

NEW JERSEY REGISTER



Official Publication of the State of New Jersey

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Info
VOLUME 6 • NUMBER 4

April 4, 1974 • Indexed 6 N.J.R. 129-160

RECEIVED

APR 3 1974

DEPUTY COMMISSIONER

ASSISTANT COMMISSIONER
HIGHWAYS
DEPT OF TRANSPORTATION
1035 PARKWAY AVE
TRENTON N J 08625

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(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Amendments to Requirements on Equidae Entering New Jersey

On January 1, 1974, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-2 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 2:3-2.5 concerning the requirements on equidae entering New Jersey, as proposed in the Notice published October 4, 1973, at 5 N.J.R. 326(a).

An order adopting these amendments was filed March 7, 1974, as R.1974 d.55.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

BANKING

THE COMMISSIONER

Proposed Revisions Concerning Governmental Unit Deposit Protection

Clifford F. Blaze, Acting Deputy Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9-41, proposes to revise the rules concerning governmental unit deposit protection.

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

3:1-4.1 Public depository; acceptance of deposits

No deposit may be accepted from a governmental unit by any public depository unless the public depository secures such deposit in accordance with the Governmental Unit Deposit Protection Act (hereinafter called the Act).

3:1-4.2 Filing of certified statement by public depository

Every public depository shall file with the Commissioner of Banking, on forms furnished by the Commissioner, a certified statement signed by its president or vice president and one other officer indicating the average daily balance or the alternate average balance as provided in the Act of either collected or uncollected public funds on deposit during the six-month period ending on the next preceding

valuation date (June 30 or December 31 of each year). The statement shall include information as to the capital funds of the depository and detailed information, including location pertaining to the eligible collateral [securities] pledged to secure public funds. The statement shall be filed as of June 30 and December 31 of each year and at such other times as the Commissioner may require. [In addition, a public depository which had public funds on deposit during the six-month period prior to December 1, 1970 is required to file a certified statement for such period.]

3:1-4.3 Certified statement; time for filing

A certified statement required to be filed pursuant to the Act or this Subchapter shall be filed with the Commissioner within 20 days of the date required by law, regulation or the Commissioner.

3:1-4.4 Computation of public funds

(a) A public depository which has public funds on deposit for more than 15-calendar days but less than the full six-month period preceding the semi-annual valuation date shall compute the aforesaid average based on the actual number of calendar days that public funds were on deposit in said depository and such figures shall be its average for the reporting period. In the event a public depository has no public funds on deposit on a valuation date, it shall indicate same on the certified statement and compute the aforesaid average, if any, for the reporting period. If a public depository holds public funds on deposits for less than 15-calendar days during a reporting period, it need not compute the aforesaid average for that period.

(b) While a public depository is not required to have collateral [securities] pledged if it does not have public funds on deposit on a valuation date, it is required to use the aforesaid average, if any, computed on the preceding valuation date as its basis for securing public deposits should it resume accepting such deposits during the six-month period subsequent to the preceding valuation date. If a public depository does not maintain its pledge of collateral [securities] as a result of not having public funds on deposit on a valuation date, it shall file a certified statement with the Commissioner disclosing same at the time it resumes accepting deposits. If the public depository maintains its pledge based on the said reported average notwithstanding that it has no balance on a valuation date, it may resume accepting public funds without filing an additional certified statement.

(c) If a public depository had no average daily balance of public funds on deposit at the time of the last valuation date, it shall compute the average daily balance of the public funds subsequently acquired for the first 15-calendar days following acquisition of such deposits and submit a certified statement to the Commissioner disclosing such

NEW JERSEY REGISTER

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

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The New Jersey Register is published the first Thursday after the first Monday of each month by the Division of Administrative Procedure of the Department of State, 10 North Stockton Street, Trenton, New Jersey, 08608. Telephone: (609) 292-6060. Subscriptions, payable in advance, are one year, \$8.00, monthly back issue when available, 90 cents. Make checks payable to: Division of Administrative Procedure.

average and such other information as may be required in the certified statement. If the aforesaid 15-day period overlaps a valuation date, the period shall commence on the first date deposits are received.

3:1-4.5 Public funds exceeding 75 per cent of capital funds

A public depository which receives and holds on deposit for any period exceeding 15-calendar days public funds of a governmental unit or units which in the aggregate exceed 75 per cent of the capital funds of the public depository as reported on the last valuation date shall file a certified statement with the Commissioner indicating the amount of such excess and a description of the eligible collateral [securities] pledged to secure said excess. Such collateral shall have a market value at least equal to the amount of such excess and shall be in addition to the five per cent security required to be maintained and as noted in the last semi-annual certified statement.

3:1-4.6 Retention of certified statement

A public depository shall retain copies of its certified statement as filed with the Commissioner and any supporting workpapers for a period of three years. Such statements and workpapers shall be made available to examiners when the public depository is examined by the Commissioner or any supervising Federal agency.

3:1-4.7 Scope of terms surplus and undivided profits

(a) As included within the definition of capital funds in Section 1 of the Act:

1. The terms "surplus" and "undivided profits" shall, in the case of a State bank or National bank, include any reserve for contingency, reserve for securities and reserve for bad debts as computed for Federal Income Tax purposes, but shall exclude any specifically allocated reserves or reserves for known specific charges.

2. The term "surplus" shall, in the case of a savings bank, include undivided profits, any reserve for contingency, reserve for securities and reserve for bad debts as computed for Federal Income Tax purposes, but shall exclude any specifically allocated reserves or reserves for known specific charges.

3. The term "undivided profits" shall, in the case of an association, include any reserve for contingency and included within the definition of capital funds in Section 1 of the Act, reserve for bad debts as computed for Federal Income Tax purposes, but shall exclude any specifically allocated reserves or reserves for known specific charges.

3:1-4.8 Substitution of collateral [securities]

Public depositories shall have the right to make substitutions of eligible collateral [securities] between valuation dates without notification to and approval by the Commissioner; provided that any substituted collateral [securities] have a market value as of the date of substitution which is at least equal to the market value of the collateral [securities] so replaced as reported on the last valuation date. Any withdrawal of pledged collateral [securities] without replacement as mentioned aforesaid requires the prior approval of the Commissioner. A letter to the Commissioner requesting such a withdrawal of collateral [securities] shall indicate the collateral [securities] to be withdrawn and the reason or reasons for such withdrawal. The Commissioner shall transmit in writing his approval or disapproval of such withdrawal to the public depository.

3:1-4.9 Agreement or resolution; custodial depository and Commissioner

(a) The depositories specified in N.J.S.A. 17:9-44, shall be known as custodial depositories.

(b) A custodial depository of a State bank, National bank

or savings bank shall be required to have a written agreement with the Commissioner which will authorize such depository to hold securities as collateral for public funds under the terms and conditions enumerated therein.

(c) A custodial depository of an association shall be required to have a written agreement or, in the case of the Federal Home Loan Bank, a resolution filed with the Commissioner, authorizing such depository to hold such securities as collateral for public funds under the terms and conditions enumerated in such agreement or resolution.

(d) 1. A public depository who pledges mortgage loans insured or guaranteed by the United States of America or an instrumentality thereof as to the payment of principal and interest shall file with the Commissioner at the time each certification statement is filed a report of the current status of each mortgage pledged as collateral on forms subject to the approval of the Commissioner.

2. The bond or note and mortgage collateral instruments shall be segregated from other files of the public depository.

3. The underlying mortgage collateral security shall be homes containing not more than four dwelling units.

4. The market value of the mortgage loan shall be 80 per cent of the book value of the loan at the date of filing, until the next semi-annual valuation date.

5. Mortgage loans contractually delinquent more than three months shall not be considered eligible collateral.

6. Individual mortgage ledger cards or comparable records shall be marked to indicate items pledged.

3:1-4.10 Agreement or resolution; public depository and custodial depository

(a) Each public depository which is a State bank, National bank or savings bank shall be required to have a written agreement with a custodial depository. Said agreement shall indicate that the collateral [securities] pledged is [are] to be held subject to the order of the Commissioner or his authorized Deputy and is [are] held as security for public funds as required under the Act.

(b) Each public depository which is an association shall be required to have either of the following:

1. A written agreement with a custodial depository if the custodial depository is not the Federal Home Loan Bank; or

2. If the custodial depository is the Federal Home Loan Bank, a resolution of the association, as provided in Section 524.5 of the regulations of the Federal Home Loan Bank System.

(c) Each public depository that pledges insured or guaranteed mortgages as security for public funds shall file with the Commissioner a resolution of the board of the depository at the time of the initial pledge. The resolution must authorize the pledging of such mortgages together with other documentation which may be required by the Commissioner.

(d) [c] The aforesaid written agreement or resolution shall indicate that the collateral [securities] pledged is [are] to be held subject to the order of the Commissioner or his authorized Deputy and is [are] held as security for public funds as required by the Act.

3:1-4.11 Security; State and other public deposits

The securing of public deposits as required under the Act shall not preclude any public depository from securing State or other public deposits which are otherwise required to be secured by law. The deposits which are otherwise required to be secured shall be excluded from the computation of the average [daily] balance of public funds as required in this Subchapter.

3:1-4.12 Records maintained by Commissioner; eligibility

The Commissioner of Banking shall maintain such records as he shall deem necessary in order to determine

which public depositories have complied with the provision of the Act. After receipt of the periodic certified statement, the Commissioner shall give written notification to each reporting public depository of its eligibility to act as a depository for public funds.

Authority: N.J.S.A. 17:9-41 et seq.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

Clifford F. Blaze
Acting Deputy Commissioner
Department of Banking
Trenton, New Jersey 08625

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

Clifford F. Blaze
Acting Deputy Commissioner
Department of Banking

(a)

EDUCATION

STATE BOARD OF EDUCATION

Revisions In Transportation Rules for Marie H. Katzenbach School for the Deaf

On March 15, 1974, Victor J. Podesta, Acting Commissioner of Education and Acting Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:61-2(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted emergency revisions to N.J.A.C. 6:78-1.3 concerning transportation for the Marie H. Katzenbach School for the Deaf.

These revisions delete in its entirety the current text of N.J.A.C. 6:78-1.3 and adopt new text therefore.

Full text of the adopted, revised rule follows:

N.J.A.C. 6:78-1.3 (a) A board of education shall be required to furnish necessary daily transportation Monday through Friday to and from the school for nonboarding pupils when such transportation is approved by the county superintendent of schools in accordance with such rules and regulations as the State Board shall promulgate for such transportation.

(b) The residential portion of the Katzenbach program operates on a limited or a five-day week. All children are required to be the responsibility of the parents or legal guardian each weekend throughout the school year and those other times designated as holidays by the school calendar. The school shall provide by contract or otherwise all necessary transportation for pupils maintained at the school.

(c) The school shall determine the most appropriate plan of transportation for each student, which may include the establishment of bus routes and the reimbursement at prevailing State rates of parents or legal guardians for transporting of students in private automobiles. It is the responsibility of the parents or legal guardians or someone designated by the parents or legal guardians to meet the buses at the specified time.

(d) An adult monitor whose responsibilities shall be designated by the school shall be assigned to each bus.

(e) Charter buses under State contract shall be used.

An order adopting these revisions was filed and effective March 20, 1974, as R.1974 d.70 (Exempt, Emergency Rule).

Director of Administrative Procedure
Thomas F. Kistner
Department of State

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF WATER RESOURCES

BUREAU OF WATER POLLUTION CONTROL

Proposed Water Pollution Control Program Plan

Joseph T. Barber, Acting Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and in accordance with the provisions of 50CFR35, proposes to submit to the United States Environmental Protection Agency the State Water Pollution Control Program Plan which is intended to be used as a management system for fiscal year 1975.

Proposed Water Pollution Control Program

Plan will consist of the following:

1. Annual State strategy.
2. Priority lists for projects eligible for Federal construction grants.
3. Major program elements and outputs.

In accordance with the provisions of 40CFR35.556, a public hearing on the foregoing proposed action will be held on Monday, May 6, 1974, beginning at 10:00 A.M. at the War Memorial Building, main ballroom, Trenton, N.J. If necessary, the public hearing will be continued on Tuesday, May 7, 1974 beginning at 10:00 A.M. until completion.

If adopted, these rules will be cited as Subchapter 12, Chapter 9, Title 7 in the New Jersey Administrative Code.

Copies of the proposed water pollution control program plan may be obtained from:

New Jersey Department of Environmental Protection
Division of Water Resources
Bureau of Water Pollution Control
P.O. Box 2809
Trenton, New Jersey 08625

Interested persons may present to the Division of Water Resources at the above address statements or arguments in writing relevant to the proposed action prior to May 5, 1974, on all matters desired to be brought to the attention of the Department.

The Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt the water pollution control program plan substantially as proposed without further notice.

Joseph T. Barber
Acting Commissioner
Department of Environmental Protection

(c)

ENVIRONMENTAL PROTECTION

DIVISION OF WATER RESOURCES

BUREAU OF WATER POLLUTION CONTROL

Proposed Rules Concerning Allocation Of Waste Loads to Point-Source Dischargers

The Department of Environmental Protection, pursuant

to authority of N.J.S.A. 13:1D-1 et seq., proposes to adopt new rules which shall describe the policy and the methodology the Division of Water Resources shall use in the allocation of waste loads to point-source dischargers, as required by Section 303(e) of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500.

Full text of the proposed rule follows:

SUBCHAPTER 11. ALLOCATION OF WASTE LOADS TO POINT-SOURCE DISCHARGERS

7:9-11.1 Definitions

The following words shall have the following meanings unless the context clearly indicates otherwise.

"Acceptable arrangement" means any combination of alternative configurations and levels of treatment under which water quality standards will be maintained.

"Alternative configuration" means the alternative juxtaposition of the number of point-source dischargers and discharger locations within a segment or study area.

"Antidegradation" means the policy of maintaining the quality of water in a water body in a state that is at least as high as the present quality of that water body.

"Alternative arrangement" means any combination of alternative configurations and levels of treatment.

"Department" means the New Jersey Department of Environmental Protection.

"Design conditions" means those hydrological and flow characteristics of a water body which are used as a basis for determining water quality standards.

"Discharger" means any person, corporation, municipality, sewerage authority or other legal entity, who causes, suffers, or allows any material to be placed, injected or released into any water body in the State.

"Levels of treatment" means the degree of waste removal and concomitant residual wastewater effluent to be attained by any discharger.

"Point source" means any discernible, discrete discharge source which may be attributable to a given discharger.

"Reserve" means the hydrological, chemical or biological ability of a water body to accept additional waste loads beyond those allocated.

"Segment" means a portion of a study area, the surface waters of which have common hydrological characteristics (or flow regulation patterns), common natural physical, chemical, and biological processes, and which have common reactions to external stresses, e.g., the discharge of pollutants.

"Study area" means the geographical area which includes all water bodies for which waste load allocations are to be done as a unit.

"Waste load" means the amount of chemical, physical, or biological matter contained within a waste discharge.

"Waste load allocation" means the assignment of maximum waste loads to point-source discharges so as to maintain water quality standards.

"Water quality model" means any mathematical or analytical tool used to predict the hydrological, flow, chemical or biological characteristics of a water body.

"Water quality standards" means the physical, chemical, biological and esthetic characteristics of a water body as described by State water quality criteria (N.J.A.C. 7:9-4, N.J.S.A. 7:9-6) or the water quality which would result from existing discharges under design conditions, whichever is more stringent as determined by the Department.

7:9-11.2 Objective

(a) The allocation of waste loads to point-source dischargers forms the basis for water quality management

planning, as required by Section 303(e) of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500.

(b) The objective of waste load allocations is to apportion the after-treatment, residual wastewater discharges in such a way that water quality standards are maintained under design conditions.

7:9-11.3 Policy

(a) In the apportioning of waste loads to dischargers, the general objective is to minimize total public expenditures, subject to social and environmental constraints, while maintaining water quality standards. To achieve this end, the State's policy does not preclude the assignment of different levels of treatment to different dischargers, if this will prove more beneficial over the study area. Levels of treatment assigned under this procedure, which are higher than those specified in Subchapter 8 of this Subtitle, shall take precedence over those of that Subchapter.

(b) The State's policy of antidegradation, as specified in N.J.A.C. 7:9-5.9, shall remain in effect for all water bodies in the State unless it can be substantiated that severe social and economic consequences will result in a specifically affected area. In such a case as this, application for exemption with proper documentation, following any procedural rules from the Department as may exist, shall be filed by the discharger. In cases where exemptions may be granted, water quality standards will not be permitted to fall below the prevailing water quality criteria (N.J.A.C. 7:9-4; N.J.A.C. 7:9-6).

7:9-11.4 Waste Load Allocation Procedure

(a) The procedure to be followed by the Department in allocating waste loads to point-source dischargers shall be as follows:

1. Delineate the study area;
2. Assemble all necessary water quality and hydrologic data for the water bodies in the study area for which waste load allocations are to be done;
3. Develop water quality models, or other predictive water quality estimators, for the water bodies in the study area, which shall then be used to evaluate alternative arrangements of point-source discharge configurations and treatment levels under design conditions;
4. Delineate the segments within the study area;
5. Determine alternative arrangements of point-source discharge configurations and levels of treatment for each segment;
6. Analyze the alternative arrangements for each segment independently and eliminate from further consideration those which are unacceptable within the individual segments themselves.
7. Combine the acceptable arrangements for the segments into a set of alternative arrangements for the study area.
8. Analyze the alternative arrangements for the study area and eliminate those which are unacceptable.
9. Determine reserve for all acceptable arrangements, in accordance with applicable procedural rules for the waste load parameters being allocated.
10. Enumerate all acceptable arrangements for the study area, which shall be described by:
 - i. A configuration of point-source dischargers;
 - ii. A level of treatment required of each of said dischargers;
 - iii. A specified reserve for each segment and parameter.
11. Evaluate all acceptable arrangements for the study area.
12. Select the best arrangement for the study area and thus for each segment contained therein, based on the De-

partment's policies as contained in this Subchapter and other Subchapters of this Subtitle.

13. Allocate waste loads to the point-source dischargers within the study area, in accordance with paragraph (1) of this subpart.

7:9-11.5 Variations in discharge loadings

(a) Seasonal variations in discharge loadings may be approved by the Department when it can be substantiated that treatment performance is limited by ambient conditions.

(b) Projected variations are subject to technical review by the Department, and where great variability exists, the Department may require the discharger to utilize alternate treatment processes.

(c) When components of treatment processes have a disproportionately high ratio of operation and maintenance costs to capital cost, and when conditions of the receiving water body are such that reductions in performance of said treatment components will have no measurable impact on receiving water quality, permission may be granted by the Department for such reductions during specified periods.

In addition to the above, an example of a waste load allocation chart was included but is not reproduced herein.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 25, 1974, to:

Department of Environmental Protection
Division of Water Resources
Bureau of Water Pollution Control
Post Office Box 2809
Trenton, New Jersey 08625

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

Joseph T. Barber
Acting Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Extension of Emergency Rules on Sulfur in Fuels

On March 12, 1974, Joseph T. Barber, Acting Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 52:13B-4 and N.J.A.C. 15:15-4.18 et seq., adopted an emergency rule which extended the effective date of Administrative Order No. 39, which was filed and effective November 21, 1973 as R.1973 d.326 (See: 5 N.J.R. 404(a) in the December 6, 1973, issue of the New Jersey Register) and which concerned sulfur in fuels.

Full text of the emergency rule follows:

7:1-3.5 Extension of provisions

(a) Under the powers and duties conferred upon me by the New Jersey Administrative Procedure Act (N.J.S.A. 52:14B-4(c)) and N.J.A.C. 15:15-4.18, et seq. which empowers the Commissioner of the Department of Environmental Protection to adopt, amend or repeal an administrative rule whenever the Commissioner determines that an imminent peril to public health, safety and welfare

exists, I do hereby temporarily extend the provisions of Administrative Order Number 39 until and including July 1, 1974. Any variance which was approved by the Department under the provisions of Administrative Order Number 39 and which is in force on March 15, 1974, is extended until and including July 1, 1974, unless such variance is rescinded or amended by the Department.

(b) The provisions of N.J.A.C. 7:27-9.1 et seq. and 7:27-10.1 et seq. (formerly Chapters 10 and 10-A of the New Jersey Air Pollution Control Code) shall be in full force and effect on and after July 2, 1974.

(c) The requirements of Administrative Order Number 39 and of this temporary extension shall not preclude the use after July 1, 1974, of any fuel subject to Administrative Order Number 39 and/or this temporary extension on hand at the place of use on July 1, 1974.

An order adopting this extension was filed and effective March 12, 1974, as R.1974 d.64 (Exempt, Emergency Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL QUALITY

BUREAU OF AIR POLLUTION CONTROL

Notice of Variances Regarding Sulfur Content of Fuels

Take notice that, during the period of February 6, 1974, through March 7, 1974, the Bureau of Air Pollution Control, Division of Environmental Quality in the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 52:14B-4(c) and N.J.A.C. 15:15-4.18 and in accordance with the provisions of N.J.A.C. 7:1-3.3 of administrative order number 39 issued variances to the following applicants authorizing the use of No. 5 and No. 6 fuel oils having a sulfur content not in excess of the percentage indicated, in fuel-burning equipment located at the addresses shown below for a period not extending beyond March 15, 1974. All variances are conditioned upon the implementation of approved standby plans in the event an air pollution alert, warning or emergency is declared.

1.5 per cent sulfur

Celanese Chemical Company

354 Doremus Avenue, Newark City

J. Wiss & Sons Co.

400 West Market Street, Newark City

S. B. Penick & Co., a unit of CPC International Inc.

158 Mt. Olivet Avenue, Newark City

S. B. Penick & Co., a unit of CPC International Inc.

540 New York Avenue, Lyndhurst Township

Scovill Manufacturing Company

140 Thomas Street, Newark City

Albert Hailparn, et al

468 Totowa Avenue, Paterson City

Advance Piece Dye Works, Inc.

112 River Road, Clifton City

Hercules Incorporated

South Minisink Avenue, Sayreville Borough

Pfister Chemical Inc.

Route 46, Ridgefield Borough

County of Essex Hospital Center

Fairview Avenue, Cedar Grove Township

County of Essex Hall of Records
 469 High Street, Newark City
 County of Essex Geriatrics Center
 Belleville Avenue, Belleville Town
 County of Essex Corrections Center
 Elm Road, North Caldwell Borough
 Driver-Harris
 201 Middlesex Street, Harrison Town
 Continental Copper & Steel Industries, Inc.
 Hatfield Wire & Cable Div.
 Fuller Road & Stiles Street, Linden City
 General Electric Company
 40 Seventeenth Avenue, Newark City
 Stone Container Corporation, Grand-City Container Div.
 Tonnelle Avenue, North Bergen Township
 Bayonne Industries, Inc.
 Foot of East 22nd Street, Bayonne City
 Packaging Corporation of America
 227-253 Clifton Boulevard, Clifton City
 Pabst Brewing Company
 400 Grove Street, Newark City
 AGFA-Gevaert Inc.
 275 North Street, Teterboro Borough
 Fairlawn Industries Inc.
 20-21 Wagaraw Road, Fairlawn Borough
 Colonnade Park Realty Co.
 25-51 Clifton Avenue, Newark City
 Colonnade Park Realty Co.
 381 Broad Street, Newark City
 Radel Leather Manufacturing Co., a Div. of Seton Company
 445 Wilson Avenue, Newark City
 Metro Containers, An Operation of Kraftco Corporation
 107 Westside Avenue, Jersey City
 Metro Containers, An Operation of Kraftco Corporation
 Minue Street, Carteret Borough
 Swift Dairy & Poultry Company, A Div. of Swift & Company
 Amboy Avenue, Woodbridge Township
 Best Foods Research Center, CPC International Inc.
 1120 Commerce Street, Union Township
 H. and S. Chemical Company, Inc.
 Jordan Avenue & Van Dyk Street, Wallington Borough
 Ken-Duncan Limited
 2600 Kennedy Boulevard, Jersey City
 The Kaycel Realty Co.
 150 Bay Street, Jersey City
 Venus Esterbrook Corporation
 622 Jefferson Street, Hoboken City
 Quinn & Boden Company, Inc.
 1905 Elizabeth Avenue, Rahway City
 Garden State Paper Company, Inc.
 950 River Drive, Garfield City
 Mallinckrodt Chemical Works
 223 West Side Avenue, Jersey City
 Malt Products Corporation of New Jersey
 Hunter Avenue, Maywood Borough
 Rhodia, Inc.
 297 Jersey Avenue, New Brunswick City
 Monsanto Company
 Pennsylvania Avenue, Kearny Town
 J. L. Prescott Co.
 27 Eighth Street, Passaic City
 Witco Chemical Corporation
 2 Wood Street, Paterson City
 Rutgers University
 Tittsworth Place & Davidson Road, Piscataway Township
 Rutgers University
 George Street, New Brunswick City
 Hoffman-LaRoche Inc.
 Kingsland Street, Nutley Town
 BASF Wyandotte Corporation
 Foot of Central Avenue, Kearny Town
 BASF Wyandotte Corporation
 Cranbury & South River Road, Jamesburg Borough
 Precision Automation Corp., Subsidiary of Esterline Corp.
 11 Locust Avenue, Roseland Borough
 Gane's Chemical Works Incorporated
 611 Broad Street, Carlstadt Borough
 Stauffer Chemical Company
 Meadow Road, Edison Township
 Van Raalte Company, Inc.
 662 Myrtle Avenue, Boonton Town
 Van Raalte Company, Inc.
 465 Getty Avenue, Paterson City
 Reichhold Chemicals, Inc.
 Middlesex Avenue, Carteret Borough
 Ciba-Geigy Corporation, Pharmaceuticals Division
 556 Morris Avenue, Summit City
 Ashland Chemical Company, Division of Ashland Oil, Inc.
 400 Doremus Avenue, Newark City
 Celanese Research Company
 Morris Court, Summit City
 Engelhard Minerals & Chemicals Corporation
 54 Austin Street, Newark City
 Engelhard Minerals & Chemicals Corporation
 149 Murray Street, Newark City
 Hahne and Company,
 Division of Associated Dry Goods Corporation
 609 Broad Street, Newark City
 Rheingold Breweries Inc.
 119 Hill Street, Orange City
 MacMillan Bloedel Containers Inc.
 601 Lehigh Avenue, Union Town
 3M Company
 500 Doremus Avenue, Newark City
 Penetone Division, Amerace Corporation
 74 Hudson Avenue, Tenafly Borough
 Gold Bond Building Products,
 Division of National Gypsum Company
 North Avenue, Garwood Borough
 American Cyanamid Company
 East Main Street, Bridgewater Township
 Arvey Corporation, Lamcote Division
 300 Communipaw Avenue, Jersey City
 Barrett & Company, Inc.
 49 Vesey Street, Newark City
 Bristol-Myers Products,
 A Division of Bristol-Myers Company
 225 Long Avenue, Hillside Township
 Clayton Container Co., Inc.
 405 Kingsland Avenue, Harrison Town
 The Continental Insurance Companies
 10 Park Place, Newark City
 East Orange General Hospital
 300 Central Avenue, East Orange City
 Eastern Air Lines, Inc.
 Hanger 55, Newark Airport, Newark City
 Fabien Corporation
 10 Dell Glen Avenue, Lodi Borough
 Fanbert Realty Corp.
 1130 Peterson Lane, Secaucus Town
 Fiske Brothers Refining Company
 129 Lockwood Street, Newark City
 Ford Motor Company
 State Highway No. 17, Mahwah Township
 General Plastics Corporation
 55 LaFrance Avenue, Bloomfield Town
 Hackensack Hospital Association
 22 Hospital Place, Hackensack City

Kraft Corrugated Containers, Incorporated
 Foot of East 22nd Street, Bayonne City
 Middlesex General Hospital
 180 Somerset Street, New Brunswick City
 Newark Center Building
 1100 Raymond Boulevard, Newark City
 Orange Central Y.M.C.A.
 125 Main Street, Orange City
 Perth Amboy General Hospital
 530 New Brunswick Avenue, Perth Amboy City
 President Container Inc.
 200 West Commercial Avenue, Moonachie Borough
 Spartan Operative Company, Inc.
 9 Brighton Road, Clifton City
 Standard Chlorine Chemical Co., Inc.
 1035 Belleville Turnpike, Kearny Town
 The Thomas & Betts Co.
 36 Butler Street, Elizabeth City
 Union City Housing Authority
 3rd & 4th Street, Bergenline Ave. & West St., Union City
 Union City Housing Authority
 640 - 39th Street, Union City
 Union City Housing Authority
 3911 Kennedy Boulevard, Union City
 Union City Housing Authority
 3700 Palisade Avenue, Union City
 Vulcan Materials Company
 600 Doremus Avenue, Newark City
 Western Electric Co., Inc.
 88 Newark Avenue, Jersey City
 The Great Atlantic & Pacific Tea Company, Inc.
 265 Cortlandt Street, Belleville Town
 Diamond Shamrock Chemical Company
 13th Street & Berry Avenue, Carlstadt Borough
 Diamond Shamrock Chemical Company
 1st & Essex Streets, Harrison Town
 Reichhold Chemicals, Inc.
 726 Rockefeller Street, Elizabeth City
 Rentex Services Corporation
 51 Schley Street, Garfield City
 Saint James Hospital
 155 Jefferson Street, Newark City
 Saint Michael's Medical Center
 306 High Street, Newark City
 Schering Corporation
 86 Orange Street, Bloomfield Town
 Schering Corporation
 Galloping Hill Road, Kenilworth Borough
 Schering Corporation
 1011 Morris Avenue, Union Township
 United Hospitals Medical Center
 15 South 9th Street, Newark City
 United Hospitals Orthopedic Center
 89 Park Place, Newark City
 The Elizabeth General Hospital
 925 East Jersey Street, Elizabeth City
 General Motors Parts Division, General Motors Corporation
 261 Grove Street, Bloomfield Town
 Hunt Wesson Foods
 160 East 22nd Street, Bayonne City
 Levolor Lorentzen, Inc.
 720 Monroe Street, Hoboken City
 Westvaco Corporation
 550 Ninth Street, Hoboken City
 Rockcliffe Apartments Co.
 10 Crestmont Road, Montclair Town
 Hospital Rental Service Company, Inc.
 66 Laidlaw Avenue, Jersey City
 Natcontainer Corporation
 8101 Tonnelle Avenue, North Bergen Township
 The Great Atlantic & Pacific Tea Company, Inc.,
 National Bakery Division
 34 Queen Street, Newark City
 Continental Can Company, Inc., Corrugated Container Div.
 Hollister Road, Teterboro Borough
 Eureka Realty Associates
 791 Paulison Avenue, Clifton City
 Pascack Valley Hospital
 Old Hook Road, Westwood Borough
 Republic Container Corp.
 1561 Hudson Boulevard, Jersey City
 Thumann's, Inc.
 399-419 St. Paul's Avenue, Jersey City
 Celanese Coatings Company
 James Street, Belvidere Town
 Hoffman-LaRoche Inc.
 Sarepta Road, White Township
 3 per cent sulfur
 S. B. Penick & Co., a unit of CPC International Inc.
 Taylortown Road, Montville Township
 Beattie Manufacturing Company
 242 Main Street, Little Falls Township
 Passaic-Pioneer Properties Co.
 35 Eighth Street, Passaic City
 Pantasote Company of New York, Inc.
 26 Jefferson Street, Passaic City
 Veterans Administration Supply Depot
 U.S. Highway 206, Somerville Borough
 Gold Bond Building Products,
 Division of National Gypsum Company
 50 Division Avenue, Passaic Township
 Fritzsche Dodge & Olcott
 Merry Lane, East Hanover Township
 Fritzsche Dodge & Olcott
 85 Third Street, Clifton City
 Ungerer & Company
 650 Union Boulevard, Totowa Borough
 Continental Piece Dyeing & Finishing Co., Inc.
 15-19 First Avenue, Paterson City
 USM Corporation, Parker-Kalon Division
 1 Entin Road, Clifton City
 Picatinny Arsenal
 Route 15, Rockaway Township
 BASF Wyandotte Corporation
 100 Cherry Hill Road, Parsippany-Troy Hills Township
 E. I. DuPont de Nemours & Company, Incorporated
 Pompton Lakes Works, Pompton Lakes Borough
 McWilliams Forge Company, Inc.
 Franklin Road, Rockaway Township
 Jersey Shore Medical Center
 1945 Corlies Avenue, Neptune City Borough
 GAF Corporation
 35 Main Street, South Bound Brook Borough
 Miles Laboratories, Inc., Marschall Division
 193 Arlington Avenue, Clifton City
 NORDA, Inc.
 140 Route 10, East Hanover Township
 NORDA, Inc.
 94 Fanny Road, Parsippany-Troy Hills Township
 Okonite Company
 959 Market Street, Paterson City
 Sun Chemical Corporation, Facile Division
 185 Sixth Avenue, Paterson City
 National Hose Company
 Richboyton Road, Dover Town
 Passaic General Hospital
 350 Boulevard, Passaic City
 Bright Star Industries Incorporated
 600 Getty Avenue, Clifton City

Glenbrook Laboratories
2144 East State Street, Hamilton Township
Stauffer Chemical Company
4407 South Broad Street, Hamilton Township
U.S. Naval Air Propulsion Test Center
1440 Parkway Avenue, Trenton City
Compac Corporation
Furnace Road, Stanhope Borough
M&M/Mars
High Street, Hackettstown Town
Plastoid Corporation
45 Gingerbread Castle Road, Hamburg Borough

An order adopting this Notice was filed and effective March 14, 1974, as R.1974 d.67 (Exempt, Procedure Rule). This listing is not subject to codification in the New Jersey Administrative Code and therefore will not appear in Title 7 therein.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

HEALTH

THE COMMISSIONER

Proposed Rules on Abortions

The State Department of Health, with the approval of the Health Care Administration Board and pursuant to authority of N.J.S.A. 26:2H-5(b), and the State Board of Medical Examiners of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9-2, propose to adopt rules concerning abortions.

Take notice that, the full text of proposed rules concerning standards for first trimester outpatient abortion facilities was published in the March 7, 1974, issue of the New Jersey Register at 6 N.J.R. 103(b). In addition to or in conjunction with those proposed rules concerning the first trimester, rules concerning the second and third trimester of pregnancy are now proposed.

Full text of these latter, proposed rules follows:

CHAPTER 40.

OUTPATIENT ABORTION FACILITIES

SUBCHAPTER 1. FIRST TRIMESTER

(See: March 7, 1974, New Jersey Register for full text)

SUBCHAPTER 2. SECOND AND THIRD TRIMESTER

INTRODUCTION

The following rules and regulations, made necessary by recent United States Supreme Court decisions, have been developed by the New Jersey Department of Health in cooperation with the State Board of Medical Examiners, the New Jersey Obstetrical and Gynecological Society, the Medical Society of New Jersey, the New Jersey Association of Osteopathic Physicians and Surgeons, and other qualified bodies. The rules provide standards of care necessary for hospitals and termination of pregnancy services for the performance of termination of pregnancy procedures during the second and third trimesters of fetal development, with proper regard for the health, safety and well-being of the patient.

These regulations provide that termination of pregnancy procedures shall be performed only by qualified physicians operating in licensed health care facilities where aseptic procedures as well as equipment, staff and special facili-

ties are provided to properly manage hemorrhage, shock, cardiac arrest and other medical emergencies. These regulations also require that family planning services be made available to patients upon request.

Objective of these regulations is to assist in the establishment of reasonable safeguards for women undergoing termination of pregnancy procedures and for physicians and facilities providing these services.

It is stressed that these rules and regulations do not concern themselves with considerations of professional judgment which remain the sole prerogative of the individual physician.

No person shall be required to perform or assist in the performance of a termination of pregnancy procedure or sterilization, or incur any liability for refusing to perform or assist in these procedures. The medical staff policies and procedures on physicians' qualifications and granting of privileges in hospitals where such procedures are performed shall prevail. Conversely, no person shall at any time use coercive efforts to require a pregnant woman either to undergo or not to undergo a termination of pregnancy procedure.

These rules and regulations do not in any way limit physicians in counseling their patients on alternatives to termination of pregnancy procedures, such as adoption, foster parents and similar programs.

8:40-2.1 Definitions

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

"Termination of pregnancy procedures" means the removal from the uterus of the products of conception—either an embryo, a nonviable fetus or a viable fetus. Further, as used in these rules and regulations, the term "termination of pregnancy" applies to any period after the 12th week of pregnancy.

"Second and third trimesters" mean the period of pregnancy after 12 weeks, as determined by the history given by the patient and subordinate to the physician's findings on clinical examination and estimation of duration of pregnancy by the size of the uterus and any other relevant physical findings.

"Hospital" means a health care facility licensed as a hospital by the State Department of Health wherein termination of pregnancy procedures are performed.

"Termination of pregnancy service" means a health care facility, other than a hospital, wherein termination of pregnancy procedures are performed, licensed by the State Department of Health.

"Affiliated termination of pregnancy service" means a termination of pregnancy service which is located within a total transport time of ten minutes from a hospital with which such service has a written affiliation agreement for the treatment of its patients requiring care on an inpatient basis.

"Total transport time" means the total elapsed time between the diagnosis, at an affiliated termination of pregnancy service, of a complication requiring emergency care and the delivery of the patient and the transfer of responsibility for the patient's care to appropriate medical personnel at a hospital.

"Physician" means a person holding a full unrestricted license as a physician and surgeon.

"Department" means the New Jersey State Department of Health.

"Commissioner" means the New Jersey State Commissioner of Health.

"Inpatient" means a person admitted to and being treated in a hospital or termination of pregnancy service.

"Qualified social worker" means a graduate of a school of social work accredited by the Council on Social Work Education working under the broad administrative direction of a physician.

"Social service unit" means a separate, identifiable section of a hospital or termination or pregnancy service employing one or more qualified social workers.

8:40-2.2 Requirements and standards

A termination of pregnancy shall be performed only by a physician licensed to practice medicine in the State of New Jersey (N.J.S.A. 45:9-6; or as excepted in N.J.S.A. 45:9-21c).

8:40-2.3 Operative and post-operative requirements

(a) The physician in charge of the termination of pregnancy procedures at a hospital or termination or pregnancy service shall:

1. Set forth in writing the policies and procedures pertaining to termination of pregnancy and implementation thereof;

2. Designate a licensed physician or physicians whom he deems qualified to supervise directly the care of all patients undergoing termination of pregnancy including their post-operative care and follow-up;

3. Establish written standards for the observation of patients during the post-operative period.

(b) A hospital or termination of pregnancy service shall be maintained in accordance with a set of formal standards which define the professional qualifications of its obstetric, gynecologic, surgical, nursing and administrative staff and which govern the conduct of their services. These standards shall be prepared by the physician in charge of the termination of pregnancy procedures and a copy of such standards and any change or modification thereof shall be filed with the Department.

(c) General or local anesthesia shall be administered only by physicians licensed or other personnel qualified to perform such procedure.

(d) Routine pathologic examination of all tissue removed from the uterus shall be performed.

8:40-2.4 Admission and examination procedures

(a) Every woman seeking to terminate her pregnancy shall be registered as expeditiously as possible and, whenever possible, on the same day of registration shall be seen by a physician and staff for history-taking, physical examination and necessary laboratory tests.

(b) If the patient cannot be accepted for registration and examination within a reasonable period of time, the termination of pregnancy service shall refer her to an appropriate alternate resource.

(c) Pregnancy testing shall be available at the patient's initial visit and may precede actual registration. The result and type of pregnancy test shall be available to the examining physician before termination of pregnancy procedures are instituted. The diagnosis of pregnancy shall be the responsibility of the examining physician.

(d) A complete medical history shall be obtained from and a complete and thorough physical examination shall be performed upon the woman seeking to terminate her pregnancy.

(e) The following laboratory tests shall be performed by the hospital or termination of pregnancy service on every patient on whom a pregnancy is to be terminated: hematocrit, complete urinalysis, blood grouping and Rh typing. The blood specimen used for blood grouping and typing shall be retained by the blood bank in the event a cross-matching test for transfusion is required.

(f) Anti-Rh immune globulin therapy should be given to all Rh negative patients within 72 hours of completion of

the termination procedure when appropriate to the patient's future childbearing potential. If for any reason a patient refuses the administration of such immune globulin when recommended by the physician, this refusal shall be noted by the physician in the clinical record and documented and supported by the patient's signature on an appropriate waiver and release form.

(g) Interviewing and counseling shall be made available to patients before and after termination of pregnancy procedures are performed.

(h) Family planning counseling by such personnel as may be prescribed by the physician in charge of the service shall be made available to the patients before and after termination of pregnancy procedures are performed.

8:40-2.5 Staff of termination of pregnancy services

(a) A physician shall be present on the premises of the termination of pregnancy service at all times during the operative period and post-operative period until an uneventful recovery is assured.

(b) At least one registered professional nurse with post-graduate education or experience in obstetric or gynecologic nursing shall supervise and direct the associated nursing personnel and shall be on duty at all times while a hospital or termination of pregnancy service is in use.

(c) Student nurses, practical nurses, attendants and other ancillary personnel assigned to give nursing care in a hospital or termination of pregnancy service shall be trained in observational and emergency techniques for pre-operative and post-operative care of gynecologic patients and shall be supervised at all times by registered and professional nurses.

8:40-2.6 Admission and examination facilities

A hospital or termination of pregnancy service shall provide facilities for registration, medical evaluation, examination and referral, and be equipped with suitable furnishings and accommodations, including waiting and dressing rooms and other appurtenances for the physical comfort and convenience of patients and personnel. Sufficient, suitably equipped examining rooms shall be provided for the daily caseload. Nothing contained herein shall prohibit registration, interviewing, history-taking, medical examination and appropriate referral from being conducted in an existing prenatal, gynecology and/or family planning clinic.

8:40-2.7 Laboratory facilities

(a) Hospitals or termination of pregnancy services shall provide the facilities listed below. Affiliated termination of pregnancy services shall have an affiliation agreement which shall include provision for use in the hospital of the same facilities listed below unless otherwise specified. However, affiliated termination of pregnancy services shall have on their premises such facilities as are necessary to perform clinical tests specified in the agreement with the hospital.

(b) Hospitals or termination of pregnancy services shall have a blood bank maintained and operated pursuant to Chapter X of the State Sanitary Code of the State of New Jersey, a clinical laboratory maintained pursuant to Chapter IV of the State Sanitary Code (N.J.A.C. 8:8-1.1, et seq.), an X-ray laboratory which meets the requirements of the New Jersey Radiation Protection Code (N.J.A.C. 7:28-1.1, et seq.), and a clinical laboratory qualified to perform urinalysis, hematocrit and other hematological tests including cross-matching and determinations of blood group and Rh type. The examination of surgically removed tissue, tests for pregnancy, and infrequently performed tests, or those not included within specialties or sub-specialties stated on the permit covering the clinical laboratory, or

those requiring specialized equipment and skill, may be done by another laboratory approved by the Department.

8:40-2.8 Transportation facilities for affiliated service

An affiliated termination of pregnancy service shall have immediately available an organized transportation system capable of insuring that a patient requiring emergency care at the hospital with which such service is affiliated will be transported to such hospital within the total transport time of ten minutes.

8:40-2.9 Records and reports; inspection

(a) Hospitals and termination of pregnancy services shall keep adequate records, including admission and discharge notes, histories, results of tests and examinations and other comparable records, and they shall submit such records to the Department when the Department shall so require.

(b) A hospital or termination of pregnancy service shall keep, as a minimum requirement, the following records:

1. Number of patients requesting termination of pregnancy;
2. Number of patients upon whom pregnancies were terminated according to the period of gestation and method of termination of pregnancy;
3. Number of patients upon whom termination of pregnancy services were refused and the reasons therefor; and
4. Number of patients referred to other institutions or services for pregnancy termination and the reason for such referral.

8:40-2.10 Facilities, equipment and supplies

(a) In addition to these rules and regulations, where the facility is an integral part of a hospital and is intended to accommodate hospital inpatients, the applicable standards, prepared by this Department, relating to general hospital facilities shall apply.

(b) An affiliated termination of pregnancy facility shall be required to comply with the same standards required of an outpatient abortion service facility as promulgated by the Department.

8:40-2.11 Elevators

Any building of more than one story in height and in which the hospital or termination of pregnancy service is not totally located on the ground floor shall be provided with an elevator for the use of nonambulatory patients. The elevator shall be of sufficient size to accommodate a standard stretcher. When a nonambulatory patient is moved from one floor to another, she shall be accompanied by attending medical or nursing personnel.

8:40-2.12 Social services

(a) A hospital or termination of pregnancy service shall have a social service unit, formally organized, operating under the direction of a qualified social worker.

(b) Interviewing and counseling by social service staff shall be made available to patients before and after pregnancies are terminated.

8:40-2.13 Instructions to patients upon discharge

(a) Hospitals and termination of pregnancy services shall issue written instructions to all patients upon discharge and shall include as a minimum the following:

1. Symptoms of complications to be looked for;
2. Activities to be avoided;
3. Specific telephone number of the operating physician to be used by the patient should any complication occur or question arise;
4. Location of the nearest hospital to be used by the patient should any complication occur. It shall be the

responsibility of the operating physician to arrange for such care;

5. Dates for follow-up or return visits after the performance of the termination of pregnancy, which shall be scheduled within two to six weeks as indicated by the condition of the patient;

6. Information on the availability of family planning services when desired by the patient. When, in the opinion of the physician it is in the best interests of the patient, family planning services may be initiated, with the consent of the patient, prior to leaving the termination of pregnancy service.

(b) Every effort shall be made to insure the health, safety and well-being of the patient.

SUBCHAPTER 3. TERMINATION OF PREGNANCY; SECOND AND THIRD TRIMESTERS

INTRODUCTION

The following rules and regulations, made necessary by recent United States Supreme Court decisions, have been developed by the State Board of Medical Examiners in cooperation with the New Jersey Department of Health, New Jersey Obstetrical and Gynecological Society, Medical Society of New Jersey, New Jersey Association of Osteopathic Physicians and Surgeons and other qualified bodies. The rules provide medical standards of care necessary for performance of termination of pregnancy procedures during the second and third trimesters of fetal development with proper regard for the health, safety and well-being of the patient.

These regulations supplement the regulations prepared by the New Jersey State Department of Health for termination of pregnancy during the second and third trimesters. As with the Department of Health regulations, the objective of these regulations is to assist in the establishment of reasonable safeguards for women undergoing termination of pregnancy procedures and for physicians and facilities providing these services.

These regulations do not concern themselves with considerations of professional judgment, which remain the sole prerogative of the individual physician.

No person shall be required to perform or assist in the performance of a termination of pregnancy procedure or sterilization or incur any liability for refusing to perform or assist in these procedures. The medical staff policies and procedures on physicians' qualifications and granting of privileges in hospitals where such procedures are performed shall prevail. Conversely, no person shall at any time use coercive efforts to require a pregnant woman either to undergo or not to undergo a termination of pregnancy procedure.

Many physicians may desire to counsel their patients on alternatives to termination of pregnancy procedures, such as adoption, foster parents and similar programs.

8:40-3.1 Definitions

The definitions as defined in the rules and regulations promulgated by the New Jersey State Department of Health in this Chapter are applicable to these regulations.

8:40-3.2 Operative and post-operative requirements

(a) Termination of pregnancy on patients with a gestation beyond the 12th week as determined by the physician may be performed only in a licensed health facility on an inpatient basis.

(b) In view of the risks of serious complication in the 13th through 15th week of pregnancy, termination during this period by instrumentation, dilatation and curettage, and/or section should be postponed and termination of pregnancy performed by another method after 16 weeks,

unless such delay would seriously endanger the life of the patient.

(c) All termination of pregnancy during second and third trimester shall be performed on an inpatient basis in a licensed facility. Similarly, patients having a sterilization procedure immediately following termination of pregnancy must be treated as inpatients.

1. Termination of pregnancies involving more than 12 weeks gestation shall not be performed by any physician without consultation by qualified specialists in appropriate fields.

(d) Patients whose pregnancy was terminated shall be observed until the physician in charge is satisfied that no immediate post-operative complications are present. Patients in whom any adverse conditions exist or in whom a complication is known or expected to occur during or after the termination of the pregnancy shall remain as an inpatient until an uneventful recovery has been achieved.

8:40-3.3 Third trimester termination of pregnancy

(a) Termination of pregnancy during the third trimester is prohibited unless there is clear medical indication for such termination. Examples of such indications are:

1. To save the life of the mother;
2. To save the life of a fetus who is in obvious distress;
3. Where it has been determined late in pregnancy that there is a nonviable or deformed fetus, such as one with anencephalus or teratoma, which is incompatible with life.

A public hearing respecting all of these proposed rules will be held on April 30, 1974, at 9:30 A.M. in the State Museum auditorium, West State Street, Trenton, New Jersey. The session will begin with a hearing on the first trimester rules, followed by the second and third trimester rules. Persons desiring to present statements or arguments at the hearing should so write in advance to the Office of the Commissioner of Health.

Copies of these rules may be obtained by writing to:
Office of the Commissioner
State Department of Health
Post Office Box 1540
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 30, 1974, to the Office of the Commissioner at the above address.

The Department of Health and/or the State Board of Medical Examiners, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

William J. Dougherty
Acting Commissioner
Department of Health

(a)

HEALTH

THE COMMISSIONER

Proposed Amendment to List Of Reportable Diseases

William J. Dougherty, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-7, and with the approval of the Public Health Council, proposes to add "pertussis" to the list of reportable diseases under Chapter II of the State Sanitary Code.

The word "pertussis" is to be added to the list which appears currently in N.J.A.C. 8:57-1.1(a).

A public hearing respecting the proposed action will be held on Wednesday, April 24, 1974, at 10:00 A.M. in the office of the Commissioner of Health, 8th floor, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

Public Health Council
Office of the Commissioner
State Department of Health
Post Office Box 1540
Trenton, New Jersey 08625

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

William J. Dougherty
Acting Commissioner
Department of Health

(b)

HEALTH

THE COMMISSIONER

Rule Governing Compulsory Rabies Vaccination of Dogs

On February 28, 1974, William J. Dougherty, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 4:19-15.2a and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule governing compulsory rabies vaccination of dogs, as proposed in the Notice published January 10, 1974, at 6 N.J.R. 8(a).

Such rule may be cited as N.J.A.C. 8:51-4.18.

An order adopting this rule was filed and effective March 5, 1974, as R.1974 d.54.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

HEALTH

THE COMMISSIONER

Rule Concerning Significant Change in Cost of Financing

On February 28, 1974, William J. Dougherty, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., with the approval of the Health Care Administration Board and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a new rule concerning significant change in cost of financing for a certificate of need, as proposed in the Notice published January 10, 1974, at 6 N.J.R. 9(a).

Such rule may be cited as N.J.A.C. 8:31-8.1(d).

An order adopting this rule was filed and effective March 13, 1974, as R.1974 d.65.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

HIGHER EDUCATION HIGHER EDUCATION ASSISTANCE AUTHORITY

Revisions in Student Loans Policies and Procedures

On February 28, 1974, William C. Nester, Director and Secretary of the Higher Education Assistance Authority in the Department of Higher Education, pursuant to authority of N.J.S.A. 18A:72-10 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to N.J.A.C. 9:9-1.12(a)3. concerning student loans policies and procedures, as proposed in the Notice published February 7, 1974, at 6 N.J.R. 63(d).

An order adopting these revisions was filed and effective March 1, 1974, as R.1974 d.50.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Amendments to Rule Concerning Dental Services

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt amendments to the rule concerning dental services.

Full text of the proposed rules follows (additions indicated in boldface thus):

10:56-1.29(h) Dentures will not be authorized when:

1. Dental history reveals that any or all dentures made in recent years have been unsatisfactory for reasons that are not remedial because of physiological or psychological reasons, or
2. Dental history reveals that a denture was provided by the Health Services Program in the three year period prior to the date of the current request. Lost, stolen or misplaced dentures or dentures mutilated in any way will not be routinely replaced.
3. Repair, relining or rebasing (jumping) of the patient's present denture will make it serviceable.
 - (i) Denture repairs are allowable.
 - (j) Before impressions are taken for authorized dentures all restorative, and preventive (oral hygiene) procedures must be completed. Reimbursement for the dentures will be denied if the provider fails to comply with this policy.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 25, 1974 to:

Administrative Analyst
Division of Medical Assistance and Health Services
P.O. Box 2486
Trenton, New Jersey 08608

The Department of Institutions and Agencies, upon its own motion or at the instance of any interested party, may

thereafter adopt these rules substantially as proposed without further notice.

Ann Klein
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Rule Concerning Provider Participation

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a new rule concerning provider participation.

Full text of the proposed new rule follows:

10:49-1.18(b) 13. Submission of a false or fraudulent application for provider status to the Division or to its fiscal intermediaries.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 25, 1974 to:

Administrative Analyst
Division of Medical Assistance and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(d)

INSTITUTIONS AND AGENCIES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Rules for Hospital Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt new rules within the Hospital Manual.

Full text of the proposed rules follows:

10:52-1.1 Definitions

"Partial hospitalization" means a service whose primary purpose is to provide a planned program of milieu therapy and other treatment modalities. The service is designed for nonresidential patients who spend only a part of a 24-hour period in the hospital. Examples of partial hospitalization facilities are day hospitals and night hospitals. (See Section 205, "Covered Outpatient Hospital Services").

10:52-1.7(a) 14. Partial hospitalization as defined in Section 200.6 of this Manual is covered as an outpatient service. Day, evening or night care of three to five hours will be considered one half day; over five hours will be considered a whole day; night care must include overnight stay. NO prior authorization from the New Jersey Division of Medical Assistance and Health Services is required for the first 30-calendar days, however it is required for partial

hospitalization for each 30-day period after the first 30 days. (For procedure to obtain prior authorization see Section 207.1C).

10:52-1.9(f) If it is medically determined that the patient will require further partial hospitalization beyond the first 30-calendar days, prior authorization must be obtained from the Chief, Mental Health Services, Division of Medical Assistance and Health Services, P.O. Box 2486, Trenton, New Jersey 08625. It is recommended that the hospital request this authorization on about the 20th day to allow ten days for processing the authorization by the State and return of same to the hospital. To request prior authorization, the physician must submit form FD-07 (Request for Authorization of Psychiatric Services) in quadruplicate to Chief, Mental Health Services at the above address. All questions must be answered. If authorized, the hospital will receive two copies of the FD-07 from the State with the terms of the authorization. The original FD-07 must be attached to the contractor copy of the outpatient hospital claim (MC-4) when billing. Authorization will be granted for a maximum of 30 days, therefore the process must be completed again if further treatment is planned beyond the 60th-calendar day.

If the Chief, Mental Health Services does not authorize the treatment, written explanation will be provided to the hospital.

NOTE: FD-07 forms are available from the program contractor.

10:52-2.8(d) When billing for partial hospitalization beyond the first 30-calendar days, prior authorization form FD-07 must be attached to the outpatient claim form.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 25, 1974 to:

Administrative Analyst
Division of Medical Assistance and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Revisions to Transportation Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise portions of the Transportation Manual.

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

10:50-1.1 Definitions

"Other medically indicated transportation service" means a form of transportation of sick, infirm or otherwise disabled persons, who are under the care and supervision of a physician, and who require transportation from place to place for medical purposes. For purposes of this manual,

the invalid coach is defined as a vehicle for nonemergency, supervised health care transportation, which provides a driver compartment and a patient compartment which can accommodate an ambulatory, wheelchair or litter patient, which carries equipment and supplies as listed and which is designed and constructed to afford maximum safety and comfort to avoid aggravation of the patient's condition and exposure to complications. The patient's condition is to be such as to not require medical care in transit or more than one person in attendance, that is, the driver-attendant.

The requirements defined for invalid coach in this Section are to be applicable to all new applicants for invalid coach services. These requirements are also applicable to existing invalid coach providers under the Health Services Program with the stipulations that these existing providers will be given a period of one year from the date of the adoption of this notice to meet said requirements.

10:50-1.10(a) 1. Basic (loading charge)—[\$20.00] \$24.40;

10:50-1.10(b) 1. Basic (loading charge)—[\$15.00] \$18.30;

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 25, 1974 to:

Administrative Analyst
Division of Medical Assistance and Health Services
P.O. Box 2486
Trenton, New Jersey 08625

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

STATE PAROLE BOARD

Proposed Revisions Concerning Restoration to the Right of Suffrage

Nicholas D. Heil, Chairman of the New Jersey State Parole Board in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4-123.6, proposes to revise the rules concerning restoration to the right of suffrage by deleting current text of such rules and adopting new text.

Full text of the proposed revised rules follows:

10:70-11.2 Definitions

"Restoration to the right of suffrage" means a form of executive clemency which, if granted, restores to the petitioner the right to vote which was lost by virtue of conviction of a disenfranchising offense in this or another jurisdiction, in violation of Title 19, as described in the revised N.J.S.A. 19:4-1. For all other convictions, once the period of sentencing, parole, or probation has expired, the right to vote is automatically returned to the offender. See N.J.S.A. 18A:14-70, 18A:14-94, 18A:14-95 and 18A:96; also N.J.S.A. 19:4-1, 19:31-17, 19:34-4, 19:34-25, 19:34-36 and 19:34-47.

10:70-11.3(c) Where executive clemency is required to restore the right to vote, as described in Title 19, an application for this form of clemency shall not be entertained unless two years have elapsed since the applicant was dis-

charged from parole or probation or, from conviction, where applicant was not committed to an institution.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

State Parole Board
State Office Building
135 West Hanover Street
Trenton, New Jersey 08625

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

Nicholas D. Heil
Chairman, State Parole Board
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF YOUTH AND FAMILY SERVICES

Proposed Repeal of Rules Concerning Pre-Adoption Requirements Applicable in Intercountry Adoptions

Frederick A. Schenck, Director of the Division of Youth and Family Services in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 9:3-17 et seq., proposes to repeal certain rules concerning pre-adoption requirements applicable in intercountry adoptions.

Full text of the proposed deleted text follows (deletions indicated in brackets [thus]):

10:106-1.2 Adoptive home study

New Jersey residents interested in adopting a child from overseas in a New Jersey court will be required to have an adoptive home study completed by an agency certified to place children for adoption in this state, such certification being granted by the New Jersey State Board of Child Welfare as delegated by the New Jersey Department of Institutions and Agencies. The home study would include the physical, financial, emotional and other circumstances of the prospective adoptive parents as well as the agency's recommendation of the suitability of the applicants as adoptive parents.

10:106-1.3 Total placement plan

The agency must also give its approval to the total placement plan. That is in addition to being able to recommend the prospective adoptive parents, the agency must approve the placement of the specific child selected with the particular family that has been studied and approved.

10:106-1.4 Exceptions

(a) Exceptions to 1.2 and 1.3 above are as follows:

1. When a foreign-born child is placed for adoption with New Jersey residents directly by the mother, that is, by direct physical transfer from the mother to the adoptive parents without the involvement of an intermediary.

2. When the foreign-born child is placed with New Jersey residents who are related to the child as brother, sister, aunt, uncle, grandparent or stepparent.

3. When the child is adopted abroad by the prospective adoptive parents whether or not readoption in New Jersey is contemplated.

10:106-1.5 Petitioner qualifications

(a) In addition, the adoption law requires that at the time

adoption proceedings are instituted in a New Jersey court each petitioner:

1. Shall have attained 21 years of age,
2. Shall be at least ten years older than the child to be adopted, and
3. Shall be a citizen of the United States or shall have officially declared his or her intention to become a citizen.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

Bureau of Resource Development
163 West Hanover Street
Trenton, New Jersey 08625

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

Frederick A. Schenck
Director
Division of Youth and Family Services
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Rule on Citizenship and Alien Status

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to adopt a new rule to be included as a part of the Division of Public Welfare's Manual of Administration concerning citizenship and alien status.

Full text of the proposed new rule follows:

Manual of Administration

10:81-28.2 Citizenship and Alien Status

(a) An otherwise eligible individual must be either a citizen of the United States or an alien lawfully admitted for permanent residence.

(b) Every ADC application shall be reviewed by the IM worker for status of citizenship. Where it appears to a prudent person that the applicant or other persons for whom application is being made may be an alien, the status of such individual(s) must be verified. Assistance shall not be granted to an alien who has illegally entered or is illegally remaining in the United States.

(c) If it appears that an individual has entered or is remaining in the United States illegally, such information shall be forwarded to the United States Immigration Service.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

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

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

Ann Klein
Commissioner
Department of Institutions and Agencies
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INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly index is a special service for subscribers to the New Jersey Administrative Code, providing an up-to-date check-list of new rules adopted by the various State Departments.

The index is current, and will be adjusted the month following the mailing to Code subscribers of update pages for Titles.

First publication and update services have been distributed for all 19 Departmental Titles except Title 10—Institutions and Agencies.

Since the most recent update, for rules adopted through March 31, 1973, these 18 Departments have adopted the following additional rules—printed in the Register but not yet included in current pages of the Code:

RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Notice of Adoption N.J.R. Citation</u>
CHIEF EXECUTIVE — TITLE 1			
1:6-1.1 et seq.	Rules on sale of motor gasoline	R.1974 d.33	6 N.J.R. 94(a)
AGRICULTURE — TITLE 2			
2:2-2.10	Times established for Brucellosis tests	R.1973 d.273	5 N.J.R. 327(c)
2:2-2.15(b)	Indemnification for brucellosis	R.1973 d.64	5 N.J.R. 102(b)
2:2-3.3	Times established for tuberculin tests	R.1973 d.274	5 N.J.R. 327(d)
2:2-3.6	Indemnification for tuberculosis	R.1973 d.65	5 N.J.R. 102(c)
2:2-4.34(a)	Method of appraisal for indemnity purposes	R.1973 d.305	5 N.J.R. 363(b)
2:2-9.1	Fees; immunodiffusion test	R.1973 d.57	5 N.J.R. 102(a)
2:3-2.5	Requirements on equidae entering New Jersey	R.1974 d.55	6 N.J.R. 130(a)
2:5-2.1	Quarantining, handling of infected equine infectious anemia horses	R.1973 d.233	5 N.J.R. 327(a)
2:17-4.2(c)	Special exemption for Florida tomato plants	R.1973 d.101	5 N.J.R. 135(a)
2:17-4.2(c)	Revisions on special exemption for Florida tomato plants	R.1974 d.41	6 N.J.R. 96(a)
2:32-1.1	Sire stakes program	R.1973 d.154	5 N.J.R. 214(b)
2:53-2.1	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:53-2.3	Amendment to equipment rules	R.1973 d.87	5 N.J.R. 134(b)
2:54-3.2	Suspension of portions of Milk Marketing Order	R.1973 d.257	5 N.J.R. 327(b)
2:67-1.1	Prompt settlement	R.1973 d.355	5 N.J.R. 363(a)
2:67-1.1	Prompt settlement	R.1974 d.42	6 N.J.R. 96(b)
2:69-1.11	Revisions concerning commercial values	R.1973 d.198	5 N.J.R. 255(c)
2:71-1.38	Labeling of eggs	R.1973 d.275	5 N.J.R. 328(a)
2:71-1.39	Labeling of eggs	R.1973 d.356	6 N.J.R. 2(a)
2:73-2.2 et seq.	State Seal program for eggs	R.1973 d.88	5 N.J.R. 134(c)
BANKING — TITLE 3			
3:1-1.1	Interest rate	R.1973 d.191	5 N.J.R. 258(b)
3:1-1.1	Interest rates revised	R.1973 d.366	6 N.J.R. 50(b)
3:1-2.1(b)	Amend population estimate rules	R.1973 d.229	5 N.J.R. 328(b)
3:1-2.9 et seq.	Revise procedural rules	R.1973 d.217	5 N.J.R. 298(a)
3:1-2.13	Financial reports of bank incorporators	R.1973 d.202	5 N.J.R. 258(e)
3:1-2.13(a)	Delete current text	R.1973 d.342	6 N.J.R. 3(a)
3:1-2.13(b)	Financial reports	R.1973 d.281	5 N.J.R. 364(d)
3:1-5.1 et seq.	Mortgage applicant's birth control practices	R.1973 d.166	5 N.J.R. 216(b)
3:6-5.1 et seq.	Revisions concerning Federal funds transactions	R.1974 d.27	6 N.J.R. 97(b)
3:6-7.1	Banking offices notation	R.1973 d.201	5 N.J.R. 258(d)
3:6-7.1	Banking offices protection	R.1973 d.344	6 N.J.R. 3(c)
3:8-3.1	Required reserve	R.1973 d.252	5 N.J.R. 328(e)
3:8-5.1	Required reserve; savings banks	R.1973 d.251	5 N.J.R. 328(d)
3:10-1.1	Limitation on mortgage loans	R.1973 d.174	5 N.J.R. 258(a)
3:10-6.1 et seq.	Out-of-State mortgages	R.1973 d.200	5 N.J.R. 258(c)
3:11-1.1	Approval to exceed ten per cent limitation	R.1973 d.116	5 N.J.R. 136(b)
3:11-6.3	Approval of investment in Student Loan Marketing Association	R.1973 d.250	5 N.J.R. 328(c)
3:11-7.1 et seq.	Limitation on liability to a bank	R.1973 d.58	5 N.J.R. 103(b)
3:16-2.1	Revisions concerning pawnbroking service charges	R.1974 d.7	6 N.J.R. 51(a)
3:18-5.4	Prior notice to borrower; final disclosure of specific dollar amounts	R.1973 d.343	6 N.J.R. 3(b)
3:18-6.1 et seq.	Solicitation of business	R.1973 d.280	5 N.J.R. 364(c)
3:18-7.1 et seq.	Advertising rules	R.1973 d.133	5 N.J.R. 183(a)
3:18-7.3	Delete rule on legal fees	R.1973 d.343	6 N.J.R. 3(b)
3:18-7.6	Verbal advertisement	R.1973 d.282	5 N.J.R. 365(a)
3:31-2.1	Minimum requirements	R.1973 d.124	5 N.J.R. 183(b)

COMMUNITY AFFAIRS — TITLE 5

5:10-1.1 et seq.	Revisions concerning construction, maintenance of hotels	R.1973 d.357	6 N.J.R. 5(b)
5:10-19.4(c)	Revised exterior lighting requirements	R.1974 d.14	6 N.J.R. 55(a)
5:10-19.4(1)	Revised heating requirements	R.1974 d.14	6 N.J.R. 55(a)
5:30-13.2	Form of resolution; State and Local Fiscal Assistance Act of 1972	R.1973 d.352	6 N.J.R. 5(a)
5:10-2.2	Revised definitions of building and multiple dwelling	R.1973 d.310	5 N.J.R. 369(a)

EDUCATION — TITLE 6

6:1-2.2	Revisions concerning regular meetings	R.1974 d.38	6 N.J.R. 100(b)
6:2-1.3 et seq.	Revised appeal procedures	R.1973 d.329	6 N.J.R. 6(a)
6:11-12.3	Vocational-technical coordinator; co-op industrial education	R.1973 d.269	5 N.J.R. 333(c)
6:21-5.11	Color; school bus	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.9	Color; school bus body	R.1973 d.123	5 N.J.R. 185(a)
6:21-6.24 et seq.	Lamps, signals, seats and drills	R.1973 d.73	5 N.J.R. 104(c)
6:21-6.31(e)	Stanchions and guard rails	R.1973 d.267	5 N.J.R. 333(a)
6:21-7.1	Limit of apportionment of State aid	R.1973 d.267	5 N.J.R. 333(a)
6:21-11.1	Requirements for drivers of school buses	R.1973 d.161	5 N.J.R. 220(a)
6:21-11.2	Requirements for drivers of small vehicles	R.1973 d.180	5 N.J.R. 260(a)
6:21-11.6	Procedures at railroad grade crossings	R.1973 d.98	5 N.J.R. 139(a)
6:21-18.25	Stanchions and guard rails	R.1973 d.267	5 N.J.R. 333(a)
6:22-8.4 et seq.	Revised guide for schoolhouse planning and construction	R.1973 d.316	5 N.J.R. 403(b)
6:24-1.16	Additional revisions concerning written decisions	R.1973 d.266	5 N.J.R. 332(b)
6:24-1.16	Written decisions	R.1973 d.232	5 N.J.R. 332(a)
6:27-1.4	Graduation	R.1973 d.268	5 N.J.R. 333(b)
6:27-1.13	Definitions	R.1973 d.268	5 N.J.R. 333(b)
6:27-7.3(b)	Revised definition of miles from school	R.1973 d.37	6 N.J.R. 100(a)
6:29-6.3(c)	Revisions concerning athletic personnel	R.1973 d.223	5 N.J.R. 298(b)
6:39-1.1 et seq.	Statewide assessment	R.1973 d.72	5 N.J.R. 104(b)
6:44-6.1 et seq.	High school equivalency	R.1973 d.317	5 N.J.R. 330(a)
6:44-7.1 et seq.	Adult high schools (accredited evening high schools)	R.1973 d.318	5 N.J.R. 331(a)
6:46-4.1 et seq.	Private vocational schools	R.1973 d.71	5 N.J.R. 104(a)
6:68-2.10 et seq.	Revisions to library incentive grant programs	R.1973 d.99	5 N.J.R. 139(b)
6:78-1.3	Transportation revisions	R.1974 d.70	6 N.J.R. 132(a)

ENVIRONMENTAL PROTECTION — TITLE 7

7:1-3.1 et seq.	Emergency rules on sulfur in fuels	R.1973 d.326	5 N.J.R. 404(a)
7:1-3.5	Extension of emergency sulfur rules, Order 39	R.1974 d.64	6 N.J.R. 134(a)
7:1-4.1 et seq.	Importation of solid and liquid waste from outside New Jersey	R.1974 d.10	6 N.J.R. 58(a)
7:2-2.8 et seq.	Revisions concerning lands, waters and facilities under jurisdiction of Bureau of Parks	R.1974 d.13	6 N.J.R. 60(a)
7:2-16.1	Special permits for Island Beach State Park	R.1973 d.138	5 N.J.R. 187(a)
7:6-1.8	Reporting boat accidents	R.1973 d.367	6 N.J.R. 60(b)
7:6-1.38	Lifesaving devices	R.1973 d.271	5 N.J.R. 337(b)
7:6-5.1 et seq.	Hull identification numbers	R.1973 d.136	5 N.J.R. 186(c)
7:7A-1.1(a)6	Extension of wetlands order to portions of Cape May County	R.1973 d.81	5 N.J.R. 106(a)
7:7A-1.1(a)7	Wetlands order; Atlantic County	R.1973 d.134	5 N.J.R. 186(a)
7:7A-1.1(a)8	Wetlands order; Burlington County	R.1973 d.135	5 N.J.R. 186(b)
7:7A-1.1(a)9	1973-74 Game Code	R.1973 d.164	5 N.J.R. 221(b)
7:7A-1.1(a)10	Extension of wetlands order to Mercer County	R.1973 d.167	5 N.J.R. 222(a)
7:7A-1.1(a)11	Extension of wetlands order to Camden County	R.1973 d.168	5 N.J.R. 222(b)
7:7A-1.1(a)12	Extend wetlands order to parts of Cape May County	R.1973 d.324	5 N.J.R. 408(b)
7:7A-1.1(a)13	Extension of wetlands order to Atlantic County	R.1973 d.364	6 N.J.R. 6(c)
7:7C-1.1 et seq.	Revised procedural rules concerning hearings	R.1974 d.32	6 N.J.R. 101(c)
7:7C-1.1 et seq.	Rules on hearings under Coastal Area Facilities Review Act	R.1974 d.26	6 N.J.R. 101(b)
7:9-9.1 et seq.	Sealing abandoned wells	R.1973 d.299	5 N.J.R. 370(b)
7:25-1.5	Extension of Wetlands Order to Gloucester County	R.1973 d.204	5 N.J.R. 261(c)
7:25-1.15	Rules for controlled hunting in certain areas	R.1973 d.293	5 N.J.R. 370(a)
7:25-5.1 et seq.	Field trials	R.1973 d.75	5 N.J.R. 105(c)
7:25-5.20(f)	Great Swamp National Wildlife Refuge hunting	R.1973 d.226	5 N.J.R. 304(b)
7:25-5.27	Waterfowl hunting	R.1973 d.263	5 N.J.R. 336(b)
7:25-5.28	Use of conibear traps	R.1973 d.263	5 N.J.R. 336(b)
7:25-6.1 et seq.	1974 Fish Code	R.1973 d.265	5 N.J.R. 337(a)
7:25-6.14	Amend 1973 Fish Code	R.1973 d.264	5 N.J.R. 336(c)
7:25-6.15	Natural trout fishing areas	R.1973 d.347	6 N.J.R. 6(b)
7:25-7.1 et seq.	Revisions in shellfish-growing water classification	R.1974 d.44	6 N.J.R. 103(a)
7:25-7.3	Conservation order (March 28, 1973)	R.1973 d.85	5 N.J.R. 140(b)
7:25-7.4	Conservation order effective May 14, 1973	R.1973 d.86	5 N.J.R. 141(a)

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7:25-7.5	Conservation order; Mullica River	R.1973 d.102	5 N.J.R. 141(c)
7:25-7.6	Conservation order; reef bed	R.1973 d.301	5 N.J.R. 370(d)
7:25-9.1(g)	Opening of shellfish beds	R.1973 d.94	5 N.J.R. 141(b)
7:25-9.1(h)	Rescind portions of prior resolution	R.1973 d.303	5 N.J.R. 371(b)
7:25-10.1	Resolution dated September 19, 1973	R.1973 d.302	5 N.J.R. 371(a)
7:26-1.5	Waste collected out-of-State	R.1973 d.245	5 N.J.R. 336(a)
7:26-5.1 et seq.	Rules of practice & procedure of Bureau of Solid Waste Management	R.1973 d.300	5 N.J.R. 370(c)
7:27A-1.1 et seq.	Bureau of Air Pollution Control's rules of practice	R.1973 d.165	5 N.J.R. 221(c)
7:29-1.1 et seq.	Noise control regulations	R.1974 d.12	6 N.J.R. 59(b)
7:30-1.1 et seq.	Pesticides control	R.1974 d.11	6 N.J.R. 59(a)

HEALTH — TITLE 8

8:21-7.2 et seq.	Definitions and standards of frozen desserts	R.1973 d.74	5 N.J.R. 107(b)
8:21-9.1 et seq.	Definitions of regulations, food and cosmetic manufacturing	R.1973 d.89	5 N.J.R. 143(a)
8:31-4.1 et seq.	Expediting certificate of need in transfer of ownership	R.1973 d.69	5 N.J.R. 107(a)
8:31-4.3 et seq.	Guidelines for certificate of need in transfer of ownership	R.1973 d.184	5 N.J.R. 263(a)
8:31-5.1	Schedule of filing fees	R.1973 d.129	5 N.J.R. 188(a)
8:31-5.2	Annual licensure fees for health care facilities	R.1973 d.150	5 N.J.R. 222(e)
8:31-7.1	Standards for boarding homes for sheltered care	R.1973 d.361	6 N.J.R. 10(e)
8:31-8.1	Criteria for evaluation of certificate of need	R.1973 d.362	6 N.J.R. 11(a)
8:31-8.1(d)	Significant change in cost of financing	R.1974 d.65	6 N.J.R. 140(c)
8:32-3.43	Uniform financial and statistical reports for New Jersey hospitals	R.1973 d.360	6 N.J.R. 10(d)
8:33-1.11	Policy on skilled nursing and intermediate care beds	R.1973 d.246	5 N.J.R. 337(d)
8:33-1.11	Skilled nursing and intermediate care beds	R.1974 d.20	6 N.J.R. 63(b)
8:33-2.2(a)	Revise part V in table	R.1973 d.90	5 N.J.R. 143(b)
8:35-1.1	Revise criteria for mixed obstetric and gynecologic floors	R.1973 d.152	5 N.J.R. 223(b)
8:35-1.1 et seq.	1973 State plan for hospitals and related health care facilities	R.1973 d.151	5 N.J.R. 223(a)
8:36-1.1 et seq.	Standards for licensure of intermediate dialysis facilities	R.1973 d.363	6 N.J.R. 11(b)
8:37-1.1 et seq.	Manual of standards for intermediate care facilities	R.1974 d.21	6 N.J.R. 63(c)
8:48-1.1 et seq.	Revised administrative policies	R.1973 d.289	5 N.J.R. 375(d)
8:49-1.1 et seq.	Administration and supporting services	R.1973 d.288	5 N.J.R. 375(c)
8:49-2.1 et seq.	Environmental sanitation	R.1973 d.288	5 N.J.R. 375(c)
8:51-4.18	Compulsory rabies vaccination of dogs	R.1974 d.54	6 N.J.R. 140(b)
8:65-2.2	Revisions to physical security controls for nonpractitioners, storage	R.1973 d.358	6 N.J.R. 10(b)
8:65-10.1	Revised schedules of controlled dangerous substances	R.1974 d.2	6 N.J.R. 63(a)
8:65-10.1(a)3	Addition of methaqualone as controlled dangerous substance	R.1973 d.147	5 N.J.R. 222(d)
8:65-10.1(a)3.	Revisions concerning methaqualone	R.1973 d.359	6 N.J.R. 10(c)
8:65-10.1(a)4.	Emergency rule on control of mecloqualone	R.1973 d.325	5 N.J.R. 413(b)

HIGHER EDUCATION — TITLE 9

9:2-8.10	Health requirements for admission to New Jersey state colleges	R.1973 d.78	5 N.J.R. 108(a)
9:2-9.1 et seq.	Tenure policies in State Colleges	R.1972 d.239	5 N.J.R. 8(e)
9:2-9.1 et seq.	Tenure policies for State Colleges	R.1973 d.208	5 N.J.R. 265(a)
9:2-4.1	Alternate benefit program	R.1973 d.175	5 N.J.R. 263(e)
9:3-1.1 et seq.	Standards and approval procedures	R.1973 d.282	5 N.J.R. 376(a)
9:4-1.1 et seq.	Revised regulations and standards for Community Colleges	R.1973 d.287	5 N.J.R. 376(b)
9:4-3.55 et seq.	Revisions to manuals for State-supported county colleges	R.1973 d.160	5 N.J.R. 223(d)
9:4-3.70 et seq.	Cost distribution to programs	R.1973 d.79	5 N.J.R. 109(a)
9:4-6.1 et seq.	Tenure policies for Community Colleges	R.1973 d.209	5 N.J.R. 265(b)
9:2-10.1	Student loans	R.1973 d.77	5 N.J.R. 107(d)
9:2-10.2 et seq.	Code of Ethics; Department of Higher Education	R.1973 d.190	5 N.J.R. 265(c)
9:9-1.1 et seq.	Guidelines on outside employment	R.1973 d.189	5 N.J.R. 264(a)
9:9-1.12(a)d.	Student loans policies and procedures	R.1974 d.50	6 N.J.R. 141(a)
9:11-1.1 et seq.	Financial aid guidelines	R.1973 d.121	5 N.J.R. 188(b)
9:14-3.8	Contract performance standards	R.1973 d.346	6 N.J.R. 11(c)

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11:1-1.1	Organization of Department (Chart)	R.1973 d.195	5 N.J.R. 282(c)
11:1-2.1 et seq.	Format of filings	R.1973 d.120	5 N.J.R. 190(b)
11:2-1.1(a)	Educational requirements	R.1973 d.141	5 N.J.R. 229(c)
11:3-2.11	Classification of private passenger autos used in car pools	R.1973 d.337	6 N.J.R. 15(d)
11:3-6.2(b)	Identification insurance cards	R.1973 d.140	5 N.J.R. 229(b)
11:3-6.2(b)4.viii.	Amend rules on insurance identification cards	R.1973 d.247	5 N.J.R. 350(b)
11:3-9.1	Rating information on automobile insurance for private cars	R.1973 d.206	5 N.J.R. 282(b)

11:4-7.1 et seq.	Consent to higher rate filings	R.1973 d.82	5 N.J.R. 113(b)
11:5-1.2	Salesman's age regarding licenses	R.1973 d.214	5 N.J.R. 316(a)
11:5-1.5	Examination rules	R.1973 d.306	5 N.J.R. 388(a)
11:5-1.6	Examinations; failures	R.1973 d.306	5 N.J.R. 388(a)
11:5-1.25(b)14.	Amend sales rule	R.1974 d.71	6 N.J.R. 151(b)

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12:15-1.3	Maximum weekly benefit rates	R.1973 d.219	5 N.J.R. 316(c)
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13:1A-4.1 et seq.	Implementation of Emergency Services Act of 1972	R.1973 d.203	5 N.J.R. 284(a)
13:2-1.1 et seq.	Revised rules of the Division	R.1973 d.234	5 N.J.R. 356(a)
13:2-6.3(c)	Repeal portion of ABC liquor transfer rule	R.1974 d.4	6 N.J.R. 82(a)
13:2-13.1 et seq.	Employment of convicted persons; crimes of moral turpitude	R.1974 d.40	6 N.J.R. 119(c)
13:2-34.2(j)	Cash discounts to retailers	R.1973 d.312	5 N.J.R. 426(a)
13:13-10.1	Repeal rule on notification of interstate securities offerings	R.1973 d.230	5 N.J.R. 356(b)
13:18-1.5(c)	Revised fees for overdimensional or overweight vehicles	R.1973 d.261	5 N.J.R. 357(a)
13:18-1.16	Permits for overdimensional or overweight vehicles	R.1972 d.210	4 N.J.R. 277(b)
13:18-2.1	Uninsured's current financial status	R.1973 d.278	5 N.J.R. 390(b)
13:18-3.1 et seq.	Rules on overwidth vehicles	R.1974 d.30	6 N.J.R. 120(a)
13:18-4.1 et seq.	Administration of and compliance with Motor Fuels Tax Act	R.1973 d.215	5 N.J.R. 317(b)
13:18-4.15	Exceptions for motor fuels use tax	R.1973 d.291	5 N.J.R. 390(c)
13:18-6.1	Insurance coverage termination	R.1973 d.62	5 N.J.R. 120(b)
13:18-7.1 et seq.	Bus excise tax	R.1973 d.188	5 N.J.R. 290(e)
13:19-10.9	Delete rule on financial responsibility	R.1973 d.63	5 N.J.R. 119(b)
13:20-7.1	Adjustments, corrections or repairs of motor vehicles	R.1974 d.28	6 N.J.R. 119(b)
13:21-14.8 et seq.	Bus driver licensing regulations	R.1973 d.328	6 N.J.R. 21(b)
13:21-17.1 et seq.	Special road crossing permits	R.1973 d.103	5 N.J.R. 166(a)
13:22-4.1(d)	Safety belts	R.1973 d.131	5 N.J.R. 195(b)
13:22-5.2(d)	Vehicle equipment	R.1973 d.131	5 N.J.R. 195(b)
13:22-8.1 et seq.	Snowmobile events	R.1973 d.131	5 N.J.R. 195(b)
13:22-9.1 et seq.	Reports	R.1973 d.131	5 N.J.R. 195(b)
13:22-10.1 et seq.	Special age provisions	R.1973 d.131	5 N.J.R. 195(b)
13:30-1.1 et seq.	Examinations for licensure	R.1973 d.194	5 N.J.R. 291(c)
13:30-1.5(b)	Foreign dentistry graduates	R.1973 d.114	5 N.J.R. 166(c)
13:30-2.1 et seq.	Examinations for licensure to practice dental hygiene	R.1973 d.193	5 N.J.R. 291(b)
13:32-1.4(b)	Interest protected by plumber bond	R.1973 d.170	5 N.J.R. 239(c)
13:33-1.13 et seq.	Revised rules for ophthalmic dispensers and technicians	R.1974 d.66	6 N.J.R. 153(a)
13:35-1.1 et seq.	Repeal of certain rules	R.1973 d.192	5 N.J.R. 291(a)
13:36-1.8 et seq.	Record-keeping and itemizing funeral expenses	R.1973 d.119	5 N.J.R. 195(a)
13:36-2.1 et seq.	Revisions concerning trainees and mortuaries	R.1973 d.181	5 N.J.R. 290(c)
13:37-9.2(c)	Education requirements for practical nursing	R.1973 d.177	5 N.J.R. 290(b)
13:37-10.5	Language comprehension examinations	R.1973 d.143	5 N.J.R. 239(a)
13:39-6.3 et seq.	Prescriptions and pharmacies	R.1973 d.59	5 N.J.R. 120(a)
13:39-6.7	Copies of prescriptions	R.1973 d.255	5 N.J.R. 356(e)
13:39-7.19	Requirements for permit for pharmacy in facilities not hospitals	R.1973 d.254	5 N.J.R. 356(d)
13:39-7.20	Guidelines for use of drug-dispensing devices	R.1973 d.255	5 N.J.R. 356(e)
13:39-8.4	Change of ownership	R.1973 d.253	5 N.J.R. 356(c)
13:39-8.14	Pharmacist-in-charge	R.1973 d.253	5 N.J.R. 356(c)
13:39-9.14	Permits for prescription departments	R.1973 d.115	5 N.J.R. 166(b)
13:45-4.3(b)	Time and place of Consumer Affairs hearing	R.1973 d.207	5 N.J.R. 291(d)
13:45-5.1(b)	Hearing examiner's decision	R.1973 d.207	5 N.J.R. 291(d)
13:45A-1.1 et seq.	Deceptive mail order practices	R.1973 d.176	5 N.J.R. 290(a)
13:45A-2.1 et seq.	Motor vehicle advertising practices	R.1973 d.183	5 N.J.R. 290(d)
13:45A-3.1 et seq.	Retail sales of meat	R.1973 d.169	5 N.J.R. 239(b)
13:45A-4.1 et seq.	Banned hazardous products	R.1973 d.222	5 N.J.R. 317(c)
13:45A-5.1 et seq.	Deceptive practices in delivery of household furniture, furnishings	R.1973 d.262	5 N.J.R. 357(b)
13:45A-7.1 et seq.	Automobile repair work and advertising practices	R.1973 d.307	5 N.J.R. 390(d)
13:45A-8.1 et seq.	Deceptive practices by tire distributors or dealers	R.1973 d.309	5 N.J.R. 390(e)
13:45A-9.1 et seq.	Rules for advertising and marketing practices	R.1974 d.15	6 N.J.R. 82(b)
13:45A-10.1 et seq.	Servicing and repairing of home appliances	R.1974 d.16	6 N.J.R. 82(c)
13:51-3.5	Revise chemical breath testing rules	R.1973 d.354	6 N.J.R. 21(c)
13:75-1.12 et seq.	Violent Crimes Compensation Board revisions	R.1973 d.137	5 N.J.R. 195(c)

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16:25-1.1 et seq.	Utility accommodation policy	R.1973 d.205	5 N.J.R. 292(c)
16:26-1.1 et seq.	Transportation operations	R.1973 d.76	5 N.J.R. 123(c)
16:38-2.2	Responsibility	R.1973 d.283	5 N.J.R. 391(a)
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16:41-1.1 et seq.	Permits	R.1973 d.283	5 N.J.R. 391(a)
16:27-1.1 et seq.	Traffic engineering	R.1973 d.76	5 N.J.R. 123(c)
16:27-1.3	Reduction of rates of speed; ratification of such rules	R.1973 d.319	5 N.J.R. 426(c)
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16:27-1.3	Revisions in reduction of rates of speed	R.1974 d.48	6 N.J.R. 155(a)
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17:1-3.1 et seq.	Delete entire Subchapter	R.1973 d.258	5 N.J.R. 358(b)
17:2-1.4	Election of member-trustees	R.1973 d.118	5 N.J.R. 204(a)
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17:3-1.4(b)	Election of Teachers' Pension member trustees	R.1973 d.196	5 N.J.R. 294(d)
17:4-1.5 et seq.	Revisions for Police and Firemen's Retirement System	R.1974 d.61	6 N.J.R. 158(a)
17:7-1.1 et seq.	Revisions to Prison Officers' Pension Fund	R.1973 d.45	5 N.J.R. 95(a)
17:7-3.2 et seq.	Revisions concerning Prison Officers' Pension Fund	R.1973 d.314	5 N.J.R. 429(a)
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17:9-2.14	Effective date of maternity benefits	R.1973 d.148	5 N.J.R. 247(b)
17:16-5.2 et seq.	Amendments concerning classification of funds	R.1973 d.158	5 N.J.R. 247(c)
17:16-5.3	Static group fund classifications	R.1973 d.70	5 N.J.R. 126(b)
17:16-13.5	Legal papers	R.1973 d.125	5 N.J.R. 204(b)
17:16-17.1 et seq.	Revisions concerning permissible investments	R.1973 d.44	5 N.J.R. 94(b)
17:16-27.3	Limitations regarding certificates of deposit	R.1974 d.63	6 N.J.R. 158(c)
17:16-27.4	Legal Papers; certificates of deposit	R.1974 d.63	6 N.J.R. 158(c)
17:16-32.8(b)	Revisions concerning valuation of units	R.1974 d.35	6 N.J.R. 124(d)
17:16-32.9(b)	Revisions concerning admission date	R.1974 d.35	6 N.J.R. 124(d)
17:16-35.9	Admission date	R.1973 d.126	5 N.J.R. 204(c)
17:16-37.1 et seq.	Repurchase agreements	R.1974 d.36	6 N.J.R. 125(a)
17:20-5.10	Agent's compensation	R.1973 d.179	5 N.J.R. 294(c)
17:20-5.10	Agent's compensation	R.1973 d.353	6 N.J.R. 36(a)
17:20-10.1	Consignment or sale of lottery tickets to agent	R.1973 d.178	5 N.J.R. 294(b)
17:20-5.10	Agent's compensation	R.1973 d.80	5 N.J.R. 124(a)
17:21-1.4	Provision for special lotteries	R.1973 d.227	5 N.J.R. 322(a)
17:21-2.3 et seq.	Revised rules on lottery prize structure	R.1973 d.353	6 N.J.R. 36(a)
17:21-5.6(a)6.	Revisions concerning conducting drawings	R.1974 d.31	6 N.J.R. 124(b)
17:21-10.1 et seq.	Clover Club reservation plan	R.1972 d.94	4 N.J.R. 142(b)

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18:3-1.1 et seq.	Revisions concerning Alcoholic Beverage Tax Law	R.1973 d.297	5 N.J.R. 393(d)
18:4-1.1 et seq.	Revisions concerning retail licenses and Alcoholic Beverage Tax Act	R.1973 d.296	5 N.J.R. 393(c)
18:5-3.2	Types of stamps available	R.1973 d.54	5 N.J.R. 96(a)

(a)

INSTITUTIONS AND AGENCIES
DIVISION OF PUBLIC WELFARE

**Revised Rules On Household Definition
And Noncontributing Persons in Household**

On March 1, 1974, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6, 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rule concerning the definition of household and a new rule concerning noncontributory persons in the household.

The revised definition is adopted in compliance with the U.S. Department of Health, Education and Welfare's SRS Program Regulation APA-PI-74-8 as provided in Section 414 of Public Law 92-603. The new rule concerning non-contributory persons in the household is adopted in com-

pliance with the amended decision of the New Jersey Supreme Court in the case of JoAnn Hausman v. Department of Institutions and Agencies.

Full text of the revised rules follows (additions indicated in boldface thus):

SUBCHAPTER 28. GENERAL PROVISIONS

10:81-28.1 Noncontributory person(s) in the household

(a) In most cases, all those noneligible persons who are part of a household, as defined in N.J.A.C. 10:82-1.1 (Definitions), will be counted in the number in the household when determining the basic allowance set forth in Subchapter 2 of Chapter 82 of Title 10. When an applicant or recipient contends that a noneligible person (other than a step-parent) who is living, in the household should not be counted in the household for the purpose of determining the basic allowance, the recipient bears the burden of coming forward with evidence and proving to the county welfare board that the noneligible person does not and cannot contribute his share of the household expenses.

(b) For the purpose of this Section, the noneligible re-

18:5-3.4	Purchase of stamps	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.7	Wholesale dealer's license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.10	Retail dealer's vending machine license	R.1973 d.54	5 N.J.R. 96(a)
18:5-6.17	Duplicate and amended license	R.1973 d.54	5 N.J.R. 96(a)
18:12-5.1 et seq.	Property tax appeals time extension	R.1973 d.144	5 N.J.R. 247(a)
18:15-6.1 et seq.	Revise definitions on agricultural use	R.1973 d.295	5 N.J.R. 393(b)
18:16-4.7	Calculation of fee where transfer is subject to construction mortgage	R.1973 d.54	5 N.J.R. 96(a)
18:17-1.5	Review of examination procedures	R.1973 d.109	5 N.J.R. 171(a)
18:24-4.4	Repeal of rule on purchase of machinery	R.1973 d.139	5 N.J.R. 246(b)
18:24-5.3	Purchase of materials and supplies by contractors	R.1973 d.336	6 N.J.R. 38(a)
18:24-21.1 et seq.	Accounting procedures	R.1973 d.60	5 N.J.R. 126(a)
18:26-5.4	Classification of property as real or personal	R.1973 d.224	5 N.J.R. 321(b)
18:26-6.14	Federal pensions	R.1973 d.224	5 N.J.R. 321(b)
18:26-6.15	State pensions	R.1973 d.224	5 N.J.R. 321(b)
18:26-8.10	Amendments concerning valuations	R.1974 d.34	6 N.J.R. 124(c)
18:26 Appendix A	Revised list of inheritance tax supervisors	R.1973 d.298	5 N.J.R. 393(e)

OTHER AGENCIES — TITLE 19

19:2-1.1 et seq.	Rules of Atlantic City Expressway	R.1973 d.42	5 N.J.R. 96(b)
19:2-7.1 et seq.	Purchasing regulations of Expressway Authority	R.1973 d.284	5 N.J.R. 396(a)
19:3-1.1 et seq.	Revised fee schedules, Hackensack Meadowlands	R.1973 d.334	6 N.J.R. 39(a)
19:3-1.7	Solid waste collection fee schedule, Hackensack Meadowlands	R.1973 d.333	6 N.J.R. 40(a)
19:4-4.4 et seq.	Revised Hackensack Meadowlands zoning regulations	R.1974 d.1	6 N.J.R. 87(b)
19:7-1.1	Sanitary landfill requirements in Hackensack Meadowlands	R.1973 d.220	5 N.J.R. 322(c)
19:7-1.1(g)	Revised Meadowland sanitary landfill rules	R.1974 d.49	6 N.J.R. 158(d)
19:8-1.2(a)	Revised Garden State Parkway speed limits	R.1974 d.6	6 N.J.R. 88(b)
19:8-1.9	Amend limitations on use of Parkway	R.1973 d.140	5 N.J.R. 247(e)
19:8-31.1(b)	Revised Garden State Parkway tolls	R.1974 d.8	6 N.J.R. 88(a)
19:9-1.9(a)23.	Amend limitations on use of Turnpike	R.1973 d.145	5 N.J.R. 247(d)
19:9-2.1 et seq.	Procedures for prequalification and award on construction contracts	R.1973 d.173	5 N.J.R. 295(b)
19:10-1.1	PERC amends employee definitions	R.1974 d.56	6 N.J.R. 159(a)
19:11-1.10	Posting of notice of PERC petitions	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.13	Intervention, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:11-1.15	Timeliness of petitions, PERC	R.1973 d.110	5 N.J.R. 171(c)
19:13-1.1 et seq.	Delete entire Chapter of PERC rules	R.1973 d.248	5 N.J.R. 358(c)
19:15-4.1	Motions for PERC reconsideration	R.1974 d.56	6 N.J.R. 159(a)

IN ADDITION —

First publication—but no update service as yet—has been completed for all but Title 10—Institutions and Agencies.

Rules since adopted by this one Department are not included in this index; they will be added following initial updating of this Title 10.

recipient's share of the household expenses means all or a substantial part of the per capita amount set forth in N.J.A.C. 10:82-2.1 et seq. for each eligible person in the household when the noneligible person(s) is counted in the household.

(c) When an applicant or recipient has brought forth evidence and established that the noneligible household member is not contributing and cannot contribute his share of the household expenses, the noneligible household member shall not be counted in the "number in the household" for the purpose of arriving at the basic allowance set forth in N.J.A.C. 10:82-2.1 et seq.

(d) An applicant or recipient may establish that a non-eligible household member cannot contribute his share of the household expenses by showing that:

1. The person is not employed and has no income, and
2. The person is not eligible for any other public assistance program, for example—SSI or General Assistance.

10:82-1.1 "Household" means the persons living together as a family unit without regard to relationship by blood or marriage. Such persons shall be recognized as a household when they comprise a unit which shares cooking facilities and for which food is customarily purchased in common. The following persons shall be excepted from inclusion within the above definition:

1. A person (other than a stepparent) who is not a member of the eligible unit and who has been established to be a noncontributing member of the household according to N.J.A.C. 10:81-28.1.
2. A recipient of SSI and/or SSP payments, other than one who is in fact purchasing a room and board arrangement (Section 323.2).

An order adopting these revised rules was filed and effective March 1, 1974, as R.1974 d.51 (Exempt, Mandatory Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions Concerning Transportation Services

On March 4, 1974, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions concerning transportation services, as proposed in the Notice published January 10, 1974, at 6 N.J.R. 12(a).

Such revisions will be included in Subchapter 1 of Chapter 50 in Title 10 of the New Jersey Administrative Code.

An order adopting these revisions was filed March 4, 1974, as R.1974 d.52 to become effective March 15, 1974.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions to Dental Manual

On March 4, 1974, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the dental manual, as proposed in the Notice published January 10, 1974, at 6 N.J.R. 13(a).

Such revisions will be included in various Sections of Subchapter 1 of Chapter 56 in Title 10 of the New Jersey Administrative Code.

An order adopting these revisions was filed March 4, 1974, as R.1974 d.53 to become effective March 15, 1974.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions to Physicians Manual

On March 18, 1974, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., adopted revisions to the Physicians Manual concerning recognition of diplomats of the American Board of Family Practice as specialists, as proposed in the Notice published February 7, 1974, at 6 N.J.R. 66(a).

Such revisions will be included in Chapter 54 of Title 10 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective March 20, 1974, as R.1974 d.68.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(d)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Typographical Error In Notice of Adoption

Take notice that, in the Notice published February 7, 1974, at 6 N.J.R. 68(c), a typographical error was made in the N.J.A.C. citation concerning the revisions regarding payment guidelines adopted by the Division of Medical Assistance and Health Services. The Notice indicated erroneously that such revised rules would be cited as N.J.A.C. 10:51-1.11. The correct citation is N.J.A.C. 10:51-1.10(g). The other material in the Notice was correct as published.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MENTAL HEALTH AND HOSPITALS

BUREAU OF COMMUNITY MENTAL HEALTH SERVICES

Revisions to Rules Governing State Aid Under Community Mental Health Services Act

On March 1, 1974, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:9A-10, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules governing State aid under Community Mental Health Services Act, as proposed in the Notice published February 7, 1974, at 6 N.J.R. 66(b).

Such revisions will be included in Chapter 37 of Title 10 in the New Jersey Administrative Code.

These revisions were filed March 20, 1974, as R.1974 d.69 to become effective March 21, 1974.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

INSURANCE

NEW JERSEY REAL ESTATE COMMISSION

Amendment Concerning Sales

On March 20, 1974, Frederick A. Organ, secretary-director of the New Jersey Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-16.1 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an amendment to the rule concerning sales, substantially as proposed in the Notice published February 7, 1974, at 6 N.J.R. 68(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

The substantive change made was the insertion of the words "with supporting documentation" after the word "report" in the first line of the proposed rule.

This amendment may be cited as N.J.A.C. 11:5-1.25(b)14.

An order adopting this amendment was filed and effective March 20, 1974, as R.1974 d.71.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Proposed Rules Concerning Land Surveying

Carl E. Kastner, Secretary-Director of the Board of Professional Engineers and Land Surveyors in the Division of

Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8-36 and 45:8-38, proposes to adopt new rules concerning land surveying.

Full text of the proposed new rules follows:

SUBCHAPTER 5. LAND SURVEYING

13:40-5.1 Land surveying defined

(a) "Land surveying" within the meaning of N.J.S.A. 45:8-27 et seq. shall mean surveying of areas for their correct determination and description and for conveying, and for the establishment or reestablishment of land boundaries and the plotting of lands and subdivisions thereof, and such topographical survey and land development as is incidental to the land survey, and shall include but not be limited to:

1. The fixing and staking out by means of markers or similar devices of boundary and property lines;
2. The preparation of maps to be used by the State or by any political subdivision thereof.

(b) "Land surveying" within the meaning of N.J.S.A. 45:8-27 et seq. shall not mean work within the definition of "professional engineering" as embodied within N.J.S.A. 45:8-28(b) and within any regulation promulgated by this board, such definition to include but not to be limited to:

1. The design of street locations;
2. The design of drainage, sewerage and septic systems;
3. The design of utilities and water mains;
4. The design of bridges;
5. The design of culverts;
6. Computations regarding earth work;
7. The performance of percolation tests;
8. The certification to any individual or agency of any of the foregoing.

(c) No person shall practice land surveying as such term is defined by N.J.S.A. 45:8-27 et seq. and by this regulation unless he has been issued a license to so practice by this Board.

13:40-5.2 Practice

(a) A licensee shall commence a professional relationship with a client only upon receiving from the client a written request containing, insofar as the client is reasonably able to provide, the location and description of the land to be surveyed, the use to be made of the completed survey and any special requirements requested by the client in addition to those set forth in this regulation.

(b) In addition to any requirements requested by a client and unless the client specifies in writing that the survey shall be limited to only certain of the requirements set forth herein, the licensee shall:

1. Obtain all information and documentation reasonably necessary to the rendering of an accurate land survey, such information and documentation to include but not be limited to earlier surveys, deeds and State, county or municipal maps;
2. Visit the land in question and make all measurements and record all data necessary to the rendering of an accurate land survey;
3. Place markers of an appropriate type at each corner and line intersection unless markers set during an earlier land survey exist and accurately indicate such corners and line intersections;
4. Provide the client with a plat of the land surveyed, such plat bearing a title block complying with N.J.A.C. 13:40-2 and bearing the impression seal of the licensee and showing:
 - i. The State, county, and municipality in which the land is located and the street number of the land or other identification, to include but not be limited to its lot

- and block number as shown upon a tax map or upon a recorded subdivision map;
- ii. North arrow and scale;
 - iii. The metes and bounds of the land in question, with all measurements shown in feet and decimal fractions thereof unless legal requirements or professional custom and usage require another form of measurement;
 - iv. All data necessary to a clear exposition of the land surveyed, such data to include but not be limited to the point of beginning, corners, line intersections, markers, areas, buildings, fences, sidewalks, driveways, walkways, streets and their names, widths and types of pavement, hedges or trees upon or near boundary lines, utility lines, right-of-way lines, and encroachments and easements, whether within or outside of buildings located upon the land;
 - v. Current usage and condition of buildings located upon the land in such manner as to indicate that a building is under construction, vacant, in a state of deterioration or under demolition;
 - vi. The fact, if such is the case, that the land survey was drawn to show only certain matter in accordance with instructions of the client.

(c) Notwithstanding that the client may specify in writing that the survey shall be limited to only certain requirements, the licensee in all events shall comply with the requirements of subsections (a), (b) 1, 2 and 3 and all matter set forth in 13:40-5.2(b) 4. vi. not precluded by the client's instructions.

(d) A tax map or other type of special survey shall comply with the specific requirements of the client for whom they are prepared.

(e) Upon completing the plat of the land surveyed, the licensee shall submit to the client the plat, an inspection report and a proper certification.

(f) In computing his fee for services rendered, the licensee shall not demand payment for any items not supplied by the licensee himself, such items to include but not be limited to markers set during an earlier survey and whose accuracy did not require the setting of markers by the licensee himself.

Interested persons may present statements or arguments in writing relevant to this proposed rule on or before April 26, 1974, to Carl E. Kastner, secretary-director, Board of Professional Engineers and Land Surveyors, 1100 Raymond Boulevard, Newark, New Jersey 07102.

The Board of Professional Engineers and Land Surveyors, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Carl E. Kastner, Secretary-Director
Board of Professional Engineers and
Land Surveyors
Division of Consumer Affairs
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

Notice of Public Hearing Concerning
Conflicts of Interest

The Board of Professional Engineers and Land Surveyors

in the Division of Consumer Affairs of the Department of Law and Public Safety hereby serves notice that a public hearing will be held concerning the provisions of N.J.A.C. 13:40-4(4)(a) through (f), regarding conflicts of interest as constituting misconduct in the practice of professional engineering or land surveying.

The public hearing will be held in order that the Board may invite information and comments bearing upon the subject matter of the regulation and the appropriate manner by which the public interest may be protected.

The hearing will be held on May 16, 1974 between 9:30 A.M. and 4:00 P.M. in Court Room 4, second floor, 1100 Raymond Boulevard, Newark, New Jersey.

Any person or association desiring to testify on that date shall so state in writing to the Board of Professional Engineers and Land Surveyors, Room 317, 1100 Raymond Boulevard, Newark, New Jersey no later than May 6, 1974. The agenda of the public hearing, which may stipulate time limitations for testimony, will be available at the Board office on and after May 10, 1974 and on the date of hearing. Copies of the regulation in question are available at the Board office.

Any interested person or association may submit written comments to the Board in lieu of or in addition to comments at the public hearing at any time until June 15, 1974.

This Notice is published as a matter of public information.
Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

OFFICE OF THE ATTORNEY GENERAL

Listing of Legislative Agents

William F. Hyland, Attorney General of the State of New Jersey, pursuant to authority of N.J.S.A. 52:13C-22(h), has released the fourth listing of required quarterly reports of newly-registered legislative reports for the period covering the fourth quarter of 1972 through the third quarter of 1973.

All notices of the agents' representation and reports are on file with the Attorney General and are available for public inspection during regular business hours (9:00 A.M. to 5:00 P.M.) in Room 219, State House Annex, Trenton, New Jersey.

Listings of the first 68 registered legislative agents was in the Notice published December 9, 1971, at 3 N.J.R. 267(b); second listing of an additional 48 agents in the Notice of April 6, 1972, at 4 N.J.R. 72(c); and third listing of 29 agents in the Notice of August 10, 1972, at 4 N.J.R. 190(b).

Following are 24 legislative agents who have registered subsequently, with registration number, name and New Jersey address, whom they are representing, and designation or title, if any:

CURRENT LISTING

No. 146. Edward T. Blazoski, 3 Iris Place, Woodbridge, N.J. 07095; Legislative Agent.

No. 147. Annette E. Petrick, 788 Hamilton Street, Somerset, N.J. 08873; Mobilehome Association of New Jersey; Executive Director.

No. 148. Edwin M. Ambler, Madison Ave. at Punch Bowl Road, Morristown, N.J.; Jersey Central Power & Light Company, N.J. Power & Light Company; Manager.

No. 149. J. Joseph Frankel, Prudential Plaza, Newark, N.J. 07101; Prudential Insurance Co. of America; Assistant General Counsel.

No. 150. Charles Skerrett, 2401 Central Avenue, Barnegat Light, N.J. 08806; Legislative Agent.

No. 151. Frederic J. Schragger, Esq., 223 East Hanover Street, Trenton, N.J. 08607; N.J. Retail Merchants Association, Diamond International Corp.; Attorney.

No. 152. Eamon T. Fennessy, 340 Kingsland Street, Nutley, N.J. 07110; Hoffmann-La Roche, Inc.; State Legislative Director.

No. 153. William Tomaszewski, 17 Bartholdi Avenue, Jersey City, N.J. 07305; Jersey City Firefighters Local 1066; Firefighter.

No. 154. Walter Shaw, 102 Paterson Street, Jersey City, N.J. 07307; Local 1066 Firefighters—Jersey City; Firefighter.

No. 155. Henry Louis Miller, 1602 Pennington Road, Trenton, N.J. 08618; N.J. Association of Secondary School Principals; Executive Secretary.

No. 156. Mrs. Jean R. Geiger, 33 Washington Street, Newark, N.J. 07102; Medical Surgical Plan of N.J. (Blue Shield); Public Relations.

No. 157. George Britt Jr., 906 South 60th Street, Philadelphia, Pa. 19143; Community Progress Inc.; Chairman.

No. 158. Marshall S. Klein, 103 East Front Street, Red Bank, N.J.; N.J. Lions Multiple District 16; Director of Development.

No. 159. Edward E. Eveland, 935 Penn Circle—Apt. B-507, King of Prussia, Pa. 19406; Household Finance Corp.; Public Relations Representative.

No. 160. John R. Lacy Jr., 926 West State Street, Trenton, N.J. 08601; N.J. Retail Merchants Association, (Terminated 10/10/73); Executive Vice President.

No. 161. Dorothy S. O'Connor, Rutgers College of Pharmacy, University Heights, Piscataway, N.J.; N.J. Pharmaceutical Association; Legislative Agent.

No. 162. John P. Scozzari, 261 Franklin Street, Hightstown, N.J. 08520; Amusements of America, Outdoor Amusement Businessman's Association, Inc., American Recreational Equipment Association; Attorney.

No. 163. Joseph Zoladz, 122 Sherman Avenue, Trenton, N.J. 08638; N.J. State League of Master Plumbers; Legislative Agent.

No. 164. James E. Cunningham, 332 West State Street, Trenton, N.J. 08618; N.J. Nursing Home Association; Assistant Executive Director.

No. 165. Lawrence W. McGinley, 707 Summit Avenue, Union City, N.J. 07087; Teamsters Joint Council #73; Legislative Agent.

No. 166. George J. Lasky, 17 Academy Street, Newark, N.J. 07102; Commercial Credit Company; Lawyer.

No. 167. Adrian M. Foley Jr., Gateway 1, Newark, N.J. 07102; Westinghouse Electric Corporation; Attorney.

No. 168. N.J. Land Title Insurance Association, Federal Trust Building, 24 Commerce Street, Room 1327, Newark, N.J. 07102, Raymond Buckman, John R. Weigel, John A. Kiernan, Frank J. McDonough, James V. Lombardo, Wilbur A. Barrett, John H. McDermitt, George J. Lasky, John P. Boyle; N.J. Land Title Insurance Association.

No. 169. Kenneth F. X. Albers, 1180 Raymond Boulevard, Newark, N.J. 07102; Savings Banks Association of New Jersey; President.

No. 170. Jeffrey L. Faue, 110 West State Street, Trenton, N.J. 08608; National Association of Social Workers; Executive Director.

The required reports were filed March 7, 1974, with the fourth quarter report of 1972 as R.1974 d.57; the first quarter report of 1973 as R.1974 d.58; the second quarter report of 1973 as R.1974 d.59; and the third quarter report of 1973 as R.1974 d.60.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF EXAMINERS OF OPHTHALMIC DISPENSERS AND OPHTHALMIC TECHNICIANS

Changes in Rules

On February 6, 1974, Robert G. Hart, Secretary of the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians of the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:17B-41.13 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted changes of revisions to rules, substantially as proposed in the Notice published November 8, 1973, at 5 N.J.R. 388(b), with only inconsequential structural or language changes, in the opinion of the Department of Law and Public Safety.

The revisions to N.J.A.C. 13:33-1.13, Examinations, and 13:33-1.36, Limits on numbers of apprentices, were adopted exactly as proposed.

The proposed revisions to N.J.A.C. 13:33-1.37, Limited licenses of ophthalmic technicians and, 13:33-1.38, Minimum standards and tolerances, are still being considered and have not as yet been adopted.

Changes from the proposed revisions to N.J.A.C. 13:33-1.39 and 13:33-1.40 were adopted and the adopted, revised text of these two Sections follows in full:

13:33-1.39 Permits; registration

(a) Any employer, before he permits a new employee to start work as a temporary ophthalmic dispenser, temporary ophthalmic technician, ophthalmic dispenser apprentice, ophthalmic technician apprentice or limited technician apprentice, is responsible for registering said employee under the applicable permit.

(b) Registration is defined as filing a completed and notarized application with the Board.

(c) Notice to this effect shall be posted conspicuously in all optical establishments.

13:33-1.40 Full calendar year; week

A full calendar year shall consist of 2 months of compensated employment. A working week shall consist of no less than 32 hours.

An order adopting these two revisions was filed and effective March 14, 1974, as R.1974 d.66.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MORTUARY SCIENCE

Proposed Amendment Concerning Reexaminations

Maurice W. McQuade, executive secretary of the State Board of Mortuary Science in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:7-38, proposes to amend N.J.A.C. 13:36-3.5 in order to permit an examinee to average the results achieved on reexamination in order to secure a passing grade of 70 per cent.

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

N.J.A.C. 13:36-3.5 Passing grades; reexamination

(a) An applicant must achieve an average grade of not less than 70 per cent in order to pass the written examination in theoretical subjects on the first or any subsequent written examination.

(b) Any applicant failing the first examination with an average grade of less than 70 per cent shall receive permanent credit for any subject passed and shall be entitled to three subsequent reexaminations [be reexamined only] in subjects previously failed. [And required to qualify by achieving a grade of at least 70 in each subject failed.]

Interested persons may present statements or arguments in writing relevant to the proposed rule on or before April 26, 1974, to:

Maurice W. McQuade
Executive Secretary
State Board of Mortuary Science
Room 331, 1100 Raymond Boulevard
Newark, New Jersey 07102
Telephone: (201) 648-2532

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

Maurice W. McQuade
Executive Secretary
State Board of Mortuary Science
Department of Law and Public Safety

(b)

TRANSPORTATION
THE COMMISSIONER

Proposed Rules on Restricted Parking Along Certain State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and 39:4-139, proposes to adopt rules establishing no parking zones along various State highways. The proposed additions to Chapter 28. "Traffic Regulations on State Highways" in Title 16 of the New Jersey Administrative Code are to govern no parking zones for no-stopping or standing and designated bus stops along Routes 47, 77 and 7. Such rules, if adopted, will be cited as N.J.A.C. 16:28-3.12, 3.13 and 3.14.

Copies of the full text of three pages of the proposed rules or any parts thereof may be obtained from:

Robert J. Nolan
Chief, Bureau of Traffic Engineering
Division of Transportation Operations and Legal Aid
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to Robert R. Reed, Jr., Administrative Practice Officer of the Department of Transportation, at the above address.

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

Alan Sagner
Commissioner
Department of Transportation

(c)

TRANSPORTATION
THE COMMISSIONER

Proposed Rules on Rates of Speed On State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98 [Commissioner of Transportation successor to functions, powers and duties of State Highway Commissioner, see N.J.S.A. 27:1A-3], proposes to adopt regulations concerning rates of speed on State highways. These regulations are to be permanent and are not intended to apply only during periods of current and imminent fuel shortages. Such rules, if adopted, will be included in Subchapter 1, Chapter 28, Title 16 of the New Jersey Administrative Code.

Due to the volume of these regulations, publication is impractical. Below is a listing of each highway affected and the Departmental code number for each regulation. The full text of any or all of these regulations may be obtained upon written request to:

Robert J. Nolan
Chief, Bureau of Traffic Engineering
Department of Transportation
1035 Parkway Avenue
Trenton, New Jersey 08625

Route No.	Departmental Code No.	Route No.	Departmental Code No.
U.S. 1	LS-71-17	U.S. 9 & 35	LS-72-1
U.S. 1 Alt.	LS-57-14	U.S. 9W	LS-57-36
U.S. 1 Bus	LS-58-22	N.J. 10	LS-61-17
U.S. 1 & 9	LS-55-13	N.J. 12	LS-56-18
	LS-59-16	N.J. 15 - 15 & 94	LS-65-13
	LS-65-8	N.J. 17	LS-61-1
U.S. 1 & 9 Truck	LS-61-12		LS-66-7
U.S. 1 & 9 & 46	LS-57-35	N.J. 18	LS-70-1
N.J. 3	LS-62-4	N.J. 18 Fwy.	LS-71-5
	LS-69-11	N.J. 20	LS-67-9
N.J. 4	LS-59-20		LS-73-17
N.J. 5	LS-72-7	N.J. 21	LS-69-6
N.J. 7	LS-69-13	U.S. 22	LS-67-3C
U.S. 9	LS-56-8		LS-67-8
	LS-61-6		LST-60-1
	LS-69-1	U.S. 22 Alt.	LS-58-16
	LS-70-10	N.J. 23	LS-71-7

Route No.	Departmental Code No.	Route No.	Departmental Code No.
N.J. 24	LS-70-3	N.J. 73	LS-71-13
	LS-73-24	I - 76	LS-73-13
	(CD Rd.)	N.J. 77	LS-60-5
N.J. 26	LS-58-2	I - 78	LS-67-8
N.J. 27	LS-70-14	I - 78 & U.S. 22	LS-70-5
N.J. 28	LS-69-7	N.J. 79	LS-67-2
	LS-73-1	I - 80	LS-73-3
N.J. 29 Fwy.	LS-65-14		LS-73-13
U.S. 30	LS-68-11		LS-73-15
U.S. 30 & 130	LS-66-8	N.J. 82	LS-58-12
U.S. 130 & 30 - 130	LST-61-3	N.J. 83	LS-57-25
N.J. 31	LS-58-5	N.J. 87	LS-58-20
	LS-67-5C	N.J. 88	LS-56-9
N.J. 31-U.S. 202	LS-65-11C	N.J. 91	LS-58-1
	LS-66-6	N.J. 93	LS-57-28
N.J. 32	LS-73-5	N.J. 94	LS-64-6
N.J. 33	LS-73-18	I - 95	LS-66-13
N.J. 33 & 34	LS-72-6		LS-67-1
N.J. 33 & U.S. 130	LS-66-11	U.S. 130	LS-66-11
N.J. 35	LS-55-54A	N.J. 147	LS-72-3
	LS-55-5	N.J. 152	LS-7-12
	LS-66-3		LS-70-14B
	LS-69-12	N.J. 153	LS-58-18
	LS-71-16	N.J. 154	LS-71-18
N.J. 36	LS-65-9	N.J. 156	LS-58-21
	LS-72-8	N.J. 157	LS-59-4
N.J. 37	LS-73-6	N.J. 159	LS-73-10
N.J. 38	LS-57-27	N.J. 161	LS-73-9
U.S. 40	LS-68-8	N.J. 165	LS-54-21
	LS-73-7	N.J. 166	LS-61-7
U.S. 40 & 45	LS-73-7	N.J. 168	LS-73-16
N.J. 47 & U.S. 40 -		N.J. 169	LS-61-13
N.J. 47	LS-55-18	N.J. 170	LS-65-2
U.S. 40 & 50	LS-57-24	N.J. 171	LS-61-2
N.J. 41	LS-71-19	N.J. 172	LS-63-1
N.J. 44	LS-61-15	N.J. 175	LS-66-4
N.J. 45	LS-60-4	N.J. 180	LS-68-14
U.S. 46	LS-73-14	N.J. 182	LS-70-4
N.J. 47	LS-55-10	N.J. 183	LS-71-9
	LS-55-11	I - 195	LS-72-2
	LS-55-12	U.S. 202 - 202 & 23 - 202 & 206	LS-68-4
	LS-55-15	U.S. 202 & 69	LS-65-11C
	LS-55-16	U.S. 206	LS-57-38
	LS-55-17		LS-63-6
	LS-55-19		LS-65-1
	LS-55-20		LS-70-8
	LS-55-21		LS-71-6
	LS-55-22		LS-71-8
	LS-56-6	N.J. 208	LS-71-11
N.J. 47 & 49	LS-55-61	I - 280	LS-70-7
N.J. 48	LS-58-9	N.J. 284	LS-58-3
N.J. 49	LS-63-3	I - 287	LS-64-7
N.J. 52	LS-59-3	I - 295	LS-69-3
N.J. 53	LS-57-4	U.S. 322	LS-72-10
N.J. 54	LS-68-5	U.S. 322 & 45	LS-60-4
N.J. 55 Frwy.	LS-69-14		LS-68-1
N.J. 57	LS-70-6		LS-59-14
N.J. 58	LS-73-11	N.J. 439	
N.J. 62	LS-71-20	N.J. 440 - 440 Fwy.	LS-58-24
N.J. 63	LS-69-16	N.J. 444	LS-57-1
N.J. 66	LS-56-23		LS-57-13
N.J. 67	LS-57-40		LS-71-1
N.J. 68	LS-64-5	I - 495	LS-71-2
N.J. 70	LS-71-14		LS-61-5
N.J. 71	LS-62-2	Milltown Road	
N.J. 72	LS-68-13	Morris Avenue	
		westbound	LS-73-4

It should be noted that several of these regulations contain provisions which have been repealed or superceded by the previously promulgated regulation reducing rates of speed on State highways (see R. 1974 d. 48, adopted on February 28, 1974 as N.J.A.C. 16:27-1.3—Reduction of rates of speed). The latter regulation is one of general application and was promulgated in response to problems created by current and imminent fuel shortages. In sum, the previously promulgated regulation affects only those provisions of the below-listed regulations which make specific reference to R.1974 d.48.

Interested persons may present statements or arguments, in writing relevant to the proposed action on or before April 24, 1974, to:

Robert R. Reed
 Administrative Practice Officer
 Department of Transportation
 1035 Parkway Avenue
 Trenton, New Jersey 08625

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

Alan Sagner
 Commissioner
 Department of Transportation

(a)

TRANSPORTATION

THE COMMISSIONER

Revisions to Rule on Rates Of Speed on State Highways

On February 28, 1974, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rule on rates of speed on State highways, substantially as proposed in the Notice published February 7, 1974, at 6 N.J.R. 83(a), with only inconsequential structural or language changes, in the opinion of the Department of Transportation.

Full text of the adopted rule follows:

16:27-1.3 Reduction of rates of speed

(a) All regulations and/or Sections thereof heretofore adopted pursuant to N.J.S.A. 39:4-98 designating maximum speed limits on State highways in excess of 50 miles an hour are hereby repealed.

(b) Notwithstanding the provisions of subsection (a), and in order to comply with the Federal Emergency Highway Energy Conservation Act, P.L. 93-239, a maximum speed limit of 55 miles an hour is hereby established for all types of motor vehicles travelling on any portion of any State highway having four or more traffic lanes, the opposing lanes of which are physically separated by means other than striping, which portion of highway had a speed limit of 55 miles, or more, per hour on November 1, 1973.

(c) Approval of any ordinance or resolution of any municipality or county designating on any highway under jurisdiction of such municipality or county a rate of speed inconsistent with the provisions of this regulation is hereby rescinded.

An order adopting these revisions was filed and effective February 28, 1974, as R.1974 d.48.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

TREASURY

STATE HEALTH BENEFITS COMMISSION

Proposed Revisions In Annual Enrollment Period And Health Maintenance Organization Premiums

Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:14-17.27 and on behalf of the State Health Benefits Commission in the Department of the Treasury, proposes to adopt revisions to the rules concerning the annual enrollment period and Health Maintenance Organization premiums.

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

17:9-2.3 Annual enrollment period

(a) Any employee who shall elect not to enroll for coverage for himself or for his dependents at the time such employee or dependent first becomes eligible for coverage shall subsequently be permitted to enroll himself and his dependents only during the annual enrollment period which is the [two-week period beginning on the first Monday in] **month of May of each year with coverage effective for the first coverage period in July in the case of State coverage and the month of January with coverage effective April 1 in the case of local coverage.**

(b) **The annual enrollment period will be the annual opportunity for employees to elect participation in a Health Maintenance Organization for themselves and their dependents. The change in the election cannot be made more frequently than once a year except where the employee moves and is no longer able to be serviced by a Health Maintenance Organization or the Health Maintenance Organization is terminated.**

17:9-5.6 Health Maintenance Organization premiums

For purposes of State and local coverage the employer who pays any portion of the cost for the employee and for dependents only during the annual enrollment period, which is the [two-week period beginning on the first Monday in] **month of May of each year with coverage effective for the first coverage period in July in the case of State coverage and the month of January with coverage effective April 1 in the case of local coverage.**

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

State Health Benefits Commission
Department of the Treasury
20 West Front Street
Trenton, New Jersey 08625

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

Clifford A. Goldman
Deputy State Treasurer
Department of the Treasury

(b)

TREASURY

DIVISION OF PENSIONS

Proposed Revisions in Rules of State Police Retirement System

Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 53:5A-30, proposes to revise various Sections in Chapter 5 of Title 17 of the New Jersey Administrative Code concerning the State Police Retirement System.

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

17:5-1.8 State employees; bi-weekly salaries

(a) **Retirement and death benefits as well as service credit will be determined on the basis of bi-weekly pay periods for State employees paid by Centralized Payroll.**

(b) **In the event a member is reported on a combination of monthly and bi-weekly pay periods, his last year's salary or final compensation as well as his service credit will be computed on a proportional basis.**

17:5-2.1 Computation of insurance benefits

(a) Full salary credit will be given for the [month] **bi-weekly pay period in which a member dies, if he was paid salary to date of death and the salary paid was sufficient to permit a full normal month's pension and insurance contribution deduction, provided such deduction was made by the employer.**

(b) Death benefits shall be based on the base salary upon which contributions to the annuity savings fund were actually made during the [12 months] **26 bi-weekly pay periods immediately preceding the member's death, plus maintenance received by the member concurrent with such salary. The salary, in the [month] bi-weekly pay period in which no salary was paid, shall be counted as zero.**

(c) If a member dies during the first year following his date of enrollment, the insurance benefit shall be 3½ times the average compensation on which he contributed or would have contributed immediately prior to his death, plus the maintenance received by the member concurrent with such salary.

(d) Where a post-audit of insurance claim payments indicates the pension contributions reported by an employer were incorrect and resulted in the overpayment of an insurance claim to a member's designated beneficiary or estate, the employer will be billed for the value of the overpayment of the insurance benefits. Where post-audits establish the insurance benefits were underpaid, an additional check would be sent to the beneficiary for the value of the underpayment.

(e) Refunds of a deceased member's pension contributions will be made to the member's designated beneficiary or the employer after written confirmation is received from the employer setting forth the reason for the refund of pension contributions to either the beneficiary or to the employer.

(f) **Members who prove their insurability for the group life insurance benefits shall have their insurance benefit calculated on the basis of the salary upon which pension**

contributions were based or received during their last 26 bi-weekly pay periods of service prior to death, regardless of their effective date of insurance coverage.

(g) In computing the salary upon which pension contributions were based during the member's last year of service, a total of 26 bi-weekly pays will be used including any retroactive salary payments made within the prescribed period. The total salary will be adjusted by multiplying the total by 1.003831; such adjustment will compensate for State bi-weekly payroll schedules.

(h) If a member was reported on a bi-weekly basis on any combination of 10- and 12-month contract years, the last year's salary prior to death or retirement shall be determined on a proportional basis. The bi-weekly pay periods for which no contributions were made shall be counted as zero.

17:5-5.5 Outstanding loan

[In the instance of a member retiring, the total allowance will be reduced by the value of any loan outstanding.]

(a) Any outstanding loan against the annuity savings fund must be repaid before a member may qualify for any type of retirement other than disability retirement.

(b) In calculating a disability retirement allowance where there is an outstanding loan, the annuity shall be the actuarial equivalent of the amount which actually appears in the member's account, and the total allowance shall be reduced by the amount of the actuarial equivalent of the outstanding obligation.

17:5-5.6 Retirement credit

A member shall receive credit toward retirement for any bi-weekly payroll period in which a full normal deduction is received by the System.

17:5-5.9 Determination of final compensation

["Final Compensation" will be determined by averaging the last 12 months' salary and maintenance allowance received prior to retirement. Absences within such a period will cause the period of averaging to be extended by such period of absence.]

(a) In computing the salary upon which pension contributions were based during the member's last year of service, a total of 26 bi-weekly pays will be used including any retroactive salary payments made within the prescribed period. The total salary will be adjusted by multiplying the total by 1.003831; such adjustment will compensate for State bi-weekly payroll schedules.

(b) If a member was reported on a bi-weekly basis on any combination of 10- and 12-month contract years, the last year's salary prior to death or retirement shall be determined on a proportional basis. The bi-weekly pay periods for which no contributions were made shall be counted as zero.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 24, 1974, to:

Division of Pensions
Department of the Treasury
20 West Front Street
Trenton, New Jersey 08625

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

Clifford Goldman
Deputy State Treasurer
Department of the Treasury

(a)

TREASURY

DIVISION OF TAXATION

Notice on Revised Guidelines For Implementation of Chapter 6, Laws of 1972

Take notice, that Sidney Glaser, Director of Taxation in the Department of the Treasury, has issued the following notice concerning revised guidelines for the implementation of Chapter 6, Laws of 1972 concerning senior citizens' deductions.

Full text of the Notice follows:

In answer to many inquiries concerning implementation of Chapter 6, Laws of 1972, the Director of the Division of Taxation has set forth the following guidelines to be used by assessors and tax collectors in determining the income limitation of a senior citizen applying for the property tax deduction pursuant to N.J.S.A. 54:4-8.40 et seq. In particular, the inquiries concern the status of senior citizens receiving State or Federal pensions and disability benefits, and benefits under the Railroad Retirement Act.

These guidelines supersede the guidelines issued on April 13, 1972, where indicated, and shall become effective with respect to applications filed for deduction for the 1974 tax year and for confirming the 1974 anticipated income when the post-tax year statements are filed on February 1, 1975.

The changes made in these guidelines specifically concern paragraph No. 5 since the Federal Government has increased the Social Security benefits for the 1974 tax year. As a matter of convenience, the entire guidelines published on April 13, 1972 have been included and the only changes made are in paragraph 5 of these guidelines.

1. Application Form SC-65A must be filed with the assessor during the period on or after October 1 and not later than December 31 of the pretax year, or with the tax collector at any time during the tax year. Thus, for the tax year 1974 deduction, the applicant should file with the tax collector on or before December 31, 1974.

2. (a) A senior citizen who is the recipient of a pension benefit under the Federal Railroad Retirement Act or pursuant to any Federal, State, county or municipal pension, disability and retirement programs, or any agency thereof, and who does not receive any benefit under the Federal Social Security Act shall submit to the assessor or tax collector, as the case may be, the amount of such annual benefit and the name and address of the agency granting the benefit. This information may be endorsed in the upper right hand corner of Form SC-65A or submitted on a separate statement attached to said form. In such case, the senior citizen may exclude the amount of such benefit from income but not in excess of the maximum amount of benefit allowed under the Federal Social Security Act. See paragraph 5 for maximum benefit allowed.

(b) Where a person described in 2(a) is the recipient of both a Social Security benefit and a pension, disability or retirement benefit as described in said paragraph 2(a), he may exclude from income the greater amount, but not in excess of the maximum amount of benefit allowed under the Federal Social Security Act. See paragraph 5 for maximum benefit allowed.

3. Where both the husband and wife are entitled to pensions, disability or retirement benefits as permitted by law, the benefits of both combined may be excluded, subject however to the maximum limitations. See paragraph 5 for maximum limitations.

4. It is important to note that Chapter 6, Laws of 1972 provides that the total amount of benefits to be allowed exclusion by any owner under Sections 1(a)(2) and 1(a)(3) of the Act shall not be in excess of the maximum amount of benefits payable to and allowable for exclusion by, an owner in similar circumstances under the Federal Social Security Act.

5. The following are the annual maximum retirement benefit estimates under the Federal Social Security Act. These maximums are to govern the amount of pension, disability or retirement income to be excluded pursuant to Chapter 6, Laws of 1972. They were compiled from information received from the Department of Health, Education and Welfare, and are as follows:

Retired worker (65 or older)	\$3,588
Wife (65 or older)	\$1,794
Retired worker and wife (both 65 or older)	\$5,382

6. Forms SC-65A (Initial Application) and SC-65.4 (Post-Tax Year Statement) should be used to apply for the tax deduction and to confirm income respectively.

7. If you have any questions not specifically covered by these guidelines you may write directly to the Division of Taxation, Local Property and Public Utility Branch, West State and Willow Streets, Trenton, New Jersey 08625.

Adherence to these guidelines should result in uniform implementation of the Act.

This Notice is printed as a matter of public information only and will not be codified in the New Jersey Administrative Code.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

TREASURY

DIVISION OF PENSIONS

Revisions to Rules of the Police and Firemen's Retirement System

On February 15, 1974, Elmer G. Baggaley, Secretary of the Police and Firemen's Retirement System in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:16A-13 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules of the Police and Firemen's Retirement System, as proposed in the Notice published January 10, 1974, as 6 N.J.R. 30(b).

Such revisions will be included in various Sections of Chapter 4 in Title 17 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective March 12, 1974, as R.1974 d.61.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

TREASURY

DIVISION OF PENSIONS

Revisions to Administration Rules of the Division of Pensions

On February 28, 1974, William J. Joseph, Director of the Division of Pensions in the Department of the Treasury,

pursuant to authority of N.J.S.A. 52:18A-95 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the administrative rules of the Division of Pensions, as proposed in the Notice published February 7, 1974, at 6 N.J.R. 84(a).

Such revisions will be included in various Sections of Chapter 1 in Title 17 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective March 12, 1974, as R.1974 d.62.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

TREASURY

STATE INVESTMENT COUNCIL

Revisions Concerning Certificates of Deposit

On March 6, 1974, Clifford A. Goldman, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules of the State Investment Council concerning certificates of deposit.

Full text of the revised adopted rules follows:

17:16-27.3 Other limitations

The total amount of certificates of deposit in any one bank shall not exceed 25 per cent of a bank's net worth designated as capital surplus and undivided profits. In making this calculation certificates of deposit purchased for State agencies will be taken into account.

Note: The current N.J.A.C. 17:16-27.3, Legal papers, is to be renumbered and now cited as N.J. A.C. 17:16-27.4 without any changes made to its current text.

An order adopting these revisions was filed and effective March 12, 1974, as R.1974 d.63 (Exempt, Procedure Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

— Other Agencies —

(d)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Revision Concerning Sanitary Landfill Rules

On February 27, 1974, the Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency revision to N.J.A.C. 19:7-1.1 concerning sanitary landfill rules.

Full text of the revised rule follows (deletions indicated in brackets [thus]):

19:7-1.1(g) [No solid waste originating or collected outside of the territorial jurisdiction of New Jersey shall be disposed of or treated within the Hackensack Meadowlands

District.] No sanitary landfill operator shall accept for disposal, at a sanitary landfill within the Hackensack Meadowlands District, any solid waste originating or collected outside of the territorial limits of New Jersey.

(h) All operators of sanitary landfills within the Hackensack Meadowlands District shall submit to the Commission, together with their applications, as provided in Sections 3 and 4 of this Subchapter, a certification stating that no solid waste originating or collected outside of the territorial limits of New Jersey will be accepted for disposal or treatment.

An order adopting this revision was filed and effective February 28, 1974, as R.1974 d.49 (Exempt, Emergency Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Amendments Concerning Definitions and Motions for Commission Reconsideration

On March 4, 1974, John F. Lanson, Chairman of the Public Employment Relations Commission, pursuant to authority of N.J.S.A. 34:13A-11 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to N.J.A.C. 19:10-1.1 and 19:15-4.1 concerning definitions and motions for Commission reconsideration, as proposed in the Notice published January 10, 1974, at 6 N.J.R. 40(b).

An order adopting these amendments was filed and effective March 7, 1974, as R.1974 d.56.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

TWO TOP EXECUTIVES NAMED TO MORTGAGE FINANCE AGENCY

Christopher G. Kelly and Judd S. Levy are the new executive director and deputy director respectively of the New Jersey Mortgage Finance Agency, it was announced last month by Richard F. Schaub, chairman of the Agency and State Commissioner of Banking.

Kelly was previously a managing partner of Christopher G. Kelly and Co., members of the New York Stock Exchange. He is also a director of Atlantic Capital Corp., founded in 1961 as a small business investment corporation. Kelly, 61, is a graduate of St. Peter's Prep, Jersey City, and attended the New York Stock Exchange Institute of Finance.

He resides at 30 Katherine Street, Fair Haven, with his wife, Joan, and five children, Robert, Brian, Mary Jo, Kevin and Christopher Jr. His salary is approximately \$30,000.

Levy was formerly president of Warwick Management Corporation, Newark, an investment advisory firm. He was graduated from the Wharton School of Finance and Commerce of the University of Pennsylvania in 1974 and is 31 years old. Prior to forming Warwick in 1968, he worked as a security analyst for two New York Stock Exchange member firms in New York City.

He lives at 3 Trombley Drive, Livingston, with his wife, Susan, and his two daughters, Elissa and Jennifer. His salary is approximately \$29,000.

The New Jersey Mortgage Finance Agency, first of its kind in the nation, was established in 1970 to expand funds available in New Jersey for new residential mortgages, by selling tax-free municipal bonds and loaning the proceeds to qualified lenders who are required to use the funds solely for making new residential mortgage loans.

The Agency has approximately \$250 million outstanding in loans to 104 participating institutions, such as savings and loan associations, savings banks and commercial banks. It is estimated that these funds will eventually provide mortgages for more than 14,500 units of housing. Maximum interest rate charged to the homeowner under the program has ranged from 6.80 to 7.41 per cent.

Approximately 75 per cent of the Agency's bonds have been purchased by investors outside New Jersey, thus bringing money into the State not otherwise available for mortgage loans.

STANGL NEW ASS'T COMMISSIONER FOR PUBLIC TRANSPORTATION

State Transportation Commissioner Alan Sagner has announced the appointment of Peter E. Stangl, a New York City transportation specialist, as Assistant Commissioner for Public Transportation.

Stangl, who had been administrator of the New York City Transportation Administration's Office of Management and Budget, assumed his duties March 4 at a \$32,500 salary. He is responsible for the development and implementation of railroad and bus transportation programs of the Department.

As assistant transportation administrator of the New York agency since January, 1972, Stangl's responsibilities included the development and management of administration-wide productivity programs, preparation and administration of capital and expense budgets, analysis of city subsidy programs for mass transit, and most of the economic and management analysis for the overall agency.

Stangl, 32, was born in Waterbury, Conn., and graduated from Crosby High School there. He received his B.A. and M.A. degrees in economics from the University of Connecticut, following which he was employed by the University as a teaching assistant and later as a special technical research assistant in economics until 1968.

From 1968 to 1970, he was assistant professor of economics at Wheaton College, Norton, Mass., and was then named senior program planner for transportation in the Bureau of the Budget of New York City.

PYLE NAMED AS NEW HEAD OF FISHERIES MANAGEMENT

A. Bruce Pyle of Wall Township, Monmouth County, has been appointed chief of the Bureau of Fisheries Management, according to Russell A. Cookingham, Director of the State Division of Fish, Game and Shellfisheries.

Pyle, a 43-year-old native of New Jersey, had been assistant chief for six years and replaces Robert A. Hayford, who retired in January.

Pyle is in charge of all fisheries management, research

Hearing Notice

HEARINGS ON EARLY ABORTION RULES SET FOR APRIL 30 IN TRENTON

The Health Care Administration Board in the State Department of Health has approved for public hearing a draft of proposed rules for the termination of pregnancy in the first, second or third trimesters.

Text of the rules and Notice of hearing appears in this issue of the New Jersey Register starting on page 9.

The proposed new regulations are made necessary by the Jan. 22, 1973 United States Supreme Court decisions in the cases of Roe versus Wade, and Doe versus Bolton, the Department stated.

The hearing will be on Tuesday, April 30, in the State Museum auditorium in Trenton, on West State Street, starting at 9:30 a.m.

Dr. William J. Dougherty, Acting State Health Commissioner, announced that text of the proposed regulations is also available from his office (mailing address with the Notice in this issue).

He said that the State Board of Medical Examiners will now develop procedural regulations for the medical profession dealing with the subject.

and propagation for the State, and also responsible for liaison with other states and the Federal government.

Pyle was graduated from Neptune High School and received his bachelors and masters degrees in wildlife conservation and management from Rutgers University. Married, the family has five children.

CONWELL ELECTED TO NJSIAA COMMITTEE

Josiah C. Conwell Jr., supervisor of professional services in the Division of Vocational Education of the State Department of Education, was recently elected to the executive committee of the New Jersey State Interscholastic Athletic Association. He is the first black to serve on the committee.

Before joining the State three years ago, Conwell had been principal of Camden High School for three years. He served previously in Camden as teacher, elementary school principal and junior high school principal.

Conwell received his bachelor's degree from West Chester (Pa.) State College and master's degree from Temple University.

SURVEY OF "NEW COMMUNITIES" ISSUED FOR LOCAL ASSISTANCE

A survey of "New Community" development policies and activities in each of the 50 states has been released by the New Jersey Department of Community Affairs.

The report is part of a special project to study New Communities in order to formulate a basis for State policy for this kind of development approach. It is one of a series under preparation designed to assist local officials in evaluating New Communities and Planned Unit Development (PUD) proposals in their localities.

The report, first to combine such data on all states into a single comprehensive source, is intended to show the States' role, if any, in New Community development and how New Jersey compares with the rest of the nation.

While the survey revealed that the definition of a New Community varied widely from state to state, for purposes

Examination Notice

PUC ISSUES ADVANCE NOTICE OF THREE ELECTRICAL INSPECTOR'S EXAMINATIONS

Pursuant to N.J.S.A. 48:7-14, 7-15 and N.J.A.C. 14:5-4.1 et seq., notice is hereby given that the Board of Public Utility Commissioners will hold three examinations for persons seeking Electrical Inspector Licenses—on May 21, Sept. 20 and November 26, 1974, at Room 104, 80 Mulberry Street, Newark, New Jersey beginning at 10:00 A.M.

Application forms may be procured from the Board's offices at Room 210, 101 Commerce Street, Newark, New Jersey, or the National State Building, Room 407, 28 West State Street, Trenton, New Jersey.

Completed application forms, together with fees in the amount of \$25.00 for initial examination or \$15.00 for re-examination must be filed at the Board's office at 101 Commerce Street, Newark, New Jersey 07102, ten working days prior to the listed examination dates.

All checks should be made payable to Treasurer, State of New Jersey, and such fees are not refundable.

of the report it is defined as a "large-scale, comprehensively-planned development, planned for a variety of uses including recreational, educational and institutional, as well as for the community facilities and cultural activities that are contained in existing communities."

The report points out that state involvement in New Community activity has taken a variety of forms, ranging from grants and technical assistance to land acquisition and actual construction of New Communities.

Copies of the report are available free of charge on a limited basis from: Division of State and Regional Planning, P.O. Box 2768, Trenton, N.J. 08625.

REGIONAL UNITS TO HELP PLAN HANDICAPPED CHILDREN FACILITIES

The State Department of Education will establish six regional planning units to assist in developing State-operated facilities and programs for severely handicapped children.

The units will play a role in the planning of construction of regional day schools for the deaf, the deaf-blind, the seriously emotionally disturbed and the multiple handicapped.

A \$25 million bond issue for construction of such regional day schools was approved by New Jersey voters last November.

1973 BOUND VOLUME AVAILABLE IN LIMITED SUPPLY AT \$9.00

The annual bound volume of the New Jersey Register for 1973 may now be ordered by subscribers or others interested.

The volume includes the 12 monthly issues, plus an index of all rules adopted during the year—and of rules proposed but not adopted at year-end. A similar cumulative index for 1972 is likewise included.

Price is \$9.00, payable in advance, shipment postpaid. Checks should be made out to, and orders placed with: Division of Administrative Procedure, 10 North Stockton Street, Trenton, N.J. 08608.