thereof to draw drafts upon it or upon its correspondents at sight or on time not exceeding one year; to guarantee, for a period not exceeding one year from the date of such guarantee, the payment by its customers of amounts due or to become due upon the purchase by such customers of real or personal property;

(4) to receive interest and non-interest bearing demand and time deposits to be repaid on such terms as may be agreed upon between the depositors and the bank, and to furnish security for such deposits when required by the laws of this

State or of the United States, or by rules or orders of any court of this State or of the United States or by the regulations of an officer or agency of this State or of the United States, made pursuant to such law; provided, that, no bank shall be required to give security for deposits made by this State, or any political subdivision thereof, or any other body politic existing under the laws of this State, to the extent that such deposits are insured under any Federal legislation providing for the insurance of bank deposits;

(5) to maintain savings departments for the receipt of interest and non-interest bearing deposits to be repaid on such terms as may be agreed upon between the depositors and the bank, and to commingle such deposits with deposits otherwise received;

(6) during hours other than the bank's usual hours for receipt of deposits, to provide the equipment for receiving, and to receive containers purporting to contain moneys or instruments for the payment of money;

(7) to make loans, secured or unsecured, including loans to its stockholders;

(8) to extend credit by honoring overdrafts upon deposit accounts, but no credit shall be so extended except pursuant to written agreement made in advance;

(9) to buy and sell gold and silver bullion, foreign coin, and exchange;

(10) to purchase and sell stocks of other corporations, without recourse, solely upon order and for the account of customers. This paragraph shall not limit the power of a bank to take stocks of other corporations as collateral security for loans, discounts, or other extensions of credit, or to acquire such stocks when their acquisition is necessary to prevent or minimize loss upon debts previously contracted in good faith. Stocks acquired pursuant to this paragraph shall be sold within 5 years after their acquisition, except that the commissioner may, by order, extend the time within which sales of

stocks described in such order shall be made; but this paragraph shall not invalidate the holding of any stocks lawfully acquired on or before the effective date of this act. This paragraph shall not apply to any case in which, pursuant to any other provision of this act, or pursuant to any other act, a bank is expressly authorized to subscribe for, purchase or otherwise acquire or hold stocks;

(11) to receive any tangible personal property for safekeeping and storage on the terms provided by chapter 7 of Title 12A of the New Jersey Statutes, and to keep, maintain, and rent out for hire, space for the storage and safekeeping of personal property of such kind and description, or represented by the depositor thereof to be of such kind and description, as the commissioner may by regulation from time to time prescribe; but nothing herein contained shall limit the power of a bank to let space for the storage and safekeeping of personal property to which the bank has security title or in which it has a lien interest;

(12) to avail itself of the provisions of any Federal legislation providing for the extension of any lawful banking activity in the making of loans or the extension of credit to individuals, or for the financing of business enterprises, or in such other banking activity as may be specified in such legislation and made available for participation by banks; except that the power by this paragraph conferred shall not be exercised unless the commissioner shall make a general order authorizing such participation upon such terms and conditions as may in such order be prescribed;

(13) to act as the fiscal agent of the United States, and of any corporation, and of any State, county, municipality, board, commission or other body politic, and to perform all duties as such fiscal agent as may lawfully be required of it;

(14) to assist customers or act for customers in the preparation, handling and disbursement of payrolls and payroll deductions and in the preparation, maintenance and furnishing of records and statistical information in connection therewith.

2. Section 98 of the act of which this act is amendatory is amended to read as follows:

Section amended.

98. Stock certificates; transfers of stock.

C. 17:9A-98. Stock certificates; transfers of stock.

A. Every bank shall issue to each of its stockholders a certificate or certificates signed by the president or a vice-president and by the cashier or an assistant cashier or the secretary or an assistant secretary, evidencing the number of shares of the capital stock of the bank held by him. If a certificate is signed on behalf of the bank by a transfer clerk or transfer agent, the signature of the president or a vice-president may be a facsimile.

B. Shares of the capital stock of a bank shall be personal property and shall be held and transferred as provided in chapter 8 of Title 12A of the New Jersey Statutes.

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

Note: Act effective.

Approved January 9, 1963.

CHAPTER 220

AN ACT concerning the sale or grant of certain real property or interests therein of the State.

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

C. 52:31-1.1. Authorized to sell and convey State's interests; conditions proceeds.

1. The head or principal executive of any State department, with the written approval of the Governor, is hereby authorized to sell and convey all or any part of the State's interest in any real property and the improvements thereon held by the department or to grant an easement in or across such property if he shall find that his department does not require such property or interest for any public purpose and that such sale is in the best interests of the State or that a grant of such easement is in the best interests of the State.

The sale or grant shall be upon such terms and conditions as the State House Commission shall determine to be in the best interests of the State and shall be by public auction to the highest bidder unless the commission shall otherwise direct.

The proceeds from the sale of any property or interest in property sold pursuant to the provisions of this section or from the grant of an easement shall be paid into the General Treasury of the State.

C. 52:31-1.2. Execution of deed; recording.

2. Any deed or grant executed pursuant to the provisions of this act shall be signed by the head or principal executive of the department in the name of the State of New Jersey. The secretary of the State House Commission shall certify that the terms and conditions established by the State House Commission have been met and satisfied and the Governor shall indicate thereon his approval. The signatures of these officials shall be attested to by the Secretary of State. Any deed or grant so signed and attested to shall be deemed to be acceptable for recording and indexing in the office of the register of deeds and mortgages and, in counties not having such office, in the office of the county clerk or in any other public office in which such deed is required to be recorded or indexed.

C. 52:31-1.3. Limitation; provisions additional.

3. (a) The provisions of this act shall apply to real property or interests therein that have a value of $100,000.00 or less and to easements that have a value of $10,000.00 or less.

(b) The provisions of this act shall be deemed to be additional and supplemental to any existing authority to sell property of the State and shall not be deemed to be in derogation of such existing authority.

4. This act shall take effect immediately.

Approved January 9, 1963.

CHAPTER 221

AN ACT authorizing the State Highway Commissioner to make relocation assistance payments on Federal-aid highway projects and supplementing Title 27 of the Revised Statutes.

Preamble. WHEREAS, The 87th Congress of the United States of America enacted H. R. No. 12135, which was approved by the President on October 23, 1962, as Public Law 87–866; and

Preamble. WHEREAS, This act which may be cited as the "Federal-Aid Highway Act of 1962" requires that State highway departments of the various States shall give satisfactory assurance to the Secretary of Commerce of the United States of America that relocation advisory assistance shall be provided for the relocation of families displaced by acquisition or clearance of rights-of-way for Federal-aid highways; and

Preamble. WHEREAS, The said Secretary of Commerce shall approve, as a part of the cost of constructing a Federal-aid highway project, such relocation payments as may be made by a State highway department to eligible persons for their reasonable and necessary moving expenses caused by their displacement from real property acquired for such Federal-aid highway project; and

Preamble. WHEREAS, The State of New Jersey has no State law authorizing the relocation payments provided for in Public Law 87–866 of the 87th Congress;

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

C. 27:8-7. Relocation payments authorized. 1. The State Highway Commissioner is authorized and empowered, within the limits of available

funds and appropriations therefor, to make relocation payments to eligible persons for their moving expenses caused by their displacement from real property acquired for Federal-aid highways to be constructed in this State.

C. 27:8-8. Payment in accordance with rules; limitations.

2. (a) Relocation payments shall be made in accordance with the provisions of this act and pursuant to such rules and regulations as shall be prescribed by the State Highway Commissioner.

(b) The amount of relocation payments shall be established by the State Highway Commissioner and shall not exceed $200.00 in the case of an individual or a family, nor $3,000.00 in the case of a business concern (including the operation of a farm), or nonprofit organization.

(c) In the case of a business (including the operation of a farm) and in the case of a nonprofit organization, the allowable expenses for transportation under this subsection shall not exceed the cost of moving up to 50 miles from the point from which such business or organization is being displaced.

(d) The rules and regulations of the State Highway Commissioner may include provisions authorizing payments to individuals and families of fixed amounts (not to exceed $200.00 in any case) in lieu of their respective reasonable and necessary moving expenses.

C. 27:8-9. "Eligible person" defined.

3. As used in this act, the term "eligible person" shall mean such individuals, families, business concerns (including the operation of a farm), and nonprofit organizations, as have occupied, either as the owner or as a tenant, the real property acquired or to be acquired for a Federal-aid highway project in this State for at least 60 days prior to the date the State Highway Commissioner gives written notice to the record owner that said property is to be acquired for a Federal-aid highway project; and provided that the State Highway Commissioner finds that said person, family, business concern (including the operation of a farm) or nonprofit organization is within the class of persons intended

to be eligible to receive assistance for displaced families and businesses under the Federal act.

4. This act shall take effect immediately.

Approved January 9, 1963.

CHAPTER 222

AN ACT concerning medical assistance for the aged, creating a bureau of medical affairs within the Division of Welfare of the Department of Institutions and Agencies, supplementing Title 44 of the Revised Statutes, amending sections 44:7–1 and 44:7–5 of the Revised Statutes, and amending "An act concerning assistance for needy persons, 18 years of age and older, who are permanently and totally disabled, and supplementing chapter 7 of Title 44 of the Revised Statutes," approved May 31, 1951 (P. L. 1951, c. 139).

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

C. 44:7-76. Entitled to receive medical assistance.

1. Subject to the provisions of this act, any resident of New Jersey who has attained the age of 65 years, who is not a recipient of old age assistance, and whose income and resources are insufficient to meet the costs of health services provided under this act, shall be entitled to receive medical assistance from the county welfare board of the county in which he resides.

C. 44:7-77. "Medical assistance" defined.

2. For the purposes of this act "medical assistance" means payment for and on behalf of eligible individuals of part or all of the costs of the following services to the extent authorized in regulations adopted pursuant to this act:

(a) in-patient hospital ward services;

(b) skilled nursing home services; and

(c) home health care services required by reason of an illness necessitating confinement at home for a prolonged period.

C. 44:7-78. Services included in assistance.

3. There may be included in a grant of medical assistance for any of the services set forth in section 2:

(a) the cost of out-patient hospital or clinic diagnostic and treatment services;

(b) the cost of prosthetics and appliances; and

(c) the cost of a reasonable allowance for personal incidental expenses; provided, however, that such costs cannot be met through other resources available to the individual or through any other program of public assistance.

C. 44:7-79. Administration.

4. Medical assistance shall be administered in accordance with the provisions of chapter 7 of Title 44 of the Revised Statutes, excepting sections 44:7–3, 44:7–5, 44:7–14 through 44:7–16, and 44:7–25.

C. 44:7-80. Bars payment prior to application and investigation; exception.

5. No grant of medical assistance shall be made prior to the filing of an application therefor, and the making of an investigation to determine eligibility and the extent of need. No grant of medical assistance shall include any costs for services incurred prior to the date of the application, except costs for in-patient hospital services incurred within 30 days of the date of the application and subsequent to the effective date of this act.

C. 44:7.81. Rules and regulations; scope.

6. Under general policies established by the State Board of Control, the Commissioner of Institutions and Agencies is authorized, directed and empowered to issue, or to cause to be issued by the appropriate departmental officers or agencies, all necessary rules and regulations and administrative orders, and to do or cause to be done all other acts and things necessary to secure for the State of New Jersey the maximum Federal financial participation that is available with respect to a program of medical assistance for the aged and otherwise to accomplish the purposes of this act, including specifically the following:

(a) to assure that the program shall be in effect in all counties of the State and be mandatory upon them;

(b) to assure that all individuals wishing to make application for medical assistance for the aged shall have opportunity to do so, and that medical assistance shall be furnished with reasonable promptness to or for all eligible individuals;

(c) to provide that, in determining need for medical assistance and the amount of such assistance to be granted, there shall be taken into consideration all other income and resources of the aged individual, making due allowance for a minimum standard of living compatible with decency and health; provided, however, that medical assistance for in-patient and out-patient hospital services, as made available by this act, shall be granted to persons eligible therefor notwithstanding appropriations to hospitals made by any county or municipality pursuant to chapter 5 of Title 44 of the Revised Statutes;

(d) to provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the program;

(e) to assure that no enrollment fee, premium, or similar charge is imposed as a condition of eligibility;

(f) to assure that all persons for whom medical assistance is being paid under the provisions of this act shall not receive, during or with respect to the same period, any other financial assistance from this State or any political subdivision thereof with respect to any maintenance requirements or other items for which allowance is made in the assistance grant paid pursuant to this act;

(g) to prescribe appropriate services which shall be made available by or utilized by the county welfare boards for the purposes of effecting, so far as possible, cure and rehabilitation;

(h) to prescribe methods and procedures for repayment or recovery of medical assistance granted;

provided, however, that no lien may be imposed against the property of any individual prior to his death on account of medical assistance granted or to be granted under this act (except pursuant to the judgment of a court on account of assistance incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any medical assistance correctly paid on behalf of such individual under this act.

C. 44:7-82. Payment by State to board of Federal funds plus 60% of balance.

7. The State shall pay to each county welfare board the full amount of any funds received by the State from the Federal Government as Federal participation with respect to expenditures made by such county welfare board for medical assistance for the aged, plus an additional amount equal to 60% of the balance of such expenditures after deducting the amount of such Federal participation.

The State shall also pay to each county welfare board the full amount of any funds received by the State from the Federal Government as Federal participation with respect to the costs of administration of the program of medical assistance for the aged by such county welfare board.

C. 44:7-83. Bureau of medical affairs created; duties and functions; members.

8. There is hereby created within the Division of Welfare of the Department of Institutions and Agencies a bureau of medical affairs, which shall be in charge of a qualified expert who shall be appointed by and receive the compensation fixed by the commissioner, with the approval of the State Board of Control, subject to appropriations made therefor.

With respect to programs of assistance and welfare services under the cognizance of the Division of Welfare, the bureau of medical affairs shall:

(a) conduct a continuing survey of facilities for health services, and maintain a roster of such facilities which are approved for utilization in carrying out such programs;

(b) negotiate and establish plans, agreements and fee schedules with suppliers of health services

which shall provide the qualitative standards and the rates of payment applicable to such programs;

(c) provide professional and technical consultation to the bureau of assistance, the county welfare boards, and the municipal departments of welfare; and

(d) perform such other related duties as may be assigned by the commissioner and the State Board of Control.

The commissioner, with the approval of the State Board of Control, may appoint such advisory commissions and committees as may be required to provide consultation to the bureau of medical affairs in carrying out its assigned duties. The membership of each such commission and committee shall include the Commissioner of the State Department of Health or his designated representative, and all members shall serve without compensation except for actual expenses incurred.

Section amended.

9. Section 44:7–1 of the Revised Statutes is amended to read as follows:

Terms defined.

44:7–1. As used in this chapter:

"Commissioner" means the Commissioner of the Department of Institutions and Agencies.

"State board" means the State Board of Control of the Department of Institutions and Agencies.

"State division" means the bureau of assistance as set up within the Department of Institutions and Agencies.

"Director of old age assistance" means the chief of the State bureau of assistance.

"Director of welfare" means the director of the county welfare board.

"County welfare board" means the boards established within the several counties for the purposes of administering welfare to the needy, whether set up under the authority of this chapter or pursuant to any other laws of this State.

"Assistance" means money payments to or on behalf of eligible persons.

"Old age assistance" means assistance to aged needy persons as provided by this chapter, and,

unless otherwise indicated, includes all programs of assistance for other specified classes of persons authorized to be administered by or through the county welfare boards.

"County adjuster" means the official of that designation authorized to act in cases of commitment or admission of insane persons to State or county hospitals for the insane.

"Federal aid" means grants-in-aid to the State as provided for in the Federal Social Security Act, approved August 14, 1935, as amended.

"Institution" means any establishment, whether in single or multiple dwellings, whether public or private, whether incorporated or unincorporated, whether for profit or nonprofit, operated at the direction of or under the management of an individual or individuals, corporation, partnership, society, or association, which furnishes food and shelter for 4 or more persons unrelated to the proprietor and which provides medical or nursing service or any other personal care or service beyond food, shelter, and laundry, to any one or more of such persons.

Section amended.

10. Section 44:7–5 of the Revised Statutes is amended to read as follows:

Eligibility of applicants; details.

44:7–5. Old age assistance shall be granted under this chapter to any person who:

a. Has attained the age of 65 years;

b. Lacks adequate support; is unable to support himself; is without parents, spouse, or children able to support him and without other persons able and willing to support him;

c. Is a resident of this State, and has so resided therein for a period of 1 year immediately preceding the date of application; if, however, Federal aid should not be made available to this State, or if, after being made available, it should be withdrawn, all persons whose applications are then pending and not acted upon and all persons applying thereafter for assistance under this chapter shall be required to have resided in and been domiciled in this

State continuously for at least 5 years immediately preceding the date of application;

d. Is not an inmate of any public or private institution where he is involuntarily confined, and is not, because of physical or mental condition, or other cause, a resident or patient in any public or private hospital or other medical institution;

e. Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance or for the purpose of evading responsibility under section 44:7–14 of this Title;

f. Is found, after due investigation and determination as hereinafter provided, to be in need of assistance.

Section amended.

11. Section 2 of chapter 139 of the laws of 1951 is amended to read as follows:

C. 44:7-39. Assistance for the permanently and totally disabled; construing.

2. The assistance to be extended under this act shall be known as "assistance for the permanently and totally disabled," but shall in all other respects be governed by the conditions of eligibility and all other requirements, conditions, limitations and procedures established by and pursuant to chapter 7 of Title 44 of the Revised Statutes, except that subsections a. and d. of section 44:7–5 and section 44:7–25 of the Revised Statutes shall not apply to assistance for the permanently and totally disabled.

Assistance for the permanently and totally disabled shall not be granted to any person who is an inmate or resident of or in need of prolonged care in any public or private institution because of physical or mental condition, or other cause, unless

(1) the institution, if publicly owned and operated, is a medical institution, other than an institution for tuberculosis or mental disease, designated and approved as such by the Department of Institutions and Agencies, and

(2) the institution, if privately owned and operated, does not come within the definition of a hospital to which payment or distribution of funds is permitted to be made by counties or municipalities of this State pursuant to any provision of chapter 5 of Title 44 of the Revised Statutes, and is

licensed or approved by the Department of Institutions and Agencies pursuant to any provision of Title 30 of the Revised Statutes, and

(3) the individual is not a patient in such institution as the result of a diagnosis of tuberculosis or psychosis.

C. 44:7-84. Act effective.

12. This act shall take effect July 1, 1963, but all arrangements necessary or appropriate to enable this act to become fully effective on said date shall be made as promptly as possible as though this act were effective immediately.

Approved January 14, 1963.

CHAPTER 223

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, 1963, and regulating the disbursement thereof," approved June 12, 1962 (P. L. 1962, c. 79).

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

Transfer of funds.

1. There is hereby transferred to the Division of Railroad Transportation in the State Highway Department, from the funds appropriated to the State Highway Department by P. L. 1962, c. 79 such sums, not to exceed $3,000,000.00, as may be required to carry out the provisions of P. L. 1960, c. 68 and P. L. 1962, c. 1.

2. This act shall take effect immediately.

Approved January 14, 1963.

CHAPTER 224

AN ACT concerning acquisition in the public interest of lands and other property disposed of by the Federal Government and the development or redevelopment, use and disposition thereof, and amending the title and body of the act entitled "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" approved January 18, 1961 (P. L. 1960, c. 183).

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

C. 40:37A-47.1. Legislative determination.

1. It is hereby found and declared: (a) that there are located within this State various Federal installations comprising substantial tracts of land including, in many cases, buildings and other improvements thereon; (b) that, as the defense and other requirements and plans of the Federal Government continue to change and develop, large areas of such lands are liable to become surplus to the needs of the Federal Government and it is probable that such surplus areas will from time to time be disposed of by the Federal Government and become available for other use and development; (c) that, unless developed or redeveloped in the public interest on a comprehensive basis and under

appropriate controls, any such surplus land, when so disposed of by the Federal Government, will constitute or be in danger of becoming a blighted area which will impair economic values and tax revenues, result in increased unemployment, and cause an increase in and spread of poverty, disease and crime, and accordingly be a menace to the health, safety, morals and welfare of residents of this State necessitating excessive and disproportionate expenditure of public funds for relief, crime prevention and punishment, public health and safety, and other public services and facilities; (d) that the several counties of this State, by means and through the agency of a county improvement authority, are best qualified and able to provide for public acquisition of such surplus lands and accordingly the orderly development and redevelopment thereof in the public interest in order to remove or prevent the conditions hereinabove recited and to encourage industrial, commercial, residential or other proper uses of such lands or restore or increase employment opportunities for residents of this State; and (e) that the acquisition of such surplus lands and development or redevelopment thereof as aforesaid are public uses and purposes for which public funds may be expended and private property taken or acquired, and are governmental functions of State concern. The necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

C. 40:37A-44. Title amended.

2. The title of the act entitled "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'' approved January 18, 1961 (P. L. 1960, c. 183) is amended to read as follows:

New title.

An act relating to the authorization, acquisition, construction and financing, by or on behalf of any county, of lands, structures, and other property and facilities for certain public purposes and the operation, use or disposition thereof, 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.

Section amended.

3. Section 2 of said act is amended to read as follows:

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 clearance, demolition, construction, development or redevelopment, 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 or the disposition of the same, 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) "Development project" shall mean any lands, structures, or other property or facilities acquired or constructed or to be acquired or constructed by an authority for the purposes of the authority described in clause (d) of section 11 of this act;

(h) "Facility charges" shall have the meaning ascribed to said term in section 14 of this act;

(i) "Facility revenues" shall have the meaning ascribed to said term in section 20 (e) of this act;

(j) "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;

(k) "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;

(l) "Local bond law" shall mean chapter 2 of Title 40A, Municipalities and Counties, of the New Jersey Statutes (N. J. S.) as amended and supplemented;

(m) "Municipality" shall mean any city, borough, village, town, or township of the State but not a county or a school district;

(n) "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;

(o) "Project" shall have the meaning ascribed to said term in section 16 of this act;

(p) "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 either (i) operated or to be operated by the authority or by any governmental unit or person under a lease or other agreement by or with the authority or (ii) constituting a development project; and

(q) "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.

Section amended.

4. Section 11 of said act is amended to read as follows:

C. 40:37A-54. Purposes.

11. The purposes of every authority shall be (a) provision within the county 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) provision within the county of structures and facilities for public transportation or terminal purposes, (c) provision within the county of structures or other facilities used or operated by the authority or any governmental unit in connection with, or relative to development and improvement of, aviation for military or civilian purposes, including research in connection therewith, (d) acquisition of any real property

within the county, with or without the improvements thereof or thereon or personal property appurtenant or incidental thereto, from the United States of America or any department, agency or instrumentality heretofore or hereafter created, designated or established by or for it, and the clearance, development or redevelopment, improvement, use or disposition of the acquired lands and premises in accordance with the provisions and for the purposes stated in this act, including the construction, reconstruction, demolition, rehabilitation, conversion, repair or alteration of improvements on or to said lands and premises, and (e) any combination or combinations of the foregoing.

Section amended.

5. Section 13 of said act is amended to read as follows:

C. 40:37A-56. Report of proposed facility; consent of governing body; limitation on term of lease; sale.

13. (1) Whenever an authority after investigation and study shall plan to undertake any public facility or facilities (other than a development project) for the purposes of the authority, 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 (other than a development project), or make any lease or other agreement relating to use by any governmental unit or person of all or any part of any such public facility or facilities for a term in excess of 5 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 leases or other agreements.

(2) Unless otherwise required by any agreement of the authority with holders of its bonds, no authority shall sell any part of a development project or make any lease or other agreement relating to use by any governmental unit or person of said part for

a term in excess of 5 years (A) Until the Commissioner of Conservation and Economic Development (hereinafter called the "commissioner") has approved a plan (hereinafter called, with respect to such part, the "development plan") prepared by the authority which provides an outline for the development of said part sufficient, in the opinion of the commissioner: (i) to indicate its relationship to appropriate land uses in the area and proper traffic, public transportation, public utility, recreational and community facilities, and other public improvements, (ii) to indicate proposed land uses and building requirements and restrictions in said part, and (iii) to provide reasonable assurance that said part will not be in danger of becoming a blighted area and will be developed in a manner reasonably designed in the public interest to encourage industrial, commercial, residential or other proper uses thereof or restore or increase employment opportunities for residents of the State; or (B) Unless such sale, lease or other agreement, in the opinion of the authority, is necessary or desirable in order to effectuate and carry out the said development plan.

(3) Every authority shall have power, subject to the provisions of paragraph (2) of this section, to sell or otherwise dispose of all or any part of any development project or to lease the same to any governmental unit or person or make agreements of any kind with any governmental unit or person for the use or operation thereof, 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. In the exercise of such power, the authority may make any land or structure in the development project available for use by private enterprise or governmental units in accordance with the development plan at its use value, being the value (whether expressed in terms of rental or capital price) at which the authority determines such land or structure should be made available in order that it may be developed or used for the

purpose or purposes specified in such plan. In order to assure that land or other property included in the development project is developed or used in accordance with the development plan, the authority, upon the sale, lease or other disposition of such land or property, shall obligate purchasers, lessees or other users: (A) to use the land or property for the purpose designated in such plan, (B) to begin the building or installation of their improvements or other property (if any), and to complete the same, within such periods of time as the authority may fix as reasonable, and (C) to comply with such other conditions as are necessary or desirable to carry out the purposes stated in this act. Any such obligations imposed on a purchaser of land shall be covenants and conditions running with the land where the authority so stipulates.

Section amended.

6. Section 16 of said act is amended to read as follows:

C. 40:37A-59. Issuance of bonds; bond resolution.

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 (other than a development project) 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 purposes of the authority.

Section amended.

7. Section 22 of said act is amended to read as follows:

C. 40:37A-65. Receivers.

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, reconstruction, sale, lease or disposition of such public facility or facilities and proceed with such acquisition, construction, operation, maintenance, reconstruction, sale, lease or disposition which the authority is under any obligation to do, and operate, maintain, reconstruct,

and prosecute such public facility or facilities and fix, charge, collect, enforce and receive the facility charges and all facility revenues and other moneys 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.

Section amended.

8. Section 37 of said act is amended to read as follows:

C. 40:37A-80. Guarantee 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 bond ordinance 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 or other receipts or moneys 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.

Section amended.

9. Section 43 of said act is amended to read as follows:

C. 40:37A-86. State's guarantee of vested rights of 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, operate, sell, lease or dispose of any public facility or to fix, establish, charge and collect its facility charges or other moneys 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.

10. This act shall take effect immediately.

Approved January 14, 1963.

CHAPTER 225

AN ACT concerning education, authorizing boards of education to participate in the organization, operation and maintenance, and to utilize the services of a noncommercial, nonprofit, educational television station, or to contract for such services and to incur the expenses necessary therefor, and supplementing Title 18 of the Revised Statutes.

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

C. 18:5-104. Educational television contracts; limitation.

1. Every board of education is hereby authorized to make use of television as an educational aid by contracting for the services of any noncommercial, nonprofit educational television station located within or without the State but such contract shall not require the board to incur expenses in any 1 year period in excess of an amount equal to $2.00 per pupil in average daily enrollment in the district.

C. 18:5-105. Participation in organizing educational television station; powers of board.

2. Every board of education, in addition to the powers set forth in section 1 of this act and subject to the rules and regulations of the State Board of Education, may participate in the organization and operation of a noncommercial, nonprofit, educational television station in this State and utilize the services therefrom, and in order to effectuate such purpose, every board of education is authorized:

a. To enter into any contractual arrangement agreeable to the board with any other public or private agencies or organizations, including membership in a noncommercial, nonprofit corporation or association duly organized under the laws of this State to operate such a station;

b. To designate 1 or more representatives to the board of trustees of such corporation or associa-

tion, and otherwise to participate in its affairs in compliance with the charter and by-laws of such organization.

c. To procure for the public schools under the board's jurisdiction the services of such a station, by subscription or otherwise; and

d. To incur such expenses as the board may deem advisable for such purposes, by way of dues, subscription charges, assessments, capital contributions and otherwise, but in amounts not exceeding in any 1 year $2.00 per pupil in average daily enrollment in the district.

C. 18:5-106. Average daily enrollment.

3. The 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 expenses State aid for schools among the participating school districts.

C. 18:5-107. Contracts in accord with rules and regulations.

4. Anything herein to the contrary notwithstanding, no board of education shall participate in any educational television program or enter into any contract which may be disapproved by the Commissioner of Education as being incompatible with the policies, rules or regulations established by the State Board of Education governing public instruction in this State.

C. 18:5-108. Termination of contract.

5. Any board of education which has become a participant in any educational television organization may terminate its participation therein at the end of any school year by giving to such organization not less than 30 days' written notice of the board's withdrawal therefrom.

6. This act shall take effect immediately.

Approved January 17, 1963.

CHAPTER 226

AN ACT to amend an act entitled "An act to facilitate vehicular traffic in the State of New Jersey by providing for the acquisition, construction, maintenance, improvement, repair and operation of expressway projects, creating the New Jersey Expressway Authority as a public body corporate and politic to undertake the same, establishing the powers and duties of such authority and of counties and other public bodies with respect thereto, providing for the regulation of traffic on such projects and prescribing proceedings and penalties for violations thereof, providing for the issuance of bonds and other obligations therefor and for tolls, rents, charges and other means to meet the expense thereof, and authorizing and establishing the location for an expressway project."

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

Section amended.

1. Section 40 of the act of which this act is amendatory is amended to read as follows:

C. 27:12C-40. Atlantic City Expressway, Cape May Expressway; Delaware Memorial Bridge supplemental spur.

40. (a) The authority, pursuant to the provisions of this act, is hereby authorized to acquire, construct, maintain, improve, repair and operate a project, which is hereby established and shall be known as the "Atlantic City Expressway," consisting of a highway extending and located as follows: Beginning at a westerly terminus in the township of Gloucester in the county of Camden at such connection with the North-South Freeway as the authority may select as the most feasible and practicable, and extending in a general southeasterly direction and between the White Horse and Black Horse Pikes thence, in various sections located in

said township of Gloucester, the township of Washington in the county of Gloucester and the township of Monroe in said county of Gloucester or any of them, to and through the township of Winslow in said county of Camden, and thence through the town of Hammonton, township of Hamilton, township of Egg Harbor, city of Pleasantville, and again said township of Egg Harbor, and the city of Atlantic City, all in the county of Atlantic, to an easterly terminus within said city of Atlantic City, southeasterly of Beach Thorofare, at a connection or connections with such public highway or highways or other public facilities as may be determined by the authority to be the most feasible and practicable or at a point in Cape May County.

The authority is also authorized to acquire, construct, maintain, improve, repair and operate a project which is hereby established and shall be known as the "Cape May Expressway" consisting of a highway connected with the "Atlantic City Expressway" at or in the vicinity of Hammonton and extending in a general southeasterly direction to a point at or in the vicinity of the Garden State Parkway at Seaville, Cape May County.

(b) The State Highway Department shall undertake immediately a study of the engineering and financial feasibility of a project supplementary to the project herein authorized which project shall consist of constructing a spur or supplemental toll road which shall proceed eastwardly from the general vicinity of the Delaware Memorial Bridge and connect with the project herein authorized.

If such study shall demonstrate the feasibility of such a supplemental project, the authority is hereby authorized to acquire, construct, maintain, improve, repair and operate such project subject to and in conformity with the provisions of this act.

2. This act shall take effect immediately.

Approved January 28, 1963.

CHAPTER 227

AN ACT to amend the "Banking Act of 1948," approved April 29, 1948 (P. L. 1948, c. 67).

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

Section amended.

1. Section 181 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-181. Mortgage loans.

181. Mortgage loans.

A-1. A savings bank may make or invest in mortgage loans in the manner and subject to the limitations prescribed by this section. For the purposes of this section, "mortgage loan" shall include every indebtedness secured by mortgage on real property, or on a lease of the fee of real property (in any case in which such lease is lawful security for such mortgage loan), except as otherwise provided by subsection Q of this section, and a savings bank shall be deemed to have made a mortgage loan when

(a) it lends or participates in lending money to a borrower upon the security of real property; or

(b) it acquires, by purchase or otherwise, a mortgage loan or any share or part of or interest in a mortgage loan which is not subordinate to any share or part thereof or interest therein held by any other person.

A savings bank may sell, assign or otherwise dispose of a share or part of or interest in a mortgage loan held by it to any other person.

A-2. For all purposes of compliance with the applicable provisions and restrictions of subsections D, E, F and G of this section as to the percentage of the mortgage loan to the appraised value of the mortgaged property, and the term of and rate of amortization of such loan, the date of the acquisition by a savings bank of a mortgage loan or a share or part thereof or interest therein shall, as respects such savings bank, be deemed to be the

date as of which the mortgage loan was made, and the unpaid amount of the principal then due shall be deemed to be the amount of such mortgage loan.

B. No savings bank shall make a mortgage loan at any time when the total cost of acquisition by the savings bank of all real property owned by it, other than real property held for the purposes specified in subparagraph (a) of paragraph (5) of section 24, and the total of all principal balances owing to the savings bank on mortgage loans, less all write-offs and reserves with respect to such real property and mortgage loans, together exceeds, or by the making of such loan will exceed, 80% of its deposits. For the purposes of this subsection, principal balances owing on mortgage loans made pursuant to subsection Q(1) of this section shall, only to the extent of the unguaranteed portion of such balances, and loans made pursuant to subsection Q(2) of this section shall, only to the extent of 50% of such balances, be included in the total of all principal balances owing to the savings bank on mortgage loans.

C. Every mortgage loan shall be evidenced by a note or bond, and shall be secured by a mortgage on the fee of real property located within this State, or, if outside this State, upon the fee of real property located within 50 miles of the principal office of the savings bank. Every mortgage shall be certified to be a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be a first lien by a corporation authorized to guarantee titles to land in such State. For the purposes of this section, a mortgage shall be deemed to be a first lien, notwithstanding the existence of a prior mortgage or mortgages held by the savings bank, or a lien for current taxes or assessments not due or payable at the time the loan is made, and notwithstanding the existence of leases, building restrictions, easements, encroachments, or covenants which, in the opinion of an officer of the savings bank designated for that purpose by the board of managers, do not materially

lessen the value of the real property to be mortgaged.

D. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is 1 or more 1-family dwellings including appropriate garages or other outbuildings, if any, or upon which such a dwelling or dwellings, garages or outbuildings are in the course of construction or are to be constructed, the amount of the mortgage loan shall not exceed (a) 70% of the appraised value of the real property, or $35,000.00 whichever is lesser; or (b) 80% of the appraised value of the real property, or $25,000.00, whichever is lesser.

E. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is 1 or more 2-, 3-, or 4-family dwellings including appropriate garages or other outbuildings, if any, or upon which such a dwelling or dwellings and appropriate garages or other outbuildings are in the course of construction or are to be constructed, the amount of the mortgage loan shall not exceed 80% of the first $30,000.00 of the appraised value of the real property, plus 50% of the excess, if any, of such appraised value over $30,000.00.

F. The instrument evidencing a mortgage loan made pursuant to either subsection D or subsection E of this section shall require that

(1) interest shall be paid on such loan monthly, and that equal monthly payments be made in reduction of such loan of an annual rate equal to at least 4% of the original amount of such loan; or

(2) that a constant sum be paid monthly in an amount sufficient for current interest and for the payment of the loan in full in not more than 25 years and 1 month from the making of such loan.

G. When the real property offered as security for a mortgage loan consists of a lot of land upon which there is a building or buildings other than dwellings of the nature described in subsections D and E of this section, or upon which such other buildings are in the course of construction or are

to be constructed, or when such land is paved for parking lot purposes, the amount of the mortgage loan shall not exceed 66⅔% of appraised value of such real property. The instrument evidencing a mortgage loan made pursuant to this subsection shall require that the loan be repaid in full in not more than 10 years and 1 month from the date it is made, except that in the case of dwellings consisting of 5 or more dwelling units, the instrument shall require that the loan be repaid in full in not more than 25 years and 1 month from the date it is made; and (a) if the amount of such loan, when made, exceeds 50% of the appraised value of the real property, that payments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least 2% of the original amount of such loan; or (b) if the amount of such loan, when made, does not exceed 50% of the appraised value of the real property, that payments shall be made in reduction thereof at least semiannually, at an annual rate equal to at least 1% of the original amount of such loan. When, however, the amount of such loan does not, when made, exceed 50% of the appraised value of such real property, and the instrument evidencing such loan requires that it be paid in full in not more than 5 years and 1 month from the date it is made, the instrument need not require that any payment be made in reduction of such loan prior to its maturity date. Notwithstanding the limitations prescribed by subsections D and E and hereinabove in this section, a savings bank may make a mortgage loan secured by a lot of land or 2 or more lots of land, contiguous or not, upon each of which there is a building or buildings, or upon each of which a building or buildings are in the course of construction or are to be constructed. The limitations of this section governing the term of the loan, rate of amortization, and the percentage of the mortgage loan to the appraised value of each type of building, including land, shall apply.

H. When the real property offered as security for a mortgage loan is of the nature described in

New Jersey State Library

subsection D or E of this section, and the amount of the loan does not exceed 66⅔% of the appraised value of such real property, the instrument evidencing such loan shall be sufficient if it conforms to the requirements of either subsection F or subsection G of this section.

I. A mortgage loan may be made for the purpose of enabling a borrower to construct a building or buildings upon real property owned by him, and, in such a case, the appraised value of the real property shall include the value of the building or buildings to be constructed, but at no time shall a greater sum be advanced on account of such loan than, in the opinion of (1) the appraisers hereinafter provided for, or (2) 1 of such appraisers and an officer of the savings bank designated for that purpose by the board of managers, is warranted by the state of completion of the buildings in process of construction. For the purposes of compliance with the applicable requirements of subsection F or G of this section as to the term of and the rate of amortization of a loan made pursuant to this section, such loan shall be deemed to have been made when the final advance shall be made to the borrower on such loan, or 18 months from the date of the mortgage securing such loan, whichever is earlier.

J. When the real property offered as security for a mortgage loan consists of unimproved land, and the proceeds of such loan are not to be used to construct a building on such land, the amount of such loan shall not exceed 40% of the appraised value of such real property. The instrument evidencing a loan made pursuant to this subsection shall require that such loan be paid in full in not more than 10 years and 1 month from the date it is made. No loan made pursuant to this subsection shall exceed $10,000.00, or $\frac{1}{10}$ of 1% of the deposits of the savings bank, whichever is greater; nor shall any loan be made at any time when the total of all such loans exceeds, or if the making of such loan

would cause such total to exceed 1% of the deposits of the savings bank.

K. No mortgage loan shall be made except upon a written certification signed by at least 2 persons, each of whom shall be either a manager of the bank or an appraiser appointed by its board of managers. In the case of a mortgage loan secured by a mortgage upon real property, such certification shall state the opinion of such persons as to the value of the land and the improvements thereon or to be erected thereon and the character of such improvements. In the case of a mortgage loan secured by a mortgage upon a lease of the fee of real property, such certification shall state the opinion of such persons as to the value of the leasehold interest to be subject to the mortgage, including the leasehold interest in the improvements erected or to be erected upon the leased property and the character of such improvements. Such certification shall be filed with the records of the bank, and shall be preserved until the savings bank has no interest, as mortgagee or otherwise, in the real property.

L. Purchase money mortgage loans made by a savings bank on the sale of real property owned by it shall not be subject to the preceding subsections or to subsection P of this section, except that such loans shall be included in determining whether the total amount of mortgage loans held by a savings bank exceeds 80% of its deposits.

M. No savings bank shall make a mortgage loan secured by a mortgage upon a lease of the fee of real property unless

(1) the leased property is located within this State or, if outside this State, the leased property is located within 50 miles of the border of this State;

(2) the leased property shall consist of improved real property, including farm lands, or unimproved real property if the proceeds of such loan shall be used for the purpose of erecting improvements thereon;

(3) the mortgage securing such loan shall constitute a first lien on a lease of the fee of real property, which fee is not subject to any prior lien; the fee shall be deemed not subject to any prior lien notwithstanding the existence of liens of taxes which are not delinquent, building restrictions or other restrictive covenants or conditions, joint driveways, sewer rights, rights in walls, rights of way or other easements, or encroachments, which the persons signing the certificate provided for in subsection K of this section report in their opinion do not materially affect the security for the mortgage loan. Every mortgage shall be certified to be such a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be such a first lien by a corporation authorized to guarantee titles to land in such State;

(4) such loan shall not exceed 66⅔% of the appraised value of the leasehold interest subject to the mortgage, including the leasehold interest in the improvements erected upon the mortgaged property, or to be erected thereon wholly or partly with the proceeds of the mortgage loan; and

(5) the instrument evidencing the loan shall require that payment be made on account of the principal amount of such loan at an annual rate sufficient to repay such loan not later than 1 year prior to the expiration of the lease.

N. The instrument evidencing a mortgage loan may be in such form, and may contain such provisions, not inconsistent with law, as the savings bank may choose to insert for the protection of its lien and the preservation of its interest in the real property mortgaged to it.

O. Notwithstanding the limitations prescribed by the preceding subsections or by subsection P of this section, a savings bank may

(1) for the purposes of preventing or mitigating loss, or of preserving the lien of its mortgage, or of conserving the value of the real property affected by its mortgage, (a) extend the time for the payment of principal or interest, (b) modify or waive

any of the terms or conditions of the instrument evidencing a mortgage loan, (c) settle or compromise all or part of the amount due or to grow due on a mortgage loan, (d) sell or assign the mortgage loan, or a share or part thereof or interest therein, for such consideration as it shall deem proper, and (e) advance funds for the payment of any tax, lien, charge or claim whatsoever; and

(2) make a loan in addition to an existing mortgage loan or loans held by it, upon the security of the same real property and secured by the existing mortgage or mortgages, in an amount not to exceed the difference between the balance due on the existing mortgage or mortgages and the original amount thereof, or the sum of $2,500.00, whichever is less; provided, however, that no such additional loan shall be made which shall increase the total amount due upon such mortgages over the amount which could be loaned upon the security of such real property. Such additional loan shall be repaid in equal monthly installments, beginning within 1 year from the date of such loan, with the payments adjusted so that the additional loan shall be repaid in full either before or at the maturity of the existing mortgage. If the unexpired term of such mortgage or mortgages shall have been reduced to 10 years or less such term may be extended for an additional period of not more than 10 years. Adjustment of payments and extension of mortgage terms pursuant to this section shall comply with the provisions of subsection F, G or H of this section. If so provided in the original mortgage or a supplement or amendment thereto, persons who acquire any rights in or liens upon the mortgaged real property subsequent to the recording of the original mortgage or such supplement or amendment, as the case may be, shall hold such rights and liens subject to the prior lien of the original mortgage and such supplement or amendment, if any, as security for such additional loan; and in such

case, no title certificate or insurance under subsection C of this section shall be required with respect to such additional loan.

P. Except as otherwise provided by this section, no savings bank shall make a mortgage loan if the making of such loan would cause the total of all unpaid balances of such loans held by the savings bank upon the security of the same real property or leasehold, to exceed the limitations imposed by this section upon the amount of a mortgage loan which may be made upon the security of such real property or such leasehold.

Q. A savings bank may invest in

(1) (a) veterans' loans, wherever located, made pursuant to Title III of the Act of Congress of June 22, 1944, known as the "Servicemen's Readjustment Act of 1944," as amended, supplemented, revised, or recodified from time to time, which the Administrator of Veterans' Affairs or other officer or agency which succeeds to his powers and functions under said act has insured or guaranteed or has made a commitment to insure or guarantee, to the extent and in the manner provided in said act or the regulations made thereunder; and

(b) veterans' loans, wherever located, made and insured or guaranteed in part as provided in paragraph (1) (a) of this subsection of this section, and, as to the balance thereof, insured or guaranteed by an insurer or guarantor named or described in paragraph (2) of this subsection of this section.

(c) the provisions and restrictions contained in this section, except those relating to the percentage of the mortgage loan to the appraised value of the real property, the location of the real property, the term of the loan and the rate of amortization, shall apply to investments made pursuant to paragraph (1) of this subsection of this section.

(2) (a) mortgages or deeds of trust or other securities of the character of mortgages which are first liens on the fee of real property or a lease of the fee of real property, wherever located, which (i) the United States, or (ii) the Federal Housing

Commissioner under the Act of Congress of June 27, 1934, known as the "National Housing Act," as amended, supplemented, revised or recodified from time to time, or other officer or agency which succeeds to his powers and functions, or (iii) the State of New Jersey or an officer or agency thereof, or (iv) any other officer or agency of the United States or of this State which the commissioner shall have approved for the purposes of this section as an insurer or guarantor, has fully insured or guaranteed or made a commitment to fully insure or guarantee.

(b) mortgages or deeds of trust or other securities made pursuant to paragraph 2(a) of this subsection of this section shall not be subject to the provisions and restrictions of this section, except that they shall be included in determining whether total mortgage investments are within the limitation prescribed by subsection B of this section.

2. This act shall take effect immediately.

Approved January 28, 1963.

CHAPTER 228

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, 1963, and regulating the disbursement thereof," approved June 12, 1962 (P. L. 1962, c. 79).

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

1. The following sums are hereby appropriated out of the General Treasury, or such other sources Appropriation.

of funds specifically indicated, for the purposes hereinafter specified:

GENERAL STATE PURPOSES

LEGISLATURE

002-100. GENERAL ASSEMBLY

Salaries:

Special services $20,000 00

2. This act shall take effect immediately.

Approved January 28, 1963.

CHAPTER 229

AN ACT to amend "An act relating to the public schools of this State, and supplementing Title 18 of the Revised Statutes," approved April 22, 1940 (P. L. 1940, c. 47) and chapter 145, public laws of 1951 supplementary thereto.

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

Section amended.

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

C. 18:5-50.6. Hospital and group insurance plans; purchase of bonds, etc.; salary deductions.

1. Whenever 50% or more persons employed by a board of education shall indicate in writing their desire to participate in any hospital service plan or group insurance plan, for themselves, or for themselves and their husbands or wives and dependent children, or purchase of bonds or stamps of the United States Government and such board of education by majority vote of the entire board approves such participation, then, and thereupon, the proper disbursing officers of the board of education, under such rules and regulations as may be established by the board, are hereby empowered and directed to deduct specified fees, premiums or

amounts for the purchase of bonds or stamps from the payments of the salaries made to such employees as shall participate in such plan, insurance, or purchase, and said disbursing officer shall, thereupon, pay to the respective corporation for such insurance or hospital service or directly or indirectly to the Federal Government for United States bonds or stamps by warrant drawn in the manner provided by law for the payment of bills the sum total of said deductions from the salaries of such employees. Sanction by the board of education to participate in such hospital service, insurance plans or purchase shall in no wise impose any liability or responsibility whatever on such board of education except to show that payments have been made for the purpose or purposes above set forth and that United States bonds or stamps in the amount of the deductions made for their purchase by the board of education for each employee shall be delivered to such employee. The making of the above deductions shall be construed as equivalent to voluntary payments by an employee and any and all rights of an employee now existing under the laws of this State shall be and remain the same as if the foregoing deductions were not made.

Section amended.

2. Section 1 of chapter 145 of the public laws of 1951 is amended to read as follows:

C. 18:5-50.7a. Premiums on group policies; board may pay.

1. Whenever a group has or shall have been established in accordance with the provisions of section 1 of the act of which this act is a supplement, the board of education of the school district 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 premiums on the group policy or policies, covering themselves, or themselves and their husbands or wives and dependent children.

C. 18:5-50.7c. Act retroactive.

3. This act shall be operative from the effective date thereof and also shall be operative retroactively to July 1, 1959.

4. This act shall take effect immediately.

Approved January 31, 1963.

CHAPTER 230

AN ACT to amend the "Migrant Labor Act," approved April 2, 1945 (P. L. 1945, c. 71).

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

Section amended.

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

C. 34:9A-4. Members of migrant labor board; term.

4. The migrant labor board shall consist of the Commissioner of Education, Commissioner of Labor and Industry, Secretary of Agriculture, Commissioner of Institutions and Agencies, the Commissioner of Conservation and Economic Development, the Superintendent of State Police, and the Commissioner of Health, ex officio, or such deputy as any of them may respectively designate, and 7 additional members to be appointed by the Governor, with the advice and consent of the Senate, each to serve for a term of 5 years. Three of such additional members shall be appointed from among persons actively engaged in farming who are users of migrant labor and 2 from among representatives of organized labor in this State.

2. This act shall take effect immediately.

Approved January 31, 1963.

CHAPTER 231

AN ACT concerning education, relating to tenure of school employees and amending sections 18:13–16, 18:13–17, 18:13–19 and 18:13–20 of the Revised Statutes.

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

1. Section 18:13–16 of the Revised Statutes is amended to read as follows:

Section amended.

Tenure of teachers, principals, assistant principals, vice-principals, superintendents and assistants; status of tenure upon transfer.

18:13–16. The services of all teachers, principals, assistant principals, vice-principals, superintendents, assistant superintendents, and such other employees of the public schools as are in positions which require them to hold an appropriate certificate issued by the Board of Examiners, excepting those who are not the holders of proper certificates in full force and effect, shall be during good behavior and efficiency, (a) after the expiration of a period of employment of 3 consecutive calendar years in that district unless a shorter period is fixed by the employing board, or (b) after employment for 3 consecutive academic years together with employment at the beginning of the next succeeding academic year, or (c) after employment, within a period of any 4 consecutive academic years, for the equivalent of more than 3 academic years, some part of which must be served in an academic year after July 1, 1940; provided, that the time any such employee had taught in the district in which he was employed at the end of the academic year immediately preceding July 1, 1962, shall be counted in determining such period or periods of employment in that district, except that no employee shall obtain tenure in a position other than as a teacher, principal, assistant superintendent or superintendent prior to July 1, 1964.

An academic year, for the purpose of this section, means the period between the time school opens in the district after the general summer vacation until the next succeeding summer vacation.

Other provisions of this section not withstanding, any employee under tenure or eligible to obtain tenure pursuant thereto, who is transferred or promoted with his consent to another position covered by this section on or after July 1, 1962, shall not obtain tenure in the new position until (a) after the expiration of a period of employment of 2 consecutive calendar years in the new position unless a shorter period is fixed by the board, or (b) after

employment for 2 academic years in the new position together with employment in the new position at the beginning of the next succeeding academic year, or (c) after employment in the new position within a period of any 3 consecutive academic years, for the equivalent of more than 2 academic years; provided that the period of employment in such new position shall be included in determining the tenure and seniority rights in the former position held by such employee, and in the event the employment in such new position is terminated before tenure is obtained therein, if he then has tenure in the district, such employee shall be returned to his former position at the salary which he would have received had the transfer or promotion not occurred together with any increase to which he would have been entitled during the period of such transfer or promotion.

Section amended.

2. Section 18:13–17 of the Revised Statutes is amended to read as follows:

Dismissal or reduction of teachers, principals, superintendents, assistants and other employees.

18:13–17. No teacher, principal, superintendent, assistant superintendent or any other employee 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.

3. Section 18:13–19 of the Revised Statutes is amended to read as follows.

Tenure not to prevent reduction in force; seniority; standards; advisory opinions; military service.

18:13–19. Nothing contained in sections 18:13–16 and 18:13–17 of this Title or any other provisions of law relating to tenure of service shall be held to

limit the right of any board of education to reduce the number of superintendents of schools, assistant superintendents, principals, teachers, or other employees holding tenure pursuant to section 18:13–16 employed in the school district whenever, in the judgment of the board of education it is advisable to abolish any office, position or employment for reasons of a reduction in the number of pupils, economy, a change in the administrative or supervisory organization of the district, or other good cause. Dismissals resulting from such reduction shall not be by reason of residence, age, sex, marriage, race, religion or political affiliation. Any dismissals occurring because of the reduction of the number of persons under the terms of this section shall be made on the basis of seniority according to standards to be established by the Commissioner of Education with the approval of the State Board of Education. In establishing such standards, the commissioner shall classify, in so far as practicable, the fields or categories of administrative, supervisory, teaching or other educational services which are being performed in the school districts of this State and may, at his discretion, determine seniority upon the basis of years of service and experience within such fields or categories of service as well as in the school system as a whole. Whenever it is necessary to reduce the number of persons covered by this section, the board of education shall determine the seniority of such persons according to the standards established by the Commissioner of Education with the approval of the State Board of Education and shall notify each person as to his seniority status. A board of education may request the Commissioner of Education for an advisory opinion with respect to the applicability of the standards to particular situations and all such requests shall be referred to a panel to consist of the county superintendent of schools of the county in which the school district is situate, the secretary of the State Board of Examiners, and 1 assistant commissioner of education to be designated by the Com-

missioner of Education. No determination of any panel shall be binding upon the board of education or any other party in interest, nor upon the Commissioner of Education and the State Board of Education in the event of an appeal pursuant to sections 18:3–14 and 18:3–15 of the Revised Statutes. All persons dismissed shall be placed on a preferred eligible list to be prepared by the board of education of the school district, and shall be re-employed by the board of education of the school district in order of seniority as determined by the said board of education. In computing length of service within the district, the time of service by such superintendents of schools, whether served as superintendents of schools, city superintendents or supervising principals, assistant superintendents, principals, teachers, or other employees holding tenure pursuant to section 18:13–16 in or with the military or naval forces of the United States of America or of this State subsequent to September 1, 1940, shall be credited in determining seniority under this act as though such superintendents, assistant superintendents, principals, teachers, or other employees holding tenure pursuant to section 18:13–16 had been regularly employed within the district during the time of such military service. Should any superintendent of schools, assistant superintendent, principal, teacher, or other employee holding tenure pursuant to section 18:13–16 under tenure be dismissed as a result of such reduction, such person shall be and remain upon a preferred eligible list in the order of seniority for re-employment whenever vacancies occur and shall be re-employed by the body causing dismissal in such order when and if a vacancy in a position for which such superintendent, assistant superintendent, principal, teacher, or other employee holding tenure pursuant to section 18:13–16 shall be qualified. Such re-employment shall give full recognition to previous years of service.

The services of any superintendent of schools, assistant superintendent, principal, teacher, or

other employee holding tenure pursuant to section 18:13–16 may be terminated, without charge or trial, who is not the holder of an appropriate certificate in full force and effect issued by the State Board of Examiners under rules and regulations prescribed by the State Board of Education.

Section amended.

4. Section 18:13–20 of the Revised Statutes is amended to read as follows:

Resignation; notice; failure to give notice.

18:13–20. Any teacher, principal, superintendent of schools, assistant superintendent, or other employee, under tenure of service, desiring to relinquish his position, shall give the employing board of education 60 days' written notice of his intention, unless the local board of education shall approve of a release on shorter notice. Any teacher failing to give such notice shall be deemed guilty of unprofessional conduct, and the commissioner may suspend his certificate for a period not exceeding 1 year.

5. This act shall take effect immediately.

Approved February 1, 1963.

CHAPTER 232

AN ACT to facilitate the education facilities for physically handicapped and mentally retarded children by 2 or more boards of education by the establishment of jointure commissions.

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

C. 18:14-71.35a. Jointure commissions.

1. When 2 or more boards of education determine to carry out the duties imposed upon them in regard to the education and training of physically handicapped and mentally retarded pupils, by chapters 178 and 179 of the laws of 1954, by joint agreement, the boards of education may, in accordance with

rules and regulations of the State Board of Education, and with the approval of the Commissioner of Education by the adoption of similar resolutions establish a jointure commission for the purpose of providing such services. Said commission shall, in accordance with rules of the State Board of Education, be composed of representatives of the respective boards of education, and shall organize by the election of a president and vice-president.

C. 18:14-71.35b. Functions.

2. The commission may, in accordance with rules of the State Board of Education

a. Provide and maintain the necessary facilities by acquiring land, building, enlarging, repairing, furnishing, leasing or renting;

b. Do all acts and things necessary for the lawful and proper conduct of the educational program for such children as are referred to the commission by boards of education which are members of the commission;

c. Employ necessary principals, teachers and other officers and employees. Such principals, teachers, officers, and other employees shall be held to possess the same rights and privileges as those who are similarly employed by local boards of education;

d. Accept pupils from other school districts and fix tuition rates;

e. Fix and determine the amount to be assessed to each member board of education for capital and current operating costs.

C. 18:14-71.35c. Powers.

3. Within the limited responsibilities of this act and except as otherwise provided, the commission shall have and may exercise all the powers of a board of education in carrying out the purpose of this act.

C. 18:14-71.35d. Duties.

4. Each member board shall, in accordance with rules adopted by the State Board of Education

a. Proceed to raise the amounts assessed by the commission, in the same manner as other school funds for capital and current expense purposes are raised;

b. Pay to the commission such amounts as are assessed by the commission;

c. Be responsible for the classification of children within the district and making referral to the commission;

d. Provide required transportation for pupils, to and from school, referred to the commission.

5. In accordance with rules of the State board C. 18:14-71.35c. District may withdraw or join.

a. A member district may withdraw from the commission;

b. A nonmember district may become a member of the commission.

6. State aid in the amount of ½ the assessment by the commission for operational expenses shall be paid to the member district, in addition to other State aid paid to the district. C. 18:14-71.35f. State aid.

Class aid shall be apportioned to member districts in accordance with the number of pupils enrolled from each district.

7. This act shall take effect immediately.

Approved February 1, 1963.

CHAPTER 233

AN ACT authorizing the creation of professional service corporations; providing definitions; providing exceptions; providing the manner and method of creating such corporations; providing for individual liability of officers, employees and agents of such corporations in certain instances; authorizing certain investments of corporate funds; limiting issuance and transfer of capital stock; providing forfeiture of corporate franchise in certain instances; requiring identification as a corporation; providing an effective date.

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

C. 14:19-1. Legislative intent.

1. It is the legislative intent to provide for the incorporation of an individual or group of individuals to render the same professional service to the public for which such individuals are required by law to be licensed or to obtain other legal authorization.

C. 14:19-2. Short title.

2. This act may be cited as "The Professional Service Corporation Act."

C. 14:19-3. Terms defined.

3. As used in this act the following words shall have the meaning indicated:

(1) The term "professional service" shall mean any type of personal service to the public which requires as a condition precedent to the rendering of such service the obtaining of a license or other legal authorization and which prior to the passage of this act and by reason of law could not be performed by a corporation. By way of example and without limiting the generality thereof, the personal services which come within the provisions of this act are the personal services rendered by certified public accountants, architects, optometrists, professional engineers, chiropractors, dentists, osteopaths, physicians and surgeons, doctors of medicine, doctors of dentistry, pediatrists, chiropodists, veterinarians and subject to the Rules of the Supreme Court, attorneys at law,

(2) the term "professional corporation" means a corporation which is organized under this act for the sole and specific purpose of rendering professional service and which has as its shareholders only individuals who themselves are duly licensed or otherwise legally authorized within this State to render the same professional service as to the corporation.

C. 14:19-4. Application of act.

4. This act shall not apply to any individual or groups of individuals within this State who prior to the passage of this act were permitted to organize a corporation and perform personal services to the public by the means of a corporation, and this act shall not apply to any corporations organized

by such individual or group of individuals prior to the passage of this act; provided, however, any such individual or group of individuals or any such corporation may bring themselves and such corporation within the provisions of this act by amending the certificate of incorporation in such a manner so as to be consistent with all the provisions of this act and by affirmatively stating in the amended certificate of incorporation that the shareholders have elected to bring the corporation within the provisions of this act.

C. 14:19-5. Professional corporation.

5. One or more persons, each of whom is duly licensed or otherwise legally authorized to render the same professional services within this State, may organize and become a shareholder or shareholders of a professional corporation for pecuniary profit under the provisions of the General Corporation Law of New Jersey, (Title 14, Corporations, General, of the Revised Statutes of New Jersey), for the sole and specific purpose of rendering the same and specific professional service.

C. 14:19-6. Directors and officers.

6. A professional corporation which has only 1 shareholder need have only 1 director, who shall be such shareholder. Such 1 shareholder shall also serve as the president of the corporation. The other officers of the corporation in such a case need not be licensed or otherwise legally authorized to render the same professional service within this State, as such 1 shareholder. A professional corporation which has only 2 shareholders need have only 2 directors who shall be such shareholders. The 2 shareholders shall, between them, fill all the officerships of the professional corporation.

C. 14:19-7. Limits the rendering of professional service; construing; charges authorized.

7. No corporation organized and incorporated under this act may render professional services except through its officers, employees and agents who are duly licensed or otherwise legally authorized to render such professional services within this State; provided, however, this provision shall not be interpreted to include in the term "employee" as used herein clerks, secretaries, nurses, administrators, bookkeepers, technicians and other assist-

ants who are not usually and ordinarily considered by law, custom and practice to be rendering professional services to the public for which a license or other legal authorization is required in connection with the profession to be practiced, nor does the term "employee" include any other person who performs all his employment under the direct supervision and control of an officer, agent, or employee who is himself rendering professional service to the public on behalf of the professional corporation; provided that, no person shall, under the guise of employment, practice a profession unless duly licensed to practice that profession under the laws of this State. Notwithstanding any other or contrary provisions of the laws of this State, a professional corporation organized under this act may charge for the services of its officers, employees, and agents, may collect such charges, and may compensate those who render such personal service.

C. 14:19-8. Professional relationship; personal liability; corporate liability.

8. Nothing contained in this act shall be interpreted to abolish, repeal, modify, restrict or limit the law now in effect in this State applicable to the professional relationship and the contract, tort and other legal liabilities between the person furnishing the professional services and the person receiving such professional service and to the standards for professional conduct; and including the confidential relationship between the person rendering the professional services and the person receiving such professional service, if any, and all confidential relationships previously enjoyed under the laws of this State or hereafter enacted shall remain inviolate. Any officer, shareholder, agent or employee of a corporation organized under this act shall remain personally and fully liable and accountable for any negligent or wrongful acts or misconduct committed by him, or by any person under his direct supervision and control, while rendering professional service on behalf of the corporation to the person for whom such professional services were being rendered. The corporation shall be liable up to the full value of its property for any negligent

or wrongful acts or misconduct committed by any of its officers, shareholders, agents or employees while they are engaged on behalf of the corporation in the rendering of professional services. The assets of a professional corporation shall not be liable to attachment for the individual debts of its shareholders. Notwithstanding the foregoing, the relationship of an individual to a professional corporation organized under this act, with which such individual is or may be associated, whether as shareholder, director, officer, employee or agent, shall in no way modify, extend or diminish the jurisdiction of such individual, of and by whatever State, agency or office which licensed or otherwise legally authorized him for or to render service in a particular field of endeavor.

C. 14:19-9. Limits corporate business activity.

9. No corporation organized under this act shall engage in any business other than the rendering of the professional services for which it was specifically incorporated; provided, however, nothing in this act or in any other provisions of existing law applicable to corporations shall be interpreted to prohibit such corporation from investing its funds in real estate, mortgages, stocks, bonds or any other type of investments, or from owning real or personal property necessary for, or appropriate or desirable in, the fulfillment or rendering of its professional services.

C. 14:19-10. Who may own stock; voting trust; estate ownership.

10. No corporation organized under the provisions of this act may issue any of its capital stock to anyone other than an individual who is duly licensed or otherwise legally authorized to render the same specific professional services as those for which the corporation was incorporated. No shareholder of a corporation organized under this act shall enter into a voting trust agreement or proxy or any other type agreement vesting another person with the authority to exercise the voting power of any or all of his stock. Subject to the provisions of the corporation's certificate of incorporation, the estate of a shareholder who was a person duly licensed or otherwise legally authorized to render

the same professional service as that for which the professional corporation was organized may continue to hold stock pursuant to the certificate of incorporation for a reasonable period of administration of the estate, but shall not be authorized to participate in any decisions concerning the rendering of professional service.

C. 14:19-11. Disqualification to render service; corporate dissolution; Secretary of State to certify.

11. If any officer, shareholder, agent or employee of a corporation organized under this act becomes legally disqualified to render such professional services within this State, or is elected to a public office or accepts employment that, pursuant to existing law, places restrictions or limitations upon his continued rendering of such professional services, he shall sever all employment with, and financial interests in, such corporation forthwith. A corporation's failure to require compliance with this provision shall constitute a ground for the forfeiture of its charter and its dissolution. When a corporation's failure to comply with this provision is brought to the attention of the office of the Secretary of State, the Secretary of State forthwith shall certify that fact to the Attorney General for appropriate action to dissolve the corporation.

C. 14:19-12. Sale and transfer of shares, restraints.

12. No shareholder of a corporation organized under this act may sell or transfer his shares in such corporation except to the corporation or to another individual who is eligible to be a shareholder of such corporation, and such sale or transfer may be made only after the same shall have been approved, at a stockholders' meeting specially called for such purpose, by such proportion, not less than a majority, of the outstanding stock as may be provided in the certificate of incorporation or in the by-laws. At such shareholders' meeting the shares of stock held by the shareholder proposing to sell or transfer his shares may not be voted or counted for any purpose. The certificate of incorporation may provide specifically for additional restraints on the alienation of shares and may require the redemption or purchase of such shares by the corporation at prices and in a

manner specifically set forth in such certificate or the certificates may specifically authorize the corporation's board of directors or its shareholders to adopt by-laws restraining the alienation of shares and providing for the purchase or redemption by the corporation of its shares; provided, however, such provisions dealing with the purchase or redemption by the corporation of its shares may not be invoked at a time or in a manner that would impair the capital of the corporation.

C. 14:19-13. Shares to be sold at book value; corporate existence; corporation to convert to business corporation; acquisition of shares of disqualified or deceased shareholder.

13. If the certificates of incorporation or by-laws of a professional corporation fail to fix a price at which a professional corporation or its shareholders may purchase the shares of a deceased, retired, expelled, or disqualified shareholder, and if the certificates of incorporation or by-laws do not otherwise provide, then the price for such share or shares shall be the book value of such share or shares at the end of the month immediately preceding the death of or disqualification of the shareholder. Book value shall be determined by an independent certified public accountant employed by the professional corporation. The determination by the certified public accountant of book value shall be conclusive on the professional corporation and its shareholders.

(a) A corporation under this act shall have perpetual existence until dissolved in accordance with other provisions of this act.

(b) Whenever all shareholders of a corporation licensed under this act shall cease at any one time and for any reason to be licensed, certified or registered in the particular field of endeavor for which such corporation was organized, said corporation shall thereupon be treated as converted into and shall operate henceforth solely as a business corporation under applicable provisions of said Title 14 of the Revised Statutes, exclusive of this act.

(c) Within 375 days following the date of death of a shareholder, or within 30 days following his disqualification as hereinbefore provided, to own shares in the corporation, all of the shares of such

shareholder shall be transferred to, and acquired by, the corporation or persons qualified to own such shares. If no other provision to accomplish such transfer and acquisition is in effect and carried out within said period, the corporation shall thereafter purchase and redeem all of his shares of its stock at the book value thereof, determined as of the end of the month immediately preceding death or disqualification. For this purpose, the book value shall be determined from the books and records of the corporation in accordance with the regular methods of accounting used by it for the purposes of determining its net taxable income for Federal income tax purposes; and no subsequent adjustment of such income, whether by the corporation itself, by Federal income tax audit made and agreed to, or by a court decision which has become final, shall alter the redemption price. Nothing contained in this section shall prevent the parties involved from making any other arrangement or provision in the certificate of incorporation, by-laws, or by contract to transfer the shares of a deceased or disqualified shareholder to the corporation or to persons qualified to own the same, whether made before or after the death or disqualification of the shareholder, provided that within the period herein specified all the stock involved shall have been so transferred.

C. 14:19-14. Corporate name.

14. The corporate name of a corporation organized under this act shall contain the last names of some or all of the shareholders and shall also contain the words "chartered" or "professional association", or the abbreviation "P. A.". The use of the word "company", "corporation" or "incorporated", or any other word, words, abbreviations, affix or prefix indicating that it is a corporation, in the corporate name of a corporation organized under this act, other than the words "chartered" or "professional association", or the abbreviation "P. A.", is specifically prohibited. It shall be permissible, however, for the corporation and the shareholders to render professional services and to exercise its authorized powers under a

name which is identical to its corporate name except that the words "chartered" or "professional association" or the abbreviation "P. A." is omitted.

C. 14:19-15. Applicable law, consolidation, merger, report; contents.

15. The General Corporation Law of New Jersey (Title 14, Corporations, General, of the Revised Statutes of New Jersey), shall be applicable to a corporation organized pursuant to this act except to the extent that any of the provisions of this act are interpreted to be in conflict with the provisions of the General Corporation Law of New Jersey, and in such event the provisions and sections of this act shall take precedence with respect to a corporation organized pursuant to the provisions of this act. A professional corporation organized under this act may consolidate or merge only with another professional corporation organized under this act, empowered to render the same specific professional service; and a merger or consolidation with any foreign corporation is prohibited. A corporation organized and operating under this act shall furnish a report to the office of the Secretary of State by March 31 of each year showing the names and post office addresses of all its shareholders, directors and officers, which shall certify that, with the exceptions permitted in section 5, all such persons are duly licensed, certified, registered or otherwise legally authorized to render the same professional or other personal service in this State. This report shall be made on forms prescribed and furnished by the Secretary of State, but shall contain no fiscal or other information except that expressly called for by this section. It shall be signed by the president or vice-president and the secretary or an assistant secretary of the corporation, and acknowledged before a notary public by the persons signing the report, shall be filed in the office of the Secretary of State, and shall be in lieu of the regular annual report of corporations otherwise required by the General Corporation Law of New Jersey.

C. 14:19-16. Provisions severable; repealer.

16. If any provision of this act or the application thereof to any person or circumstances be held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed, to the extent so in conflict.

C. 14:19-17. Construing.

17. The provisions of this act shall not be construed as repealing, modifying or restricting the applicable provisions of law relating to incorporations, sales of securities or regulating the several professions enumerated in this act except insofar as such laws conflict with the provisions of this act.

18. This act shall take effect immediately.

Approved February 4, 1963.

CHAPTER 234

AN ACT to amend "An act to amend and supplement 'An act concerning banking and banking institutions (Revision of 1948),' approved April 29, 1948 (P. L. 1948, c. 67),'' approved April 29, 1953 (P. L. 1953, c. 124), and repealing sections 13 and 14 thereof.

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

Section amended.

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

C. 17:9A-27.4. Adoption of plan; scope.

4. Adoption of plan; scope of plan.

A. If the original or amended certificate of incorporation of a bank other than a savings bank so provides, a plan or plans may be adopted and maintained by such bank pursuant to resolution of its board of directors; otherwise, such bank may

adopt and maintain a plan or plans only with the approval of a majority in interest of its stockholders.

B. A savings bank may adopt and maintain a plan or plans pursuant to a resolution of its board of managers.

C. The officers and employees of a subsidiary of a bank may be included in a retirement plan of a bank with the same effect as if such officers and employees were employed by the bank, or upon such other terms and provisions as the plan may provide; but, in such case, all employer contributions and other employer charges required to be made or paid to a fund by reason of the inclusion of the officers and employees of a subsidiary shall be made or paid by the subsidiary.

Section amended.

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

C. 17:9A-27.5. Provisions of plans.

5. Provisions of plans.

In addition to the objects stated in paragraph (f) of section 3 of this act, and in addition to those provisions which are elsewhere in this act required or permitted to be included in a plan, and without limitation as to the nature and scope of the provisions which a plan may contain, a plan may make provision for 1 or more of the following, to the extent that they are consistent one with the other:

(1) rights, privileges, options and benefits, to accrue or to be exercised by the employee, or by a beneficiary or beneficiaries designated by the employee, when employment terminates otherwise than by retirement, including provision for the payment of a death benefit if death occurs before retirement;

(2) the designation by the employee of a person as a joint annuitant, or as a joint and survivor annuitant;

(3) the designation by the employee of a person or persons as beneficiaries to receive payment of a sum or sums, or to exercise an option or options, after the happening, before or after retirement, of a contingency or contingencies specified in the re-

tirement plan, including the death of the employee within a specified period after retirement begins, or the death of the employee after retirement begins but before the receipt by him of a stated or ascertainable sum in retirement benefits;

(4) the continued employment or re-employment by the bank of employees or former employees who are receiving retirement benefits under a plan maintained by the bank;

(5) any further provisions which the bank may choose to make, and which are not prohibited by law.

Section amended.

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

C. 17:9A-27.7. Alteration and recision of plan.

7. Alteration and recision of plan.

A. A plan maintained by a savings bank may, subject to the provisions of section 22 of this act, be rescinded, or may be altered from time to time in the manner provided by such plan, and in the absence of such provision, by resolution of the board of managers.

B. A plan maintained by a bank other than a savings bank may be rescinded, and may be altered in a manner which is not substantial, pursuant to resolution of the board of directors.

C. If the original or amended certificate of incorporation of a bank, other than a savings bank, so provides, a plan may be altered by resolution of the bank's board of directors, whether or not the alteration is substantial; otherwise, a bank may make a substantial alteration in a plan only with the approval of a majority in interest of its stockholders.

D. For the purposes of this act, an alteration in a plan is substantial when it provides for (1) the payment, in whole or in part at the cost of the bank, of benefits greater than those specified in the plan; or (2) the retirement of employees at an age earlier than that specified in the plan; or (3) a decrease in the period of employment specified in the plan to qualify an employee to receive retirement benefits.

4. Section 13 of the act of which this act is amendatory is hereby repealed. C. 17:9A-27.13. Repealed.

5. Section 14 of the act of which this act is amendatory is hereby repealed. C. 17:9A-27.14. Repealed.

6. Section 22 of the act of which this act is amendatory is amended to read as follows: C. 17:9A-27.22. Section amended.

22. Approval of commissioner of adoption or alteration of plan. Approval of commissioner of adoption or alteration of plan.

A. Every plan hereafter adopted by a savings bank or hereafter substantially altered by a savings bank within the meaning of subsection D of section 7 of this act, shall, before it or such alteration is placed in operation, be submitted to the commissioner for his approval.

B. The commissioner may disapprove such plan or alteration thereof if he shall find (1) that it does not conform to law, or (2) that its adoption or alteration would be hazardous to the savings bank, or (3) that its provisions are unfair or inequitable, or (4) that the cost thereof to the savings bank is excessive or unreasonable, considering the current earnings of the savings bank, and the savings bank's current deposits, surplus, undivided profits and reserves.

C. The commissioner may, from time to time, make such orders in respect to the maintenance and administration of a plan as, in his judgment, the condition of the savings bank may require.

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

23. Additional powers. C. 17:9A-27.23. Additional powers.

In addition to the powers conferred by the preceding sections of this act, a bank shall have power to do all, or some, or 1 of the following, whether or not such bank maintains a retirement plan or fund:

(1) pay premiums for insurance on the lives or health of its employees, under policies commonly known as group insurance policies;

(2) pay premiums on behalf of its employees and their dependents, for hospitalization or hospital service insurance and for surgical and medical service insurance;

(3) pay reasonable amounts to aid present or former employees who are disabled by accident, illness or otherwise;

(4) pay salaries or wages in whole or in part, to employees who are disabled by accident, illness or otherwise;

(5) pay the reasonable cost of educational and recreational facilities for employees, or for the promotion of their health and general welfare.

Section amended.

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

C. 17:9A-27.24. Retirement benefits.

24. Retirement benefits not paid pursuant to plan.

A. A bank which maintains a retirement plan may pay

(1) retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are not entitled, for any reason, to receive payment of benefits under a retirement plan in operation; and

(2) reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated, and who are entitled to receive payment of retirement benefits under a retirement plan in operation, but whose benefits under such plan are, in the opinion of the board of directors, inadequate.

B. A bank which maintains no retirement plan, may pay retirement benefits in reasonable amounts to employees whose employment has heretofore terminated or shall hereafter have terminated.

Section amended.

9. Section 26 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-27.26. Approval by commissioner.

26. Approval by commissioner.

Whenever, under the provisions of this act, the approval of the commissioner is required, written application for such approval shall be made to the commissioner in such form as he may prescribe. The commissioner shall, within 60 days after the receipt by him of such application, approve or disapprove it, and shall notify the applying bank in

writing of his determination, stating his reasons in any case where he disapproves. The disapproval of the commissioner of any application made pursuant to this section shall be subject to review in a proceeding in lieu of prerogative writ.

10. This act shall take effect immediately.

Approved February 9, 1963.

CHAPTER 235

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

65. Real property mortgages. C. 17:9A-65. Real property mortgages.

No bank shall make a mortgage loan secured by a mortgage upon real property unless

(1) the mortgaged property is located within this State, or, if outside this State, the mortgaged property is located within 50 miles of the border of this State; or if the mortgaged property is located outside this State and is more than 50 miles from the border of this State, the payment of the mortgage loan is insured or guaranteed, or is the subject of an unconditional commitment for such insurance or guarantee, to the extent provided for in subsection A of section 68, by the Federal Housing Commissioner or by the United States, or by this State;

(2) the mortgaged property shall consist of improved real property, including farm lands, or unimproved real property if the proceeds of such loan shall be used for the purpose of erecting improvements thereon;

(3) the mortgage securing such loan shall constitute a first lien on a fee; a mortgage shall be deemed a first lien notwithstanding the existence of a prior mortgage or mortgages held by the bank, or liens of taxes which are not delinquent, building restrictions or other restrictive covenants or conditions, leases or tenancies whereby rents or profits are reserved to the owner, joint driveways, sewer rights, rights in walls, rights-of-way or other easements, or encroachments, which the persons signing the certificate provided for in section 67 report in their opinion do not materially affect the security for the mortgage loan. Every mortgage shall be certified to be such a first lien by an attorney-at-law of the State in which the real property is located, or certified or guaranteed to be such a first lien by a corporation authorized to guarantee titles to land in such State;

(4) such loan shall not exceed 66⅔% of the appraised value of the mortgaged property, except that

(a) in the case of a mortgage upon a single family dwelling, such loan may equal 80% of the appraised value of the mortgaged property, but no such loan shall be made for a period longer than 20 years from its date;

(b) in the case of a mortgage upon a 2-family, 3-family or 4-family dwelling, such loan may equal 80% of the first $30,000.00 of the appraised value of the mortgaged property, plus 50% of the excess, if any, of such appraised value;

provided, that there shall be included in the appraised value of the mortgaged property, for the purpose of this paragraph (4), the value of improvements to be erected upon the mortgaged property wholly or partly with the proceeds of such loan; and

(5) the instrument evidencing the loan shall require payment to be made during each year on account of the principal amount of the loan at a

rate not less than 1% per annum of the original amount of the loan, if the original amount of the loan does not exceed 50% of the appraised value of the mortgaged property; or 2% per annum of the original amount of the loan, if the loan exceeds 50% but does not exceed 66⅔% of such appraised value; or 4% per annum of the original amount of the loan, if the mortgaged property is a single family dwelling, and if the loan exceeds 66⅔% of such appraised value; or 5% per annum of the original amount of the loan, if the mortgaged property is not a single family dwelling, and if the loan exceeds 66⅔% of such appraised value; provided, that, in lieu of such principal payments, the instrument evidencing any mortgage loan may require equal monthly payments, each applicable to principal and interest, in an amount sufficient to pay current interest and to repay the amount of the loan in not more 20 years from its date; and provided further, that, in lieu of such principal payments, the instrument evidencing a mortgage loan upon a single family dwelling may require equal monthly payments, each applicable to principal and interest, in an amount sufficient to pay current interest on, and to repay an amount equal to the amount of the loan in not more than 25 years from its date, but no such loan shall be made for a period longer than 20 years from its date; and provided further, that when the proceeds of any such loan are to be used to pay, in whole or in part, the cost of constructing a building or buildings on the mortgaged property, and such proceeds are paid by the bank from time to time, final payment being made at or after completion, the instrument evidencing such loan need not require that any payment be made on account of the principal amount of the loan during the period from the date of such loan to a date not more than 18 months from the date of such loan; and such date marking the end of the period during which no payments are required to be made on account of the principal amount of the loan, shall be deemed to be the date of such loan for the pur-

pose of reckoning the 20-year period limited for the payment of such loan by this paragraph (5), and by subparagraph (a) of paragraph (4) of this section.

Section amended.

2. Section 69 of the act of which this act is amendatory is amended to read as follows:

C. 17:9A-69. Limitations on mortgage loans.

69. Limitations on mortgage loans.

A. No bank shall make a mortgage loan when the total cost of acquisition by the bank of all real property owned by it, other than real property held for the purposes specified in subparagraph (a) of paragraph (5) of section 24, and the total of all principal balances owing to the bank on mortgage loans, less all write-offs and reserves with respect to such real property and mortgage loans, together exceed, or by the making of such loan will exceed, 60% of the time deposits of the bank or 100% of the aggregate of its unimpaired capital stock and its surplus, whichever is the greater. For the purposes of this subsection, principal balances owing to the bank on mortgage loans which are subject to the provisions of subsection A of section 68, other than mortgage loans upon one-family, 2-family, 3-family and 4-family dwellings, the payment of which is fully insured by the Federal Housing Commissioner, shall only to the extent of 66⅔% of such balances owing to the bank, be included in the total of all principal balances owing to the bank on mortgage loans, and principal balances owing to the bank on mortgage loans upon one-family, 2-family, 3-family and 4-family dwellings the payment of which is fully insured by the Federal Housing Commissioner shall, only to the extent of 50% of such balances owing to the bank, be included in the total of all principal balances owing to the bank on mortgage loans. This subsection shall not, however, prevent the renewal or extension of the time for payment of a mortgage loan for the amount due thereon at the time of such renewal or extension.

B. Except as in this Article otherwise provided, no bank shall, as sole lender or as a co-lender, make a loan secured by mortgage on real property or by mortgage on a lease of the fee of real property, nor

shall any bank purchase the entire interest or a part interest in any such mortgage, if the making of such loan or the purchase of such interest would cause the total of all unpaid balances secured by a mortgage or mortgages held by the bank as sole owner or as co-owner upon such real property or such leasehold, to exceed the limitations imposed by this Article upon the amount of a mortgage loan which may be made upon the security of such real property or such leasehold.

C. The granting of mortgage loans to any person shall be without regard to race, creed, color, national origin or ancestry. The granting of such loans shall be without discrimination of any nature including, but not limited to, interest rates, terms and duration, because of race, creed, color, national origin or ancestry.

D. When a bank makes a mortgage loan the proceeds of which are to be used to pay, in whole or in part, the cost of constructing one or more industrial or commercial buildings on the mortgaged property, and such loan has a maturity of not more than 18 months, and a financially responsible lender has entered into a valid and binding agreement to repay to the bank the full amount of the bank's loan upon the completion of such industrial or commercial building or buildings; or when a bank makes a mortgage loan the proceeds of which are to be used to pay, in whole or in part, the cost of constructing a farm or residential building on the mortgaged property, and such loan has a maturity of not more than 9 months, the bank may, at its option to be exercised from time to time, treat any such loan either as a mortgage loan for all purposes of this article, or as an unsecured commercial loan. If the bank elects to treat any such loan as an unsecured commercial loan, the loan shall be subject to all limitations and requirements applicable to unsecured commercial loans otherwise made, and the principal balance owing to the bank on any such loan shall not be included in the total of all principal balances owing to the bank on mort-

gage loans for the purpose of determining the limitations imposed by subsection A of this section. No bank shall treat any such loan as a commercial loan as in this subsection provided at any time when the principal balances owing to the bank on all such loans so treated exceed 100% of the aggregate of the bank's unimpaired capital stock and its surplus, or if the making of any such loan so treated would cause the principal balances owing to the bank on all such loans so treated to exceed 100% of the aggregate of its unimpaired capital stock and its surplus.

3. This act shall take effect immediately.

Approved February 9, 1963.

CHAPTER 236

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. Purchase of prior service credit; proof of service furnished.

1. Notwithstanding any other provision of law, a member of the Public Employees' Retirement System of New Jersey shall be entitled to purchase prior service credit for his years of other eligible public employment; but his prior public employer or employers, as the case may be, 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 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 February 21, 1963.

CHAPTER 237

AN ACT relating to service of process in actions in county district courts, and amending section 2A:6–33 of the New Jersey Statutes.

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

1. Section 2A:6–33 of the New Jersey Statutes is amended to read as follows: Section amended.

2A:6–33. In any action brought in any county district court in this State against one or more defendants upon whom summons can be served within the county and against any additional defendant or defendants or third party defendant or defendants upon whom summons cannot be served within the county, the summons and complaint may be served in any other county of this State upon such additional defendant or defendants or third party defendant or defendants by any officer authorized to serve a summons issuing out of the county district court of that county. Service of such summons Service of process in actions in county district courts.

and complaint by such officer shall be as effectual to bring said additional defendant or defendants into court as though the same were served within the county in which the county district court issuing such summons is located.

2. This act shall take effect immediately.

Approved February 21, 1963.

CHAPTER 238

AN ACT concerning taxation and amending section 54:4–1 of the Revised Statutes.

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

Section amended.

1. Section 54:4–1 of the Revised Statutes is amended to read as follows:

Property subject to tax; valuation and assessment, exclusion of intangible personal property; omitted property; liability for tax.

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, it shall be presumed, subject to rebuttal by clear proof, that there was not in fact a market for the bona fide sale thereof by private contract except for agricultural purposes. 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.

2. This act shall take effect immediately.

Approved February 26, 1963.

CHAPTER 239

AN ACT authorizing municipalities to provide by ordinance for the enclosing of portions of junk yards and to enforce such ordinances.

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

C. 40:48-2.36. Ordinances requiring junk yards to be fenced.

1. Any municipality may make, amend, repeal and enforce ordinances requiring persons operating or maintaining a junk yard to enclose such portions thereof as face public streets or highways by a solid wall or fence. Any such ordinance may prescribe the type and height of the wall or fence and of the gates or doors in such wall or fence, and may prescribe a period, not less than 6 months after the effective date of the ordinance, within which the owner or operator of a junk yard shall erect or have erected a wall or fence as required by the ordinance.

C. 40:48-2.37. Civil action to enforce ordinance.

2. Upon any continuation of the maintenance or operation of a junk yard after conviction for violation of an ordinance adopted under the provisions of this act, the municipality wherein such junk yard is located may bring a civil action in the Superior Court of this State to restrain such illegal continuance and for such other relief as may be

necessary and appropriate to secure compliance with the provisions of this act and the said court shall have jurisdiction to grant such relief.

C. 40:48-2.38. Additional authority.

3. The authority in this act granted shall be in addition to the powers of a municipality to regulate by ordinance the operation, maintenance and location of junk yards.

4. This act shall take effect immediately.

Approved February 26, 1963.

CHAPTER 240

AN ACT concerning the State Highway Department and adding a new route to the State highway system and designating it as a freeway.

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

R. S. 27:6-1. New route added.

1. The State Highway Commissioner shall as soon as practical and in accordance with the procedure set forth in article 1 of chapter 7 of Title 27 of the Revised Statutes add to the present highway system the following described Route:

Route No. ....., beginning in East Brunswick Township, Middlesex County, at State Highway Route 18 on the west and from thence in an easterly direction to State Highway Route 35 south of Cheesequake Creek, in Middlesex County, on the east.

2. The aforesaid Route ..... is hereby designated a freeway as defined in chapter 83 of the laws of 1945.

3. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 241

AN ACT concerning devises and bequests to trustees of trusts created otherwise than by the will of the testator making any such devise or bequest, and supplementing chapter 3 of Title 3A of the New Jersey Statutes.

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

C. 3A:3-16.1. Devises and bequests to trustees.

1. A devise or bequest may be made by a will to the trustee or trustees of a trust established by a testator, or by a testator and some other person or persons, or by some other person or persons, if the trust is identified in such testator's will, and its terms are set forth in a written instrument, other than a will, executed before or concurrently with the execution of such testator's will, or in the valid last will and testament of a person who has predeceased such testator. A devise or bequest so made shall be valid and enforceable to the same extent as if the trust had been created by the testator by such will, and as if the terms of the trust, as contained in the will or other instrument creating or evidencing it, had been set out in full in such will of the testator. The existence, size or character of the trust property shall not affect the validity of the devise or bequest, nor shall any such devise or bequest be invalid because the trust is a funded or unfunded life insurance trust, although the creator of the trust has reserved any or all rights of ownership of the insurance contracts.

C. 3A:3-16.2. Trust not invalid.

2. A devise or bequest so made shall not be invalid because the trust is amendable or revocable, or both, or because the trust was amended after the execution of the will or after the death of the testator. Unless the testator's will provides otherwise, the property so devised or bequeathed (a) shall not

be deemed to be held under a testamentary trust of the testator but shall become a part of the trust to which it is given and (b) shall be administered and disposed of in accordance with the provisions of the will or other instrument setting forth the terms of the trust, including any amendments thereto made before the death of the testator, whether made before or after the execution of the testator's will, and, if the testator's will so provides, including any amendments of the trust made after the death of the testator. A revocation or termination of the trust before the death of the testator shall cause the devise or bequest to lapse.

C. 3A:3-16.3. Prior bequests not affected.

3. This act shall have no effect upon any devise or bequest made by a will executed prior to the effective date of this act.

C. 3A:3-16.4. Construing.

4. This act shall not be construed as providing an exclusive method for making devises or bequests to trustees of trusts created otherwise than by the will of the testator making such devise or bequest.

C. 3A:3-16.5. Short title.

5. This act may be cited as the New Jersey Testamentary Additions to Trusts Act.

6. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 242

AN ACT providing immunity to members of volunteer first aid, rescue or emergency squads providing emergency public first aid and rescue services from liability to respond in damages in certain cases.

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

C. 2A:53A-12. Members not liable.

1. No member of a volunteer first aid, rescue or emergency squad which provides emergency public first aid and rescue services shall be liable in any

civil action to respond in damages as a result of his acts of commission or omission arising out of and in the course of his rendering in good faith any such services as such member but such immunity from liability shall not extend to the operation of any motor vehicle in connection with such services.

Nothing herein shall be deemed to grant any such immunity to any person causing damage by his willful or wanton act of commission or omission.

2. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 243

AN ACT to amend "An act requiring the licensing, inspection and regulation of convalescent homes, private nursing homes and private hospitals, creating a hospital licensing board, providing for regulations, enforcement procedures, penalties for the violation thereof, and amending sections 30:11–1, 30:11–3 and 30:11–4 of the Revised Statutes, repealing section 30:11–5 of the Revised Statutes, and supplementing chapter 11 of Title 30 of the Revised Statutes," approved June 24, 1947 (P. L. 1947, c. 340), as said Title was amended by chapter 211 of the laws of 1952.

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

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

7. The State Board of Control, subject to the approval of the Governor, shall appoint a hospital licensing board which shall consist of the Commissioner of the Department of Institutions and Agencies, the State Director of Health, the presi- C. 30:11-6. Hospital licensing board.

dent of the State Board of Medical Examiners, 2 hospital administrators of recognized ability and 5 qualified persons, 2 of whom shall represent the interests of the public at large, one of whom shall have special qualifications and training in the field of nursing and 2 of whom shall be selected from among the owners and administrators of the several private nursing homes. The board shall be representative of the aforementioned groups and shall be appointed for terms of 6 years, except when appointed to complete an unexpired term. Members whose terms expire shall hold office until appointment of their successors. They shall serve without compensation but shall be reimbursed for actual expenses incurred in the performance of their official duty.

2. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 244

AN ACT concerning educational institutions and supplementing chapter 16 of Title 18 of the Revised Statutes.

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

C. 18:16-42. State to furnish legal counsel.

1. Any professor, associate professor, assistant professor, instructor, supervisor, registrar, teacher or any other person employed in a teaching capacity by the State Board of Education or by the Commissioner of Education in any New Jersey State College, in the New Jersey School for the Deaf, or in any other educational institution, against whom an action in damages is instituted for any act or acts arising out of the performance of the duties of his office or position or out of, or in the

course of his employment, shall be furnished by the State with legal counsel to advise and defend him and the State shall defray the fees and expenses of counsel in such suit; but should such employee decline the services of the counsel provided, then and in that event the State shall be relieved of all further responsibility.

C. 18:16-43. Costs of appeals.

2. Should the action instituted result in a verdict against the employee, then and in that event any appeals taken by the employee must be taken at the cost and expense of the employee; provided, that if, upon an appeal taken by an employee, the court of higher jurisdiction reverses the decision of the lower court, the cost of such an appeal, including the services of counsel, reasonable counsel fees and expenses shall be borne by the State. If the verdict of the court of original jurisdiction is in the employee's favor and the complaining person appeals the verdict, then and in this event the State shall furnish counsel and defray the fees and expenses of the appeal.

C. 18:16-44. State to protect persons from financial loss.

3. It shall be the duty of the State to save harmless and protect any person covered by this act from financial loss arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to any person or damage to property, within or without the institution; provided, such person at the time of the accident, injury or damage was acting in the discharge of his duties within the scope of his office, position or employment or under the direction of the State Board of Education or the Commissioner of Education; and the State may arrange for and maintain appropriate insurance with any company created by or under the laws of this State, or in any insurance company authorized by law to transact business in this State, or the State may elect to act as self-insurers to maintain the aforesaid protection.

4. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 245

AN ACT to eliminate deductions from pensions payable to certain retired policemen and firemen and amending section 43:16–5 of the Revised Statutes.

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

Section amended.

1. Section 43:16–5 of the Revised Statutes is amended to read as follows:

Pension funds; consolidation; contributions.

43:16–5. For the purpose of paying the pensions provided by this chapter, all pension funds heretofore created and in existence pursuant to the provisions of an act entitled "An act providing for the retirement of policemen and firemen of the police and fire departments in municipalities of this State, including all police officers having supervision or regulation of traffic upon county roads, and providing a pension for such retired policemen and firemen and members of the police and fire departments, and the widows, children and sole dependent parents of deceased members of said departments," approved April 15, 1920 (P. L. 1920, c. 160), and chapter 16 of Title 43 of the Revised Statutes, shall, from and after July 1, 1953, be consolidated, and, as so consolidated, shall be transferred to and placed under the control and jurisdiction of the Consolidated Police and Firemen's Pension Fund Commission created by the provisions of this chapter. All rights and privileges created and extended to members of a municipal police department or of a paid or part-paid department or of a county police department, including members of the paid or part-paid fire department of any fire district located in any township which has adopted said act or said chapter of the Revised Statutes are hereby expressly preserved, continued and transferred from said pension funds to said con-

solidated fund. Nothing herein contained shall be deemed to affect or impair the right of any beneficiary or any of the funds so created, but all rights of such beneficiaries which have accrued or may accrue in or against any such pension fund shall be deemed to have accrued or to accrue against the funds so consolidated under the jurisdiction of the commission hereby created. Said consolidated fund shall be maintained as follows:

(a) There shall be deducted from every payment of salary to each member, as defined in the supplement to this chapter enacted by laws of 1944, chapter 253, section 12, as amended and supplemented, and paid into said consolidated fund 5% of the amount thereof if he entered the service on or before attaining the age of 35 years, and if he entered the service after attaining the age of 35 years the percentage shall be increased to such an amount as shall be determined by the commission to correspond to the risk arising by his additional age.

(b) All employers, as defined in the supplement to this chapter enacted by laws of 1944, chapter 253, section 12, as amended and supplemented, shall contribute to the said consolidated fund in the following manner and amounts:

(1) An amount equal to 5% of the total of salaries annually paid to the members of the consolidated fund under said employer's jurisdiction, which shall be known as the employer's normal contribution, and which shall be paid into said fund on July 1 of each year, commencing July 1, 1953.

(2) An additional amount annually for a period of 30 years, commencing July 1, 1953, equal to 66⅔% of the share of the particular employer of the annual amortization payment determined by the actuary of the commission to be required to bring the fund to a state of actuarial solvency at the end of said 30-year period. In determining an employer's share of said annual amortization payment, the actuary

shall determine separately, and give due credit to the value of the assets transferred by such employer to said consolidated fund. The amount of each of such annual payments shall be certified by the commission to the treasurer of each employer prior to the first day of the year in which such payment is required to be made, and said amount shall be appropriated in said employer's budget for that year. Commencing January 1, 1954, said annual payment shall be made in 2 equal portions; the first on the first day of each year, and the second on July 1 of each year.

(3) A fee, payable on July 1 of each year commencing with the year 1953, and consisting of such proportion of the administrative expense of the consolidated fund, as determined by the commission, as the number of members under the jurisdiction of such employer then bears to the total number of members in the consolidated fund.

(c) The State of New Jersey shall contribute annually, throughout a period of 30 years, commencing July 1, 1953, such amount as may be necessary to make up the balance of each annual payment required by subdivision (b) (2) of this section, so as to bring to actuarial solvency at the expiration of said 30-year period the consolidated fund hereby created. The amount of such annual contributions by the State shall be certified to the State Treasurer by the actuary of the commission at the time required for other State departmental budgetary certifications. All funds necessary to meet the State's share of said annual payments shall be included in the annual State budget and appropriated by the Legislature.

2. This act shall take effect January 1, 1963.

Approved February 28, 1963.

CHAPTER 246

AN ACT concerning transportation, and supplementing chapter 3 of Title 48 of the Revised Statutes.

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

C. 48:3-7.13. Agreements, arrangements, etc., to collect, charges, etc., deemed unlawful.

1. Any part of any agreement, arrangement, or other device shall be unlawful, which as a condition to the transportation of a loaded or empty motor vehicle, trailer or container, requires or authorizes a carrier, shipper, consignee of freight or any person engaged in the transportation thereof to pay a levy, charge, allowance, assessment or compensation to any person, partnership, association, organization or corporation other than a carrier transporting, or the owner or lessee of, such motor vehicle, trailer or container, if such levy, charge, allowance, assessment or compensation is dependent or contingent upon the use of another mode of transportation for the movement of such motor vehicle, trailer or container.

Any person, partnership, association, organization or corporation who enters into any agreement, arrangement, or other device made unlawful by this section or who collects or receives any levy, charge, allowance, assessment or compensation under any provision of any agreement, arrangement, or other device made unlawful by this section shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 247

AN ACT concerning reflectors on motor vehicles and amending section 39:3–61 of the Revised Statutes.

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

Section amended.

1. Section 39:3–61 of the Revised Statutes is amended to read as follows:

Rear lamps, stop lights, reflectors.

39:3–61. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least 1 rear lamp, and every motor vehicle and motor-drawn vehicle, other than truck tractors, manufactured after July 1, 1954, and registered under the provisions of this Title shall be equipped with at least 2 rear lamps, lamp or lamps shall be not less than 15 inches or more than 48 inches above the ground upon which the vehicle stands, and which or each of which when lighted will exhibit a red light plainly visible from a distance of 500 feet to the rear; provided, however, that such rear lamp or lamps may be mounted higher than 48 inches on any vehicle carrying inflammable liquids as a cargo.

One such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of 50 feet to the rear. When the rear registration marker is illuminated by an electric lamp other than a required rear lamp, said lamp and the rear lamp or lamps shall be turned on or off only by the same control switch at all times.

All motor vehicles and motor-drawn vehicles manufactured after July 1, 1954, and registered under the provisions of this Title, shall be equipped with at least 2 stop lights, except that this section shall not apply to pole trailers or to any motor-

drawn vehicle not exceeding 3,000 pounds gross vehicle weight and which, from a distance of at least 500 feet to the rear, does not obscure or obstruct sight of the stop signals installed as hereinabove required on the motor vehicle drawing such motor-drawn vehicle. Such stop lights shall be so constructed, placed and used as to indicate by a substantial increase in illumination that the service brakes of the vehicle have been applied; provided, that motorcycles need be equipped with only 1 stop light. All such stop lights shall be of a type approved by the Director of the Division of Motor Vehicles.

Every passenger car and motorcycle manufactured after September 1, 1937, when operated on a highway shall also carry at the rear, either as a part of the rear lamp or separately, at least 1 approved red reflector. Every commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than 6 passengers hereafter operated on a highway shall also carry at the rear at least 2 approved red reflectors; at least 1 on each side. Every such reflector shall meet the requirements of this article and shall be mounted upon the vehicle at a height not to exceed 60 inches nor less than 20 inches above the ground upon which the vehicle stands. Every such reflector shall be so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within 500 feet from such vehicle when directly in front of a motor vehicle displaying lawfully lighted approved head lamps.

2. This act shall take effect immediately.

Approved February 28, 1963.

CHAPTER 248

AN ACT concerning certain pensioners, and amending section 43:3–5 of the Revised Statutes.

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

Section amended.

1. Section 43:3–5 of the Revised Statutes is amended to read as follows:

Chapter inapplicable to certain employees.

43:3–5. The provisions of this chapter shall not apply to any appointment of a temporary nature made or created by any rule or order of procedure of any court of this State, so as to interfere with any rule or order of procedure in such courts for the proper administration of justice therein; nor shall the provisions of this chapter apply to any person appointed to the office of court crier in any court where the term of such office is indefinite, or to any person who is appointed to the office of magistrate of any municipal court in a municipality having a population of less than 5,000, where the salary paid to such municipal magistrate is less than the amount of his pension; nor to the appointment and employment of any pensioned former municipal manager or licensed accountant as an engineer or consultant or member of any commission or board by any municipality, county or by the State, or as a teacher or lecturer in any school or educational institution in the State; nor to the employment, by the State or by any county, municipality or school district in any position or employment, to the duties of which the holder thereof is not required to devote his full time, at a salary or compensation of not more than $1,800.00 per calendar year, of any person who is receiving or who shall be entitled to receive any pension or subsidy from this or any other State or any county, municipality or school district of this or any other State; nor to any person who has or who may hereafter receive permanent disability in the performance of his

duty while serving as a member of the Armed Forces of the United States, the New Jersey State Police, or the police department, or the fire department of any county or municipality in this State. The provisions of this section shall not authorize the employment as a policeman or fireman of any person who is receiving or shall be entitled to receive any pension or subsidy from this or any other State or any county, municipality, or school district of this or any other State as a result of services as a member of a police department or a fire department.

2. This act shall take effect immediately.

Approved March 1, 1963.

CHAPTER 249

AN ACT providing for certain subsidies by municipalities for Limited-Dividend Housing Corporations and supplementing the "Limited-Dividend Housing Corporations Law," approved May 21, 1949 (P. L. 1949, c. 184).

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

C. 55:16-18.1. Provides for payment of subsidy.

1. The governing body of any municipality in which a project of a Limited-Dividend Housing Corporation is located, may, by ordinance, provide for the payment of money as a subsidy to such Limited-Dividend Housing Corporation for the purpose of acquiring land for such project. Every such ordinance shall specify the amount or amounts of such payments, the time or times they are payable, and the terms and conditions of such payments.

2. This act shall take effect immediately.

Approved March 1, 1963.

CHAPTER 250

AN ACT relating to the printing of the Uniform Commercial Code in the pamphlet laws.

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

Code not to be printed.

1. Assembly Bill No. 666 of the 1961 Session, the "Uniform Commercial Code," P. L. 1961, c. 120, shall not be printed in the pamphlet laws of 1961 or any other Session.

2. This act shall take effect immediately.

Approved March 1, 1963.

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 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 Preamble.

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.

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 8, 1962.

JOINT RESOLUTION No. 2

A JOINT RESOLUTION to declare the week of March 4 through 10, 1962 as "Save Your Vision Week" dedicated to the theme, "Better Vision for a Fuller Life," and for a proclamation thereof by the Governor.

Preamble.

WHEREAS, The New Jersey Optometric Association and the American Optometric Association, which sponsor "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, "Better Vision for a Fuller Life"; and

Preamble.

WHEREAS, The strength of America rests in the family as a unit and in the family's health and welfare; and

Preamble.

WHEREAS, Good vision is a necessity for a healthier, happier, more productive life for every member of the family; and

WHEREAS, Our better way of life and increased activity has made greater and more diversified demands on every citizen's vision; and Preamble.

WHEREAS, The profession of optometry and the doctors who practice it have contributed greatly to more accurate, more efficient and more comfortable vision of our citizenry by providing vision care based on latest research and development; and Preamble.

WHEREAS, The attention of every individual must be brought to the values of good vision; therefore Preamble.

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

1. The week of March 4 through 10, 1962 is declared to be "Save Your Vision Week" in the State of New Jersey and dedicated to the theme, "Better Vision for a Fuller Life." Save Your Vision Week.

2. That the Governor, by appropriate proclamation, so proclaim the said week of March 4 through 10, 1962 and its dedication to the theme, "Better Vision for a Fuller Life." Proclamation.

3. This joint resolution shall take effect immediately.

Approved February 16, 1962.

JOINT RESOLUTION No. 3

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.

WHEREAS, The American Cancer Society and the National Cancer Institute have declared 1962 Cancer Progress Year, in the struggle to conquer Preamble.

cancer, during which time great progress has been made in the fight against this disease; and

Preamble. WHEREAS, The New Jersey Division of the said society, with its 21 county chapters, is conducting year-around programs to alert the people of this State to the cancer problem and to assist those already stricken; and

Preamble. 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; therefore

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

Cancer Control Month. 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.

Proclamation. 2. The Governor, by appropriate proclamation, set aside the said month of April as "Cancer Control Month" in New Jersey.

3. This resolution shall take effect immediately.

Approved February 16, 1962.

JOINT RESOLUTION No. 4

A JOINT RESOLUTION memorializing the Congress of the United States to enact legislation to implement the "Federal Flood Insurance Act of 1956."

Preamble. WHEREAS, The Congress of the United States, in 1956, enacted the "Federal Flood Insurance Act of 1956"; and

WHEREAS, The Congress found in said act that "In the case of recurring natural disasters, including recurring floods, insurance protection against individual and public loss is not always practically available through private or public sources"; and Preamble.

WHEREAS, The avowed purpose of said act was to establish a program of Federal insurance and reinsurance against the risk of floods and to encourage private insurance covering such flood risks; and Preamble.

WHEREAS, The Congress of the United States has heretofore failed to appropriate the funds necessary to implement the "Federal Flood Insurance Act of 1956"; and Preamble.

WHEREAS, Since 1956 there have been numerous disasters, storms and floods in many of the States of this Nation; causing untold damage to public and private property; and Preamble.

WHEREAS, In the State of New Jersey, as a result of the storm and flood of March 1962 alone, the damage to public and private property will exceed $100,000,000.00; and Preamble.

WHEREAS, The public and private losses suffered as a result of such storms and floods has caused widespread distress and hardship adversely affecting the general welfare without regard to State boundary lines; and Preamble.

WHEREAS, Much of said distress and hardship could have been avoided, reduced or guarded against if the "Federal Flood Insurance Act of 1956" had been properly and adequately implemented at the time of its original passage; and Preamble.

WHEREAS, It is in the common interest of all of the States of this Nation to support the program of insurance protection provided for in the "Federal Flood Insurance Act of 1956"; and Preamble.

Preamble. WHEREAS, The President of the United States has stated his approval of this program and willingness to implement its provisions as soon as the necessary funds are provided; now therefore

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

Congress memorialized 1. The Congress of the United States is memorialized to enact the legislation necessary to fully implement the "Federal Flood Insurance Act of 1956."

Secretary of State to transmit copies. 2. The Secretary of State shall transmit forthwith a duly attested copy of this resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, the Senators from New Jersey and to each member of the House of Representatives of the United States elected from New Jersey.

3. This joint resolution shall take effect immediately.

Approved March 29, 1962.

JOINT RESOLUTION No. 5

A JOINT RESOLUTION directing the Commission on State Tax Policy to undertake a comprehensive re-examination of the entire State and local tax structure and to report thereon to the Governor and to the Legislature.

Preamble. WHEREAS, The Commission on State Tax Policy, pursuant to Joint Resolution No. 6 of 1961, has undertaken a re-examination of the means of providing increased State financial assistance for the public schools of the State; and

Preamble. WHEREAS, A substantial part of the total existing tax resources of the State and its political sub-

divisions are already devoted to the support of the public schools; and

Preamble. WHEREAS, Any recommendations of the commission which would increase the State's participation in the financing of the public schools must have a significant effect upon the tax structure of the State; and

Preamble. WHEREAS, Under such circumstances, it is important that full consideration be given to achieving a fair and equitable distribution of the cost of school services and other governmental services between the State and its political subdivisions and among the residents of the State and the business, industrial and commercial enterprises carried on therein; and

Preamble. WHEREAS, The last comprehensive study of the entire State and local tax structure was undertaken by the commission in 1949 and the report thereon submitted in 1950; now, therefore,

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

Study of State and local tax structure. 1. The Commission on State Tax Policy is hereby directed to undertake a comprehensive re-examination of the entire State and local tax structure and of the tax resources of the State and its political subdivisions to determine to what extent the existing tax structure should be modified or otherwise changed to insure a fair and equitable distribution of the costs of governmental services between the State and its political subdivisions and among the residents of the State and the business, industrial and commercial enterprises carried on therein.

Professional research, etc., services. 2. The commission is authorized to employ or to contract for such professional, research, statistical, editorial, clerical and incidental services and to incur such other expenses as it may deem necessary for the proper and timely accomplishment of the purposes of the study hereby directed and as may

be within the limits of sums appropriated for this purpose.

Aid by governmental agencies.

3. The commission and their representatives shall consult with and shall be entitled to call to their assistance and avail themselves of the services and facilities of such State and local governmental agencies as may be appropriate and which may reasonably be made available to aid in the study hereby directed.

Report.

4. The commission shall report specially to the Governor and the Legislature, on the results and recommendations resulting from the study hereby directed, before the month of December, 1962.

5. This joint resolution shall take effect immediately.

Approved April 3, 1962.

JOINT RESOLUTION No. 6

A JOINT RESOLUTION to declare the week of April 28 through May 5, 1962 as "Business Education Week" 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 livelihoods 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 become intelligent users of business opportunities and services; and

WHEREAS, The business education programs in our schools have made an outstanding contribution to the education of American youth by preparing young men and women for positions in business and industry as well as by contributing to the general education of all students; now, therefore, Preamble.

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

1. The week of April 28 through May 5, 1962 is declared to be "Business Education Week" in the State of New Jersey. Business Education Week.

2. The Governor, by appropriate proclamation shall so proclaim the week of April 28 through May 5, 1962 as "Business Education Week." Proclamation.

3. This joint resolution shall take effect immediately.

Approved April 10, 1962.

JOINT RESOLUTION No. 7

A JOINT RESOLUTION to provide for the designation of State Highway Route No. 78 as the Lightning Division Memorial Highway.

WHEREAS, The 78th Division of the United States Army was organized in 1917 at Fort Dix, then known as Camp Dix, and was composed principally of men from the State of New Jersey; and Preamble.

WHEREAS, Since its organization the 78th Division has been known and designated as the "Jersey Lightning" Division and between World Wars I and II and since World War II has been the major army reserve unit in New Jersey; and Preamble.

WHEREAS, The said "Jersey Lightning" Division served with outstanding distinction in World Wars I and II, now, therefore Preamble.

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

Lightning Division Memorial Highway.

1. That State Highway Route No. 78 running between Newark and a point at or near Phillipsburg shall be designated as the Lightning Division Memorial Highway as a memorial in commemoration of the services of those persons who served in said Division in World Wars I and II.

Appropriately marked.

2. That the State Highway Commissioner shall cause to be erected along said highway suitable tablets and ornamentations, including replicas of the Division's insignia, to perpetuate this resolution.

3. This joint resolution shall take effect immediately.

Approved May 10, 1962.

JOINT RESOLUTION No. 8

A JOINT RESOLUTION creating a commission to study the State Transfer Inheritance Tax Law.

Preamble.

WHEREAS, Proposals have been made for substantial increases in State Transfer Inheritance tax; and

Preamble.

WHEREAS, New Jersey has long been considered to have a fair and equitable inheritance tax law; and

Preamble.

WHEREAS, It is desirable the Legislature be informed as to the details and impact of any such proposals prior to action thereon; and

Preamble.

WHEREAS, Additional taxation in this field does not appear desirable for emergency revenue purposes; now, therefore,

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

Commission created; members; bipartisan; vacancies.

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 citizens to be appointed by the Governor. No more than one of each group of 2 appointees shall be a member of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

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.

3. It shall be the duty of said commission to study the existing Transfer Inheritance Tax Law of New Jersey with the ends in view of recommending changes therein. Such study shall include existing provisions as to taxable and tax free transfers as well as rates of taxation.

4. The commission shall confer with the Commission on State Tax Policy and shall be entitled to call to its assistance and avail itself of the services of such employees of the State Department of the Treasury as it may require and as may be available to it for said purpose, and to employ such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

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.

6. This joint resolution shall take effect immediately.

Approved May 29, 1962.

JOINT RESOLUTION No. 9

A JOINT RESOLUTION memorializing Congress to authorize and provide for additional accommodations for veterans at the General Medical and Surgical Hospital at East Orange, New Jersey and the Neuro-psychiatric Hospital at Lyons, New Jersey.

Preamble. WHEREAS, The General Medical and Surgical Hospital at East Orange, New Jersey and the Neuro-psychiatric Hospital at Lyons, New Jersey have been operating consistently at 95% and 96% occupancy, respectively; and

Preamble. WHEREAS, The East Orange Hospital with a 640 bed capacity and a high "turn over rate," nevertheless, continually has a waiting list averaging 150 to 200 applicants; and

Preamble. WHEREAS, The Lyons Hospital with a 2,009 bed capacity continually has a waiting list averaging 650 to 700 applicants; and

Preamble. WHEREAS, The veteran population of New Jersey as of June, 1961, is conservatively estimated to number 815,000 veterans, of which in excess of 700,000 thereof are veterans of World War II and the Korean Conflict; and

Preamble. WHEREAS, As the presently relatively young veterans of World War II and the Korean Conflict become older, there will be a steadily increasing demand upon the already inadequate facilities of the East Orange and Lyons Hospitals; now, therefore,

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

Congress memorialized. 1. The Congress of the United States is hereby memorialized to take cognizance of the urgent need

for additional facilities at the Veterans Administration Hospitals at East Orange and Lyons in the State of New Jersey.

2. The Congress of the United States is further memorialized to authorize and provide for the construction by the Administration of Veterans Affairs of facilities at the General Medical and Surgical Hospital at East Orange to accommodate 250 additional beds and at the Neuro-psychiatric Hospital at Lyons to accommodate 400 additional beds. Congress further memorialized.

3. The Secretary of State is directed to transmit a copy of this joint resolution to the Vice-President of the United States, the Speaker of the House of Representatives, the Senators and Representatives of the State of New Jersey in the Congress and to the Administrator of Veterans Affairs. Copies transmitted.

4. This joint resolution shall take effect immediately.

Approved June 1, 1962.

JOINT RESOLUTION No. 10

A JOINT RESOLUTION reconstituting and continuing the Advisory Commission on the Local Property Tax constituted under Joint Resolution No. 8 of the laws of 1961.

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

1. The commission heretofore constituted under Joint Resolution No. 8 of the laws of 1961 is hereby reconstituted and continued with the same membership and the same officers as it last had and with the same powers and duties vested in and imposed upon it by said joint resolution. Commission continued.

2. Vacancies in the membership of the commission occasioned by any cause shall be filled in the same manner as the original appointments were made. Vacancies.

Term. 3. The commission as reconstituted shall continue in existence until July 1, 1963.

4. This joint resolution shall take effect immediately.

Approved June 1, 1962.

JOINT RESOLUTION No. 11

A JOINT RESOLUTION creating a commission to be known as the Commission to Study the Arts in New Jersey and prescribing its powers and duties.

Preamble. WHEREAS, There has been an increasing emphasis upon the need of cultural endeavors in our society; and

Preamble. WHEREAS, There has been an increasing number of expressions concerning the alleged lack of adequate facilities for the promotion of the arts in New Jersey; and

Preamble. WHEREAS, An understanding and appreciation of, and active participation in, the various arts by all our citizens are both beneficial and essential to individual growth and to the welfare and prosperity of our State; and

Preamble. WHEREAS, Governments in other jurisdictions, both domestic and foreign, have assumed various roles of leadership in promoting the arts; now, therefore,

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

Commission created. 1. There is hereby created the Commission to Study the Arts in New Jersey. This commission shall consist of 11 members, 7 of whom shall be named by the Governor from the State at large, no

more than 4 of whom shall be of the same political party, 2 of whom shall be Senators to be named by the President of the Senate, no more than 1 of whom shall be of the same political party, and 2 of whom shall be Assemblymen to be named by the Speaker of the General Assembly, no more than 1 of whom shall be of the same political party. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointment.

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 the commission to study (a) the role of the arts in New Jersey with particular emphasis upon the means and agencies now engaged in, or available for, the promotion of good literature, painting, sculpture, music and the other art forms in this State, (b) to investigate what the role of the State and its various political subdivisions in promoting the arts should be and (c) to formulate a program whereby the State and its political subdivisions can assist in the stimulation of greater interest and participation in the arts by all the citizens of this State.

Hearings.

4. The commission may hold such public hearings as it shall deem necessary to accomplish its purpose.

Assistance by other departments.

5. The commission may call upon any of the State departments for such assistance as may be required from such departments and may avail itself of the professional advice and assistance of the State Department of Education, particularly the Division of the State Library, Archives and History and the Division of the State Museum.

Compensation of personnel.

6. The commission may, within the limits of funds to be made available to it by appropriation or otherwise, employ and fix the compensation of such personnel as it deems essential to the performance of its duties.

Report. 7. The commission shall report its findings and recommendations to the Governor and the Legislature on or before December 31, 1963.

8. This joint resolution shall take effect immediately.

Approved June 4, 1962.

JOINT RESOLUTION No. 12

A JOINT RESOLUTION reconstituting the Commission on Emergency Civil Government.

Preamble. WHEREAS, The Commission on Emergency Civil Government was created in 1959, Joint Resolution No. 7, approved April 14, 1959, to formulate proposals for the effective continuation of civil government in the event of nuclear attack or similar disaster; and

Preamble. WHEREAS, Said commission recommended constitutional amendments to authorize the Legislature to provide for the continuance of civil government in the event of such a disaster, which constitutional amendments were approved by the people on November 19, 1961; and

Preamble. WHEREAS, Suitable legislation to implement such constitutional amendments should be formulated without delay; now, therefore,

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

Commission reconstituted. 1. The Commission on Emergency Civil Government, created pursuant to Joint Resolution No. 7, approved April 14, 1959, is reconstituted except as to the members thereof.

Members; vacancies. 2. The said commission shall be composed of 2 members of the Senate, to be designated by the

President thereof, 2 members of the General Assembly, to be designated by the Speaker thereof, the administrative director of the courts, one person to be designated by the Governor on behalf of the Executive Department and 3 citizen members to be designated by the Governor in accordance with section 2 of said Joint Resolution No. 7, approved April 14, 1959. Vacancies in the membership of the commission occasioned by any cause shall be filled in the same manner as the original appointments were made.

Duties.

3. The commission is directed to formulate and submit to the Governor and the Legislature proposed legislation to implement the constitutional amendments approved in November, 1961 authorizing the Legislature to enact legislation for the effective continuance of civil government in the event of nuclear attack or similar disaster.

4. This joint resolution shall take effect immediately.

Approved June 11, 1962.

JOINT RESOLUTION No. 13

A JOINT RESOLUTION creating a commission to study the present programs of State assistance to counties and municipalities for road purposes and the laws pertaining thereto and prescribing the commission's powers and duties.

Preamble.

WHEREAS, Approximately $16 million is appropriated annually by the State of New Jersey for distribution among its counties and municipalities for the construction, reconstruction, grading, maintenance, repair and lighting of roads;

Preamble. WHEREAS, The allocation of this money among the counties and municipalities is prescribed by various laws, including chapter 199 and chapter 207 of the laws of 1946, chapter 62 of the laws of 1947 and chapter 460 of the laws of 1948;

Preamble. WHEREAS, These laws contain various and different formulas upon which the distribution of this money is determined;

Preamble. WHEREAS, These formulas employ various factors, including population, road mileage, minima and maxima per political unit, and maxima of the State's share of the total cost; and

Preamble. WHEREAS, It is now desirable to review these laws with regard to their adequacy and equity in light of current problems in maintaining and developing our county and municipal roads; now, therefore,

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

Commission created; members. 1. There is hereby created a "County and Municipal Road Aid Commission" to consist of 10 members: 3 to be appointed from the membership of the Senate by the President thereof, no more than 2 of whom shall be of the same political party; 3 to be appointed from the membership of the General Assembly by the Speaker thereof, no more than 2 of whom shall be of the same political party; and 4 to be appointed by the Governor from among the citizens of this State, no more than 2 of whom shall be of the same political party. The members shall serve without compensation. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

Organization. 2. The commission shall organize as soon as may be practicable after the appointment of its members and shall select a chairman and a vice-chairman from among its members and a secretary who need not be a member of the commission.

Duties.

3. It shall be the duty of the commission to study and investigate the State program of assistance to the counties and municipalities for road purposes and the laws pertaining thereto and to make such recommendations, including changes in said laws, as it deems desirable.

Representative for highway department and other personnel.

4. The Highway Commissioner shall designate a representative to attend meetings of the commission and to assist it in its studies, as the commission may request. 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 research, stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

Hearings; report.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Governor and the Legislature at the earliest practicable time, accompanying the same, if deemed desirable, with legislative bills to implement its recommendations.

6. This joint resolution shall take effect immediately.

Approved June 18, 1962.

JOINT RESOLUTION No. 14

A JOINT RESOLUTION relating to increasing employment opportunities for New Jersey's citizens.

Preamble. WHEREAS, The Legislature believes that the development of new jobs by the State's business community has a direct relationship to the personal welfare of all our citizens and is thus in the public interest; and

Preamble. WHEREAS, A favorable environment to encourage business expansion and to attract new industry is essential for the broadening of employment opportunities for all the people; and

Preamble. WHEREAS, Such an environment is comprised of elements that are economic, political and social and includes attitudes of government and all other groups and individuals toward business; and

Preamble. WHEREAS, The actions of the Legislature to improve the environment in which business and industry must operate, and to increase its competitive strength, will contribute directly to the continuing prosperity of our State and to the constantly rising standard of living of all our citizens.

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

Effect of proposed legislation to be examined. 1. That the Legislature henceforth shall examine all proposed legislation relating to commerce, industry and agriculture in terms of its effect upon job opportunities in the State and shall determine whether such legislation may have any future discriminating or deterring effect upon the investment of capital and the creation of needed payrolls in New Jersey.

2. The members of the Legislature hereby request the Governor and the heads of each department in State Government to examine their own discretionary actions and orders in any way relating to commerce, industry and agriculture, in terms of the effect of such governmental action upon new jobs for New Jersey. Examination of the effect of departmental actions.

3. The Legislature reaffirms its dedication to fair and just treatment in legislation and regulation for all segments of our economy; of fair and equitable policies of taxation; of impartial treatment for labor and management in their relationships with government; and of recognition of the basic rights of all our citizens, both individual and corporate. Reaffirmation of legislative policy.

4. A copy of this resolution, officially authenticated, shall be forwarded to the Governor and to the head of each principal department of the State Government. Transmittal of copies.

5. This joint resolution shall take effect immediately.

Approved June 26, 1962.

JOINT RESOLUTION No. 15

A JOINT RESOLUTION creating a temporary commission to be known as the Narcotic Drug Study Commission, prescribing its membership, powers and duties and making an appropriation therefor.

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

1. There is hereby created a commission to be known as the Narcotic Drug Study Commission, hereinafter referred to as the commission, consisting of 2 members of the Senate, appointed by the President thereof, 2 members of the General Assem- Narcotic Drug Study Commission created.

bly, appointed by the Speaker thereof, 2 citizens of the State, appointed by the Governor and the chairman of the Commission on Narcotics Control, ex officio. All appointments shall be made on a bipartisan basis and any vacancy arising for any cause shall be filled in the manner of the original appointment.

Organization.

2. The commission shall meet and organize as soon as may be after the appointment of its members and shall select from among its members a chairman and a vice-chairman and shall also select a secretary who need not be a member of the commission. It may also organize itself by establishment of committees or otherwise, as it shall determine, to facilitate its studies.

All members of the commission shall serve without compensation, but, within the limits of appropriations or funds made available to it, shall be reimbursed for expenses incurred in performance of their duties as members of the commission.

Duties.

3. The commission shall undertake a comprehensive review of all matters relating to the causes, prevention and control of drug addiction and the diagnosis, treatment and control of drug addicts. The commission shall review and evaluate the laws of this State relating to the sale, distribution and control of narcotic drugs and it shall initiate and conduct such investigations and review such facilities and programs as may in its judgment be required or desirable and shall advise the Governor, the Legislature and the citizens of the State as to its recommendations for improvements resulting from its studies and investigations.

Consultations and hearings.

4. The commission may consult with such persons within or without the State as will in its judgment assist it in its work. The commission, or any committee thereof, may hold such hearings within the State as it deems necessary or desirable.

Powers.

5. The commission or any member thereof shall have the power to administer oaths, and to examine witnesses under oath.

The commission shall also have the power to compel by its subpœna the attendance and testi-

mony of witnesses and the production of evidence, including but not limited to any information, books, records, papers and documents, relative to any matter under its examination or investigation or which may aid it in the performance of its functions and duties hereunder. Any such subpœna shall be signed and issued by the chairman of the commission or by any other member of the commission duly authorized by him.

If any person subpœnaed to appear before the commission refuses or fails to so appear or to be examined, or to answer any question or to produce any evidence when ordered so to do by the commission, the commission may apply to the Superior Court for an order directing such person to show cause before the court why he should not comply with the subpœna or direction or order of the commission, and upon the return of such order the court shall examine such person, under oath, and thereupon make such order as may be appropriate or required, and any refusal or failure to obey such order of the court may be punished by said court as a contempt thereof.

The chairman of the commission shall have the power to certify to official acts.

Witnesses subpœaed under this section shall be paid the same fees and mileage as are paid witnesses in courts of law.

Any hearing conducted by the commission may be either private or public, as the commission shall in its judgment determine; and any 2 or more members of the commission may conduct any such hearing when authorized by the commission. At any private hearing conducted by the commission, the names of the witnesses called and their testimony may not be divulged or made public except by resolution of a majority of the members of the commission.

A witness at any public or private hearing shall have the right to have present at such hearing counsel of his own choice.

Employ assistants.

6. The commission may employ such legal, technical and clerical assistants as may be necessary to aid it in the performance of its functions and duties hereunder and provide such facilities as may be required for the execution of its functions and duties hereunder and, within the limits of available appropriations, fix the compensation of such additional personnel.

Report.

7. The commission shall report to the Governor and the Legislature, from time to time, on the progress of its work in its various aspects and with such findings and recommendations as it shall care to make. A final report of the commission shall be rendered to the Governor not later than December 1, 1963.

Appropriation.

8. There is hereby appropriated to the said commission for the carrying out of its purposes and duties the sum of $25,000.00.

9. This joint resolution shall take effect immediately.

Approved December 18, 1962.

JOINT RESOLUTION No. 16

A JOINT RESOLUTION creating a commission to study the advisability of making mandatory the conduct of motor vehicle driver education programs in secondary schools and related matters as to issuance of drivers' licenses to youth.

Preamble.

WHEREAS, The increase in motor vehicle accidents in which young drivers are involved is the subject of widespread concern; and

Preamble.

WHEREAS, The significantly better safety ratio factor among young drivers who have had the benefit of the motor vehicle driver education program conducted on a voluntary basis in our public and

private secondary schools warrants consideration of making such training programs mandatory; and

Preamble.

WHEREAS, The problems of financing a mandatory program, establishment of uniform rules as to the training and related matters involved in making mandatory driver training in schools warrant study and consideration and a special report and recommendations prior to legislative action; now, therefore

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

Commission created; members; vacancies.

1. There is hereby created a commission to consist of 7 members, 2 to be appointed from the membership of the Senate by the President thereof, no more than one of whom shall be of the same political party and 2 to be appointed from the membership of the General Assembly by the Speaker thereof, no more than one of whom shall be of the same political party, the Commissioner of Education or his designated representative, the Director of the Division of Motor Vehicles or his designated representative and the State Treasurer or his designated representative, all of whom shall serve without compensation. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

Organization.

2. The commission shall organize as soon as may be after the appointment of its members and shall select a chairman from among its members and a secretary who need not be a member of the commission.

Duties.

3. It shall be the duty of said commission to examine the record in New Jersey and other States with respect to the results of programs of motor vehicle driver education programs in secondary schools with consideration of the desirability and advisability of making such programs mandatory in New Jersey. The commission shall give consideration to the cost involved in such a program and

of the means of providing the necessary funds therefor, the establishment of uniform standards of instruction for, and satisfactory completion of, driver education programs. The commission may consider the advisability of raising the minimum age and conditions for initial licensing of drivers with special regard to the conduct of a mandatory driver education program.

Assistance by other civil agencies.

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

Hearings and 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 Governor and the Legislature on or before May 1, 1963, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature.

6. This joint resolution shall take effect immediately.

Approved January 4, 1963.

JOINT RESOLUTION No. 17

A JOINT RESOLUTION to declare the month of January 1963 as "United 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 21,000 residents of New Jersey; and Preamble.

WHEREAS, This number is increasing as Cerebral Palsy strikes once every 53 minutes somewhere in our great country; and Preamble.

WHEREAS, United Cerebral Palsy is dedicated to a nation-wide crusade to combat this cruel affliction through medical research, training of professional workers, and the diagnosis, treatment, education, rehabilitation and recreation of the Cerebral Palsied; and Preamble.

WHEREAS, United Cerebral Palsy Associations of New Jersey and its County Affiliates carry on a well planned and co-ordinated crusade to provide the necessary medical, therapeutical and rehabilitation services to help enable the Cerebral Palsied become self-sufficient members of the community; and Preamble.

WHEREAS, 75% of all moneys contributed by residents of this State are expended in New Jersey to provide facilities for diagnosis, treatment and educational centers, and for the direct services to the Cerebral Palsied and the public; therefore, Preamble.

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

1. That the Month of January 1963 is directed to be known in New Jersey as "United Cerebral Palsy Month" and the residents thereof are urged to give their support to the United Cerebral Palsy and its Cerebral Palsy program. United cerebral palsy month.

2. That the Governor, by appropriate proclamation, set aside the said month of January as "United Cerebral Palsy Month" in New Jersey. Proclamation.

3. This joint resolution shall take effect immediately.

Approved January 4, 1963.

JOINT RESOLUTION No. 18

A JOINT RESOLUTION creating a commission to study and report upon the matter of the liability of counties and municipalities to respond in damages in tort cases arising from the conduct and performance of governmental and proprietory functions and to report thereon to the Legislature.

Preamble.

WHEREAS, The liability of counties and municipalities to respond in damages in tort cases arising from the conduct and performance of governmental and proprietory functions have been extended by recent decisions of the courts of this State beyond the limits of such liability heretofore anticipated, and

Preamble.

WHEREAS, The Legislature deems it desirable that a study be made of the subject matter of the liability of the counties and municipalities in such cases for the purpose of determining whether or not such liability shall be limited by statute, and if so, to what extent and in what manner.

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

Commission created; members; vacancies.

1. There is hereby created a commission to consist of 3 members of the Senate to be appointed by the President thereof and 3 members of the General Assembly to be appointed by the Speaker thereof, no more than 2 of each group of 3 to be of the same political party, and 2 members to be appointed by the Governor, no more than 1 of whom shall be of the same political party. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

Organization.

2. The commission shall organize as soon as may be after the appointment of its members and shall

select a chairman from among its members and a secretary who need not be a member of the commission.

Duties.

3. It shall be the duty of said commission to make a study of the liability of counties and municipalities to respond in damages to any person, who suffers bodily injury, or to the personal representative of any person, who suffers death, or who suffers damage to property, as the result of the performance, by any officer or employee of the county or municipality, of any governmental or proprietory function of such county or municipality and the limits thereof and to report to the Legislature thereon recommending such legislation, if any, as it may determine to be enacted in order to limit such liability and the manner of such limitation.

Assistance by other civil agencies.

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

Hearings; report.

5. The commission may meet and hold hearings at such place or places as it shall designate during the sessions or recesses of the Legislature and shall report its findings and recommendations to the Legislature, accompanying the same with any legislative bills which it may desire to recommend for adoption by the Legislature.

Appropriation.

6. The sum of $5,000.00 or so much thereof as may be necessary, is hereby appropriated to the commission to carry out the purposes of this joint resolution.

7. This joint resolution shall take effect immediately.

Approved January 8, 1963.

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 day of February, one thousand nine hundred and sixty-two, 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 the corporations so reported and hereinafter named for the payment of such taxes, and the same are still unpaid;

THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, pursuant to the provisions of R. S. 54:11–2, DO HEREBY ISSUE THIS PROCLAMATION declaring that the charters of the following-named corporations, so reported and in default, TO WIT:

UNPAID TAXES FOR THE YEAR 1960

AAAA Insulation Corporation,
A.A.A. Answering & Business Service of New Jersey, Inc.,
A.A.A. Milk Vendor's Co.,
A. A. A. Taxi Co.,
A.A.A. Taxi Service,
AAA Television Service, Inc.,
AAA Well Drilling Corporation,
A.A. Dinette, Inc.,
Aalborg Construction Co.,
Aart W. Paerels, Inc.,
A & B Bar, Inc.,
Abbey Taxi Service,
Abbey Transportation Co.,
Abbey Wines, Inc.,
Abbott Associates, Inc.,
Abbott Tenterden Company,
Abby Development Corporation,
Abby, Inc.,
Abco Sales, Inc.,
A B C Window Cleaning Co.,
A & B Electronics, Inc.,
Abeta Made Embroidery, Inc.,
A. & B. Glass & Mirror Co. Inc.,
Abko, Inc.,
A. B. & L. Realty Company,
A.B. Motors, Inc.,
Absecon Underwriters Agency, Inc.,
A. Bussanich & Son, Inc.,
Acacia Automatic Sprinkler Corp.,
Academy Cab Co. Inc.,
Academy Duplex, Inc.,
A.C. Auto Sales,
Accardi, Inc.,
Accurate, Inc.,
A & C Drive-in, Inc.,
Ace Cleaners, Inc.,
Ace Distributors, Inc.,
Ace Factors,
Ace Lumber Co., Inc.,

Ace Mailing, Inc.,
Ace Packing Beef Co.,
Ace Paint Company,
A.C.F. Realty Co.,
Ackerman Iron Works, Inc.,
Acmay Construction Company, Inc.,
Acme Amusement Service, Inc.,
Acme Associates, Inc.,
Acme Automotive & Marine Supplies Inc.,
A. C. Metal Finishing Corp.,
Acme Truck Service Inc.,
Acme Vacuum Stores,
Acorn Timber Products Corp.,
Acro Leather Products Co. Inc.,
Adam Lanes, Inc.,
Adamo Realty Company,
Adams' TV & Music Center Inc.,
Ada Realty Co.,
A.D.C., Incorporated,
Adelphia Home Improvement Co., Inc.,
Adler's Quality Bakery, Inc.,
Admiration Homes, Inc.,
Adsco Molded Products Co.,
Advance Automatic Door Co.,
Advanced Building Corp.,
Advance Developers Corporation,
Advance Industries, Inc.,
The Adventurer,
Advertising Campaigns, Inc.,
Advertising Products Company of New Jersey Inc.,
A.E.M. Development, Inc.,
Aero Credit Corporation,
Aero Oil Company, Inc.,
Aero-Sonic Corp.,
Aero Vent International Inc.,
Aetna Manufacturing Corporation,
Aetna Tool & Machine Co., Inc.,
A. F. & C. Corp.,
A. & F. Realty Corporation,
A. & G. Construction Corp.,
Aggressive Business Associates Inc.,
Agseco, Inc.,
A & H Land Corp.,

A. & H. Manufacturing Corp.,
Aimco Plastics, Inc.,
Aimee-Marie Stables,
Air Conditioning & Electric Service Corp.,
Aircraft Nucleonics Industries Inc.,
Air Flight Service, Inc.,
Airgo, Inc.,
Airport Service, Inc.,
Airport Steel Corp.,
Air-Tight Window Co.,
Ajar Corp.,
A.J. Boyd,
A.J.C. Realty & Investment Corp.,
A. J. L. Service, Inc.,
A. J. Otens Enterprizes, Inc.,
A.J.S. Corporation,
Akers Bargain Fair, Inc.,
Akers Hair & Scalp Clinics of N. J. Inc.,
'Akron Construction Co.',
Alan Bennett Enterprises, Inc.,
Alan Merchandisers, Inc.,
Alar Corporation,
Albany Holding Co.,
Albe Corporation,
Albenchi Corporation,
Alber Building, Inc.,
Albert Construction Co.,
Alberti Construction Co., Inc.,
Albert Leon & Son, Inc.,
Albert Novaco Incorporated,
Alcad Realty Company,
Alco Auto Rentals, Inc.,
Alco Iron and Metal Corporation,
Alco Maintenance Company,
Alcor Aluminum Products, Inc.,
Alco Trucking, Inc.,
Alden Sales Co.,
"Aldon Associates, Inc.",
Alexander Route 4, Inc.,
Alexander's Furniture,
Alexandria Gift Shop,
Alex Novak Tire Exchange Inc.,
A. L. F. & J. Inc.,

Alfred's Cleaners & Dyers,
Alfred Tabor Building Corporation,
Alfred Wolff Inc.,
Alhar Realty Co.,
Alibi Club, Inc.,
Alina-Adams Const. Co., Inc.,
Ali Realty & Building Co.,
Al and Jack's Meats, Inc.,
Al Jake, Inc.,
Aljan Corporation,
Aljons, Inc.,
Alko Corporation,
All Aluminum Products Corp.,
Alan-Marshall Company, Inc.,
Al Lemmo & Co., Inc.,
Allen & Austie Construction Co.,
Allen-Bowden Associates,
Allen & Boyd,
Allendale Manor, Inc.,
Allenhurst Venetian Blind & Shade Co., Inc.,
Allen Publications, Inc.,
Allentown Gardens, Sec. 11, Inc.,
Allenwood Concrete Co.,
Allergenic Research Laboratory, Inc.,
Allied Advisors, Inc.,
Allied Building Company, Inc.,
Allied Clothing Corporation,
Allied Fabricators, Inc.,
Allied Federal Lumber Co.,
Allied Fiber Mills,
Allied Homeowners Association,
Allied Sports Products, Inc.,
Allied Supply,
All-Jersey Agency,
Alloca Leasing Corp.,
Al-lo Products Corp.,
Allou, Inc.,
Alloy Metal & Machine Corp.,
All Points Truck Leasing System of N. J. Inc.,
All Service Forwarding Co. Inc.,
Allstate Electric Company, Inc.,
All State Finance & Discount Corp.,
All-States Adjustment Service Inc.,

All States Lumber Wholesalers Inc.,
All State Terminal & Transfer Inc.,
The Allten Corporation,
Alltrans Company, Inc.,
All Weather, Inc.,
Allwood Gas Heating Corp.,
All-World Travelrama Co., Inc.,
Alma Mater Recording Corp.,
Almar Builders, Inc.,
Almart Baking Co.,
Almart, Inc.,
Almolind Homes, Inc.,
Almydor Investment Company,
Alo Realty Co. Inc.,
Alpha Album, Inc.,
Alp Holding Co.,
A.L. Products, Inc.,
Alray Inc.,
Al Sine Auto Sales Inc.,
Al's Luncheonette, Inc.,
Alson Motels, Inc.,
Al's Paramount Diner, Inc.,
Al & S Realty Company,
Al's Service Center, Inc.,
Alstar, Inc.,
Al's Used Cars, Inc.,
Altadonna-Sacchetti Contractors, Incorporated,
Alta Vista Estates, Inc.,
Alumaco,
Aluminum Center of America,
Aluminum Distributors of America Inc.,
Aluminum Limited Corp. of Elizabeth,
Alvin Construction Co.,
Amboy Amusement Co.,
Ambrose Bus Co., Inc.,
Ameco, Inc.,
Ameco Theatre Corp.,
American Aluminum Products Company,
American Balmes Corporation,
American Beauty Sleep, Inc.,
American Brickoting Corp.,
American Building Construction and Supply Co.,
American Building Supplies, Inc.,

American Coat Front Co. Inc.,
American Commerce Management Inc.,
American Commercial Corporation,
Ace Compressed Gas Corp of N. J.,
American Compressed Gas Corp. of N. J.,
American Creations, Inc.,
American Dynamics Corporation,
American Engineering Associates Corporation,
American Home Consultants,
The American Kitchens and Furniture Corporation,
American Metrix Corporation,
American Music Studio-Music Box, Inc.,
American Plastic Co., Inc.,
American Rental Equipment Co. Inc.,
American Tank Rentals, Inc.,
American Toll Road Service Company,
The American Union Company,
American Vistors Service,
American Welding Products Corporation of N. J.,
A and M Homes, Inc.,
Amity, Inc.,
Amlih Holding Co.,
A.M.P. Cabinet & Furniture Manufacturing Co.,
Ampere Freight, Inc.,
Amusement Centers of New Jersey Inc.,
Amusement Co. Inc.,
Anchor Outdoor Stores, Inc.,
Anco, Inc.,
Ander Company,
Andmar Realty Co., Inc.,
Andot Realty Co., Inc.,
Andren Lumber Co.,
Andre Sportswear Inc.,
Andrew & Co.,
Andrew's Bar & Liquor Store Inc.,
Andy-Penguin, Inc.,
Anet Realty Corp.,
Angelons, Inc.,
Angie Sylvester's Tavern, Inc.,
Angle & Belcher Inc.,
Angus Constructors,
Angus Steak House, Inc.,

The Annesley Hotel Inc.,
Annette Holding Corp.,
Annie Baker Holding Co.,
Ann-Maria Coat Manufacturing Co.,
Anthony, Grazian & Cort, Inc.,
Anthony Pappas Corporation, Inc.,
Anthony Ray Sales Corporation,
Anti-Freeze, Inc.,
Antique Electro Finishing Co. Inc.,
Antoniotti Realty Corp.,
Anvel, Inc.,
A-1 Express, Inc.,
A. O. Realty Co.,
Apax Industrial Supply Co.,
A & P Donuts, Inc.,
A & P Excavators, Inc.,
Apex Safety Auto Driving School, Inc.,
A. & P. Motor Sales, Inc.,
Appco, Inc.,
Apple, Borenkamp, Mooney & Nelson, Inc.,
Appliance Center, Inc.,
Apply-Side Corp.,
Approved Equipment Mfg. Co. Inc.,
Apter-Colton Monument Corporation,
Aquacraft, Limited,
Aqua, Inc.,
Aqua Pools Installation Co.,
Aqua Scan Corporation of America,
Arbel Plastics Inc.,
Archbridge Builders, Inc.,
Architectural Building and Supply Inc.,
Arcoaler & Son, Inc.,
Arcola Realty Co.,
Ardez Furniture Co., Inc.,
Ardith Inc.,
Ardito & Pierro Inc.,
Area, Inc.,
Arensman & Johnson Construction Co.,
A. & R. Excavating Co.,
Argene Rug Cleaning Co. Inc.,
Argon Laboratories, Inc.,
A. & R. Holding Co. No. 2,
Ar-Jul Corporation,

Arko, Inc.,
Arlene's, Inc.,
Arlen, Inc.,
A.R. L. Realty Co.,
Armed Forces Service Corp.,
Arn-ko Diner Co.,
Arnold-Hankin Company, Inc.,
Arnolds Donuts, Inc.,
Arnold's Tavern, Inc.,
Aromatic Perfume Co., Inc.,
Arrcite Co., Inc.,
Arress Corp.,
Arrowbilt Steel Furniture Corp.,
Arrow Fancy Wire Co.,
Arrow Molding Inc.,
Arrow Upholstery Co., Inc.,
Art Cleaners, Inc.,
Artgear Realty Corporation,
Arthur De Luca Inc.,
Arthur Lewis Construction Co.,
Arthur L. Kugel, Inc.,
Artistic Coat Co., Inc.,
Artistic Homes Inc.,
Art McLaughlin, Inc.,
Artsal Realty Corp.,
Art-Van's Day Camp, Inc.,
Art-Way Shop, Inc.,
Arvic Tool & Machine Co.,
A.R. Z. Corporation,
Asbury Lafayette, Inc.,
Asbury Park Beach Parking, Inc.,
Asbury Parking Associates, Inc.,
Aselin Motor Lease Corp.,
A. & S. Heating & Cooling Corp,
Asian Industries, Inc.,
Asphalt Additives, Inc.,
Asphalt Road Construction, Inc.,
Associate Contractors Inc.,
Associated Facilities, Inc.,
Associated Jay Ann Shops,
Associated Laminated Products Co. Inc.,
Associated Lighting Service, Inc.,
Associated Markets, Incorporated,

Associated Rentals, Inc.,
Associates of Orange, Inc.,
Astral Homes, Inc.,
A. & S. Trani Sportswear, Inc.,
A. Streifer, Jewelers,
A. & S. Woodwork Shop Inc.,
Atco Hotel Management Inc.,
Atco Metal Stampings Co.,
A and T Floor Waxing Co., Inc.,
Athenia Land Company,
Athenia Vending Machine Co. Inc.,
Atlantic Auto Discount Corporation,
Atlantic Aviation Institute, Inc.,
Atlantic City Hotel Parking System, Inc.,
Atlantic City Motor Company,
Atlantic City Tourist Service, Inc.,
Atlantic Detective Agency,
Atlantic Health Center, Inc.,
Atlantic Highlands Garage Co. Inc.,
Atlantic Highlands Manufacturing Co. Inc.,
Atlantic Leasing Co.,
Atlantic Mortgage and Abstract Co. Inc.,
Atlantic Motors, Inc.,
Atlantic Paint Supply Co.,
Atlantic Pines Builders, Inc.,
Atlantic Steel Products, Inc.,
Atlas Butchers, Inc.,
Atlas Constructors, Inc.,
Atlas Earthmoving & Machinery Company,
Atlas Hat Company,
Atlas Home Improvement and Construction Co. Inc.,
Atlas Industries, Inc.,
Atlas Service Development Co., Inc.,
Atomic Taxi Company,
Atwel Construction Company, Inc.,
Audicon Electronics, Inc.,
Audiphone Co.,
Audwal, Inc.,
August Moon Corporation,
Aurora Developers Co., Inc.,
Aurora Trading Corp.,
Austin Industries, Inc.,

Austin L. Conley Inc.,
Austin Packing Co.,
Autel Electronics Co.,
Auto Fair, Inc.,
Auto, Gear & Axel Corporation,
Auto Marine Motors,
Automatic Burner Service Co. Inc.,
Automatic Compressor Corporation,
Automotive Leasing, Inc.,
Automotive Parts Exchange,
Autorama, Inc.,
Auto Top, Inc.,
Auto-Truck Lease Corp.,
Auto Warranty Corporation,
Autumn Hill Construction Co.,
Autumn Park Estates, Inc.,
Averill Construction Co., Inc.,
Aviation Industries Corp.,
Avon Candy Shop, Inc.,
Avon Court, Inc.,
Avon Machine Co. Inc.,
Avon Specialties Corporation,
Awning Corporation of America,
Awning-Rama, Inc.,
A.W. W. Inc.,

Babco Development Corp.,
Ba Bi Bo, Inc.,
Baby Grand Hotel, Inc.,
Backer Realty Corporation,
Badger Truck Rentals, Inc.,
Baillie, Inc.,
Baker Dairy Farms, Inc.,
Baker Fences, Incorporated of New Jersey,
Baker Furnace Company Inc.,
Balco Home Products, Inc.,
Baldwin Academy Realty Corporation,
Ballet America, Inc.,
Balter Radio and Television Corp.,
Balwyn Holding Company, Inc.,
Bamco Holding Corp.,
Bam Industries, Inc.,
Bana, Inc.,

Banner Associates, Inc.,
Barbaranita Realty Co. Inc.,
Barbara Realty Co.,
Barbizon Textile & Exporting Co., Inc.,
Barco, Inc.,
Barent-McCool Corp.,
Bargain Fair, Inc.,
Bargainville, Inc.,
Barkenpat Construction Co. Inc.,
Barnes-Messenger Co., Inc.,
Baron & Booth Inc.,
Barpat Publishing Co. Inc.,
The Barrington Corporation,
Barry Gray Inc.,
Barry's Clothes, Inc.,
Bartke Agency, Inc.,
Barton Associated Industries Inc.,
Barwick Realty Company,
Barwin Company,
Baseline Corp.,
Basile Inc.,
Batter-Up Sandwich Co.,
Battle Hill Realty Co., Inc.,
Bauer & Eschweiler, Inc.,
Bay Answering Service,
Bay Front Corporation,
Bay Fuel Company,
Bay Gardens, Inc.,
Bay Head Marina Corporation,
Bay View Corporation,
Bayway Excavating Co.,
B. & B. Sales Corp.,
"B. C. Realty Sales, Inc.",
B. C. Trucking Co.,
B. D. & F Holding Co., Inc.,
B & D Plumbing & Heating Co., Inc.,
Beacar Realty Inc.,
Beach Liquors, Inc.,
Beachwood Corporation, Inc.,
Beachwood Plumbing Supply Company,
Beal Realty Co.,
Beamor Trading Corporation,
Beatta Decorator,

Beauty Glow Aluminum Awnings Inc.,
Beauty Products Manufacturing Corp.,
Beauty Trim, Inc.,
Beaver Dam Construction Co.,
Beaver International, Inc.,
Becker, Inc.,
Becker Motors, Inc.,
Beda, Incorporated,
Bedding Industry of America, Inc.,
Bedford Pigment & Emulsion Corp.,
Bedy Realty Corp.,
Beejay Holding Co. Inc.,
Beekay Fabrics, Inc.,
Bee-Son Hotel Corporation,
Bee Travel Products Manufacturing Co. Inc.,
Befarah's Towing Service,
Belair Court Apts., Inc.,
Belair Parts, Inc.,
Belan Realty Corp.,
Belare Court, Inc.,
Bella Embroideries, Inc.,
Bell Construction Co. Inc.,
Belle-Bowl, Inc.,
Belle Millinery, Inc.,
Belleville Bowling Lanes, Inc.,
Bellevue Cleaners, Inc.,
Bell Home Improvement of New Jersey Inc.,
Bellmawr Drive-In, Inc.,
Bellrose Realty & Investment Co.,
Belmar Swimming Pool & Baths, Inc.,
Bel-Monte, Corp.,
Belmont Enterprises, Inc.,
Belmont Majestic, Inc.,
Belmont-Paterson Corp.,
Belmont Pickle Co., Inc.,
Belmont Terminal & Warehouse Co.,
Bendix Realty Co. Inc.,
Benike Realty Corp.,
Benita Realty Co.,
Benjamin Hirsch, Inc.,
Benmar Agency, Inc.,
Benmaur Realty Corp.,
Ben-Mor Construction Corporation,

Ben's Long Bar Inc.,
Benson Appliance, Inc.,
Ben's Rendezvous,
Bep Builders,
Berco Realty Inc.,
Berejeri Construction Co., Inc.,
Bergen-Custer Corporation,
Bergen Diners, Inc.,
Bergen Dress Co., Inc.,
Bergen Equipment Corp.,
Bergen Estates, Inc.,
Bergen Excavating Co., Inc.,
Bergen Extrusion Corp.,
Bergen Lunch, Inc.,
Bergen Properties Inc.,
Bergen Realty Associates, Inc.,
Bergen-Rockland Mortgage Company,
Berger Street Corporation,
Berkeley Water Company,
Berla Merchandisers Incorporated,
Berman Building Co.,
Bern-Al-Lin Dress Corporation,
Bernay, Inc.,
Berney Fashions Inc.,
Bernie's Restaurant,
Bertcraft Kitchen Sales of Bergen County,
Bertcraft Woodworking Co.,
Bert G. Oldford Homes, Inc.,
Berthel Realty Co.,
Bert Lawrence, Inc.,
Bertram M. White Sales Corp.,
Bervin Realty Inc.,
Berwill Corporation,
Berzinskis Realty Co. Inc.,
Best O' The Nest Eggs Inc.,
Bestway Soil, Inc.,
Bestway Trading Co., Inc.,
Beta Corporation,
Beth Homes, Inc.,
Betsytown Lanes, Inc.,
Betsytown Seafood Incorporated,
Better Holding Corp.,
Better Homes, Inc.,

Better Quality Homes, Inc.,
Betty Fox Ltd.,
Beverage Franchises of New Jersey, Inc.,
Beveridge Beach Club, Inc.,
The Bev-Lee Corp.,
B. & F. Automotive Supplies, Inc.,
B & F Land Corporation,
"B.F.M. Inc.",
B. Freeman Auto Parts, Inc.,
B & G Plumbing and Heating Co., Inc.,
BHD Realty Co.,
B. & H. Palter & Son,
Bidumi Realty and Maintenance Co.,
Bielle Homes,
Big Ben Food Market, Inc.,
Big Ben Super Market, Inc.,
(Big) Osterwell Erectors, Inc.,
Billie's Custom Shop, Inc.,
Bill's Club 53,
Bill Smedley, Inc.,
Bill's Trucking Co. Inc.,
Billy Miller's Club 88,
Billy's Burger Mart, Inc.,
Bilmar Glass & Door Co.,
Bilt-Crest Building Company,
Bing Realty Company,
Biographical Technicians, Inc.,
Birch & Birch Used Cars, Inc.,
Birch Park Homes,
Birch's Service, Inc.,
Birco Industries, Inc.,
Bird Holding Co. Inc.,
Bischof Bros., Inc.,
Bishop Corporation,
The Bite-Lite Company, Inc.,
Bizfacs, Inc.,
B. & J. Danzi Construction Co. Inc.,
B. & J. Realty & Investment Company Inc.,
B. & K. Masons, Inc.,
Black Diamond, Inc., No. 2,
Blackstone Utilities Corp.,
Blair Fashions Co., Inc.,
Blasch Industries,

Blau & Stamile, Inc.,
B & L Drug Merchandising Company Incorporated,
Blodgett's Inc.,
Bloom Bros. Garage, Inc.,
B & L Tavern Inc. No. 2,
Blue Bell Developing Corporation,
Blueberry Const. Co.,
Bluebird Restaurant Inc.,
Blue Diamond Television and Radio Service Inc.,
Blue Lantern Inc.,
Blue Mark Improvement Co.,
Blue Moon, Inc.,
Blue Moon Inn, Inc.,
Blue Ribbon Mfg. Co., Inc.,
Blue Star Auto Sales,
B. & M. Bar, Inc.,
B & M Builders, Inc.,
B. & M. Ceramic Contractors, Inc.,
B & M Trucking Co. Inc.,
B.N.B. Corporation,
Boardwalk Sign Advertising Co.,
Boban Corp.,
The Boblyn Company,
Bob Pearce Engineering Corp.,
"Bob's Clam House, Inc.",
Bob's Gulf Services, Inc.,
Bob's Luncheonette,
Bob's Speed & Custom Shop,
Boccuto Motor Freight, Inc.,
Bohrman's Jewelers, Inc.,
Bona Fide Auto Sales Co.,
The Bond Company,
Bonded Contracting Co., Inc.,
Bonded Products Corp.,
Bond Realty Company,
Bonita Lumber Co.,
Bonned Corp.,
Bonny-Sue, Inc.,
Bon-Ton Holding Corp.,
Boonton Ambulance Service,
Booth Construction Co., Inc.,
Bordentown Villas, Inc.,
Bordu Electronics, Incorporated,

Borinquen Bakeries, Inc.,
Boro Hills Associates, Inc.,
Boro Homes, Inc.,
Borok Holding Corporation,
Borok London Decorators, Inc.,
Borough Plumbing and Heating Co.,
Bossert Development, Inc.,
Boulevard Trading Corp.,
Boutonniere, Inc.,
Bower Automatic Toll Collecting Equipment Co.,
Bower, Inc.,
Bower Patents, Inc.,
Bozzi Construction Co., Inc.,
Bracher Agate & Abrasive Co.,
Braidings Corp.,
Branch Brook Radio & Television Company,
Branded Footwear Inc.,
Brandolini Heating Corporation,
Branford Credit Service, Inc.,
Brassco Inc.,
The Brass Kettle,
B & R Decorators, Inc.,
Bredsee Company,
Bree-Z-Lee Yacht Basin Incorporated,
Brenda Carpet Mills, Inc.,
Brentfield Corp.,
Breton Woods, 5 and 10, Inc.,
Brian Briar Estates, Inc.,
Brick Township Realty Co.,
Bridge Diner, Inc.,
Bridgeport Diner,
Bridgeton Credit Sales Co.,
Bridge View Towers,
Brielle Donut Shop, Inc.,
Brigantine Construction Co.,
Brigantine Improvement Corporation,
Brigantine Island Diner Inc.,
Brighton Drug Co.,
Bristol Homes,
Britain Associates Inc.,
Broad Ave.—Palisades Bakeshop, Inc.,
Broadley Manufacturing Co.,
Broad Lunch Inc.,

Broad Street Glass Bar, Inc.,
Broad Street Tire Service, Inc.,
Broadway Auto Wreckers Inc.,
Broadway Shoe Service, Inc.,
Broadway Wrecking & Excavat-,
Broad West Corporation,
Brodie's Infants' and Childrens' Wear Inc.,
Brodman & Blackman, Inc.,
Brofin Realty Co.,
Brookdale Hardware & Paint Co. Inc.,
Brookhaven Inc.,
Brook Holding Co., Inc.,
Brook Securities Corporation,
Brookshire Land Development Co.,
Broward Construction Co., Inc.,
Brown Brothers Investing Company,
Browne-Wiener Corporation,
Brown & Grady, Inc.,
Browning, King & Company,
B & R Textile Machine Co. Inc.,
B. R. T. Holding Co.,
Brudno & Bailey, Inc.,
Bruhar Construction Co., Inc.,
Brunetti-Rodrigues, & Co.,
Bruno-New Jersey, Inc.,
Brunswick Furniture Co.,
B-Safe Products Corporation,
B & T Baking Corporation,
B & T Inc.,
The B. T. S. Company, Inc.,
Bubby Hoehl's Body Fender & Painting Shop,
Buckley Trucking Inc.,
Buck Manufacturing Co., Inc.,
Buck's Tavern & Grove, Inc.,
Budd Bakery & Delicatessen, Inc.,
Budd's Decorator Shop,
Budd Waterproofing Co.,
Buddy's Inc.,
Budget Construction Company, Inc.,
Buena Vista Estates, Inc.,
Builder's Aluminum-Stone Company,
Builders Associates, Inc.,
Builders & Development Company of South Jersey Inc.,

Builders of North Jersey, Inc.,
Builders Steel Products Corp.,
Building Lots, Inc.,
Built-In Age, Inc.,
Bulk Inc.,
The Burbage Corporation,
Bur-Brown, Corp.,
Burch Realty Co. Inc.,
Burdan-Stage Inc.,
Burkhardt Jewelers, Inc.,
Burlington Industries, Inc.,
Burlington Roofing, Siding & Heating Co.,
Burris of Essex, Incorporated,
Burstan Laboratories, Inc.,
Burton Promotions, Inc.,
Bushwhacker, Inc.,
Business Aids, Inc.,
Business Relation Institute,
Business Service Bureau,
Busy Corner, Inc.,
Butt Realty Company,
Buyers Frozen Food Products,
Buyers Home Service,
By Jove Inc.,
Byrnes Motors, Inc.,
By-The-Sea-Estates,

Caballero's Mens' Shops, Inc.,
Caballero's Shop For Men, Inc.,
Cabcar Realty Corp.,
Cabin Inn Realty Co.,
Cackowski, Inc.,
Cadelle-Sage,
Cadillac Restaurant, Inc.,
Cafe 17,
Caffy's Cocktail Lounge,
Caldwell Embossing Roller Corp.,
Caldwell Kerosene Service,
Caldwell-Loop, Incorporated,
Caldwell Motor Freight,
Calendrillo Warehouse Terminal Corp.,
Calfam Construction Co., Inc.,

California Car Wash Systems Inc. Eastern Division,
California Fruit Market, Inc.,
Calnelson Corporation,
Calvine Mills, Inc.,
Cam Cam Equipment,
Camco Realty Inc.,
Camden County Music Circus Inc.,
Cameo Club, Inc.,
Cameo Costume Jewelry, Inc.,
Camera Exchange, Inc. #2,
Cammac Electronics, Inc.,
Cammarota Publishing Co. Inc.,
Camm Records, Inc.,
Campbell & Sons Trucking Company,
Camps Lincoln-Laurel, Inc.,
Campson Employment Service,
Campus Park Homes, Inc.,
Can-De Associates,
Candela Associates, Inc.,
Can-Do Construction Co., Inc.,
Candrilli Brothers Inc.,
Canfield Decorators Inc.,
Can Haulage Corp.,
Candoro Industries, Inc.,
Cannon Trucking Co. Inc.,
Can Processing Corp.,
Canteen Food Service Corp.,
"Canzano, Inc".,
Capacitor Corporation of America,
Capano Estates,
Cape Cod Tourist Court Incorporated,
Cape Colonial Land Company,
Cape May Builders, Inc.,
Cape May Canners,
Cape May Point Development Corporation,
Cape Theatre, Inc.,
Caphos Company,
Capital Audit Corp.,
Capital Investors Club of America Inc.,
Capital Sign & Maintenance Co.,
Capitol Construction Inc.,
Capitol Engine Corporation,

Capitol Enterprises, Inc.,
Capitol Restaurant, Inc.,
Capitol Silk Co. Inc.,
The Cap-re,
Capri Homes, Inc.,
The Capri Italian Restaurant, Inc.,
Capri Modern Builders, Inc.,
Captain Joe's, Inc.,
Caracas Fund, Inc.,
Carasaljo Lake View Homes, Inc.,
Carbon Dioxide Construction Corporation,
Carbon Film Resistor Co., Inc.,
Car Boys,
Cardcrafters, Inc.,
Cardinal Homes, Inc.,
Carbon Holdings, Inc.,
Carleton Realty Co.,
Carlin, Inc.,
Carl-Richard, Inc.,
Carl Schultz, Inc.,
Car Mar Trailer Corp.,
Carmela Realty Co.,
Carmella Ricciardi, Inc.,
Carmen Dress Mfg. Co. Inc.,
Carobob Sales, Inc.,
Carol Lingerie,
Carollo's Pharmacy,
Caro Textile Co. Inc.,
Carousel Snack Bar, Inc.,
Carparm, Inc.,
Carpet Cooperative of New Jersey,
Carpets by Allegra Inc.,
Carport Swimming Club, Inc.,
Carrar Motors, Inc.,
The Carriage House, Inc.,
Carribean Tavern, Inc.,
Carrier Advertising Corporation,
Carrol Hosiery Shops, Inc.,
Carroll Shops, Inc.,
Carry All Company of New Jersey Incorporated,
Cars Rental System of N. J., Inc.,
Cars & Trucks Rental System of New Jersey,
Cart Builders, Inc.,

Carteret Realty Co., Inc.,
Carter Heights Development Corporation,
Car-Tooner, Inc.,
Carvo Corporation,
Car Wholesalers, Inc.,
Cascade Way, Inc.,
Casino Beach and Pool,
Casino Theatre Inc.,
Castings Research Corporation,
Castle Construction Co. Inc.,
Castle Homes, Inc.,
Castle Record Co., Inc. of N. J.,
Cat & Fiddle Corporation,
Cathedral Avenue Co.,
Causeway Motors,
Cavalcade Motors, Inc.,
C. A. W. Corp.,
C. B. P. Towers, Inc.,
C. B. S. Equipment Co.,
C. B. Snyder Realty Co.,
C.C. & A. Realty, Inc.,
C & C Auto Body, Inc.,
C. and C. Distributors, Inc.,
C & C Moutons, Inc.,
C & C Restaurant & Bar,
C. & D. Cleaners, Inc.,
C & D Realty Co., Inc.,
C & E Auto Body, Inc.,
Cecil Bowling Academy,
Cedar Estates,
Cedar Grove Asphalt & Automobile Sales Inc.,
Cedar Kings Inc.,
Cedar Lane Corners, Inc.,
Cee-Jay Corporation,
Cegron Realty Corp.,
Celmo Corp.,
Center Slip Covers, Inc.,
Central Jersey Amusement Company,
Central Liquor Co., Inc.,
Central Radio-Vision Service,
Central Trucking Co., Inc.,
Central Underwriters, Inc.,
Central Union Corporation,

Central Wrecking & Building Supply Corporation Inc.,
Century Construction Co.,
Century Distributing Co., Inc.,
Century Heating Plumbing and Air-Conditioning Co.,
Century Parking Company,
Ceramic Craftsmen, Inc.,
Ceramic Specialty Company, Inc.,
Certified Associates,
C & F Builders, Inc.,
C F M Associates, Inc.,
C. F. Roeger & Son, Inc.,
C & G Dental Laboratories, Inc.,
C. G. Inc.,
C. G. Whinfrey Laboratories,
Chace Construction & Development Co.,
Chain Builders, Inc.,
Chainway Stores Service, Inc.,
Chalam, Inc.,
Chambers Bridge Construction Corp.,
Champs, Inc.,
Chanin Cleaners, Inc.,
Channel Motors, Inc.,
Chap-El's, Inc.,
Chapman Lace and Embroidery Co.,
"Character Shoes, Inc.",
Charbeth Realty Corp.,
Charcoal Flame,
Char-King Drive Ins Inc.,
The Charles Agency,
Charles A. Turi, Inc.,
Charles Burnett Trucking Co.,
Charles Imperato, Jr., Inc.,
Charles Lunapiena, Inc.,
Charlie Harris's Shore Grill, Inc.,
Charlie's General Store, Inc.,
Charlotte Associates, Inc.,
Charlotte Gabriel Beauty Salon,
Charlotte Manufacturing Corporation,
Charlton Wallpaper Co.,
Charm Aluminum Products Inc.,
Charm Fashion Stores Inc.,

Charm Homes Development Corp.,
Charter House,
Chase Construction Contractors,
Chase Wines & Liquors, Inc.,
Chatham Land Development Co.,
"Chaumont, Inc.",
Chebar, Inc.,
Checker Realty Corporation,
Cheesequake Park, Inc.,
Chef's Best, Inc.,
Chef's Products Corp.,
Chelbian Tuckpointing Co.,
Chemical Corporation of Linden Inc.,
Chemical Laboratories, Inc.,
Chempack, Inc.,
"Chem-Tech Publishing Company, Inc.,
Cheney Metal Products Company,
Cherry Hill Transportation, Inc.,
Chester Coons Corporation,
Chestnut Associates Inc.,
Chestnut Branch Manor, Inc.,
Chestnut Coal & Fuel Oil Co.,
Chestnut Creek Manor, Inc.,
Chestnut Homes,
Chestnut Transportation, Inc.,
Chet Corporation,
Chios Holding Co., Inc.,
Chris' Packanack Inn, Inc.,
Christensen, Inc.,
Christopher Vicari, Inc.,
Chrome-Diesel Crankshaft Corporation,
Chuck's Round-Up,
Church Realty Corp.,
Church & Sons,
C. H. Woods Co.,
Ciervo's Inc.,
Cifa Building Co.,
Cifaldi Corp.,
Ciletti Bros. Inc.,
Cinderella Home Portraits,
Cinema Equipment Corporation,
Circle Diner, Inc.,
Circle Gardens Inc.,

Circolator Corporation of New Jersey,
Citation Cards, Inc.,
Citwood Homes, Inc.,
City Beverage Co., Inc.,
City Diners,
City Properties, Inc.,
City-State Vending Corporation,
City Tavern, Inc.,
Civic Reading Club,
C & J Cake Box, Inc.,
C. J. Murphy Coal & Ice Co.,
Claburn, Inc.,
Clairidge, Inc.,
Clark Cleaners, Inc.,
Clark Radio and Television Company,
Clark's Department Store,
Clark Suburban Auto Supply Inc.,
Clarkton Construction Corp.,
Classic Fashions, Inc.,
Classic Homes, Inc.,
Cleanarama, Inc.,
The Clearwater Investment Co.,
Clem Construction Company, Inc.,
Clermont Builders, Inc.,
Clifden Rocktool Co., Inc.,
Cliff Reeves Tavern Inc.,
Cliffside Estates, Inc.,
Cliffside Park Radio and Appliances Inc.,
Cliffwood Inn,
Clifton Chemical & Fabrics Corp.,
Clinton & Bergen Market, Inc.,
Clinton Gas Corporation,
Clinton Hero Foods,
Clinton Manufacturing Co., Inc.,
Clinton Realty Co.,
Clinton Tool, Inc.,
Clinton Trucking Company,
Clipper Fibre Co., Inc.,
The Clique,
Closter 1 Hr Cleaners, Inc.,
Clover Leaf Bar & Grill,
Clover Realty and Investment Company Limited,
Club Gem, Inc.,

Club Le Juene, Inc.,
Club 917 Bar and Grill, Inc.,
Club Paree,
Club Rainbow,
Club Sherry,
Club 209 Bar & Grill, Inc.,
C and N Development Corp.,
Coastal Sales Corp.,
Coastal Sprinkler Co., Inc.,
Coastline Lumber Sales, Inc.,
Coastline Transportation Co. Inc.,
Coast Realty & Mortgage Corporation,
Coast Wide Studios, Inc.,
Cod Building Associates,
Coeur D'Alene Crest, Inc.,
Coit Tile Company, Inc.,
Colasurdo and Schwartz Incorporated,
Colfax Discount Co., Inc.,
Colfax 1-Hour Cleaners & Laundry Inc.,
College Record Shops, Inc.,
College Town Sports-Wear, Inc.,
Collingswood Hosiery Mills, Inc.,
Colonial Home Building Service Inc.,
Colony Foods, Inc.,
Colorama Inc.,
Colorprint Laboratories Inc.,
Color T. V. Service, Inc.,
Colortype Publishing Company,
Colt Investment Company,
Colucci Engineering Co., Inc.,
Columbia Painting Contractors, Inc.,
Columbia Park Holding Corp.,
Columbia Rink, Inc.,
Comet Building Improvement Co.,
Comfort Bus Line Incorporated,
Comfort Cooling Company,
Comfort Household Appliances Inc.,
Commerce Court Luncheonette,
Commercial Realty Investment Inc.,
Community Appliance T. V. Co.,
The Community Cleaners of Dunellen Inc.,
Community Enterprises, Inc.,
Community Mortgage Corporation of New Jersey,

Community Realty Corporation,
Compressed Gases and Equipment Corporation,
Compton Business Service, Inc.,
The Compton Corporation,
Concert Organ Sales Corp.,
The Concord Company,
Concourse Square Realty Corp.,
Concrete, Inc.,
Condenser Foil Corp.,
Condon-Gertner Mortgage Co., Inc.,
Condon's Express,
Conforti Construction Corp.,
Conine Stores, Inc.,
Con-Mour Corp.,
Connito Construction Corporation,
Connoisseur Record Corporation,
Connolly Plumbing & Heating, Inc.,
Connor & Company, Inc.,
Conrad Hanson & Co.,
Conrad Lumber Co. Inc.,
Consolidated Home Improvements, Inc.,
Construction Associates, Inc.,
Construction Enterprises,
Construction Materials & Service Co., Inc.,
Constructive Hobbies, Inc.,
Contact Lens Inc.,
The Continental,
Continental Cash Register Company,
Continental Enterprises, Inc.,
Continental Lumber Co.,
Continental Maintainance Company Inc.,
Continental Truck Leasing Corporation,
Contour-Foam Products Co., Inc.,
Contractors Equipment Exchange, Inc.,
Contract Slipcover Company,
Controlled Temperature Corp.,
Cook Pottery Company,
The Cooler, Inc.,
Cooperative Building Association,
Cooper Merchandising Corp.,
Copper Research International, Inc.,
Coquelle Investment Co.,
Coralie Construction Corp.,

Cordey China Company,
Cordey Corporation,
Corlies Realty Co.,
Corlynn Estates Inc.,
Cornell Holding Co.,
Cornwell Chemicals, Inc.,
Corona Construction Co.,
Coronet Beauty Products, Inc.,
Coronet Cleaners,
Coronet Systems, Inc.,
Corporation Electric,
Correja Avenue Corp.,
Corrosion Control Products Inc.,
Corrosion Protection Services, Inc.,
Cossack Homesteads, Inc.,
Costello Enterprises Inc.,
Costello-Skowron Enterprises Inc.,
Cougar Mine Development Corporation,
Country Club Construction Co., Inc.,
Country Paint & Wallpaper Store Inc.,
County Candy Co.,
County Wide Realty Co.,
Court Realty & Holding Company,
Coval Construction Co.,
Cowboy City,
Coyte & Mazur, Inc.,
Coyte & Teal Contracting Co.,
Cozy Spot Towers,
Cozzone Corporation,
C & P Limited,
C and P Towers Corporation,
C.P.V. Wax Corp.,
Craig Wood Equipment Corporation,
Crane Brothers, Inc.,
Cramford Auto Sales, Inc.,
Crawford Lathing and Plastering Company,
Crazy Otto's, Inc.,
Creamo Ice Cream Co. of Dover, New Jersey,
Credit Bureau of Atlantic City,
Credit Information Bureau,
Crescent Motors, Inc.,
Cress Casting Corporation,
Crest Enterprise, Inc.,

Crest of N. J., Inc.,
Crestview, Inc.,
Crestwood Country Club,
Crestwood Homes, Inc. No. 2,
Crestwood Manor Building Corp.,
Crossmolina Corporation,
Crown Custard, Inc.,
Crown Distributors Inc.,
Cruise Quarters,
Crystal Ball Skating Rink, Inc.,
Crystal Water Conditioning Co. Inc.,
Csaki Homes and Construction Corporation,
C. S. and M. Holding Co.,
C & S Tavern Corporation,
Cuba Railroad Company,
Culmore Estates, Inc.,
Cumberland County Abstract Company,
Curlan Limousine Service, Inc.,
Curley's, Inc.,
Curwood Chemical Co. Inc.,
Custom Dry Wall Company, Inc.,
Custom Plumbing and Heating Co., Inc.,
Custom Shirt Press, Inc.,
C. Veneziale Trucking, Inc.,
Cyclomatic Manufacturers, Inc.,
Cyclops, Inc.,

Dadco, Incorporated,
D'Agostine Construction Co. Inc.,
Dairy Queen of Hudson County, Inc.,
'Dajask Corporation,'
Daka Construction, Inc.,
Dalee Development Corporation,
Dale-Glen Corporation,
Dalglas Realty Co.,
Damabert Realty Co., Inc.,
Damco Corporation,
D'Amiano Contracting, Inc.,
Damoral, Inc.,
Danal Corp.,
Dance Associates, Inc.,
Dancettes Island Beach Corp.,
Dan Felix Agency, Inc.,

Danforth Corporation,
Dangerfield Corp.,
Daniels of New Jersey, Inc.,
Dan Lin Construction Corp.,
Danneb, Inc.,
Danny and Russ' Tavern Inc.,
Dan & Richard Hero Sandwich Shop Corp.,
Dante Agency, Inc.,
Danzi & Simonetti, Inc.,
D. A. Products, Inc.,
Dara F. Hilton Corporation,
Darco Construction Co., Inc.,
Darrow Associates,
Darsal, Inc.,
Daschell Chemical Corporation,
Daum Plumbing and Heating, Inc.,
Davell Mdse, Inc.,
Davenport Eng. Co.,
Dave Pearson, Inc.,
Dave's Sportswear Inc.,
Davico, Inc.,
David Krull & Sons Inc.,
David Marshall Enterprises, Inc.,
David Probinsky & Sons,
David Sherman, Inc.,
Daviet Realty Corp.,
Davis-Adler Fixture Co.,
The Davis-French Embroidery Co.,
Davis Trucking Company,
Dawson Brothers, Inc.,
Dax Realty Co.,
D. B. Crawford, Inc.,
D. C. Realty, Inc.,
Dean Trucking Corp.,
Dearborn Belting & Supply Co. Inc.,
Debbie Manufacturing, Inc.,
Debmar Realty Corporation,
Deb Towne, Inc.,
Decatur, Inc.,
December Magazine, Inc.,
Decor, Inc.,
Dee & Bee Incorporated,
Dee and Dee Concessions, Inc.,

Deer-Glen Estates,
Degener, Incorporated,
D. and E. Investment Company,
Deitz Motors, Inc.,
Dejay Corp.,
De-Jur Enterprises, Inc.,
Delaware Bay Realty Co.,
Delaware Cruising Club, Inc.,
Delaware Precision Company,
Delaware Sporting Goods, Inc.,
Delaware Valley Dry Wall Co.,
Delaware Valley Mortgage and Finance Co.,
Delaware Valley Pipe & Construction Corp.,
Delaware Valley Tile Contractors Inc.,
Del-Bay Chevrolet, Inc.,
Del-Car Tree Co., Inc.,
Del-C. Distributors, Inc.,
Del-Cliff Construction, Inc.,
Delgen Corporation,
Delgrace Corporation,
Della Harmon Inc.,
Dell-Ray Realty,
Del Nap, Inc.,
Delna Realty Corporation,
De Lory Fashions,
Del-Ray Motors, Inc.,
Del-Re Agency Inc.,
Del's Garage & Body Works, Inc.,
De Lucas Peapack Hotel Inc.,
Del Val Sales, Inc.,
De Marco Homes, Inc.,
De Marco Motors Company,
Denbrook Realty Co., Inc.,
Denim Records, Inc.,
Denise Realty Company,
Dennis Ice Cream, Inc.,
Dependable Amusements, Inc.,
Dependable Realty, Inc.,
Dependable Tank Service, Inc.,
De Phillips Realty,
Deremer Construction Co., Inc.,
Design Embroideries, Inc.,
Despatch Collection Agency Inc.,

Desto Recording Co. Inc.,
Development Associates Corporation,
Devon Construction Company,
Devon Hotels, Inc.,
Devotional Gifts, Inc.,
Devtronics, Inc.,
Dew-Cool Corp.,
DeWitt Building Company,
D & G Contracting Co. Inc.,
Diamond Builders, Inc.,
Diamond Construction Co., Inc.,
Diamond Homes, Inc.,
Diane Improvement Company,
Diane Lingerie, Inc.,
Dickens Realty Corporation,
Dick's Fine Furniture Corp.,
Diehl Beer & Beverage Co., Inc.,
Difsen Oil Co.,
Di Lullo Champion Supplies, Inc.,
Dimensional Pictures Corporation,
Dimensional Television System Inc.,
Diner Investment Corporation, Inc.,
Diner of Diverdale, Inc.,
Dinkson Corporation,
Dios Agrichemical Corporation,
Direkt Form Corporation,
Discount Corporation of New Jersey,
Discount Home Vending Co., Inc.,
Dispenso-Matic, Inc.,
Diversified Cosmetics of America,
Diversitron,
Dixie Truck Stop, Inc.,
D & J Laundry and Dry Cleaning,
D. L. M. Cafe, Inc.,
D M L Corporation,
The D. & M. Sales,
Dobjo, Inc.,
D. O. Const. Corp.,
Doem Realty Co., Inc.,
D'Ogistano Realty Co.,
Dolro Corp.,
Domar Homes Co.,
Domenick Vinci & Son, Inc.,

Dominion Corporation,
Dom Polski, Inc.,
Donald Engineering & Construction Corp.,
Donald N. Landis Co.,
Don Bar Dress Manufacturing Co. Inc.,
Donel Corp.,
Donell, Inc.,
Donkar, Inc.,
Donlew Corporation of New Jersey,
Don Mancini Agency Inc.,
Don-Mur, Inc.,
Don Realty Co.,
Donrite Construction Co. Inc.,
Donwol Builders, Inc.,
Doram Products, Inc.,
"Dorber Management Co.",
Doree Manufacturing Co.,
Doria Dairy,
Dorn's Hardware Inc.,
Dorr Embroidery Corp.,
Dorsa, Inc.,
Dorson Electric & Supply Co., Inc.,
Doss, Inc.,
Dot Realty Company,
Doe's, Inc.,
Dotter's Diner, Inc.,
Double Industrial Service, Inc.,
Double R Construction Co., Inc.,
Dougar Inc.,
Douglas Manor, Inc.,
Douglas Manufacturing Co., Inc.,
Douglaston Holding Co.,
Dover Agency, Inc.,
Dover Dell Homes, Inc.,
Dover Inn,
Dover Paper Box Co.,
Dover Upholstering Co., Inc.,
Do-Von Plumbing & Heating Co, Inc.,
Dow's Beverages Company,
Doyle Furniture Co.,
Drake & Drake, Inc.,
Dral Realty Corp.,
Draw Co. Builders, Inc.,

Drexel Building Corp.,
Drexel Construction Co.,
Driftwood Enterprises, Inc.,
Drive-It System,
The Drivers' Digest, Inc.,
Drivers Service Inc.,
Drive Thru, Inc.,
D & R Meat Co., Inc.,
Druner, Inc.,
Du-All Metal Products, Inc.,
Dubois Electric Service,
Ducal Motors Inc.,
Du Construction Co.,
D. and U. Corp. Inc.,
Duffy & Schuster, Inc.,
The Dugout,
Du Mont Auto Sales, Inc.,
Dumont Sportswear, Inc.,
Dunham Farms, Inc.,
Dunloe Realty Corporation,
Dunn Motor Sales Co., Inc.,
Duo-Temp Manufacturing Corporation,
Dupont Realty Corp.,
Durabilt Stair Cushion Corp.,
Durable Resurfacing and Construction Company,
Dura Company,
Duralloy Mfg. Corp.,
Dura Lustre Craft, Inc.,
Durante Music Enterprises, Inc.,
Durant W. Pask & Sons, Inc.,
Duratex Mills Inc.,
Dutch Mele's Clubhouse, Inc.,
Duval, Inc. No. 2,
D & V Dairy Products,
D. & W. Embroideries, Inc.,
Dynamerica Industries, Inc.,
Dynamic Sales Corporation,
Dyotherm Corporation,

Eagle Dress Co.,
Eagle Oil & Supply Co.,
Eagle Packing Box Co., Inc.,
Eagle Realty Management Co., Inc.,

Eagle Rock Building Company Inc.,
Earles, Inc.,
Earley's Service Station, Inc.,
East Bergen Sales and Service Co.,
East Brunswick Equipment Co. Inc.,
East Brunswick Supermarket, Inc.,
East Central Motor Freight, Inc.,
East Coast Development Corporation,
East Coast Machine Works,
East Coast Printers, Inc.,
Eastern Aluminum Construction Co. Inc.,
Eastern Egg Distributors, Inc.,
Eastern Foil Corporation,
Eastern Industrial Builders, Inc.,
Eastern Industries Corporation,
Eastern Minerals, Inc.,
Eastern Novelties, Inc.,
Eastern Pallet Cleaning, Inc.,
Eastern Pump Co.,
Eastern Rock Services Co., Inc.,
Eastern Screw & Supply Corp.,
Eastern Seaboard Associates, Inc.,
Eastern States Development Corp.,
Eastern Storm Window Co.,
Eastern Timber Enterprises,
Eastern T.V. Sales & Service Co. of New Jersey Inc.,
Eastern Underground Sprinkling Company,
East Fourth Street Meat and Poultry Market Inc.,
Eastman Chemical Co., Inc.,
Easton Enterprises Co. Inc.,
Easton Realty Corporation,
East Park Construction Co.,
East Point Beach Estates, Incorporated,
East River Haulage, Inc.,
Eatontown Sewerage Connecting Co.,
E. B. Electric, Inc.,
Eberly Building Corporation,
Echo Pharmacy, Inc.,
Eclectic Realty Corporation,
Econo Metal,
Economy Electric Sheet Metal Inc.,
Economy Electronics, Inc.,

Economy Lumber Co.,
Economy Oil & Supply Corp.,
Economy Tire & Re-Capping Corp.,
Economy Venetian Blind and Storm Window Co. of Avenel Inc.,
E.C. Van Winkle and Company,
Edenwold Home Owners, Inc.,
Edgewater Park Village Inc.,
Edison Cake Box,
The Edison Package Liquor Store Inc.,
Edith Holding Corp.,
Editorial Services, Inc.,
E'Dor Supply Corp.,
Edrab Construction Corp.,
Educational Film Enterprises, Inc.,
Edward C. Reilly & Associates Inc.,
Edward Dainiak Enterprises Inc.,
Edward Green Realty Co.,
Edward J. O'Malley, Inc.,
Edward Mannix, Incorporated,
Edward Marshall & Co., Inc.,
Edward Nelson Homes, Inc.,
Edward P. Baker, Inc.,
Edward Slifka, Inc.,
Edwin S. Height, Inc.,
E. & E. Co.,
E. Farrell & Co., Inc.,
E. Federici and Son, Inc.,
E. F. Trucking Co.,
Eglington Memorial Gardens,
1810 Woodworking Inc.,
Eighteen Realty Corp.,
805 Clifton Avenue Corp.,
849 Mt. Prospect Corporation,
819 Bloomfield Ave. Inc.,
837 Bergen Ave. Corp.,
80 Central Avenue Corporation,
80 Crawford Street Corporation,
88 Lanes Inc.,
Eighty-Eight Realty Co.,
85 Springdale Avenue, Inc.,
84 Palisade Avenue Corp.,
E. J. F. Co., Inc.,

E & J Realty, Inc.,
Elaine Park, Inc.,
Elam Realty Corp.,
Elanay Painting Corp.,
Elandel Inc.,
E.L. Antrim & Son, Inc.,
Elba Investments, Inc.,
Elberon Market, Inc.,
Elbow Room, Inc.,
El Castillo De Jagua,
Elcon Trucking and Hauling Co. Inc.,
Eldred Land Company, Inc.,
Electrend Distributors Corp. of N. J.,
Electronic Parts of East Brunswick, Inc.,
Electronic Quartz Corp.,
Electronics Manufacturing Co. Inc.,
Electronics Reduction Corporation,
Electronic Supply Corp.,
Electronic Trading Corp.,
1145 South State, Inc.,
1178 Holding Corporation,
1103 Tavern,
11 Missouri Corp.,
Elfen, Inc.,
Elizabeth Annino, Incorporated,
Elizabeth Avenue Theatres Company,
Elizabeth Holding Company,
Elizabeth Manor, Inc.,
Elizabeth Plastic Molding Corp.,
The Elizabeth Style Shop, Inc.,
Elpay Transportation Corp.,
Elkay Products Co.,
El-Kay Realty, Inc.,
Ellen Jay Dress Shop, Inc.,
Elliot Merchandising Corp.,
E. L. M. Construction Company,
Elm Drugs, Inc.,
Elmer Garmet Co., Inc.,
Elm Land Co., Inc.,
Elm Rhode, Inc.,
Eloc Corp.,
The Eloise Williams Corporation,
El Rosa, Inc.,

Elsy Corporation,
Eltar Realty Company, Inc.,
Eltee Donut Corp.,
Eltone Sales Co.,
Elvin's Construction Co., Inc.,
Elwell Corp.,
Elwood Hosiery Mills, Inc.,
Ely-Ann Coat Mfg. Co.,
Emancha Realty Company,
Emark Holding Co.,
Embassy Motor Sales,
Embee Holding Company,
Emeigh, Inc.,
Emily Brown, Inc.,
E.M. Konigsberg, Inc.,
Emm-Dee, Inc.,
Empire Chain Stores,
Empire Corporation of Trenton, New Jersey,
Empire Woodwork, Inc.,
Emporos Co., Inc.,
Emrulyn Company,
Emson, Inc.,
Emven Corporation,
Enarson, Inc.,
E. & N. Associates,
Ench Ready Mixed Concrete Corporation,
Engelson's Furniture and Appliance Company,
Engineered Products Corporation,
Englander's Tavern Inc.,
Engle Laboratories, Inc.,
Englewood Business Machines & Supplies Co.,
Englewood Cliffs Realty Corporation,
Englewood Sunshine Laundry,
English Creek Clothes, Inc.,
Enterprise Builders Inc.,
Enterprise Vending, Inc.,
E.O. Holding Co.,
E. Page Enterprises, Inc.,
E & P Construction Co.,
E. R. Frederick, Inc.,
Ernie Holding Co., Inc.,
Erwell, Inc.,
E. Schulz Embroidery Co. Inc.,

Eserey Corporation,
Esquire Motors Inc.,
Essanbee Company,
Essem Enterprises, Incorporated,
Essex Associated, Inc.,
Essex Homes, Inc.,
Essex Typesetters, Inc.,
Essgee Corp.,
Estate Motors, Inc.,
Estates of Old Tappan,
Etson Construction Company Inc.,
Euclid Trucking Co.,
Eureka Boat Works, Inc.,
Eureka Country Club, Inc.,
Eureka Realty Co.,
Evans Equipment Corporation,
Evapage, Inc.,
Everett Gardens, Inc.,
Everett H. Sheppard Incorporated,
Everett Stein Hardwood Products Inc.,
Evergreen Construction Co.,
Ewing Electrical Co.,
Excellent Ice Cream Co. Inc.,
Excel Precision Products Co., Inc.,
Excelsior Homes Inc.,
Excelsior Machinery Corp.,
Excess Enterprises of New Jersey,
Exclusive Footwear Inc.,
Executive Air Incorporated,
Executive Cafe, Inc.,
Executive Communications, Inc.,
Executive Construction Corp.,
Executive Security Services,
Exton Apartments, Inc.,

Fab Enterprises, Inc.,
Fabin Sales Corp.,
"Fab-Pac, Inc.",
Fabricating Corporation of America,
Fabricators, Inc.,
Fabric Service Inc.,
Fabrics International, Inc.,
Fabulous Fiberglass Inc.,
The Fabulous Golden Gate Motel, Inc.,

Factory Brands Inc.,
Faes, Inc.,
Fairchild Distributing, Inc.,
Fairchild Furniture Co., Inc.,
Faircourt Evergreen Farm, Inc.,
Fairfield Construction Corp.,
Fair Haven Realty Company, Inc.,
Fair Holding Co.,
The Fair, Inc.,
Fairmount Homes, Inc.,
Fairmount Hotel, Inc.,
Fair River Co., Inc.,
Fairview, Inc.,
Fairway Construction Corporation,
Fairway Homes, Inc.,
Fairway, Inc.,
Faliveno Holding Company,
Falma Corporation,
Family Investment Inc.,
Familyland, Inc.,
The Famous Store, Inc.,
Fanfare Productions,
Fanwood, Inc.,
Faran Development Co., Inc.,
Farber Construction Co., Inc.,
Farley Court Apartments,
Farley Sledge & Sons Transmission Service Inc.,
Farmer Frank,
Farm Products Processors, Inc.,
Farroat Inc.,
The Fashion Debs Shop,
Fashion Flair, Inc.,
Fay Sales Company,
F. Bright Merritt Agency, Inc.,
Federal Coal and Supply Company,
Federal Drug Co., Inc.,
Federal Television Service Company Inc.,
Federated Amusements,
Feedem Catering Service, Inc.,
Fee, Inc.,
Feigin Securities Corporation,
Feld Company, Inc.,
The Fellows, Inc.,

Fenrose Wine & Liquor Stores, Inc.,
Fera Book & Antique Shop, Inc.,
Fermi Inc.,
Fernwood Sales Co.,
Ferris Holding Corp.,
Ferry Hotel Company,
Festival Drive-Ins, Inc.,
Festival Realty Co., Inc.,
Fette Vending Corp.,
F. & F. Men's and Boy's Wear, Inc. of Rutherford,
Fiber-Glas Specialties Co. Inc.,
Fibrelux Corporation,
Fidelity Machine Tool Inc.,
Fieldcrest Homes, Inc.,
1576 Maple Corp.,
15 Midland Avenue, Inc.,
Fifth Caldwell Gardens Development Co.,
Fifth-Paterson Realty Corp.,
58 & 60 Real Estate Corp.,
Fifty Incorporated,
51-57 Linden Street Corporation,
5207 Park Avenue, Inc.,
Filmack Company, Inc.,
Finance Corporation of America,
Financial Adjustment Bureau,
Fine-Fit Knitting Mills, Inc.,
Fineman Corp.,
Finisterre, Inc.,
Finley and Baecker,
Fiore & Fiore, Incorporated,
Fior Holding Company,
Fireside, Inc.,
First Atlantic Corp. of Tucson,
First National Land Holding Corporation,
First Street Lumber Co. Inc.,
Fish-Cundari Sport Shop Company,
Fisk Realty & Investment Company,
5 Carlton Street Corporation,
Five Corners Nursery School,
500 Cafe Inc.,
500 Convery Blvd., Inc.,
508 Monastery Place Corp.,
551 Warren Street Corp.,

557 Hunterdon St. Corp.,
590 Grand St. Corp.,
531 Corp.,
524 Hunterdon St. Corp.,
F. J. Moriarty, Inc.,
Flagg Motors Inc.,
Flagstone Realty,
Flamingo Dining Room, Inc.,
Flanagan & Livingston Inc.,
Fleetwood Developers Inc.,
Fleming Construction Corporation,
Fletch Builders, Inc.,
Fleurette, Inc.,
Flexi-Sprinklers, Inc.,
F. L. F. Farmers Union Cooperative Credit Association Inc.,
Floco Dispensers, Inc.,
Flograr, Inc.,
Floor & Home Coverings, Inc.,
Floor Magic, Inc.,
The Floor Mart, Inc.,
Floormasters, Inc.,
Floor Service Corp.,
Florence Realty Co.,
Florham Contractors Inc.,
Florham Park Arena, Inc.,
Florida Fruit Market, Inc.,
Floyd Enterprises Inc.,
F. L. S. Corporation,
Flush Circuits, Inc.,
F. L. Wilson, Inc.,
F. M. Baxter Builders, Inc.,
F & M Investment Corp.,
Foam Rubber City Ltd.,
Folee Suppliers, Inc.,
Fontana Realty Corp.,
Foodco, Inc.,
Food Mart, Inc.,
Food Vende, Inc.,
Foot Health Laboratories, Inc.,
Forde Custom Designed Garages Inc.,
Fordham Construction Co., Inc.,
Fordham Rd. Holding Corp.,

Fords Jewelers, Inc.,
Foreign Oil Development & Holding Co.,
Foremost Homes, Inc.,
Forest Cliffs Estates, Inc.,
Forest Corporation,
Forest Hill Homes, Inc.,
Forest Hill Packing Company,
Forman Manufacturing Corporation,
Fort Lee Investment Co.,
Fort Lee Motel,
44 Wallace Street Corporation,
47 Holding Corporation,
For-U-Food Products, Inc.,
Foshaw Construction Co., Inc.,
Fossett Bus Co., Inc.,
Foster's Red Apple Cafe,
Fotis, Inc.,
440 East State Street, Inc.,
14 Francis Street Corp.,
14 Lewis Drive Inc.,
The 14 Washington Place Corporation,
Four Woodmere Company,
Fox-Shulman Publications Inc.,
Foxwood Cleaners, Inc.,
Frandeline Inc.,
Fran Equipment Company,
Frankel Management Co.,
Frank Estates, Inc.,
"Frankie and Johnnie",
Frankies Auto Parts, Inc.,
Franklin Materials Company Inc.,
Franklin Pastry Shop,
Franklyn Earthy Products, Inc.,
Frank Prout, Inc.,
Frank's Barber Shop, Inc.,
Frank's Restaurant,
Frank Van Gestel, Inc.,
Frank & Walter's Service Center Inc.,
Frank Zell,
Franmar Realty Corp.,
Franmil Corporation,
Fransid Inc.,
Frantone Service,

Fratantonio Construction Company Inc.,
Fraternal Publishers, Inc.,
Fredberg Corp.,
Fred Burkhardt, Inc.,
Fred Construction Co.,
Freddie Paone's Poinciana, Inc.,
Frederick C. Van Duzer, Inc.,
Frederick F. Goebel Co.,
Fredray, Inc.,
Freed's,
Freehold Motors, Inc.,
Freeman Realty Corporation,
Freeman & Son, Inc.,
Freight Payment Expediters, Inc.,
French Cream Puff Co., Inc.,
Fretz's Laundries, Inc.,
Frigid Transfer, Inc.,
Frigid Transport System,
Frisky Freeze, Inc.,
F.S. Corporation,
F. S. Holding Co.,
Fuel Service, Inc.,
F. and W. Dumping, Inc.,

G. & A. Corp.,
Gaffney Food Products, Inc.,
Gaffney Prepared Foods Co., Inc.,
Gail Products Inc.,
Gail Reed, Inc.,
Galanti Distributors, Inc.,
Gallagher Realty Co. Inc.,
Galli Dyeing Company, Inc.,
Gallina Plumbing & Heating, Inc.,
Gallows Hill Construction Company,
Game Lake Mining and Exploration Corporation,
Garabed Bros., Inc.,
Gardel Contractors, Inc.,
Garden Caterers, Inc.,
Gardener's Gardens, Inc.,
Garden Homes, Inc.,
Garden Machinery Company,
Garden Motor Lodge,
Garden Park Development Co., Inc.,

Garden Silversmiths, Ltd.,
Garden State Appliance Service Co.,
Garden State Factory Supply Co. Inc.,
Garden State Garage Inc.,
Garden State Homes Co.,
Garden State Lanes, Inc.,
Garden State Machine Works Rahway Inc.,
Garden State Produce Corp.,
Garden State Remodeling Co.,
Garden State Rug Mfg., Co., Inc.,
Garden State Soda Fountain & Food Equipment Co. Inc.,
Garden State Typewriter Co. Inc.,
The Gardner-MacKenzi Corporation,
Gardner Electric Company,
Gardner Metals, Inc.,
Garlen, Inc.,
Garlev Corp.,
Garlyn, Inc.,
The Garrison Company,
Garwood Sunset Tavern, Inc.,
The Gary-Jeanne Press,
Gary Motor Lines,
Gas Equipment Corporation,
Gas Investment Corp.,
Gay 90's Corp.,
Gay-Tee Gift Shops, Inc.,
Gayworthy Construction Company Inc.,
Gayworthy Homes, Inc.,
G. Correale & Sons, Inc.,
G. & D. Corporation,
Gear Equipment, Inc.,
The G. E. B. Realty Co.,
Gee & Bee Realty Co., Inc.,
G and E Homes Inc.,
Gela Foundations, Inc.,
Geller, Inc.,
Gem Window Corp.,
General Astronautics Corporation,
General Contracting Co.,
General Electrovox,
General Liability Service, Inc.,
General Maintenance Corporation,

General Merchandise Outlet, Inc.,
General Pool Corporation,
General Purchasing Corporation,
General Supply Company,
General Window Co., Inc.,
Gene's Bar., Grill, Inc.,
Gene's Market Inc.,
Geneva Films, Inc.,
Gen-Mar Corp.,
George B. Cohen's Sons Inc.,
George Bunn, Inc.,
George-Clee Builders, Inc.,
George H. Muehling Co., Inc.,
George H. Rathgeber, Inc.,
Geo. Hunt Co., Inc.,
George K. Hall and Sons, Inc.,
George Manne Agency, Inc.,
George M. Fossett, Jr., Inc.,
George's Auto Sales Inc.,
George's Gasoline and Service Station Inc.,
George's Inc.,
George Zubalsky Service, Inc.,
Georgian Apartments, Inc.,
Gerald Construction Company,
Gerfam Corporation,
Gerten Corporation,
Gerune Holding Co., Inc.,
G.E. Wilson Inc.,
G. G. G. Corp.,
G. & G. Lumber Haulage Co. Inc.,
The G. H. C. Corporation,
Giannullo Bros Inc.,
The Giant Sales Company Incorporated,
Gibbs Corporation of New Jersey,
Gibralter Stone Manufacturing Co. Inc.,
Gid's, Inc.,
Gift Cigar Club of the Month,
Gilbert Laboratories, Inc.,
Gilberts' House of Sea Food, Inc.,
Gilco Construction,
Gillespie Trucking Company,
Gillies & Gillies, Inc.,
Gill's Florist & Greenhouses Inc.,

Gilnor Distributing Co.,
Gilsey Holding Co.,
Gimbel's Stores Co. N. J.,
Gino Di Sterfano Co., Inc.,
Giovacchini Bros. Co., Inc.,
G.J. Builders, Inc.,
G. J. Pignatelli Enterprises Inc.,
Gladys Raemsch Realty Co., Inc.,
Glanville Service Associates, Inc.,
Glass Associates, Incorporated,
Glass Shops, Inc.,
Glen Associates, Inc.,
Glenber Holding Company, Inc.,
Glen Brook Estates, Inc.,
Glen Cleaners, Inc.,
Glen Crest Development Co.,
Glend Ola Lumber & Supply Co. Inc.,
Glen Fair Gardens, Inc.,
Glen Haven Homes, Inc.,
Glen Main Line Homes, Inc.,
Glen Rest Nursing & Convalescent Home,
Glenwild Homes, Inc.,
Glenwood Builders, Inc.,
Glickfield & Kurz Inc.,
Glo-An Products, Inc.,
Globe Associates, Inc.,
Globe Emb. Co., Inc.,
Globe Securities Corp.,
Glory Hotel Holding Corp.,
Glory Hotel Operating Corporation,
Glow Hill Records Inc.,
Glow Worm Enterprises, Inc.,
G M G Trucking Company, Inc.,
G. M. T. Corporation,
Gobuco, Inc.,
G. & O. Builders, Incorporated,
Godwin Realty Company,
Goffle Industrial Development Inc.,
Golden Eye, Inc.,
Golden Village Homes, Inc.,
Goldie's Diner Inc.,
Goldin Sales Agency, Inc.,
Gold-Lee Coat Co.,

Goldseal Plumbing & Heating Co.,
Gonos Kiddie Clothes, Inc.,
Goodbody Products Co.,
Good Buys, Inc.,
Goodfriend Shoes, Inc.,
Gordon Equipment Company, Inc.,
Gordon Industries,
Gordon-Reichardt Dental Laboratories Inc.,
Gould Egg Case Corporation,
G.P.S. Inc.,
Grace Costello Inc.,
Gracie Mansion, Inc.,
Grafton Bar, Inc.,
Grand Associates, Inc.,
Grand Doll Company, Inc.,
Grand Holding Co.,
Grand Hotel,
Granoff's Poultry Farm, Inc.,
Grant Motors, Inc.,
Graubards Boys & Girls Shop,
Graziano & Dai Builders, Inc.,
Great American Electronics Corp.,
Great Eastern Confection Co. Inc.,
Great Eastern Stationary, Inc.,
The Greater Manhattan Company,
Greaton Construction Corp.,
Greco's Golden Loaf Bakery, Inc.,
Green Acres Soda Shoppe and Luncheonette Inc.,
The Greenbrier Corp.,
Green Goose, Inc.,
Green-Hagerman Realty Co.,
Green Lot, Inc.,
Green Oaks,
Green Ridge Lake,
Green Thumb Inc.,
Green Trucking Corporation,
Green Village Products, Inc.,
Greenway Homes,
Greenway Homes Associates,
Greenwood Lake Forest Estates,
Gregor Inc.,
Gregory Gardens, Inc.,
Grenrock Wire Co.,

Griffin's Home Investment Co.,
Grobe & Sons Jewelers, Inc.,
Grocery Outlet, Inc.,
Grod's Decorators, Inc.,
Gropress Incorporated,
G-R-T Equipment Co., Inc.,
Guaranteed Food Service, Inc.,
Guarantee Sales, Inc.,
Guaranty Sales Co.,
Guarino Construction Company Inc.,
Guild Builders, Inc.,
Gulden Furniture Company,
Gunite Pools Co., Inc.,
Gunzees, Inc.,
Gutman Realty Company,
G. W. Conridge Co.,
G. & W. Realty Co.,

Haag Homes, Inc.,
Haddad Fabrics, Inc.,
Hadley's Allentown Garage,
Hahn's, Inc.,
Haines Carriers Inc.,
Hainesport Realty Co.,
Hainesport Village, Inc.,
Haker Enterprises, Inc.,
The Haleman Corporation,
H. A. L. Enterprises, Inc.,
Halka Nurseries, Inc.,
Hallcraft Homes, Inc.,
Hall-Jay Sales & Service, Inc.,
Hallmack Inc.,
Hallmark Construction Corp. of New Jersey,
Halman Park Realty Company,
Halperin Mortgage Company, Inc.,
Halsey Apartments, Inc.,
Halsey Auto Body & Top Co.,
Halsted Company, Inc.,
Hal Weiss Enterprises Inc.,
Hamburger Haven, Inc.,
Hamburger Queen, Inc.,
Hamilton Fruit and Produce Co.,
The Hamilton Restaurant, Inc.,

Hamp, Inc.,
Hamps, Inc.,
Hancock Realty Co.,
Handl-Bar A Corporation,
Hand Storage Co. Inc.,
Handymen, Inc.,
Hanover Tube Sales, Inc.,
Hanover Wood Products,
Hansan Realty Corporation,
Hansen Construction Company,
Hanssons Builders, Inc.,
Han-Van Inc.,
Haras Realty Co.,
Harbor Construction Equipment Corporation,
Haren Homes, Inc.,
Harlem Cafe, Inc.,
Harlem Club,
Harlu Homes, Inc.,
Harmar Corp.,
Harmony Park, Inc.,
Harmony Textile Printing Corp.,
Harmor Corporation,
Harold Hausmann, Incorporated,
Harold Nixon Agency,
Harold Nixon, Inc.,
Harold's Discount Stores of Bergenfield Inc.,
Harold's Discount Stores of Paramus Inc.,
Haron Realty Co.,
Harrington Acres, Inc.,
Harrison Cab, Inc.,
Harrison Manor, Inc.,
Harrison Park Garage Corporation,
Harrison Property Corp.,
Harry Kaye Furs of Paterson, Inc.,
Harry's Meat Market,
Harry Stone Inc.,
Hartkopf, Inc.,
Harton and Doyle Corp.,
Hartshorn Estates, Co.,
Harvard Realty Corp.,
The Harvey Allen Company,
Harvey Products, Inc.,
Har-Wein Mills, Inc.,

Harwood Enterprises, Inc.,
Harwood's Restaurant Co.,
Hasbrouck Heights Observer, Inc.,
Hasep Fashions, Inc.,
Hastings Homes, Inc.,
Haus Realty Co., Inc.,
Haven Construction Corp.,
Hawkins Trucking, Inc.,
Hawk Ridge Corporation,
Hayward-Green Lighting Distributors Inc.,
Hazel Company,
H. B. C. Holding Corp.,
H. B. & D. Home Builders, Inc.,
H. B. Kaufman Lumber Co., Inc.,
H.B. Salmon Company,
H.C.D. Realty Co.,
H. D. Gallagher & Co., Inc.,
Healey's Shoes, Inc.,
Health Shop, Inc.,
Healy Builders, Inc.,
The Hearthstone Home Builders,
Healthcliff, Inc.,
Heating Corporation of Morris County,
Heat Transfer Products, Inc.,
Hedron Realty Corp.,
Heflin & Storms, Inc.,
Hefner Land Company,
Heide Farms Inc.,
Heirloom Clocks, Ltd.,
Helaine Seager, Inc.,
Helene Coat Co. Inc.,
Helen's Restaurant, Inc.,
Helen Stores Corp.,
Heller & Durand, Inc.,
Hellers, Incorporated,
Hellman's Shoes, Inc.,
Helmets, Inc.,
Heloc Realty Co.,
Henrich & Stirnweiss Distributors,
Henry I. Schneider, Inc.,
Henry J. Shevelove and Co.,
Henry's Car Park, Inc.,
Herald Holding Co., Inc.,

Herbert E. Goldberg & Florence J. Gutlohn, Inc.,
Herbert Holding Co.,
Hercules Chemical Company,
Herjack Securities Co., Inc.,
Herman Rohde, Incorporated,
Herman Sirota & Sons, Inc.,
Heron Land Corp.,
Herrmann Construction Co.,
Het Co., Inc.,
Hewing Builders,
H and F Development Corporation,
H. & F. Trucking Corp.,
H. & G. Associates of Red Bank, Inc.,
H.G.F. Corporation,
H. & H Builders, Inc.,
H. & H. Farms,
H & H Industries,
Hickory Homes, Inc.,
High Acres Construction Company, Inc.,
Highlander Hotel, Inc.,
The Highlander Luncheonette, Inc.,
Highland Leasing Co.,
Highland Park Gift Shop, Inc.,
Highland Plumbing and Heating, Inc.,
The Highlands of Morris County, Inc.,
Highway Discount Center,
Highway Restaurant Enterprises Inc.,
Highway Tavern,
Hi-Hat Diner, Inc.,
Hi-Ho Day Nursery,
Hill Parking Corp.,
The Hill's Den,
Hillside View, Inc.,
Hill's Pharmacy, Inc.,
Hilltop Farms, Inc.,
Hilltop Lanes Building Corporation,
Hilltop Lanes Management Corporation,
Hilton Acres (A Corp of N. J.),
Hit Record of the Month Club, Inc. of N. J.,
Hi-Way Building Materials Corp.,
Hi-Way Farm, Inc.,
Hi-Way Trailer Sales Co.,
H & K Construction Corp. Inc.,

H. K. W. K. Corp.,
H. M. Johnson, Inc.,
"Hobar Enterprises",
Hobby Depot Incorporated,
Hobby Footwear Inc.,
Hobby-Rama,
Hoboken Tobacco & Confectionery Co.,
The Hobson Company,
Hoch & Warren, Inc.,
Hodor of Essex, Inc.,
Hodor, Inc.,
Hodor Realty Corporation,
Hohokus Land Co., Inc.,
Hojosa Corporation,
Holci Corporation,
Holiday Haven,
Holiday Inn,
Holiday Lake, Inc.,
The Holiday Manufacturing Company,
The Holland Building Co. Inc.,
Holland Corporation,
Holly Clinic, Inc.,
Hollywood Builders, Inc.,
Hollywood Cotton Shops of Hackensack, Inc.,
Hollywood Custom Servicenter,
Hollywood Garden Inc.,
Hollywood Shopping Mart Inc.,
Holmdel Realty Corporation,
Homars,
Homay Inc.,
Home Associates, Inc.,
Home Builders Construction Co.,
Home of Cowboys, Inc.,
Home Food Service,
Home Guard Inc.,
Home Industries, Inc.,
Homeport Construction Co.,
Home Products Co. of Berlin,
Homes of Distinction, Inc.,
Homes of the Future, Inc.,
Homes Imperial, Inc.,
Homesites Inc.,
Homestead Inn,

The Homestead Luncheonette, Inc.,
Homesteads, Inc. No. 2,
Honer Service Associates, Inc.,
Hooks Lane Nursery School,
Hooper Homes,
Hopatcong Marine Service,
Hopping-Phillips Motors Co.,
Horan, Inc.,
Horizon Paints & Chemical Co. Inc.,
Horn's Palisades Park Taxi Co.,
Horseshoe Bar, Inc.,
Hoskinson Eastern Corp.,
Hot Donuts, Inc.,
Hotel Alberty,
Hotel Arnold, Inc.,
Hotel Congress, Inc.,
Hotel Plaza Coffee Shop, Inc.,
Hotel Prospect, Inc.,
Hotel Stanley of Lakewood, Inc.,
Hotel TV Broadcasting Corporation,
Houndstooth Corp.,
House of Donuts,
Household Improvement Company,
House Utilities Co.,
Houseware Center of Union, Inc.,
The Howard Finance Co., Inc.,
Howard Schor, Inc.,
Howell Associates, Inc.,
Howell Farms Company,
Howell Recreation Center, Inc.,
Hower-Matic Industries, Inc.,
Howros, Inc.,
Hoyt E. Morris & Associates, Inc.,
H. & P. Taxi Co.,
H. R. & I. Realty Co.,
H. Seidman & Son, Inc.,
H.S.G.B. Corporation,
"H & S Industries, Inc.",
Hubbard Operating Co., Inc.,
Hudson Advertising Specialties,
Hudson-Bergen Securities, Inc.,
Hudson Calise Corporation,
Hudson County General Agency,

Hudson County Investment Co.,
Hudson County Pole Co., Inc.,
Hudson Drug Company of Cresskill, Inc.,
Hudson-Lawyers Abstract Company,
Hudson Mayfair Food Shop, Inc.,
"Hudson Real Estate Co. Inc. of Hackensack N. J.",
Hudson Realty Holding Co.,
Hudson Trailer Park, Inc.,
Hudson Welding Institute,
Hugh Hill, Inc.,
Hugh H. Stearns, Inc.,
Humitemp Corporation,
Hummel Construction Co., Inc.,
Hunt Development & Manufacturing Corp.,
Hunter Construction Company, Inc.,
Hunterdon Electronic Corporation,
Hunterdon Valley Realty Company, Inc.,
Huntington Realty Co.,
Hutton Park Gardens, Inc.,
H.V. Walker Co.,
H. Weinstein Co.,
H & W Homes Inc.,
Hy-Ap (Hyway Appliance Co.),
Hycliff Apartments Inc.,
Hyelan Homes, Inc.,
Hy-Grade Stationers, Inc.,
Hyway 9, Inc.,

I. & A. Corp.,
Iberia Beverage Co.,
Ida Minkoff, Inc.,
Ideal Casuals Inc.,
Ideal Food Market, Inc.,
Ideal Vegetarian Restaurant, Inc.,
Ideal Wood Products Company,
Ideas, Inc.,
Identoplate Inc.,
I. D. Morton & Company, Inc.,
I. and D. Rosenberg, Inc.,
I. Kramer Egg Producers, Inc.,
Ilotan Corporation,
Ilow Realty Corporation,

Ilse R. Muller, Inc.,
I. L. T. Corp.,
Imagineering Unlimited, Inc.,
Imerman Undies Co. Inc.,
Imperial Artists Corporation,
Imperial Cleaners & Dyers,
Imperial Furniture Corporation,
Imperial Investment Co.,
Imperial Switchboard Inc.,
Imperial Window Craft Corp.,
Imported Car Service, Inc.,
Importex, Inc.,
Impress-A-Key Corporation,
Indian Hill Estates, Inc.,
Industrial Bearing & Mfg Co.,
"Industrial Bronze Bearing Inc.",
Industrial & Commercial Builders Inc.,
Industrial Fabricators Products, Inc.,
Industrial Factors Inc.,
Industrial Fiscal Co.,
Industrial Foundations, Inc.,
Industrial Maintenance Services, Inc.,
The Industrial Press, Inc.,
Inland Builders Inc.,
Inland Developers, Inc.,
Inners Wine and Liquor Store, Inc.,
Institute of Marketing Strategy,
Insulaire Homes,
Insulated Circuits, Inc. No. 2,
Integrated Business Forms, Inc.,
International Auto Body Works,
International Boxing Magazine Co.,
International China, Glass and Tablewares Show,
International Commodity Syndicate, Inc.,
International Div. Inc.,
International Graphics Corporation,
International Health Studios, Inc.,
International Homes, Inc.,
International Medical Supply Company, Inc.,
International Motor Club,
International Screen Production Handbook, Inc.,
International Trading Corp.,
Interstate Account Distributors, Inc.,

Interstate Associates & Co., Inc.,
Interstate Attic & Basement Corp. of Paramus,
Interstate Camera Stores,
Inter-State Construction Corporation,
Inter-State Painting Contracting Co., Inc.,
Interstate Purveyors,
Investors in Real Estate, Inc.,
Investors Mining Realty Corp. Inc.,
Investors Syndicate of America,
Iozzia and Veninata Construction Co., Inc.,
Ira L. Rothenberg & Company, Inc.,
Iran Realty Corp.,
The Ira Warehouse Corp.,
Irene Pharmacy, Inc.,
Irene Realty, Inc.,
Iris and Rose Corporation,
Iron Age, Inc.,
Iron Art, Inc.,
Ironbound Mattress Company,
Ironbound Operating Co.,
I. Rosenberg Co. Inc.,
Irving Bus Service, Inc.,
Irving-Ironia Homes, Inc.,
Irving's Kiddie Shop, Inc.,
Irvington Apartments Inc.,
Irvington Gardens,
Irvington Properties, Inc.,
Irving Zucker, Inc.,
I. S. and A. Realty Company Inc.,
Iselin Holding Company,
Iselin Home Center,
Iselin Scouting Association, Inc.,
Ismailia Company,
Israel Kosher Meat Products, Inc.,
Italian American Holding Company,
Italian Frozen Foods Inc.,
Ivan Wright, Inc.,
Izaak Walton, Inc.,

J. Abbott & Son, Inc.,
Jabon Builders, Inc.,
Jacar Corporation,
Jack Arizona Co.,

Jack Fowler's Inc.,
Jack Preston, Inc.,
The Jack-Smith Company, Inc.,
Jacob Cohen & Sons, Inc.,
Jacobs Brothers, Inc.,
Jaco Products,
Jacqueline Fabrics,
Jacreen, Inc.,
Jadoma Realty Company,
Jafred Enterprises, Inc.,
Jaguar Transportation Company, Inc.,
Jalin Construction Co.,
Jal-O-Mop, Inc.,
James A. Werner, Inc.,
James Bozzi, Builder, Inc.,
The James Company,
James De Vito & Sons, Inc.,
James E. Kenney & Sons,
James E. Quinn Construction Co., Inc.,
James J. Smith, Inc.,
The James Merrill Sales Co., Inc.,
J. & A. Music & Novelties Co. Inc.,
Janar, Inc.,
Jandrowitz and Mayer, Inc.,
Jan-Lin Realty Corp.,
Jaraf Co., Inc.,
Jastam Holding Co., Inc.,
Jay Ann Shops, Inc.,
Jaycee Originals,
Jay & H, Inc.,
Jay Rich Company,
Jaytee Builders, Inc.,
Jayvee Corporation,
J. B. Associates,
J & B Claim Service, Inc.,
J. Bemson Realty Corp.,
J. B. Holding Co., Inc.,
J. Bizzaro & Sons, Inc.,
J. B. T. Holding Co.,
J. Calendrillo Motor Express, Inc.,
Jean Kaplan Associates,
Jeankus Inc.,
Jefferson, Inc.,

Jem Erectors, Inc.,
Jenard, Inc.,
Jennings Auto Body Shop, Inc.,
Jenrick, Inc.,
Jerdean Equipment Rental Co. Inc.,
Jerdon Realty Corp.,
Jere Woodring and Company,
Jerol Corporation,
Jerry Campora, Inc.,
Jersey Agency, Inc.,
Jersey Aircraft Sales, Inc.,
Jersey Associates,
Jersey Auto Wholesalers, Inc.,
Jersey City Golfers' Club, Inc.,
Jersey Coast Realty Company,
Jersey Contracting and Developing Company Incorporated,
Jersey Delight Canning Company Inc.,
Jersey Egg Express,
Jersey Electrical Contractors Inc.,
Jersey Fisheries,
Jersey Grove Station, Inc.,
Jersey Hodor Corporation,
Jersey Home Improvement Corporation,
Jersey Homes Modernizers, Inc.,
Jersey Shore Boating and Fishing,
Jersey State Beverage Distributors, Inc.,
Jersey State System, Inc.,
Jersey Stock Exchange, Inc.,
Jesmur Construction Co. Inc.,
J. Ferraro, Inc.,
J. F. Sportswear, Inc.,
J. G. Jacobus Specialty Works Inc.,
J. Goldenberg Inc.,
J. G's. Bar & Grill, Inc.,
J & G Trucking, Inc.,
J. Halperin & Company of New Jersey, Inc.,
J & H Guarantee Appliance Service, Inc.,
Jillbob Sales,
Jimm's Answering Service, Inc.,
Jim's Restaurant, Inc.,
"Jim's Tavern",
J. & J. Floor Waxing Co., Inc.,

J & J Food & Sweet Shoppe,
J. & J. Mercury, Inc.,
J. & J. Motor Car Co.,
J. & J. Super Mart, Inc.,
J & J Welding Co. Inc.,
J. K. Associates-Monterey, Inc.,
J & L Cutter Corp.,
J. L. Hopkins & Co., Inc.,
J.L.P. Equipment Designing Corp.,
J. Makow & Son, Inc.,
J. Mitchko Trucking Inc.,
J M J Agents Inc.,
J M J Distributors Corp.,
Joachim Bakery, Inc.,
Joal Construction Co., Inc.,
Joal Electrical Contracting Co., Inc.,
Jo-Al. Inc.,
Jo-Ann's Tavern,
Joan's Sportswear Company,
Jo-Blue Corporation,
Jockey Hollow Development Co.,
Joe Lipka, Inc.,
Joel Realty Corporation #1,
Joerv Realty,
Jogalin, Inc.,
Johanson Construction Co.,
Jo-Har Laboratories,
John Comly, Inc.,
John Eelman & Sons, Inc.,
John L. Fay, Inc.,
Johnnie Ryan Bottling Co. Inc.,
John Savino Artcrafters, Inc.,
John's Gulf Service Station,
Johnson-Foote Construction Corporation,
Johnson Memorial Works,
John W. Rude Holding Company, Inc.,
John Zales, Inc.,
Jo-Jo Homes Inc.,
Jolette Custom Homes, Inc.,
Jo-Lo Perfumatic Dispenser Inc.,
Jolynn Construction Co., Inc.,
Jomain, Inc.,
Jomar Products, Inc.,

Jomar Restaurant, Inc.,
Jomasa Realty Company,
Jonart Builders, Inc.,
Jonas Green Builder & Contractor Inc.,
Joncin Holding Corporation, Inc.,
The Jones and Edwards Company,
Jones Road Material Co.,
Jordan Patterns, Inc.,
Jo-Ric Homes, Inc.,
Joseph A. Chickene, Inc.,
Joseph Dottino, Inc.,
Joseph Ferraro Realty Corp.,
Jos. H. Haines & Sons, Inc.,
Joseph Kahn Credit Jewelers Inc.,
Joseph M. Johnson Inc.,
Joseph M. Rector Jr Inc.,
The Joseph O. Chrystal Company,
Joseph P. Fabian Plumbing Co. Inc.,
Joseph P. Pierro, Inc.,
Journal Bowl Corp.,
J. Philip Bird Company, Inc.,
J. Rem Metal Works, Inc.,
J. & R. Management Co. Inc.,
J.S. Aluminum Products Inc.,
J.S. Daw Realty Co.,
J's Equipment Corporation,
J. Siegler Stores, Inc.,
J. Slocum Corporation,
J. Tantillo's Tavern,
J & T Construction Co., Inc.,
J and T, Inc.,
J. and U. Builders, Inc.,
Judy-Jean, Inc.,
Judy Jewel Co., Inc.,
Juice Bar Enterprises Inc.,
Jules Simandl, Inc.,
Julgus Plastic Tool Co.,
Julia's Luncheonette, Inc.,
June Construction Company,
Junior Champions of America,
Junior Champions of America Pictorial Magazine,
Junior Classics, Inc.,
Junior Miss Co., Inc.,

Juran Cattle Exchange, Inc.,
J. Valentine Company,
J.V. Construction Co.,
J.V.C. Trucking Co., Inc.,
J.V.J. Builders, Inc.,
J.W. Pearson & Sons,

Kabot Webbing Mills Inc.,
Kadon Construction Company,
Kadrey's Galleries, Inc.,
Kaelin, Ruesch & Co. Inc.,
Ka-Fra, Inc.,
Kahn's Department Store, Inc.,
Kamela Realty Corporation,
Kappe Electrical Distributors Inc.,
Karich Corp.,
Karjac-Jersey Clothes Corp.,
Karl Pautler Inc.,
Karpoff Wool Stock Co., Inc.,
Kasal Embroideries, Inc.,
Kaset Corp.,
K. A. Trucking,
Kauffmann Land Co. Inc.,
Kaveny Bros. Inc.,
Kayan Builders, Inc.,
Kay-Cee Corporation,
Kay Clothing Co. of Perth Amboy,
Kaye Home Modernizing Corp.,
Kaye Realty Corporation,
Kaye's Central Drug Co.,
Kay-Ko Associates, Inc.,
Kay Manufacturing Co., Inc.,
Kay Tours, Inc.,
Kaywin Builders, Inc.,
Keansburg Construction Company, Inc.,
Kearny Holding Corp.,
Keasbey Shipyard Corporation,
Kee-Feld Ltd.,
Keenan Trucking Corp.,
Keen-Togs, Inc.,
Kee-Vee Manufacturing Corp.,
Keiper-Byrne Co.,
Kelbey Associates,

Kelco Corporation,
Kelgia Associates, Inc.,
Kelley Varnish Co.,
Kelline Specialties, Inc.,
The Kelly House,
Kelvan Construction Co. Inc.,
Kemet Co., Inc.,
Kenco Heating, Plumbing & Construction Co.,
Kenpaul Construction Company,
Kensel Patio Gardens, Inc.,
Kensington Lounge, Inc.,
Kent Bar, Inc.,
Kentucky Trucking Corp.,
Key Auto Sales,
Keyport Elks 2030, Inc.,
Keyport Facilities Company,
Key Scientific Supply Co., Inc.,
K-Fran Construction Company,
Kiddy Holding Corp.,
Kids Klothes, Inc.,
Kievitt Beverage Co.,
Kilmer Kontracting Kompany, Inc.,
Kilmer Village Corporation,
Kilmer Village Project 3 Corporation,
Kilmer Village Project 2 Corporation,
Kimbrough Land Co., Inc.,
Kimmerle Bros. Inc.,
Kinderkamack Coal Co.,
The King Company Incorporated,
King Edward Corp.,
King Floor Covering Company,
King Midas Corp.,
King Oil, Co. Inc.,
King Products, Inc.,
King Sales Co., Inc. of Ocean City,
Kings Knitting Mills, Inc.,
King's Wrought Iron Sales,
King Textile Dyeing Co.,
King Trucking Co., Inc.,
"Kingwood Poultry Processors, Inc.",
Kin's Drugs, Inc.,
Kip Investments, Inc.,
Kirby Equipment Co., Inc.,

Kirk B. Shivell, Inc.,
Kitchen Craftsmen,
Klauss, Inc.,
Klee-Ner-Mat Corp.,
Kleen-R-Wash, Inc.,
Kless Catering Service, Inc.,
Kneeland Publishing Co.,
Knickerbocker Manor, Inc.,
Knick-Nax Inc.,
Knight Construction Company,
Knitco Industries, Inc.,
The Koffee Kup,
Koin King Laundry, Inc.,
Ko-Jo Construction Corp.,
Kollmar's Truck Leasing,
Korey Drugs, Inc.,
Kost-Hoff Plastics, Inc.,
Kost & Shul, Inc.,
Koven Realty Corp.,
Kra-Brant, Inc.,
Krain Corp.,
Krasco Construction Co. Inc.,
Kruger and Blind Company,
Krull Construction Co.,
Krupnick-Newman, Inc.,
Krys-Tal Kleer Beverage Co., Inc.,
K & S Homes, Inc.,
K 2, Inc.,
Kudler-Fraiman Sales Company, Inc.,
Kutteroff & Penney, Inc.,
Kuusela Construction Co.,
K & W Service Inc.,

Labear Builders, Inc.,
Lace Manufacturing Corp.,
Lackawanna Plumbing Supply Co.,
La Classica Modes, Inc.,
Lady Petite, Inc.,
La Ferriere & Frasco Inc.,
La Fiura & Son, Inc.,
Lajol Co.,
Lake Edge Corp.,

Lakeland Builders, Inc.,
Lakeland Construction Co.,
Lakeland Motors, Inc.,
Lake Okaloosa Development Co., Inc.,
Lakes Furniture Co., Inc.,
Lake Shore Service & Sales, Inc.,
Lakeside Construction Co., Inc.,
Lakes and Woods, Inc.,
Lakeview's of Passaic, Inc.,
Lakewood Abstract Service,
Lakewood Cabana Club, Inc.,
Lakewood Lodge, Inc.,
Lakewood Plumbing and Heating Supply Co.,
Lakewood Recreation Co. Inc.,
Lamb Plastics Inc.,
Laminated Plastic Furniture Inc.,
Lamsen Incorporated,
Lance Mills of California, Inc.,
Lancer Pools of Delaware Valley, Inc.,
Lance Sales Corporation,
Landau-Taylor Corp.,
Landeck Accounting Service, Inc.,
Land Mart Homes, Inc.,
Lanebrook Realty Co.,
Lane Estates Inc.,
Langer-Bersol Corp.,
Langer Knitting Mills, Inc.,
Lani Corporation,
Lanmar Inc.,
Lanny Realty Corporation,
Lanoka Harbor Building Corporation,
Lanoka Harbor Development Corporation,
La Pavion,
Lappas-Hyway, Inc.,
Larant Co., Inc.,
Lark Cleaners, Inc.,
Larstan Realty, Inc.,
La Salle Construction Co.,
Launderers Holding Corporation,
Laurel Lounge,
Laurel Springs Community Market,
Laval Corporation,
Lawnfair, Inc.,

Lawnfield Corp.,
Lawn and Terrace Shop, Inc.,
Lawrence Beach Company,
Lawrence Biondo, Inc.,
Lawrence Builders, Inc.,
Lawson Construction Corp.,
Lawson Homes, Incorporated,
Lawson Shoe Co. Inc.,
Lawyers Collection Bureau,
Layton Realty Co., Inc.,
L. & B. Metal Products, Inc.,
L & C Packing Co., Inc.,
L. C. Smith Bobbin Works,
L. & D. Construction Co.,
The League of Champions, Inc.,
Leaming Bros., Inc.,
The Leather-Head Corporation,
Leatherkraft Corporation,
The Leather Shop, Millburn,
Lebanon Auto Auction, Inc.,
Lebanon Holding Company,
Le Bau's Youth Centre, Inc.,
Le Beret, Inc.,
Le Chateau D'Or, Inc.,
Le Clair Bros., Inc.,
L. & E. Contracting, Co.,
Leda Pools, Inc.,
Ledger Construction Company Inc.,
Ledgewood Homes, Inc.,
Lee Builders, Inc.,
Lee Gregory Development Corp.,
The Leeland, Inc.,
Lee Sales, Inc.,
Lee-Slater Realty Inc.,
Leeto Construction Corp.,
Lee-Win Construction Co.,
Le Gourmet, Inc.,
Lehigh Motors, Inc.,
Lehigh Piece Dye Works, Inc.,
Lehigh Service Garage,
Leib Homes, Inc.,
Leipeck Auto Mart,
Leko, Inc.,

Lemar Realty Corp.,
Le More's Tavern, Inc.,
Lenelle Music, Inc.,
Lenmar Sales Corp.,
Len-Moor Construction Company,
Lenoc Realty Corp.,
Lenrich Investment Co.,
Lensteve Realty and Construction Company,
Lentz Ave. Corp.,
Lenz Wine and Liquor, Inc.,
Leo Braverman, Inc.,
Leon-Al-Jay Investment, Mortgage and Building Company, Inc.,
Leonard Dry Cleaning and Laundry Co.,
Leonard J. Umhoefer Co.,
Leone Agency of Silver Bay, Inc.,
Lepore & Bollen, Inc.,
Le Rose Hosiery Co., Inc.,
Lesan, Inc.,
Lesborne Realty Co. Inc.,
Lesco Embroidery Corp.,
Lester Art Realty Corporation,
Levers Lace, Inc.,
Lewis H. Godshall, Inc.,
Lewis Steel Equipment Corp.,
Lexington Drug Company,
L. Friedman, Inc.,
L. & H. Construction Corporation,
L & H, Incorporated,
Libar Construction Company,
Liberty Broad Silk Works, Inc.,
Liberty Coal Co.,
Liberty Provision Co., Inc.,
Liberty Steel Co.,
Lifelong Battery of Essex, Inc.,
Lifelong Foam Rubber Corporation,
Life Massage Distributing Corp.,
Life Massage Inc.,
Lifetime Aluminum Shingle, Inc.,
Lifetime Installations of New Jersey, Inc.,
Lighting Distributors, Inc.,
Lighting Enterprises of N. J., Inc.,
Lil-Kit Realty Co., Inc.,

Lil Neckwear Co. Inc.,
Lil & Ray Tavern, Inc.,
Limuli Bros. Inc.,
Lincolnia Kennels, Hotel for Dogs,
Lincoln Investment Co.,
Lincoln Mold & Die Corp.,
Linden Hardware and Paint Co., Inc.,
Lindsay Water Conditioning Corp.,
Linfran Co., Inc.,
Linrad, Inc.,
Linwood Estates,
Lion Lumber Corporation,
The Lipton Wrecking Company,
Liquilawn of Union County, Inc.,
Liquor Corporation of America,
List Corporation,
List Masters, Inc.,
Literary Properties, Inc.,
Lithographic Associates Inc.,
Lithograving Incorporated,
Little Red Schoolhouse, Inc.,
Litwin Interior Decorators,
"Livingston Jewelry Store",
L. J. Daly, Inc.,
L.J. Kennedy Leasing Co.,
L.J. & T. Corporation,
L. L. Constantin & Co.,
Llewllyn Publications Company Inc.,
L & L Meats Inc.,
Lloyd Realty Agency, Inc.,
L. L. Westfair, Inc.,
L & M Trucking Inc.,
Lobster Pot,
Lock-Rite Corporation,
Locust Electric Company,
Lodi Laminators, Inc.,
Lodi Piece Dye Works, Inc.,
Logwood Inn, Inc.,
Lohse Estate, Incorporated,
Lomar Co., Inc.,
London Fabrics, Inc.,
Long Branch Ice & Fuel Company, Inc.,
Long Green Farms, Inc.,

Longo Realty, Inc.,
Lorano Corporation,
Lords of Salisbury, Inc.,
Lorene Realty Corporation,
Loric Inc.,
Lorraine Passaic Shop, Inc.,
Los Panchos, Inc.,
Lots and Tracts, Inc.,
Lott-Ingber, Inc.,
Loubobill Enterprises, Inc.,
Louis A. Noe & Son,
Louis C. Joyce, Jr., Inc.,
Louis Fried, Inc.,
Louis Gordon, Inc.,
Louis Molnar, Inc.,
Lou-Mel Corporation,
The Lounge, Inc.,
Lou's Hitching Post,
Lou's Record Center of Fairlawn, Inc.,
Lowell Juvenile Shop Inc.,
Lowell Motel Corp.,
Loyal Realty Corp.,
"Loyal Service, Inc.",
L & S Contractors & Builders,
L & S Garage, Inc.,
L & S Land Co., Inc.,
Lubiner Realty Co.,
Lue China Clipper,
Luigi's of North Bergen,
Lu-Jo Enterprises, Inc.,
LuJohn Corp.,
Luma Home Products, Inc.,
Lundberg-Richter Co. Inc.,
Lurton Products, Incorporated,
L & W Construction Co. Inc.,
L. W. Metzger Associates, Inc.,
Lyceum Enterprises,
Lynbella's, Inc.,
Lyncrest Manufacturing Co., Inc.,
Lynda Realty Company No. 2,
Lynn Associates, Inc.,
Lynn Investments, Inc.,
Lyons Avenue Appliance, Co.,

Lyons Farms Tavern, Inc.,
Lyons Galleries of New Jersey, Inc.,

Macco Trading Corporation,
Macdonald & Powers Co.,
Maceri & Son, Inc.,
Machinery Investment Corporation, Inc.,
Machine & Tool Harpak Corp.,
Machin Mining Exploration Corporation,
Mackay Service Press, Inc.,
Mack, Inc.,
Mac & Mac Clothes, Inc.,
Maco Corporation,
The Madison Agency,
The Madison American Publishing Co., Inc.,
Madison Auto Body Works, Inc.,
Madison Beach Tavern, Inc.,
Madison-Cheesequake Development Co.,
Madison Fashions, Inc.,
Madison House, Inc.,
Madison Recreation Center,
Madison Universal Tool Manufacturing Co., Inc.,
Madison Upholstery Co., Inc.,
Mad-Ja-Kel Realty Company,
Magnavision Electronics, Inc.,
Maher Funeral Home, Inc.,
Maiden Lane Inn, Inc.,
Main Auto Center, Inc.,
Main Exchange, Inc.,
Majewski Building Corp.,
Major Appliance Inc.,
Major Appliance and Television Inc.,
Malco Industries of New Jersey,
Malda Mills, Inc.,
Malibu Bar, Inc.,
Malloy Heating Service, Inc.,
Malvik Builders, Inc.,
Mambo, Inc.,
Mamma Bellini's Inc.,
Manasquan River Realty and Mortgage Company,
Manco, Inc.,
Manhattan Cleaners, Inc.,
Mankorf Corporation, Inc.,

Manor Gardens, Inc.,
Manor Valet Service,
Mansion Building Corp.,
Mansion Homes Inc.,
Mantua Marine Repairs, Inc.,
Manufacturers Associates Inc.,
Manufacturers Sales Associates Inc.,
Manufacturers Specialties Company, Inc.,
Maperon Realty Co. Inc.,
Maplecrest Development Co.,
Maple Homes, Inc.,
Maple Shade Estates Corp. No. 2,
Maple Village,
Maplewood & Orange Holding Co.,
Marcar Holding Company, Inc.,
Mar-Et Theatre Corp.,
Margaret's Midway Diner,
Margate City Chamber of Commerce,
The-Mar-Gen-Al Holding Corporation,
Margla Corporation,
Marian Company,
Marian Mills, Inc.,
Marie Corporation,
Marina Dredging Co., Inc.,
Marine Enterprises, Inc.,
Marion Colby Morris, Clu Incorporated,
Mark Alan Presents, Ltd.,
Market Research and Sales Development, Inc.,
Mark Herbst, Inc.,
Mark Kross Cleaners, Inc.,
Marko-Deal Corporation,
Marlboro Homes, Inc.,
Marlboro Inn, Inc.,
Marlen Realty Co.,
Marlin Development Corp.,
Marmat Investment Company,
Marmet (Overseas) Ltd.,
Maro Distributors, Inc.,
Marray Industries, Inc.,
Marshall Corporation,
Marsam Constructors, Inc.,
Marsam's Quality Food & Liquor Center Inc.,
Mars Constr. Corp.,

Marseilles Corp.,
Marshall Operating Corp.,
Marshall Plastics, Inc.,
Marshall Transport Company,
Marsh Construction Corp.,
Marshilen Co. Inc.,
Marsy Electrical Contractors, Inc.,
Mart Electric Supply Company,
Martin-Cameron Company,
Martin & Co., Inc.,
Martine Homes, Inc.,
Martin Kasmir Amusements,
Martino Fashions, Inc.,
Mart Mason Contracting Corp.,
Martorella Bros., Inc.,
Martorella Realty Co.,
Marty's Mens Shop, Inc.,
Marvel Homes, Inc.,
Mar-Vel One Hour Cleaners,
Marvin Swern, Inc.,
Mary-Ann Frocks,
Maryec Corporation,
Maryland Construction Company,
Master Cleaners & Launderers, Inc.,
Master Cobblers, Inc.,
Master Lace & Embroidery Co.,
Master Lumber & Millwork Inc.,
Matawan Air Transport Service Inc.,
Matawan Undergarment Co. Inc.,
Matco Realty Corp.,
Maxim Concrete & Supply Co. Inc.,
Maxim Originals, Inc.,
Max Meyers Rainwear Co., Inc.,
Max Rogel, Inc.,
Maxwell's, Inc.,
Mayfair Bedding and Toy Co.,
Mayfair Gift & Sweet Shop,
Mayfair Laundry Service, Inc.,
Mayfi Co.,
Mayfield Company,
Mayflower Fuel Oil Co.,
Mayflower Gardens,
Mayhein Holding Co. Inc.,

Maynor Equipment Corporation,
Mayo Funeral Home, Inc.,
May and Silvestri, Inc.,
Mazan Realty,
Mazzella Bros. Inc.,
M.B. & M. Corporation,
M & B Motors, Inc.,
McCarroll Cleaners, Inc.,
McCauley & Gentile, Inc.,
McClellan Food Market, Inc.,
McGill Roberts, Inc.,
McGowan's Lodge,
McHale Trucking Co. Inc.,
McKersie Auto Service, Inc.,
McManus Bros,–Middlesex Co., Inc.,
McNair's Auto Service, Inc.,
M & D Co., Inc.,
M. & D. Realty Co., Inc.,
Meat Center, Inc.,
Meatown, Inc.,
Mec Corporation,
Medford Acres, Inc.,
Medford Custom Builders, Inc.,
"Medical and Professional Associates, Inc.",
Medics Surgical Supply, Inc.,
Medoff Properties, Inc.,
Medwin Farms, Inc.,
Meems Bros. & Ward Incorporated,
M. & E. Investment Corporation,
Meister Builders and Contractors, Inc.,
Melba Investment Co.,
The Melody Music Company,
Melray Electronic Manufacturing Corp.,
Melvina Realty Company,
Melvin Construction, Inc.,
Memorial Designs,
Menands Holding Co.,
Meno Furs,
Menter Stores New Jersey, Inc.,
Mercator Const. Corp.,
Mercer Park, Inc.,
Mercer Service Company,
Merchandise Vending Co., Inc.,

Merchandising Premiums, Inc.,
Merchants Corp.,
Merchants Restaurant, Inc.,
Mercun Service, Inc.,
Mercury Associates Inc.,
Mercury Building & Construction Co., Inc.,
Mercury Homes Inc.,
Merico Embroidery, Inc.,
Merit Electronics, Inc.,
Merit Research Laboratories,
Merit Top Company, Inc.,
Merit Transport Corporation,
Merry Gardens Corp.,
Mershon Business Brokers, Inc.,
Mesco Realty Co., Inc.,
Messina's Inc.,
Metaflo Process, Inc.,
Metal Building Block Corp.,
Metal Haulers, Inc.,
Metaline Corporation,
Metals Realty Corporation,
Meteor Corporation,
Metropolitan Flour Trading Corporation,
Metropolitan Homes Inc.,
Metropolitan Traffic Sales,
Metuchen Wall Paper & Paint Co.,
Meyer Associates, Inc.,
Meyer Sanitarium, Inc.,
Meyers and Munyon Company,
M. F. F. Inc.,
M. G. Dress Company,
M G M Realty Investment Co. Inc.,
M. G. Webb Flavoring Products Co. Inc.,
"M. H. Formichella Co.",
M. H. T. Construction Co., Inc.,
The Micdav Corporation,
Michael De Lucas, Inc.,
Michael J. Grasso Builders, Inc.,
Michael Lepro, Inc.,
Michael Manuel, Inc.,
Michaels Auto Sales, Inc.,
Michael Schwalje & Son, Inc.,
Michael Stevens Company,

Mickey Forte's Bar, Inc.,
Miclord Realty Co. Inc.,
Midas Company,
Midas Manufacturing Corp.,
Midas Muffler Shops of Teterboro Inc.,
Mid Atlantic Lumber Co.,
Mid Distributing Corp.,
Middlebrook Homes, Inc.,
Middle Jersey Mortgage & Investment Company,
Middlesex Enterprises, Inc.,
Middlesex Plastics, Inc.,
Middlesex Sheet Rock Co., Inc.,
Middleton Corporation,
Middletown Cleaners, Inc.,
Middletown Corporation,
Mid-Jersey Acceptance Corporation,
Mid-State Insulation Company,
Midtown Electrical Supply Co.,
Midway Truck Parts Inc.,
Mifi Corporation,
Migliore Construction Co., Inc.,
Mikru Inc.,
Milbro Corp.,
Milburn Warehouse and Transportation Corp.,
Mildor Restaurants, Inc.,
Miles Builders Inc.,
Milford Construction, Inc.,
Military Park Development Corp.,
Military Park Enterprises, Inc.,
Millburn Realty Inc.,
Miller-Anderson, Inc.,
Miller Excavating Corp.,
Miller Lock and Safe Co.,
Millers Discount Co.,
"Millmax Realty, Inc.",
Mill Sales, Incorporated,
Millville Cab Co.,
Milmark Corp.,
Milton D. Rapfogel Realty Inc.,
Minnie's Home for the Aged,
Minskoff Construction Co., Inc.,
Min-Vest, Inc.,
Miraco Precision Co.,

M & J Realty Co., Inc.,
M. & L. Markets, Inc.,
M & M Clothing Co., Inc.,
M & M Dairy Products, Inc.,
M & M Scrap Metals, Inc.,
Mobile Outdoor Advertising, Inc.,
Model Engraving Corp.,
Modern Age, Inc.,
Modern Air Conditioning and Refrigeration Co. Inc.,
Modern Dell Market, Inc.,
Moderne Sportswear, Inc.,
Modern Home Appliances, Inc.,
Modern Home Construction Co. Inc.,
Modern Monument Setters, Inc.,
Modern Screw Machine Co.,
Modern Sign Advertising Co., Inc.,
Modes, Inc.,
Mohawk Food Market, Inc.,
Mohawk Furniture Corporation,
Mohawk Sporting Goods Inc.,
Mohican Sporting Goods, Inc.,
Mokum's Inn,
Mom Adler's Strudel, Inc.,
Momik Improvement Co., Inc.,
Monitor Park Corp.,
Monmouth American Publishing Co. Inc.,
Monmouth Automatic Vending Co. Inc.,
Monmouth Collection Agency,
Monmouth County Airport Drive-In Theater Inc.,
Monmouth Electric Service Inc.,
Monmouth Home Improvement Company,
Monmouth Manor Construction Co.,
Monmouth Marine Corporation,
Monmouth Sea Breeze Homes, Inc.,
Monmouth Vending Co.,
Mono-Cel, Inc.,
Monroe Builders, Inc.,
Monroe's Cocktail Lounge, Inc.,
Montclair Home Improvement Co., Inc.,
Montclair Mortgage Company,
Monterey-By-The-Sea, Inc.,
Monterey Court Apts., Inc.,

Monterey Realty Corporation,
Montgomery Painting & Construction Co.,
Montgomery Storage & Warehouse, Inc.,
Montoro & Siracusa, Inc.,
Montrose Haledon Textile Processors, Inc.,
The Moors Co.,
Moosehead Lodge,
Morgen Builders Inc.,
Morisani's Italian Kitchen, Inc.,
Morningside Manor Inc.,
Morning Star Dairy, Inc.,
Morra Construction Co., Inc.,
Morris California Co.,
Morris County Bedding Co. Inc.,
Morris Import-Export Company Inc.,
Morrissey Auto Sales Inc.,
Morry's Inc.,
Morse Electronic Associates, Inc.,
Morse Separators, Inc.,
Mortgages Incorporated,
Morton Furniture Company, Inc.,
Moss Holding Co.,
Motor Holding Co. Inc.,
Motoring Parts, Inc.,
Motortrol, Inc.,
Mountainside Excavating Corp.,
Mountainside Terrace Estates,
Mountain Top, Inc.,
Mountain View Mfg. Co., Inc.,
Mount Construction Co.,
Mt. Ephraim Builders, Inc.,
Moxie's & Verna's Restaurant,
M. & P. Cleaners, Inc.,
M. P. Supply Holding Corporation,
M-R Electric Co.,
M & S Enterprises, Inc.,
M. S. Heating Supplies Corporation,
M. T. C. Corporation,
Mulberry Heat & Power Supply Co. Inc.,
Multi-Frame Company, Inc.,
Mundial Applied Science Laboratories, Inc.,
Municipal Investigation Bureau, Inc.,
Munn Parkway, Inc.,

Muntener's Forest Hill Goat Dairy Inc.,
Munyon, Inc.,
Murph Inc.,
Murphy Machinery, Inc.,
Murray Berman, Inc.,
Murrell Homes, Inc.,
Mursol, Inc.,
Murtop Company, Inc.,
Music Management, Inc.,
Mutual Cleaners & Quality Laundry Service,
M. Winograd, Inc.,
My Lady Bag Shoppe, Inc.,
Myray Corporation,
Myrtle Ave. Corp.,
Mystic Islands Development Co.,
M & Y Trucking Co.,

N. A. Aristocrat Baby Carriage Co.,
Namco Distributors of New Jersey Inc.,
Nancy Village, Inc.,
Napoli Wines, Inc.,
Napping Processing Co., Inc.,
Nassau Carpet Rental Co.,
Nassau Homes, Inc.,
Nassau U-Drive-It Corp.,
Natalie's Realty Co. Inc.,
Natco Manufacturing Company,
National All-State Registered Cars of New Jersey Inc.,
National Aluminum Products, Inc.,
National Art Studios, Inc.,
National Building Company,
National Electronics Corp.,
National Fruit & Produce Co., Inc.,
National Health Studios, Inc.,
National Machine Products Corporation,
National Meats, Inc.,
National Metal Works, Inc.,
National Oil Development Co., Inc.,
National Refuse Company,
National Storm Vent Awning Manufacturing Co.,
National Terminal Repair Centers Inc.,
National Vibrators Manufacturing Corp.,

National Wedding Ring Corp.,
Nationwide Associates, Inc.,
Nationwide Purchasing Co., Inc.,
Nation-Wide Warranty, Inc.,
Nat Jacobson & Sons Painting Co. Inc.,
Nato Electronics Corporation,
Natural Creations, Inc.,
Natural Vitamin Juices Corporation,
Nautical Canvas Products, Inc.,
Navesink Mannor, Inc.,
Naylor's Bowl-At-Home Co.,
Nedlo Realty Corporation,
Nedra Construction Corp.,
Neher Sales Company, Inc.,
Neko Realty Corporation,
Nelson Avenue Realty Co.,
Neptune Brake and Auto Shop,
Neptune City Luncheonette, Inc.,
Neptune Maintenance Co.,
Nero's Laboratories, Inc.,
Neslein Realty Co., Inc.,
Nesto Painting Contracting Co.,
Netcong Sportswear, Inc.,
Newark Book Center,
Newark Community Center, Inc.,
Newark Heel Corp.,
Newark on Parade, Inc.,
Newark Photo Studio, Inc.,
Newark Pickle Works, Inc.,
New Bakemaster Bake Shops Inc.,
New Belmont, Inc.,
New Bridge Service Center, Inc.,
The New Brinley Hotel Corp.,
New Broad Street Bar,
New Brunswick Coal & Oil Co.,
New-C Corporation,
Newco Restaurants, Inc.,
New Creamland Corp.,
The New French Quarter,
New Hope Builders, Inc.,
New Idle Hour, Inc.,
The New I.W. Goldberg Furniture Store,
New Jersey Apple Growers, Inc.,

New Jersey State Library

New Jersey Armored Car Express Service Inc.,
New Jersey Chair Co. Inc.,
New Jersey Chemicals and Manufacturing Co.,
New Jersey Component Homes, Inc.,
New Jersey Diplomats, Inc.,
New Jersey Do-It Yourself Expositions Inc.,
New Jersey Export-Import Corporation,
New Jersey Fair & Carnival Supply Co.,
New Jersey Finance Corporation,
New Jersey Frozen Foods Service Inc.,
New Jersey Handprints Inc.,
New Jersey Herald News Publishing Company,
New Jersey International Sales Corporation,
New Jersey Jay Ann Shops,
New Jersey Magnet Wire Corp.,
New Jersey Marine Underwriters Inc.,
New Jersey Mining & Development Corporation,
New Jersey Poultry Meat Growers Cooperative Association,
New Jersey Small Farms Corporation Inc.,
New Jersey Swimming Pool Co., Inc.,
New Jersey Textile Processing Company,
New Jersey Turnpike Inn Ridgefield Park,
New Jersey Vasa Home, Inc.,
N. J. Warehouse Sales,
New Jersey Wrecking Company,
Newkirk Sheraton, Inc.,
Newman Springs Realty Co. Inc.,
Newman Walden Inc.,
New Paramount Diner, Inc.,
Newport Delicatessen, Inc.,
New Providence Pharmacy, Inc.,
The New Rendezvous Inc.,
New Sugar Hill, Inc.,
Newton Carton Company,
New-Way Food Service,
New Windsor Hotel,
New York Boat Oar Company, Inc.,
New York, Penn-Jersey Transport Co. Inc.,
New York Trimming and Dress Goods Shop Inc.,
N.H. Rappaport & Son, Inc.,
Nick Bergamotto & Sons, Inc.,
Nick Costanza Inc.,

Nick Muzzillo, Inc.,
Niki Realty Co.,
Nimbley Lace & Scallop Cutting Inc.,
Nina Investment Corporation,
Nineteen Park Avenue,
Ninety Belmont Corp.,
9201 Boulevard Corporation,
Nine Van Reipen Corporation,
N. L. K. Co., Inc.,
Noah's Ark, Inc.,
Nodmore Manufacturing & Sales Corp.,
Noel Construction Company,
Nolan Transfer Corp.,
Nomad Industries, Inc.,
Nomar Truck Service,
Nonparell Homes, Inc.,
Nora Trade & Transport, Inc.,
Nor-Chem Products, Inc.,
Norma Construction Company, Inc.,
Norman's Restaurants, Inc.,
Norm-Schultz Imported Cars, Inc.,
North American Aluminum Products Co.,
North American Credit, Inc.,
North American Millwork Corp.,
North American Realty Co.,
North Atlantic Millwork Corp.,
North Eastern Maintenance Corp.,
Northern Jay Ann Stores, Inc.,
Northern Valley Guide,
Northern Valley Super Market Inc.,
Northfield Country Day School,
North Jersey Cities Fuel Company,
North Jersey Do-It-Yourself Expositions Inc.,
North Jersey Driving School Inc.,
North Jersey Frozen Foods, Inc.,
Northland Improvement Co., Inc.,
Northwood Inn,
Novelty Film Co. Inc.,
Novich Investment Corporation,
Nu-Art Tool Company,
Nu Building Products, Inc.,
"Nu Cleaners, Inc.",
Nu-Clear Vision Inc.,

Nu-Level Homes, Inc.,
#357 Taxi Corp.,
Nursaid, Inc.,
Nutley Cab Co.,
Nutley Consumers Cooperative Inc.,
Nutley Quality Fruit & Vegetable Market Inc.,
Nu-Tronics Co., Inc.,
Nuttman, Inc.,
Nu-Wall Products Co. Inc.,
Nu-Way Meat and Poultry Service,
N-Way, Inc.,

Oak Homes, Inc.,
Oaklane Homes, Inc.,
Oberg & Tonkin, Inc.,
O'Boyle Bros., Inc.,
Ocean Auto Body Shop, Inc.,
Ocean Cape Hotel Corporation,
Ocean County Lumber Co.,
Ocean County Pulpwood, Inc.,
Ocean County Supply Company,
Oceanic Import & Export Co., Inc.,
Oceanville Acres Corporation,
Odonto Corp.,
Ogden Diner, Inc.,
Old Dominion, Inc.,
Old Falls, Inc.,
Oldfield Corporation,
The Old Homestead, Inc.,
The Old Mill,
Old Village Inn, Inc.,
Oldwick Development Co.,
Olympic, Inc.,
Olympic Motors, Inc.,
One Hour Martinizing of Lakewood N. J. Inc.,
118 Mt. Pleasant Ave. Corp.,
186 Weston Avenue Corp.,
149 Comstock Corporation,
146-148 West Broadway, Inc.,
109-111 Belmont Avenue Corp.,
191 Washington Street Corp.,
196 Hall Ave. Corp.,
168 Corporation,

160 W. 25st. Parking Corp.,
132 No. 15th Corporation,
On-The Air Sales, Inc.,
Optical Service Inc.,
Orange Electronics, Inc.,
Orange Fur Storage Company,
Orange Sportsmen's Club, Inc.,
Orange Valley Builders, Inc.,
Orberg Realty,
Orchardale Realty Corp.,
Orchid Cleaners & Launderers, Inc.,
Oriental House, Inc.,
Oriental Pharmacy, Inc.,
The Original Vincent and Joseph Inc.,
Oritani Sweet Shop, Inc.,
Over The Road Owner Operators Inc.,
Oxy-Aid of New Jersey, Inc.,

Pacemaker Corp. of New Jersey,
Pace Realty Co., Inc.,
Pacific Industrial & Supply Co. Inc.,
Pacific Tavern, Inc.,
Packard Auto Repairs,
Packard's Super Market,
Pad-Dye Corp.,
Paduch Brothers, Inc.,
Pad-Wein Construction Co.,
Paffrath Leasing Corp.,
Paganelli, Inc.,
Page and Cappella Manufacturing Co. Inc.,
Page Construction Co. Inc.,
Paige Associates, Inc.,
The Paint Pot,
Paks Enterprises, Inc.,
Palco Construction Co. Inc.,
Palco Disposal Service, Inc.,
Pal Embroidery Company,
Palisade Corporation,
Palisades Merchandise Corp.,
Palisades Realty Owners, Inc.,
Palisade Terminal & Warehouse Corp.,
Palisade Trading Corporation,
Pal Joe, Inc.,

Pallet Specialties, Inc.,
Palmer Hotel, Inc.,
Palmer House,
Palmyra Company,
Palmyra Realty Company,
Pamor Corporation,
Pan American Funding Corporation,
Pan American Shipping Lines, Inc.,
Pancake Co., Inc.,
Panco Corp.,
Pane Products, Inc.,
Paniwan Realty Co.,
Pann, Incorporated,
Papercraft Corp.,
Paper Mill Producers, Inc.,
Paplast Mfg. Co.,
Pappalardo Memorial Home,
Paradise Acres Inc.,
Paradise Inn,
Paradise Isle,
Paradise Realty Company, Inc.,
Paramount Embroidery Mfg., Inc.,
Paramount Jackson Financial Service,
Paramount Plastics, Inc.,
Paramus Shoe Center,
Paricor Inc.,
Paris Associates,
Park Associates, Inc.,
Park Avenue Service Center, Inc.,
Park Central,
Parkchester of Lodi, Inc.,
Park Crest Estates, Inc.,
Park-Crest, Inc.,
Park Development Co.,
Parkel Corporation,
Parkfair Realty Corporation,
Parkfield Corp. #2,
The Park Garden Estates Inc.,
Park Glenwood Corporation,
Park Hardware, Inc.,
Parking Management Corp.,
Parkington-Monmouth, Inc.,
Park Lane Homestead, Inc.,

Park Liquors,
Park Pantry, Inc.,
Park Plains Homes,
Park Ridge Estates, Inc.,
Park Rochelle Diner, Inc.,
Parkview Design Studio, Inc.,
Park View Tavern, Inc.,
Parkway Air Conditioning Service Inc.,
Parkway Knolls,
The Park Williams Corp.,
Park-Wood Homes, Inc.,
Parliament Pictures Corp.,
Pascack Automotive Service Inc.,
Pasco Supply Corp.,
Passenger Equipment Lessors,
Patapsco Holding Company, Inc.,
Paterson Associates, Inc.,
Paterson Mending Corporation,
Paterson Ready Mix Concrete Co.,
Pat's Cocktail Lounge,
Paulanna, Inc.,
Paul Aselin, Inc.,
The Paul Baer Advertising Co., Inc.,
Paul C. Rowe, Inc.,
Paul Giuliani Co. Inc.,
Paulina Corporation,
Paul J. Gilson, Inc.,
Paul Joyce, Inc.,
Paul Toti Trucking Co., Inc.,
Payce Drug Co.,
P. and B. Landscape & Asphalt Corp.,
P.C.J., Inc.,
P C P Inc.,
Peacock Realty Company,
Peanut Bar and Grill,
Pearl Estates, Inc.,
Pearl Metal Products, Inc.,
Pearsall-Garfield Apartments, Inc.,
Peerless Air Conditioning Corporation,
Peerless Connectors Corp.,
Peerless Finishing Sales Corp.,
Peerway Realty Corp.,
Pelco Products Co., Inc.,

Pella Builders, Inc.,
Penlor Investment Corporation,
Pennant Associates,
Penn Clothing Center, Inc.,
Penn Jersey Paving Co., Inc.,
Penn-Jersey Plastering Corporation,
Penn Jersey Waterproofing Co. Inc.,
Pennsylvania Spring Products Co.,
Penny Grocery Company,
Pension Plans Company,
Peppy's, Inc.,
Perdio Wholesale Distributors,
Perennial Textile Printers, Inc.,
Perfect Concrete Steel Bar Corporation,
Perfect Made Camping Equipment Company, Inc.,
Perfumes Personal, Inc.,
Perglo Chemical Co., Inc.,
Perl Construction Company,
Permagas Products, Inc.,
The Pern Company,
Perrine Development Co.,
Perry Builders Garage Division, Inc.,
Perry Tract Inc.,
Persky's Inc.,
Personal Remembrance Floral Service Inc.,
Personal Waxers Corp.,
Personna-Disk, Inc.,
Perth Amboy Enterprises, Inc.,
Perth Amboy Financial Service,
Pesin Bros., Inc.,
Petal Craft, Inc.,
Peter Du Jardin of New Jersey Inc.,
Peter-Pan,
Peter Pan Bake Shops, Inc.,
Petersen & Reff, Inc.,
Peters Sporting Goods, Inc.,
Peter W. Skeberdis Co., Inc.,
Petrallia-Schuman, Inc.,
Petro Advertising, Inc.,
Philadelphia Supply and Furniture Company,
Phil-Art Music Publishing Company,
Philharmonic Conservatory of Bloomfield Inc.,
Philips Construction Company,

Philip Waldman, Inc.,
Phil-Jer Freightways Inc.,
Phillips Distributing Company Inc.,
Philmar Shoes, Inc.,
Philo-Edward Corporation,
Philo Realty Corp.,
Phoenix Associates, Inc.,
Phoenix Chemical Products, Inc.,
Phyl-Mar Realty Co.,
Pier Bros., Inc.,
Pierre's Super Food Markets, Inc.,
Pike Inn,
Pik-Wik Diner,
Pine Acres Development Co.,
Pinebrook Show Tent, Inc.,
Pine Grove Realty Co., Inc.,
Pine Hills Dispatch, Inc.,
Pine Knot Realty Inc.,
Pine Lakes, Inc.,
Pine Land Construction Corp.,
Pineway Builders, Inc.,
Pink House, Inc.,
Pioneer Campers' Equipment, Inc.,
Pioneer Homes Inc.,
The Pizza House,
Pizza-Mat Fairlawn Corporation,
P.J.C. Holding Co.,
P.K. Stone Co., Inc.,
Plain & Fancy Apparel Shop, Inc.,
Plainfield Auto Dealers Auction Inc.,
Plainfield Bowling Recreation, Inc.,
Plainfield Pastry Shop, Inc.,
Plainfield Tool Co.,
Plain & Graichen, Inc.,
Plains Construction Corp.,
Plainsview Land Co., Inc.,
Plastic Engraving Supply Corporation,
Plastic Fashions, Inc.,
Plastic Molded Products Corp.,
Plastics Injection Molders, Inc.,
Plating & Polishing Equipment & Supply Corp.,
Playboy Shop, Inc.,
Playsboys, Incorporated,

Play-Knit Mills, Inc.,
Playmart Inc.,
Plaza Builders & Contractors, Inc.,
Plaza Cosmetic & Variety Stores,
Plaza Mart, Inc.,
Plaza Realty Company,
Plaza Soda Shop,
Pleasant Valley Acres,
Pliskin Heel, Inc.,
P. L. Neidlinger Associates, Inc.,
Plympton Co.,
P & M Bar, Inc.,
P. M. Dreyfuss & Son, Inc.,
P & M Vending Co., Inc.,
Pneuma-Crete Corporation,
P. and N. Trucking Company Inc.,
Poggioli Canning Corporation,
Poidomani Contracting Co., Inc.,
Poletti's Tank Service, Inc.,
Polk Manufacturing Co. Inc.,
Pomona Garage Company, Inc.,
Pompton Associates Inc.,
Pompton Plains Motors,
Poole Printing Company, Inc.,
"Poole's, Inc.",
Pools By Lancer Inc.,
Popick Poultry Farms, Inc.,
Poplar Homes, Inc.,
Popovich & Son, Inc.,
Porcelain Fabricators Inc.,
Porter Wire Machine Co., Inc.,
Port Hill Products Corporation,
Porth's Transportation Co.,
Portland Realty Corporation,
Port Monmouth Developing Co., Inc.,
The Porto-Combuster Engineering Corporation,
Post Land Company,
Potter Aeronautical Corporation,
Preakness Lumber Co., Inc.,
Preakness Realty Corp.,
Preakness Valley Estates, Inc.,
Preakness Valley Gardens, Inc.,
Precision Construction Corp.,

Precision Molding Corporation,
Precision Tumbling Laboratories Inc.,
Preferred Contractors,
Preferred Motors, Inc.,
President Motel Operating Company,
Princeton Development Corp.,
Princeton Investment Corporation,
Printing Buyers Newsletter Inc.,
Production Machining Corporation,
Production Materials, Inc.,
Production Parts Inc.,
Products for Educational Guidance,
Proeco Corporation,
Professional Uniforms Enterprises,
Progressive Masons Inc.,
Projected Methods, Inc.,
Projected Services, Inc.,
Property Holding Corp.,
Prosperity Construction Corp.,
The Province Line Search and Abstract Co.,
P. & S. Builders, Inc.,
P. T. Applicators,
Public Electric Motor Company,
Puccio Realty Corp.,
Pucsah Inc.,
Puritan Wool Imports Corp.,

Quaker Maid Kitchens of Trenton Inc.,
Quality Clothing Co.,
Quality House,
Quality Improvement, Inc.,
Quality Lumber Fabricators, Inc.,
Quay's Flowers,
Queen City Tap-Mixers Service Co. Inc.,
Queen Creations, Inc.,
Queen Lace & Embroidery Co.,
Queen Motors Inc.,
Queen's Grill,
Quellco, Inc.,
"Qu Meter Corporation",

Racetrack Inn,
Raceway Tavern, Inc.,

Radam, Inc.,
Radding Toy Co., Inc.,
Radiant Builders, Inc.,
Radio Record Club, Inc.,
Raed Builders, Inc.,
R. A. E. Herbhold & Co. Inc.,
Rafferty Construction Company Inc.,
Rago & Cave, Inc.,
Rah Realty Inc.,
Rahway Food Center,
Rainbow Bowling Corp.,
Rainbow, Inc.,
R. Alexander Bell Construction Company Incorporated,
Ralph Edmond Embroidery Corp.,
Ramapo Designers and Constructors Inc.,
Ramapo Realty & Mortgage Corporation,
Ramm Corporation,
Ramsey Electric Co. Inc.,
Ranch Realty Co., Inc.,
Rancocas River Country Club, Inc.,
Ran-Den Building Company,
Randi Realty Corp.,
Ranger Manufacturing Co.,
Rankin Catering Service, Inc.,
Rapid Records, Inc.,
Rapid Van and Furniture Warehouse Company Inc.,
Raritan Bay Beach Co., Inc.,
Raritan Valley Construction Company Inc.,
Raritan Valley Improvement, Inc.,
Raritan Valley Mailers, Inc.,
Rawson Motor Sales, Inc.,
Raybro Inc.,
Rayco Airline Highway, Inc.,
Rayco Piece Dye Works, Inc.,
Rayco Realty Co.,
Rayfayette Realty Co.,
Raymond Boulevard Servicenter,
Raymond Ranch Homes,
Ray's Swap Shop, Inc.,
Razzi-Sandelier Brothers, Inc.,
R. B. Smith Plywood, Co.,

R. C. I. P. Inc.,
R. Corrigan Valve Company,
Reading Center, Inc.,
Real Estate Exchange,
Realty Homes, Inc.,
Realty Operators Inc.,
Realty Stock Holding Co., Inc.,
Rebco, Inc.,
Rebco-Metro, Inc.,
Red Bank Bake Shop Inc.,
Red Bank Cold Storage & Locker Co.,
The Redman Corp.,
Reed-Lin Estates, Inc.,
Reed's,
The Reese Home for the Aged, Inc.,
Refractory Maintenance Company,
Regal Cleaners & Dyers, Inc.,
Regal Embroidery Works,
Regal Plastics, Inc.,
Regal Restaurant Corp.,
Regent Gear & Machine Co Inc.,
Regent Machinery Corp.,
Regga, Inc.,
Rego Company, Inc.,
Reichman and Caro Company,
Reid, Decker and Stocki, Inc.,
Reliable Developers, Inc.,
Reliable Electronics Corporation,
Reliable Express,
Reliable Japanning Company, Inc.,
Reliable Management & Realty Co.,
Reliable Mfg, Co.,
Reliance Bearing Company,
Religious Arts, Inc.,
Rella Company, Inc.,
Relm Enterprises, Inc.,
Remembrance Associates,
Remin's Incorporated,
Rem-Par Service Co. Inc.,
Remstal Co.,
Renaissance Castles, Inc.,
Ren Building Corporation,
Ren Electrical Contractors, Inc.,

Rene's,
Ren Mar, Inc.,
Renmet Manufacturing Corp.,
Rent-A-Car, Inc.,
Rental Equipment Corp.,
Rental Service Inc.,
Renwill Equities, Inc.,
Reps, Incorporated,
Republic Sleepproducts Co. Inc.,
Reros Amusement Corp.,
Residential Improvement Corporation,
Restone Homes, Inc.,
Revello, Inc.,
Revere Electronics, Inc.,
Rex Cabinet & Linoleum Co., Inc.,
Rex Electric Construction Co.,
Rex Enterprises, Inc.,
Rex Industries, Inc.,
Rex Marine Sales Corp.,
Rex Realty and Holding Co.,
Reynolds Maintenance Corporation,
Reynolds Sheet Metal Works, Inc.,
The R.F.F. Development Corporation,
R.H.F. Corporation,
R. & H. Solomon, Inc.,
Rialto Holding Corp.,
Ricciardi Construction Co. Inc.,
Richard David, Inc.,
Richard and Dawn,
Richard-Martin, Inc.,
Richard P. Krill & Son, Inc.,
Richard's Men's Shop, Inc.,
Richland General Store, Inc.,
Richmond Molding Company Inc.,
Ricker Building Company, Inc.,
Rider Construction, Inc.,
Ridge Club, Inc.,
Ridgedale Inc.,
Ridge-Fair Realty Co.,
Ridgefield Park Realty Corp.,
Ridge View Manor,
Ridgewood Memorial Funeral Home Inc.,
Riefolo Construction Company Inc.,

Riel Construction Co. Inc.,
Riggs and Force, Inc.,
R. & I. Holding Company,
Riki of California, Inc.,
Riks Metal Corporation,
R. I. Leasing Corporation,
Riley Builders Inc.,
Rimko Realty Investment Company Inc.,
Rio Grande Fruit & Produce Co Inc.,
Riru Inc.,
Rita Homes, Inc.,
Ritchie's Inc.,
Rite-Faus Company,
Rite Speed Co.,
Rite Way Supermarket, Inc.,
Ritz-Carlton Operating Company,
River Acres, Inc.,
River Bend Estates,
Riverdale Amusement Company,
River Edge Barber Shop,
River Realty Co., #2,
River Road Development Co.,
Riverside Coal and Timber Company,
Riverside Milling & Coal Company,
Riverview Grill & Diner Corporation,
River View Inn,
Rivielio Building Corp.,
Riviera Diner, Inc.,
R. & J. Realty Co., Inc.,
R. & M. Movers Inc.,
Road Contractors Equipment Co.,
Roanune Corporation,
Robel Realty & Investment Co. Inc.,
Roben Construction Company, Inc.,
Roberta Homes, Inc.,
Roberta Togs, Inc.,
Robert Corp.,
Robert Fern Corporation,
Robert Garfield Corp.,
Robert Geltman Company, Inc.,
Robert H. Bomberger, Inc.,
Robert Jay, Inc.,
Robert Lynn,

Robert Morrison and Co., Inc.,
Roberts, Inc.,
Robert's Realty Corporation,
Robette Construction Co. Inc.,
Rock Chemical Company, Inc.,
Rocket Construction Co., Inc.,
Rockland-Bergen Construction Co. Inc.,
Rocklin Homes, Inc.,
The Rock'n Three Ranch,
Rock Spring Realty Corporation,
Rodgers Bros. Express, Inc.,
Rodring Builders, Inc.,
Rogam Corporation,
Rogan Products, Inc.,
The Rogues, Inc.,
The Rojon Corporation,
Roland Pierson Agency,
Rolling Along, Inc.,
Rolling Hills At Fair Lawn,
Rollins Supply Corp.,
Romance Candy Manufacturing Corporation,
Roman Construction Company,
The Roman Inn, Inc.,
Romano Home Insulation & Roofing Co.,
Roman Sales Co., Inc.,
Roma Productions Inc.,
Romeo Roofing Inc.,
Ronade Investors, Inc.,
Ronald Carpet Company,
Rondy's Ovol Bar, Inc.,
Ron Richards, Inc.,
Ronwil Realty Co., Inc.,
Roosma Bros. of Westfield, Inc.,
Ropat, Inc.,
Rosania & Sons Coal and Trucking Co. Inc.,
Rosedale Inn,
Rose Garment Co.,
Rose-Lee Realty Corporation,
Rose Marie Dress, Inc.,
Rosen Children Dress Co. Inc.,
Rosewelt Realty Co.,
Rosewood Farms, Inc.,
Rossi-Markwis, Inc.,

Ross Jewelers of Toms River, Inc.,
Ro-Tex Dyeing & Finishing Co. Inc.,
The Rotisserie Range, Inc.,
Rou-Hof, Inc.,
Roulette Bridge Inc.,
Route 46 Holding Corporation,
Route #3 Motel,
Route 17 Highway Corporation,
Route 23 Realty Co., Inc.,
Route 22 House of Tile, Inc.,
Rowayne Holding Company,
Rowe Sales,
Row Features, Inc.,
Roxbury Center Pharmacy, Inc.,
Roxbury Hill,
Roxy Foods Inc.,
Royal Auto Wreckers Inc.,
"Royal Discount Co., Inc.,"
Royal Master, Inc.,
Royal Meat Products, Inc.,
Royal Motel,
Royal Sportswear of Carteret, Inc.,
Roy Buick Incorporated,
Roy & Jay's Tavern, Inc.,
Roy N. Kaufman & Co.,
R. P. O. Corp.,
R&R Nickel Processing Corp.,
R. & S. Novelty Inc.,
Rubert Realty Co.,
Rubin Meat Products Company,
Rudy & Joe's Bar, Inc.,
Ruffu Imported Cars, Inc.,
Rugby Homes, Inc.,
Rugby Inn, Inc.,
Rules, Inc.,
Rumpf Realty Co.,
Rumson Builders, Inc.,
Rumson Radio and Television Company Inc.,
Rumson Ridge,
Runnemede Development Co.,
Ruolga Uranium Company, Inc.,
Rural Reconstruction Corporation,
Rusal Company, Inc.,

Rush Instrument Co., Inc.,
Russell's Tavern, Inc.,
Rustcraft Custom Home Builders, Inc.,
Ruta Sand & Gravel Co.,
Rutgers Food Market Inc.,
Ruth Builders, Inc.,
Rutherford-Square Appliance, Inc.,
Ruth Gibbs, Inc.,
Ruth Slapin Agency,
Ruxin Products Company,
R. W. L. Triad, Inc.,
R. W. Shull Co., Inc.,

Saan Builders, Inc.,
Sabre Realty Co.,
The Saddle River Company Incorporated,
Safety Fastner Co.,
Safety Realty Corporation,
Safety Specialists, Inc.,
Safeway Bungalow Sales & Movers Inc.,
Safe Way Cleaners & Dyers, Inc.,
Safeway Movers & Bungalow Sales Co.,
Saggese Brothers, Inc.,
Sailor's Hut, Inc.,
Sailou's,
St. George Paper Co. Inc.,
St. Jude Corporation,
The St. Paul Corporation,
Salco Builders, Inc.,
Salem Associates, Inc.,
Salem Coat Corp.,
Salem Floor Covering, Inc.,
Salerno & Pace, Inc.,
Salescrest Corporation,
Sales, Inc.,
Salt 'N Pepper, Inc.,
The Samar Corporation,
Samco Manufacturing, Inc.,
Samer & Syvertsen, Inc.,
Samsing Creations, Inc.,
Samson, Inc.,
Samtom Corp.,
Sancat Realty Co., Inc.,
Sanco Inc.,

Sandra Construction Company,
Sanford W. Tantleff Enterprises Inc.,
Sanico, Inc.,
San Lucia Restaurant, Inc.,
Sanpro Service, Inc.,
Sapol Holding Co.,
Sara Bess, Inc.,
Saravall & Sons, Ltd.,
Saro Realty Corp.,
Sarumo Realty Company,
Sash Incorporated,
Saturn Sporting Goods, Inc.,
Saveway Improvements Incorporated,
Savoy Enterprise, Inc.,
Saxon Beef Company, Inc.,
Sayreville Estates,
S-B Builders, Inc.,
Scala Embroidery Co., Inc.,
Scammell China Company,
Schanerman & Son, Inc.,
Schaps Realty Co., Inc.,
Schenley's Restaurant Inc.,
Schermont Embroideries, Inc.,
Schiffli Products Co.,
The Schiller Company,
Schimpf Realty Co., Inc.,
Schley Lyons Company,
Schneider Manufacturing Corp.,
Schneider's Bakery of Paramus New Jersey Inc.,
Schneider-Wagner, Inc.,
Schulton Corp.,
Schurman Transportation Division Inc.,
Schuyler Manufacturing Corporation,
Scientific Switches, Inc.,
Scopol Holding Corporation,
Scott Cab Service, Inc.,
Scott Manufacturing Company, Inc.,
Scott-Shaw, Inc.,
Scott's Service Inc.,
Seacoast Lumber and Supply Co.,
Seacoast Television Company, Inc.,
Sea King Fisheries, Inc.,
Seaman Construction Co., Inc.,

Seamen's Landing,
Sears Aluminum Products, Inc.,
Seashore Multiple Listing System Inc.,
Seaside Hotel, Inc.,
Seasonal Display and Art Manufacturing Inc.,
Seaspray Provisions, Inc.,
Seb Construction Co.,
Second Four Corners Bar,
Sedlar Realty Corporation,
The See Gees,
Select-A-Book Corporation,
Select Furniture Co.,
Selector of New Jersey, Inc.,
Selmar Construction Co.,
Selnord Manufacturing Company,
Selpar Corporation,
Semah Realty, Inc.,
Seminole Sporting Goods, Inc.,
Senior Housing Development Corporation,
Senior Manufacturing Corporation,
Sentinel Sales, Corp.,
September Realty Co., Inc.,
Serflet Automatic Service & Sales Inc.,
Seroff Brothers, Inc.,
Seroff Brothers of Woodbridge, Inc.,
Service Bar, Inc.,
Service Porcelain Enamel, Inc.,
Seton Investments, Inc.,
711 Winyah Avenue, Inc.,
741 Bloomfield Avenue,
767 Stuyvesant Ave. Corp.,
Seven Oaks Esso Servicenter, Inc.,
7001 Jackson St., Inc.,
77 Walnut St., Inc.,
76th St. Liquors, Inc.,
Sewer Cleaning Service Company,
S. & F. Construction Co. Inc.,
Shaler Sweet Shoppe, Inc.,
Shamrock Charter Coaches,
Shanley Agency, Inc.,
Sharshel Corp.,
Shawdel-Matheson Corporation,
Shaw-Tel Incorporated,

Shayne's, Inc.,
Shearco, Inc.,
Sheer Delight Hosiery Mill, Inc.,
Shelbern Developers, Inc.,
Shelley Construction Corp.,
Sheppard Food Shops,
Sheraton Realty Corp.,
Sheree Sue Homes, Inc.,
Sheridanville, Inc.,
Sherman Equipment Company,
Sherrit Service, Inc.,
Sherwood Breeding Farms, Inc.,
Sherwood Forest, Inc.,
Sherwood Holding Co.,
Sherwood Jewelers, Inc.,
Sherwood Liquor Fair,
Sherwood Stud Associated, Inc.,
Sheryel Knitwear Corporation,
Shinn & Deridder, Inc.,
Ships & Power Equipment Corporation,
Shirley Day, Inc.,
Shirlo Corp.,
Shoe Den Inc.,
Shoes, Incorporated,
Shop-At-Home, Inc.,
Shore Homes,
Shrank & Britt Inc.,
Shrimpmaster, Inc.,
Shulman & Sons Realty Co. Inc.,
Sisco Realty Co., Inc.,
Sides Corporation,
Sidley Consumers Surveys Inc.,
Sieber-Unterman Properties, Inc.,
The Sigma Realty Co.,
Silhouette Figure Form No. 2802 Inc.,
Silhouette Figure Form No. 2803 Inc.,
Silk City Shows,
Silomatic Corporation,
Silon, Inc.,
Silver Electronics Corporation,
Silver Meteor Diner, Inc.,
Silver Moon Diner, Inc.,
Silverside Construction Co., Inc.,

Silverside Park, Inc.,
Silver Slipper,
Silverton Contracting Corporation,
Silver Top Diner, Inc.,
Sima Holding Co., Inc.,
Sims Department Store, Inc.,
Singac Distributing Co., Inc.,
Singer Hardware, Inc.,
Six Bradford Road Corp.,
606 Perry Street, Inc.,
666 Corp.,
Sixty-Eight Market Corporation,
62nd Street Realty Corp.,
S. & J. Corp.,
S.J. D'Andrea,
S.J.M.R. Realty Corp.,
Skala-Blalack Corporation,
Skill Homes, Inc.,
Skip's Bar, Inc.,
Skyborne Parts Inc.,
Skyway Meat Packing Co., Inc.,
Skyway Truck Rentals, Inc.,
Slenda-Lure,
Slender-Ease Inc.,
Slenderella Systems of Morristown N. J., Inc.,
Slender Lady,
S. & L. Enterprises, Inc.,
Slockbower & Son, Inc.,
Sloop Creek Gardens, Inc.,
Sloop Creek Manor, Inc.,
Sloop Creek Park, Inc.,
S & M Corporation,
S & M Excavating, Inc.,
Smith Bros. Furniture, Inc.,
Smith & Dempsey Service Stations, Inc.,
Smith Farms, Inc.,
Smith-Mathewson, Inc.,
Smith-Portner Corporation,
Smitre Realty Co.,
Smoking Pipes Incorporated,
Smoky Joe Food Products, Inc.,
S-M-S Corporation,
Smull Holding Co., Inc.,

Sno-Wite Vacuum Cleaning Service Inc.,
Sobol Bros.,
Soderman Metal Products, Inc.,
Sofield Stables, Inc.,
Solo Sportswear Corp.,
Somad Gardens, Inc.,
Somerdale Development Co. Inc.,
The Somerset Fund, Inc.,
Somerset Industrial Designs, Inc.,
Somerset Investment Co., Inc.,
Somerset Laboratories, Inc.,
Somers Point Manufacturing Co., Inc.,
Somers Point Tavern, Inc.,
Sonya Realty Co.,
Soranno Construction Company,
Sorocco, Inc.,
Sound, Inc.,
South Bergen Agency Inc.,
Southeast Truck Terminal, Inc.,
South End Hardware, Inc.,
Southern New Jersey Builders, Inc.,
Southern Vermont Homes Co., Inc.,
South Jersey Investors, Inc.,
South Jersey Motor Co.,
South Jersey Supply Co.,
So. Kearny Truck Rentals,
South Pacific Lines, Inc.,
South Plainfield Publishing Co., Inc.,
South River Wet Wash Laundry, Inc.,
Southside Realty Co.,
Space City, Inc.,
Space Industries Inc.,
Space Ray Labs, Inc.,
Spacetron Products Corp.,
Spanish American Food, Inc.,
Spanish Bakery, Inc.,
Sparta News League, Inc.,
Spartan Publishing Company, Inc.,
S. Pascht & Sons, Inc.,
Specialty Cleaners,
Specialty Renovators, Inc.,
Spedaliere Realty Co., Inc.,
Speedway Automotive Service, Inc.,

Speedway Trucking Co.,
Sperry Mfg., Inc.,
Sperry's,
Spic & Span Building Maintenance, Inc.,
Spiesman's Bake Shoppe,
Spiral Bone Corp.,
S. P. M. Realty Co.,
Spooner Trucking Corporation,
Sportsmen's Bar and Grill, Inc.,
Spotswood Finance Corporation,
Sprague Manufacturing Corporation,
Springdale Cabana Club,
Spring Lake Motors Co., Inc.,
Spruce Run Rod and Gun Club,
S. & Q. Corp.,
Squan Diner,
Squan Tavern, Inc.,
The Square,
Square Luncheonette,
S.R.M. Realty Corporation,
S. R. S. Realty Co., Inc.,
S. Russo & Co.,
S and S Motors, Inc.,
Stability Equipment Company,
Stadium Appliance Center,
Stadium Electric Company, Inc.,
Stafford Water Company,
Staff Research Laboratories Inc.,
Stage Coach Motel,
Stag Realty Co.,
Stainless Distributors, Inc.,
Stajd Developers, Inc.,
Standard Alarm and Signal Co.,
Standard Aviation, Inc.,
Standard Building & Supply Company,
Standard Business Systems, Inc.,
Standard Items Company,
Standard Power & Fertilizer Co.,
Standard Television Tube Corporation,
Stanford H. Pine Inc.,
Stanleigh Furniture Inc.,
Stanley-Alexander Homes, Inc.,
Stanley F. Grabaz, Inc.,

Stanley Kent, Inc.,
Stan Tone Clothing Co., Inc.,
Stanton & Wood, Inc.,
Stanziale Holding Co. Inc.,
Star Aluminum Products, Inc.,
Sta-Rite Builders, Inc.,
Starland Company, Inc.,
Starlite Theatre Co. of Gloucester,
Star Snack Bars, Inc.,
Star Wrecking Co., Inc.,
State Brake Service, Incorporated,
State Check Cashing Service,
State Hardware & Supply Co. Inc.,
State Land Developers, Inc.,
State Mortgage & Title Co.,
State Shares Co.,
State Underwriters Agency, Inc.,
State Wide Electronics, Inc.,
State Wide Homes, Inc.,
State Wide Loan Company,
State Wide Trailer Rental System,
S.T.A. Travel Agency,
Steacker-Pignona Motors, Inc.,
Steinberger Realty Corp.,
Stein's Stores, Inc.,
Stella's Restaurant Inc.,
Stepbess Realty Corp.,
Stereo Age Recordings, Inc.,
Stereo-Sonic Records, Inc.,
Sterling Lumber Co., Inc.,
Stesco, Inc.,
Stevand Motors, Inc.,
Steve Karos Amusement Rides Incorporated,
Steven Avenue Construction Co. Inc.,
Steven Homes, Inc.,
Steve's 71 Club,
Steve Weishaar, Incorporated,
Stewart Enterprises,
Stewart Venetian Blind Co.,
Stix Construction Co.,
Stonegate,
Stonehill Development Corp.,
Stone Quarries, Inc.,

Stonewall Gravel Corporation,
Stony Island Holding Corp.,
Store Builders, Inc.,
Storm Lakes, Inc.,
Stragov Realty Corporation,
Strecker Construction Company,
Streme-Liner Manufacturing Company,
Strick-Matador Corporation of New Jersey,
Strock, Inc.,
Stuart Electric Co., Inc.,
Stump-Beaver Company, Inc.,
The Stuphyl Corporation,
Stuyvesant Building and Construction Co. Inc.,
Stuyvesant Corporation,
Style-Rite Hanger & Supply Company Inc.,
Su-Bar Realty Corporation,
Suburban Builders, Inc.,
Suburban Cleaners,
Suburban Telephone Answering Service,
Suburban Tire Co.,
Sue-Jeffrey Mfg. Inc.,
Su-Lynn Coat Co., Inc.,
Summit Builders Inc.,
Summit Construction Co.,
Summit Essex Corporation,
Summit Hills, Inc.,
Summit Homes, Inc.,
Summit Launderette,
Summit Radio and Appliance Co.,
Summit Theatre, Inc.,
Summit Transfer Inc.,
Sun-Air Corp.,
Sun Building Co. Inc.,
Sun Copper & Wire Co.,
Sundown Restaurant and Bar, Inc.,
Sun Glo Auto Wash Inc.,
Sun Kee Restaurant, Inc.,
Sun-Lite Manufacturing Company Inc.,
Sun Metal Corporation,
Sunny Cab Company, Inc.,
Sunnyside Luncheonette,
Sun-Ray Textiles, Inc.,
Sun Recreation Development Co.,

Sunrise Acres, Inc.,
Sunrise Builders, Inc.,
Sunrise Construction Corp.,
Sunrise Dry Cleaners, Inc.,
Sunrise Painting Corp.,
Sunset Bowling Club Inc.,
Sunset Products Corp.,
"Sunset Sales Co.",
Sunshine Realty Inc.,
Superb Baking Co.,
Superior Finance and Mortgage Corporation,
Superior Floor Maintenance Co. Inc.,
Superior Investments,
Super-Slacks, Inc.,
Super Speed Cleaners & Tailors, Inc.,
Supreme Furs, Inc.,
Sure-Car of America, Inc.,
Sure-Stop Corporation, Inc.,
Surry's Inc.,
Sussex Lakes, Inc.,
Suter Bros., Inc.,
Suval Realty Co.,
Suzanne Hill Co., Inc.,
Suzette Bags, Inc.,
Swangro, Inc.,
"Swank Builders, Inc.",
Sweater City, Inc.,
Swensen-Growney, Inc.,
Swift Cleaners, Inc.,
Swiss Dry Cleaners, Inc.,
Syalla Corporation,
Sycamore Homes, Inc.,
Sylnan Inc.,
Sylvestra Corp.,
S. Young Stores, Inc.,
System Realty Corp.,
Systems Development Corporation,
Syvertsen Inc.,
S-Z Corporation,
Szczekot Inc.,

The Tabad Co. Inc.,
Taconic Construction Corporation,

Tago Mfg. Company,
Tahcor, Inc.,
Takabi Realty Corporation,
Talbot Realty Co.,
Talco, Inc.,
Tall Miss, Incorporated,
Tally-Ho Knitters, Inc.,
Tamara, Inc.,
Tamco Constr. Co., Inc.,
Tampco Corporation,
Tank Processing Consultants, Inc.,
Tannemac Corp.,
Tappan T.V. Tube Corp.,
Tappan Vale, Inc.,
Tappen's of Sheepshead Bay, Inc.,
Taste Concentrate Corporation,
Taub Paint & Hardware,
"T & B Contractors, Inc.",
T.D. Pharmacal Co.,
T D R Mfg. Co.,
Tea House of the August Moon, Inc.,
Teamsters, Inc.,
Teana-Lane Beauty Salon, Inc.,
Teaneck Blue Ribbon Meats,
Teaneck Recreation Inc.,
T and E Auto Sales, Inc.,
Techcraft, Inc.,
Techni-Papers Corporation,
Technology Associates Incorporated,
Teddy Sportswear Corp.,
Tedmar Company,
Ted's Inc.,
Tee-Gee Electronics, Inc.,
Tee Jay Mfg. Corp.,
The Teen-Shop Inc.,
Teitelbaum Inc.,
Tel –A– Glass Industry, Inc.,
Telco Holding Company,
Telecom Corporation,
Teledepth, Incorporated,
Teletronic Schools System, Inc.,
Television & Electronic Services, Inc.,
Temlock Holding Company,

Temple Hill Realtyco.,
Tempo Trucks of Passaic and Bergen Counties, Inc.,
Tenakill Estates, Inc.,
1011 Broad St. Corp.,
1014 Arctic Avenue Inc.,
1017, Inc.,
"1010 Park Ave. Inc.",
10 Prospect Place, Inc.,
Terma Construction Co.,
Terrace Construction Co., Inc.,
Terrace Decorators Inc.,
Terrace Towers,
Tescola Importing Company, Inc.,
Teterboro Travel Service,
The Textile Factors, Inc. No. 2,
Textile Testing Laboratory, Inc.,
T.F. Corporation,
T. H. Davis Company, Inc.,
Theodore the Florest Co.,
Therma-Crafts Corporation,
Thermo Vibro Mat, Corp.,
T & H Home Improvement Co. Inc.,
30th Street Realty Co.,
30 Pennington Street Corporation Inc.,
36 Duncan Avenue Corp.,
33-35 High Street Co.,
Thomas A. Yamouny Realty Company,
Thomas Burnet Inc.,
Thomas Carpet Co., Inc.,
Thomas C. Lepre Inc.,
Thomas Farms, Inc.,
Thomas Fraser Construction Co., Inc.,
Thomas Motor Co.,
Thomas Patterson, Inc.,
Thomas-Wilton Corp.,
Three Boroughs Diner, Inc.,
3-D Beverage Co.,
Three Fours Service Station Inc.,
3 Guys Meat Market, Inc.,
318 Broadway, Inc.,
387 Mulberry Street, Inc.,
383-389 Broad St. Corp.,

342 Broad Street Corp.,
304 Camden Street Inc.,
316 Realty Corp.,
361 Grand Street Corporation,
Three Star Tavern,
Thrifty's Brunswick, Inc.,
Thurmont Flooring & Lumber Company of New Jersey,
Tru-Tone Products, Inc.,
Tide Corporation,
Tidelands Development Corporation,
Tides Tavern, Inc. of Lower Penns Neck Township,
Tie-Wraps, Inc.,
Ti-Joval Enterprises Inc.,
Tillou Corp A Corporation,
Timax-Newark, Inc.,
Timberlane Builders, Inc.,
Timber Products Sales Corporation,
Times Market, Inc.,
Timont Gold Mines, Ltd.,
Tint N' Set, Inc.,
Tinton Builders, Inc.,
Tip Top Gas & Oil Co., Inc.,
Tisco Corporation,
T.J. and J. Corporation, Inc.,
T. J. Kramer Hardware Co., Inc.,
T. & K. Associates, Inc.,
T & M Products Corporation,
Tocyl Pharmacal Co. Inc.,
Today, Inc.,
The Todomar Corporation,
Tolor Pharmacal Co.,
The Tom Fleming Shop,
"Tonemaster Sound Corp.",
Tonnele and Reserve Corporation,
Tonnele Wrecking and Lumber Company Inc.,
Tops Appliances,
Tops of New Brunswick,
Toptek Development Corp.,
Tor-Buck Enterprises, Inc.,
Torque Solenoid Development Co.,
Tot Dress Corp.,
Tott Realty Company,

Towers Metals Corporation,
Tower Structures, Inc.,
Town & Country Building Corporation,
Town and Country Cleaners, Inc.,
Town & Country Custom Building Corp.,
Town and Country Dairy,
Town & Country Restaurant, Inc.,
Towne Market of Westfield, Inc.,
Townley Land Co. Inc.,
Townsend Co., Inc.,
Track Parts, Inc.,
"Tract Developers Inc.",
Tracy's Realty Co.,
Trame, Inc.,
Trammer, Inc.,
Trans-America Lease and Land Exchange,
Transatlantic Ltd.,
Trans-Bergen Construction Co., Inc.,
Trans-Caribe Industries, Inc.,
Transco Construction Co.,
Transcontinental Teenage Tours, Inc.,
Transfer Hall, Inc.,
Transient Rentals, Inc.,
Transitab Inc.,
Transmetallurgical Corporation,
Trans-World Productions, Inc.,
The Trautz Company,
Tree Ripe,
Tremont Building Company, Inc.,
Tremont Co.,
Trenton Brass Company,
Treo Co.,
Triangle Liquors,
Trianon Furniture Creators Inc.,
Tri-Boro Cleaners, Inc.,
Tri-Boro T.V. Service,
Tri-County General Contractors, Inc.,
Tri-County Hill Refrigeration Company,
Tri-County Plumbing & Heating Co.,
Tri-Crest Company,
Tri Decorators, Inc.,
Trio Auto Service, Inc.,
Trio Sportswear Mfg. Co., Inc.,

Triple City Laundry, Inc.,
Triple J,
Triple Lake Ranch Inc.,
Triple S Realty Inc.,
Tripodi Contracting Company,
Tristan Homes, Inc.,
Tri-State Contracting Corp.,
Tri-State Realty Corp.,
Tri-State Sales, Inc.,
Triumph Builders, Inc.,
Trizol Products Corporation,
Tro-Mur Development Company, Inc.,
Trophy Cocktail Lounge,
Tropical Motors, Inc.,
Trout Realty Inc.,
Truck and Road Equipment Corporation,
Truck & Trailer Repair Service Inc.,
Trusco, Inc.,
Trylon Hydraulics & Mfg. Co.,
Trylon Radio Laboratories, Inc.,
Tryon Manor, Inc.,
T & S Luncheonette Inc.,
T. S. R. Corp.,
Tu-Bit Corporation of America,
Tuccillo Builders Inc.,
Tuckahoe Iron Foundry, Inc.,
Tuckerton Beach,
Tufts Construction Co., Inc.,
Tulams, Inc.,
Tullbro Company, Inc.,
Turf Beverage Co.,
Turkey Hill Land Company, Inc.,
Turner Village, Inc.,
Turnpike Construction Co.,
Turnpike Distributing Company,
TV Buyer's Guild, Inc.,
TV Parts Center, Inc.,
T.V. Tube Installomat Inc.,
12 South Second St. Inc.,
20th Century Housecraft, Inc.,
24 Broad Street Properties, Inc.,
24 Commerce Street Corporation, Inc.,
Twenty-Fourth Avenue Corp.,

29 Pennington Corp.,
2106 Kerrigan Avenue Corp. Inc.,
27 Porete Avenue Corp.,
27 Realty Corporation,
27 West 25th Street Corporation,
2300 Surf Ave., Corp.,
Twin-City Farmers Mart, Inc.,
Twin-City Food Center, Inc.,
Twin Coat Co., Inc.,
Twin Oaks Development Corporation,
Twin State Transportation Company Inc.,
2-Guys From Brooklyn,
Two Heroes,
208 Clinton Street Corp.,
208 West Market Street Corporation,
257 Market Street Corporation,
246 Twelfth Street Corp.,
The 219 Sussex Street Corporation,
207 Cumbermede Road, Inc.,
278 Waverly Ave. Corp.,
279 Club Inc.,
276 Hawthorne Ave., Corp.,
263 Webster Ave., Inc.,
228 Corporation,
The Tyler Realty Company,
Tyre-Trim Company Inc.,

U-Do-It Electronics, Inc.,
Ultra Contractors, Inc.,
Ultra Sonic Deburring Co. of New Jersey Inc.,
Ultra Vision Mfg. Corp.,
Under-One-Roof Store Alliance Inc.,
Unicorn Paving Co.,
Unimerx, Inc.,
Union County Auto Sales, Inc.,
Union County Shopping Center, Inc.,
Union Equipment Corporation,
Union Excavating and Construction Company Inc.,
Union Fabricators, Inc.,
Union Industrial Services Incorporated,
Union Meat Center, Inc.,
Union Motors,
Union Reading Institute,

The Union Register Publishing Company,
United Buying Agency, Inc.,
United Cleaners & Launderers,
United Consultants and Designers,
United Dairy and Sunshine Farm Products Co.,
United Food Club of America,
United Homes, Inc.,
United Merchandising Corporation,
United Paving & Construction Company,
United Piece Dye Works Service Corp.,
United Publicity Inc.,
United Pure Meat Products, Inc.,
United Sales Corporation,
United Shirt Shop of Newark, Inc.,
United Spachling, Inc.,
U.S. Construction Corporation,
U. S. Drive-In, Inc.,
U. S. Equipment Co.,
U. S. Fruit Distillers,
U. S. Garden Supplies, Inc.,
United States Litho-Print Corp.,
United States Underwriters Exchange,
United Veterans Land and Homes Inc.,
Unity Holding Corporation, Inc.,
Unity Market,
Unity Stores,
Universal Aerasol Packing Co.,
Universal Maintenance Company, Inc.,
Universal Slenderette, Inc.,
Universal Sporting Goods, Inc.,
Universal Studios, Inc.,
Universal Systems, Inc.,
Universal Truck Inspectors, Inc.,
The Unwin Corporation,
Upholstery Incorporated,
Upton Homes,
Urban Leasehold Improvement Corp.,
US Homes, Inc.,
U.S. James Co. Inc.,
Utility Oil Co. Inc.,
Utility Tool Rental Co.,

Vacuum Ash Systems Corporation,
Vagabond Bar, Inc.,

Valencia Liquor Shop, Inc.,
Val-Id Products, Inc.,
Valley Hardware Co.,
Valley Home Construction Co. Inc.,
Valley Motor Lodge, Inc.,
Valley Motors, Inc.,
Valley Park, Inc.,
Valley Ridge Realty Co., Inc.,
Valley Sales Inc.,
Valore Construction Co., Inc.,
Value Merchandisers Incorporated,
Van Dee Co.,
Vanguard Audio Company,
Vanguard Sales Corp.,
Van Kull Homes, Inc.,
Vannen Realty Corp.,
Van Osborne Corporation,
Van Volkom Bros., Inc.,
Variety Diet Fish Food, Inc.,
Variety Hat Co. Inc.,
Varlese Construction Company,
Vassar Homes, Inc.,
The Vat Inc.,
Vaughn Manor Estates, Inc.,
V. D. B. Corp.,
Vending Machine Service, Inc.,
Vending Research Inc.,
Vendome Plaza Corporation,
Venezuela Fund, Inc.,
The Venice, Incorporated,
Ventnor Marine Corporation,
Vent's Express, Inc.,
Ventures Inc.,
Venus Slenderizing Studio, Inc.,
Ver Wys Service and Supply Company Inc.,
Vespa's Luncheonette, Inc.,
Vet Lumber Company,
V.F.M. Corporation,
Viachetti Industries of New Jersey Inc.,
Vibra-Matic Mfg. Corp.,
Vicari & Co., Inc.,
Victor Strashinsky, Inc.,
Victory Corp.,

Victory Dyeing & Finishing Co. Inc.,
View Realty Co., Inc.,
Vijon Realty Corp.,
Viking Construction Co.,
Viking Sales Co., Inc.,
Village Construction Co.,
Village Taxi Inc.,
Vincent Codella, Inc.,
Vineland Sand & Stone Co.,
Vin-Lou Realty Co., Inc.,
Vinmore, Inc.,
Virginia Food Sales Co., Inc.,
Virginia Pools, Incorporated,
Virginia Tavern,
Vita-Rest Healthy Products, Inc.,
Vita-Tone Laboratories,
Vito Inc.,
Vi-Torco Corp.,
Vitro-Crete Finishes Inc.,
Volgo Construction Company, Inc.,
Vroom Manor, Inc.,
V & W Enterprises, Inc.,
Vymar Electric Mfg. Corp.,

Waat Transcription Service Inc.,
Wa-Go, Inc.,
Walcam Holding Co.,
Waldemar Mazur Construction Co., Inc.,
Walker Brothers, Incorporated,
Walker Property & Mortgage Company,
Wallace Coat & Suit Corp.,
Wall-A-Vision Electronics Corp.,
Waller Corp.,
Wall Pharmacy, Inc.,
Walnut Company, Inc.,
Walnut Park Realty Company,
Walter B. Hutchinson Agency Inc.,
Walter H. Kremer Associates, Inc.,
Walter R. Olson, Inc.,
Walter S. Ellis & Sons, Inc.,
Walter's Golf Center,
Walter Shilay, Inc.,
The Walter W. Fischer Company Inc.,
Wampum Bar and Restaurant, Inc.,

Wanderland Center,
Wantastiquet, Inc.,
Warlock Realty Co.,
Warren Construction Company,
Warren Holding Company,
Warren Valley Homes, Inc.,
Warren View Gardens,
Warrenville Manor,
Washarama of Emerson, Inc.,
Washington Gardens,
Washington United Development Corp.,
Washington United Investment Corporation,
Washmobile Interstate,
Washmobile Sales Co., Inc.,
Waterfilm Boilers, Inc.,
Waterford Corporation,
Watra Builders Corporation Inc.,
Waverly Realty Co. #2,
Way Corporation,
Wayne Plumbing Co., Inc.,
Wayne Theatre, Inc.,
Wayside Enterprises, Inc.,
W. & B. Realty Co.,
W. D. Virtue Co., Inc.,
Weather-Lok Mfg. Corp.,
Weather-Master Insulation Company Inc.,
Webb Sash Door & Supply Co., Inc.,
Webb's Auto Repairs & Sales Inc.,
Webster & Company,
Webster Realty Company, Inc.,
Wee-Kids, Inc.,
Weequahic Music Center, Inc.,
Wee Wheel Inc.,
Wehrlin & Co. Inc.,
Weigand Co. Inc.,
Weimar Storage Co., Inc.,
Weiss Gravure Printing Corporation,
Welcome Newcomer, Inc.,
Wellbilt Construction Co., Inc.,
Well Built Homes of North Jersey,
Welton Plumbing & Heating, Inc.,
Weslee Corporation,
Westave Realty Corp.,

Westboro Shoes, Inc.,
West End Bar & Grill,
Western Builders,
Westfield Cleaners, Inc.,
Westfield Paint & Hardware Company,
West Hudson Floor Waxing Co.,
West Indies Swimming Pool Corporation,
West Knitting Mills, Inc.,
West Long Branch Acres,
West Long Branch Gardens,
West Madison Garden Apartments Corporation,
Westminster Launderers, Inc.,
Westminster Services, Inc.,
Weston, Eckenfelder and Hood, Inc.,
West Orange Cab Co.,
West Orange Hills, Inc.,
West Orange Motors, Inc.,
West Park Acres Inc.,
West Park Realty Co.,
West Realty & Holding Co.,
Westside Fuel Service Inc.,
West Side Knitting Corp.,
Westview, Inc.,
Westville Gardens Corporation,
Westwood Professional Building Inc.,
Westwood Shopping Center, Inc.,
Wetona and Olga Realty Co.,
Wexford Waterproofing Company Inc.,
Wharton Builders, Inc.,
Whitebrier Construction Company,
White Corner Inc.,
White Eagle Construction Co., Inc.,
White Front Poultry Markets, Inc.,
Whitegate Printing Co., Inc.,
White Horse Food Market, Inc.,
White Horse Pike Publishing Company Inc.,
White Line Cab Co.,
White Top Inn,
White Way Sandwich Shop, Inc.,
Whitings Stock Farm,
Whitney Home Builders, Inc.,
Whittaker Construction Co., Inc.,
Whittier & Wood, Inc.,

W. H. Thompson Co.,
Wickliffe Co.,
Widenor Brothers, Inc.,
Widston Stores, Inc.,
Wiesen Textile Printing Corporation,
The Wilcrest Corporation,
Wild West City, Inc.,
Wildwood Appliance, Inc.,
Wildwood Fisheries Incorporated,
Willda Corp.,
Will E. Cusick Company,
William Budd, Ltd.,
William Cardinal Beauty Salon Inc.,
William Deutschlander Inc.,
William Frank Realty Corporation,
William H. Wilson, Inc.,
William J. Johnson Realty Corporation,
William J. Rogers Agency, Inc.,
"William Roberts, Inc.",
William R. Walsh Company Inc.,
Williams & Cacchione Contractors, Inc.,
Williams Equipment Co.,
Williams-Kipping Company,
Wm. Wilcox & Sons Moving Company,
Will-Jo Corp.,
Willnan, Inc.,
Willow Estates Corporation,
Willow-Park Realty Co. Inc.,
Willys New Brunswick Motors,
Wiloco, Inc.,
Wil-O-Del,
Winbridge Development Co., Inc.,
Windsor Crafts, Incorporated,
Windsor, Inc.,
Win Manufacturing Co.,
Winslow Motor Hotel,
Winston Carriers, Inc.,
The Winston Company,
Wiresmiths, Inc.,
Wiss Super Markets, Inc.,
Witherbee Storage Battery Co. Inc.,
W. J. Fewkes Associates Inc.,
W. J. M. Tractor Rentals, Inc.,

W.K. Hamilton Cabinet & Lumber Co.,
W & L Corporation,
W. L. Ellis Inc.,
W & N Construction Co. Inc.,
W. N. Freeman, Inc.,
Woman Speaks,
The Wonder Cleaners and Dyers Inc.,
Wonder Restaurant, Inc.,
Woodbridge Equipment Co.,
Woodbridge Plaza, Inc.,
Woodbridge Realty Co.,
The Woodcraft Shop, Inc.,
Woodcrest Estates, Inc.,
Woodfield Company, Inc.,
Woodhaven Ferndale Holding Company Inc.,
Woodland Associates, Inc.,
Woodland Paper Corp., of NJ.,
Woodley Men's Wear, Inc.,
Woodmere Servicenter, Inc.,
World Construction Co., Inc.,
World Wide Auto Show, Inc.,
Worthington Homes,
Wortmann Construction Company,
Wright Village Drugs, Inc.,
Wrought Plaza, Inc.,
W. S. Harrington & Company,
W. & S. Products Corp.,
W-W Diner, Inc.,
Wychman Builders, Inc.,
Wyer Tyer Corporation,

Xavier Farms, Inc.,
Xavier's,

Yantacaw Building Corp.,
Yellow Cab of Paterson,
Yolanda Holding Corp., Inc.,
Young's Road Auto Parts, Inc.,
Youngsters, Inc.,
Your Cab Co.,
Your Local Dairy,
Youth Center, Inc.,

Zackowitz Associates Inc.,
Zahn Manufacturing Co., Inc.,
Zamost Construction Company, Inc.,
Zands Realty Corp.,
Z.E.T.A. Construction Co. No. 1,
Ziffner Builders, Inc.,
Zin Builders, Inc.,
Zolar Holding Corp.,

are repealed, and that all powers conferred by law upon such corporations and each of them, shall hereafter be inoperative and void.

[SEAL] Given under my hand and the Great Seal of the State of New Jersey, this fifth day of February, A. D. one thousand nine hundred and sixty-two, and in the Independence of the United States, the one hundred and eighty-sixth.

RICHARD J. HUGHES,
Governor.

By the Governor,
ROBERT J. BURKHARDT,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 4th day of January, 1954, by the Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that the Conservative Realty Company, a corporation of this State, had failed to pay the corporation franchise taxes levied against said corporation for the year 1951, the Governor of this State, on the 10th day of February, 1954, issued a Proclamation declaring that the charter of said corporation is repealed and that all powers conferred by law upon such corporation be thereafter inoperative and void; and

WHEREAS, Said report of the Director, Division of Taxation, Department of the Treasury, to the Governor in the above particular was inadvertently made in that it appears that prior to the making of the said report, the Conservative Realty Company duly paid the corporation franchise taxes levied against said corporation for the year 1951; and

WHEREAS, The aforesaid Conservative Realty Company has duly filed all returns required under the Corporation Business Tax Act down to the present date and has paid all taxes due under the said act.

THEREFORE, acting pursuant to the provisions of R. S. 54:11–4, I, RICHARD J. HUGHES, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Conservative Realty Company did not fail to pay the corporation franchise taxes levied against it for the year 1951, but that said corporation duly paid the taxes levied against it for said year; that the report made on the 4th day of January, 1954, by the Director, Division of Taxation, Department of the Treasury, to the Gov-

ernor, stating that said corporation had failed to pay the said corporation franchise taxes, was inadvertently made and that the proclamation of the Governor on the 10th day of February, 1954, 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 thirty-first day of December in the year of Our Lord one thousand nine hundred and sixty-two and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

By the Governor:
ROBERT J. BURKHARDT,
Secretary of State.

PROCLAMATION

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

WHEREAS, As a result of a report made on the 20th day of January, 1960, by the Acting Director, Division of Taxation, Department of the Treasury, to the Governor of this State, setting forth that Albar Investment Company, a corporation of this State (incorporated September 9, 1952), 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 Albar Investment Company, 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, RICHARD J. HUGHES, Governor of the State of New Jersey, do hereby declare and make known that it has been established to my satisfaction that said Albar Investment Company, 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 Acting 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 twenty-fifth day of January, in the year of Our Lord, one thousand nine hundred and sixty-three, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

By the Governor:
ROBERT J. BURKHARDT,
Secretary of State.

AMENDMENTS TO THE 1947 CONSTITUTION

Amendments to the 1947 Constitution

PROPOSED AMENDMENT ADOPTED

Amend Article IV, Section VIII, paragraph 2, to read as follows:

2. No gambling of any kind shall be authorized by the Legislature unless the specific kind, restrictions and control thereof have been heretofore submitted to, and authorized by a majority of the votes cast by, the people at a special election or shall hereafter be submitted to, and authorized by a majority of the votes cast thereon by, the legally qualified voters of the State voting at a general election, except that, without any such submission or authorization;

A. It shall be lawful for bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct, under such restriction and control as shall from time to time be prescribed by the Legislature by law, games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of game of chance sometimes known as bingo or lotto, played with cards bearing numbers or other designations, five or more in one line, the holder covering numbers as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangement of numbers on such a card, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by the Legis-

lature by law, shall authorize the conduct of such games of chance therein, and

B. It shall be lawful for the Legislature to authorize, by law, bona fide veterans, charitable, educational, religious or fraternal organizations, civic and service clubs, volunteer fire companies and first-aid or rescue squads to conduct games of chance of, and restricted to, the selling of rights to participate, and the awarding of prizes, in the specific kind of games of chance sometimes known as raffles, conducted by the drawing for prizes or by the allotment of prizes by chance, when the entire net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious or public-spirited uses, in any municipality, in which such law shall be adopted by a majority of the qualified voters, voting thereon, at a general or special election as the submission thereof shall be prescribed by law and for the Legislature, from time to time, to restrict and control, by law, the conduct of such games of chance.

PROPOSED AMENDMENT ADOPTED

Amend Article VIII, Section I, paragraph 3, to read as follows:

3. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or of other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be exempt from taxation on real and personal property to an aggregate assessed valuation not exceeding five hundred dollars ($500.00), which exemption shall not be altered or repealed. Any person hereinabove described who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-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.

PROPOSED AMENDMENT ADOPTED

Amend Article II, paragraph 3 as follows:

3. Every citizen of the United States, of the age of 21 years, who shall have been a resident of this State 6 months, and of the county in which he claims his vote 60 days, next before the election, shall be entitled to vote for all officers that now are or hereafter may be elective by the people and upon all questions which may be submitted to a vote of the people.

Adopted November 5, 1957.

Effective December 5, 1957.

PROPOSED AMENDMENT ADOPTED

Amend Article IV, Section VI of the Constitution by adding thereto section 4 as follows:

4. The Legislature, in order to insure continuity of State, county and local governmental operations in periods of emergency resulting from disasters caused by enemy attack, shall have the power and the immediate and continuing duty by legislation (1) to provide, prior to the occurrence of the emergency, for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and (2) to adopt such other measures as may be necessary and proper for insuring the continuity of governmental operations. In the exercise of the powers hereby conferred the Legislature shall in all respects conform to the requirements of this Constitution except to the extent that in the judgment of the Legislature to do so would be impracticable or would admit of undue delay.

Adopted November 7, 1961.

PROPOSED AMENDMENTS TO THE 1947 CONSTITUTION THAT HAVE BEEN REJECTED

(1333)

Proposed Amendments to the 1947 Constitution that have been Rejected

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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.

EXECUTIVE ORDERS

Executive Orders

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER NO. 1

I, Richard J. Hughes, Governor, order and direct that beginning Monday, June 18, and continuing until Monday, September 10, all state offices shall close one half hour earlier than the regular closing hour.

[SEAL] Given under my hand and seal this first day of June, in the year of Our Lord one thousand nine hundred and sixty-two, and in the Independence of the United States, the one hundred and eighty-sixth.

RICHARD J. HUGHES,
Governor.

Attest:
LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 2

WHEREAS, In the further interest of efficiency and economy, it appears desirable that the Department of the Treasury establish and operate a central motor pool and that the use of certain State owned motor vehicles be coordinated and controlled through the medium of said pool.

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, do hereby order and direct:

1. That the Department of the Treasury shall establish a motor pool and in connection therewith shall maintain and operate central facilities for the repair and storage of State owned motor vehicles for the use of State Agencies, utilize existing State facilities for that purpose and establish such subsidiary facilities as the State Treasurer may deem necessary to carry out the purpose of this Executive Order.

2. That the State Treasurer be and he is hereby directed to take charge and head the unit to be known as the motor pool. In connection therewith, he shall:

a. Designate and utilize all Divisions, Bureaus or other agencies within the Department of the Treasury for the performance of such functions as he may so deem necessary.

b. Take possession of all State motor vehicles which are required by this Executive Order to be placed in the motor pool and attend to the transfer of all instruments of title and registration as may be necessary for the purpose of vesting title, ownership or control of all such vehicles in the name of the Department of the Treasury.

c. Purchase or otherwise acquire from time to time, within the limits of available funds or appropriations, such additional motor vehi-

cles as shall be required for the proper functioning of the motor pool.

d. Distribute on a proportionate basis the cost of maintaining and operating the motor pool authorized hereunder among the State Agencies utilizing motor vehicles assigned to said motor pool.

e. Adopt, amend or repeal, and enforce, such rules and regulations as shall be necessary or desirable for the efficient and economical operation of State owned motor vehicles assigned to the motor pool.

3. That all expenditures in connection with the maintenance and operation of the motor pool shall be supervised and controlled by the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Director.

4. That this Executive Order shall be applicable to all State Agencies owning or operating motor vehicles, except the following:

a. The State Highway Department.

b. The Division of State Police, in the Department of Law and Public Safety.

c. That State Department of Defense.

d. The individual institutions operated by the Department of Institutions and Agencies.

[SEAL] Given, under my hand and seal this 26th day of July, in the year of Our Lord, one thousand, nine hundred and sixty-two, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:
LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 3

I, Richard J. Hughes, Governor, order and direct that Friday, November 23, 1962 (day after Thanksgiving Day) be declared an extra holiday for State employees.

[SEAL] Given under my hand and seal this first day of November in the year of Our Lord one thousand nine hundred and sixty-two, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 4

I, Richard J. Hughes, Governor, order and direct that Monday, December 24, 1962, (day before Christmas Day), be declared an extra holiday for State employees.

[SEAL] Given under my hand and seal this 27th day of November, in the year of Our Lord one thousand nine hundred and sixty-two, and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT.

EXECUTIVE ORDER No. 5

WHEREAS, It is the responsibility of the State to take appropriate measures wherever practicable to insure the security of the State's penal and correctional institutions, and

WHEREAS, It has long been the practice of the State to prohibit certain State employees in certain penal and correctional institutions from bringing articles or items of any kind into such institutions save that needed for their own attire in order to eliminate the possibility of contraband or other articles entering such institutions that may jeopardize the security thereof, and

WHEREAS, It appears to be in the State's interest that the meal furnished to certain employees of such institutions, as are now required for security reasons to be consumed on the premises thereof, be provided by the State, at State expense, and for the convenience of the State as the employer,

NOW, THEREFORE, I, RICHARD J. HUGHES, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by statutes of this State, do hereby order and direct that the luncheon meal or its counterpart, as may now be served for security reasons to certain employees of such institutions, be served at State expense, effective with the bi-weekly pay period beginning December 8, 1962, and, thereafter, to other employees in such institutions who, for security reasons, may hereafter be designated by the Commissioner of the Department of Institutions and Agencies.

[SEAL] Given under my hand and seal this tenth day of December in the year of Our Lord one thousand nine hundred and sixty-two and in the Independence of the United States, the one hundred and eighty-seventh.

RICHARD J. HUGHES,
Governor.

Attest:

LAWRENCE BILDER,
Acting Secretary to the Governor.

New Jersey State Library

Statements of Results of Municipal Elections

(1347)

Statements of Results of Municipal Elections

At a special election held in the city of Ventnor City on October 2, 1962 the question "Shall Subtitle 5 of the Title Municipalities and Counties of the Revised Statutes (Chapter 40:79–1 et seq.), providing for a Municipal Manager Form of Government, be adopted in the City of Ventnor City, N. J." was rejected. The results were filed in the office of the Secretary of State on October 8, 1962.

At the General Election of November 6, 1962 the name of the Township of Atlantic in the County of Monmouth was changed to Colts Neck Township in the County of Monmouth. Filed in the office of the Secretary of State November 15, 1962.

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