

# NEW JERSEY REGISTER



*Official Publication of the State of New Jersey*

**WILLIAM T. CAHILL**, Governor  
**Paul J. Sherwin**, Secretary of State  
**Albert E. Bonacci**, Director of Administrative Procedure  
**Peter J. Gorman**, Rules Analyst  
**John K. Barnes**, Editor

**VOLUME 3 • NUMBER 4**

April 8, 1971 • Indexed 3 N.J.R. 53-72

Published monthly • Trenton, New Jersey

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# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Proposed Change in Overtime Rates For Meat and Poultry Inspections

The State Board of Agriculture, pursuant to authority of N.J.S.A. 24:16B-5, proposes to amend certain of its rules to increase the hourly rates for meat and poultry inspections to conform with those rates charged by the Federal Government.

The full text of the proposed amendments reads as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

2:4.19 Overtime work of meat inspection employees.

The management of an official establishment, an importer, or an exporter desiring to work under conditions which will require the services of an employee of the Division on any Saturday, Sunday, or holiday, or for more than eight hours on any other day, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to furnish inspection service during such overtime period, and shall pay the Department of Agriculture therefor [\$7.40] **\$8.80** per hour to reimburse the Department for the cost of the inspection services so furnished. It will be administratively determined from time to time which days constitute holidays.

2:5-102 Overtime inspection service.

When operations in an official establishment require the services of inspection personnel beyond their regularly assigned tour of duty on any day, or on a day outside the established schedule, such services are considered as overtime work. The official establishment shall give reasonable advance notice to the inspector in charge for any overtime service necessary and shall pay the Secretary for such overtime at a rate of [\$7.40] **\$8.80** per hour to cover the cost thereof.

2:5-103a Holiday inspection service.

When an official establishment requires inspection service on a holiday, such service is considered holiday work. The official establishment shall, in advance of such holiday work, request the inspector in charge to furnish inspection service during such period and shall pay the Secretary therefor at the rate of [\$7.40] **\$8.80** per hour. Service in excess of eight hours for that day is considered overtime and shall be paid for at the overtime rate.

Interested persons may present statements or arguments

in writing, orally in person or by telephone relevant to the proposed action on or before April 29, 1971, to:

Director, Division of Animal Health  
Department of Agriculture  
Post Office Box 1888  
Trenton, New Jersey 08625  
Telephone: (609) 292-3965

The State Board of Agriculture, upon its own motion or at the instance of any interested party, may thereafter adopt the revised rates as proposed without further notice.

Phillip Alampi  
Secretary of Agriculture  
Secretary, State Board of Agriculture

(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders Regulating Handling of Milk

Take notice that, pursuant to authority of N.J.S.A. 4:12 et seq., and particularly Section 25, the Division of Dairy Industry of the New Jersey Department of Agriculture conducted a public hearing jointly and concurrently with the U.S. Department of Agriculture in the Conference Room of the Market Administrator's Office, 205 East 42nd Street, New York, New York, beginning at 10:30 a.m. on March 31, 1971, with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Middle Atlantic and New York-New Jersey milk marketing areas.

The purpose of the hearing was to receive evidence with respect to the economic and marketing conditions which related to proposed amendments and appropriate modifications thereof to the tentative marketing agreement and to the order.

The proposed amendments have not received the approval of the Director of the Division of Dairy Industry.

Copies of this Notice and of the Notice of the U.S. Department of Agriculture, together with proposed amendments, may be reviewed at the Division of Dairy Industry, Department of Agriculture, State of New Jersey, John Fitch Plaza, Trenton, New Jersey.

W. W. Moffett, Jr.

Director

Division of Dairy Industry

NOTE: This Notice is for public information purposes.

## NEW JERSEY REGISTER

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

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

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

(a)

## AGRICULTURE

### STATE BOARD OF AGRICULTURE

#### Gypsy Moth Quarantine Rules

On March 4, 1971, the State Board of Agriculture pursuant to authority of N.J.S.A. 4:1-21.5 and 4:7-36 through 38, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, deleted in its entirety Chapter 20 "Quarantine", Subchapter A, "Gypsy Moth", of its rules, as proposed in the Notice published February 4, 1971 at 3 N.J.R. 18(a).

This Subchapter was deleted because the United States Department of Agriculture, ARS Plant Protection Division, has declared the entire State of New Jersey to be infested with the Gypsy Moth (Division Rules: Chapter 3 "Domestic Quarantine" Part 301 (301-45-2a), effective January 8, 1971).

An order adopting this deletion was filed and effective March 4, 1971, as R.1971 d.28.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### DIVISION OF AGRICULTURAL CHEMISTRY

#### Chlorine Fertilizer Rule

On March 26, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:9-15.33 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 2:69-13 a new rule concerning the maximum percentage of chlorine permitted in certain fertilizers as proposed in the Notice published March 4, 1971, at 3 N.J.R. 36(a).

An order adopting this rule was filed and effective March 26, 1971, as R.1971 d.44.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Changes in Hog Cholera Rules

On March 26, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-1 to 17 and 4:5-106 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to certain hog cholera rules (N.J.A.C. 2:2-8 through 2:2-10) to conform with the National Hog Cholera Eradication Program as proposed in the Notice published March 4, 1971, at 3 N.J.R. 34(a).

An order adopting these revisions was filed and effective March 26, 1971, as R.1971 d.45.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Poultry and Turkey Improvement Plans Adopt Rule Changes

On March 26, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-1, 4:10-3 and 4:10-13 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 2:2-15.1 the revised rules concerning the New Jersey-United States Poultry and Turkey Improvement Plans as proposed in the Notice published March 4, 1971, at 3 N.J.R. 35(a).

An order adopting these rules was filed and effective March 26, 1971, as R.1971 d.46.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(e)

## BANKING

### NEW JERSEY MORTGAGE FINANCE AGENCY

#### Correction of Typographical Error

Take notice that the title of the Notice concerning proposed amendments to the Rules and Regulations of the New Jersey Mortgage Finance Agency published in the New Jersey Register on March 4, 1971, at 3 N.J.R. 37(a) should have read "Making of Loans to Mortgage Lenders and the Application of the Proceeds Thereof."

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(f)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Rules Pertaining to Library Services to Disadvantaged

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:73-17 et seq., proposes to adopt new rules pertaining to Library Services to the Disadvantaged (N.J.A.C. 8:69-14 to N.J.A.C. 8:69-25). The complete text of the new rules is as follows:

Subchapter B. Library Services to the Disadvantaged 8:69-14. Foreword

To encourage public libraries to respond to the needs of that portion of its citizenry alienated from society and

its institutions because of severe economic deprivations, cultural, social and minority group isolation and lack of awareness of the library potential for continuing education, the New Jersey State Library has established a grant program for Library Services to the Disadvantaged. This program, made possible by the use of Library Services and Construction Act funds, is designed to help libraries initiate innovation and creative "outreach" programs which hopefully, will encourage full use of public library services by citizens heretofore reticent to use libraries.

Note: Library Services and Construction Act.  
USC Title 20 q 351-358.

#### 8:69-15. Definitions\*

(a) Disadvantaged—For the purpose of this grant program the official definition issued by the United States Department of Labor will be used. That definition states: "An individual is described as a poor person if he does not have suitable employment and is a school dropout, a minority member, a member of a family that receives cash welfare payment or whose net income in relation to a family size and location does not exceed \$1,600 annually for a family of one, to \$7,900 annually to a family of 13 or more in non-farm income; or \$1,100 for a family of one to \$5,500 for a family of 13 or more in farm income.

(b) Community Involvement—Is defined as documented evidence of participation in the planning, execution and evaluation of a program of services for the disadvantaged by those persons in the community who will be served by the project.

Note: U.S. Department of Labor Manpower Administration, Jobs Low-Support Employer's Proposal Package, Manpower Administration Private Sector Programs, 1970.

#### 8:69-16. Priorities.

Priority, in consideration for funding, will be given to those libraries whose proposals demonstrate evidence of innovative approaches broadbased community and library involvement, a recognizable effort to approach a program of total library services to the community which reflects expressed practical education, informational and cultural needs of the community.

#### 8:69-17. Criteria for Approval.

Proposals will be reviewed on the basis of the following criteria:

(a) A description of the project and a statement of its goals and objectives.

(b) Clearly outlined evaluative procedures that will measure short-term and long range effectiveness of the project, within the framework of stated goals and objectives.

(c) Identification of the area to be served, with the following factors included:

- (1) Geography and Population.
- (2) Breakdown by age, ethnic composition, educational level, economic level.
- (3) Total number of persons to be served.
- (4) Map of service area.

(d) Documentation of Community Involvement in the planning, execution and evaluation of project, and of the involvement of the total library staff.

(e) Description of the methods and procedures to be utilized in publicizing and promoting the project.

(f) Inclusion of a detailed budget to implement the program.

(g) The inclusion of specific plans for the eventual financing of the project out of local funds.

#### 8:69-18. Submission of proposal.

New Jersey Public Libraries may submit to the State Library, through the Office of Library Services to the Disadvantaged, proposals for projects directed toward the extension or initiation of services to the Disadvantaged within their communities.

#### 8:69-19. Municipalities having no public library.

A municipality not served by a public library, but wishing to serve the disadvantaged within its community may contract with an existing library for such services.

#### 8:69-20. Evaluation by State Library.

The State Library will conduct continuous evaluation of projects granted to extend Library Services to the Disadvantaged by:

(a) Preliminary discussion concerning any proposed project with such persons as the Library Director, members of the Board of Trustees and community representatives.

(b) On-site visits to the project before programs are initiated, during program operation, prior to acting upon any requests for grant renewal.

(c) Analyzing written reports or other documents submitted in reference to the project.

(d) Other "in depth" study methods which may be planned.

#### 8:69-21. Self-evaluation.

The local library should maintain short and long-term evaluation methods which will:

(a) Identify the degree of effectiveness with which project goals and objectives have been and are being met.

(b) Assess staff effectiveness in working with the community that is served by the project.

(c) Identify the effectiveness of the dissemination of information concerning the project.

(d) Determine program factors which should be retained, revised, augmented, eliminated.

(e) Identify the impact of the project on the library's total program of service.

(f) Assess the impact of the project on total library services with the community.

(g) Examine the affects of the library's communication and coordination with other community agencies.

#### 8:69-22. Local Expenditures not to be Reduced.

Local expenditures for public library services shall not be less during the fiscal year in which a grant is made, than the amount expended for local public library services in the second preceding fiscal year.

#### 8:69-23. Expenditure of funds; carry over.

Funds allocated by the State Library for the implementation of projects for Library Services to the Disadvantaged should be expended within a project year. Approval to carry over funds for the completion of the project in the succeeding year must be obtained from the State Library.

#### 8:69-24. Reports on Projects.

Libraries must agree to submit to the State Library such reports on projects as may be required.

#### 8:69-25. Renewal.

Consideration will be given to the renewal of creative and superior projects based on an evaluation by the State Library. However, no project shall be renewed more than twice.

Interested persons may present statements or arguments

in writing, orally in person or by telephone, relevant to the proposed action, on or before 4 p.m. on May 4, 1971, to:

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

The State Board of Education, upon its own motion or at the instance of any interested party, may thereafter adopt the above rules substantially as set forth without further notice.

Carl L. Marburger  
Commissioner of Education  
Secretary, State Board of Education  
Department of Education

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Teacher Certification Rule Changes

On March 4, 1971, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed the existing Subchapter E "Methods of Certification" of Chapter 11 "Teacher Education and Certification" in Title 8 of the New Jersey Administrative Code (N.J.A.C. 8:11-50-61.), and adopted in place thereof a new Subchapter E "Bases for Certification," as proposed in the Notice published February 4, 1971, at 3 N.J.R. 21(a).

An order adopting these rules was filed and effective March 8, 1971, as R.1971 d.31.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Supplement to Standards for Approval of Teacher Education

On March 4, 1971, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted as N.J.A.C. 8:11-100 et seq. rules entitled "Supplement to Standards for State Approval of Teacher Education", as proposed in the Notice published February 4, 1971, at 3 N.J.R. 21(c).

An order adopting these rules was filed and effective March 8, 1971, as R.1971 d.32.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Teacher Certification Rules Repealed

On March 4, 1971, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed certain rules relating to Teacher Education and Certification as proposed in the Notice published February 4, 1971, at 3 N.J.R. 21(b). The repealed rules designated N.J.A.C. 8:11-71(a), (b), (c), (e) and (f) pertain to teaching certificates required for nursery school, elementary and secondary school teachers, subject or field certificates and classroom teachers of the handicapped.

An order repealing these rules was filed and effective March 8, 1971, as R.1971 d.33.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELL FISHERIES

#### SHELL FISHERIES COUNCIL

##### Conservation Order on Oyster Beds

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 50:1-5, on March 5, 1971 executed a Conservation Order opening and closing certain oyster beds, it follows in full:

##### I. CLOSING CERTAIN BEDS

Whereas, the Maurice River Cove Section of the Shell Fisheries Council and the Oyster Research Laboratory have recommended that certain oyster beds in the said waters that are now open be closed, and

Whereas, I am satisfied that the recommendation of the aforementioned are accurate and correct and that it would be in the best interests of conservation to close the same,

Pursuant to the powers vested in me by the statutes in such case made and provided,

It is hereby ordered that the beds opened by order of September 4, 1970, shall be closed at 3 p.m., March 14, 1971, and shall remain closed until further notice.

##### II. OPENING CERTAIN BEDS

Whereas, the Maurice River Cove Section of the Shell Fisheries Council and the Oyster Research Laboratory have recommended that certain of the shellfish beds in the tidal waters of the Delaware River, Delaware Bay and tributaries can be opened to the taking of shellfish without harmful effects on conservation, and

Pursuant to the recommendations of the aforementioned, which I have examined and feel to be correct and in the best interests of conservation, and

Pursuant to the powers vested in me by the statutes in such case made and provided,

It is hereby ordered that beginning 7 a.m., March 15, 1971, the following beds be opened for the taking of oysters and shall remain open until further notice:

Maurice River, from its source, up to a point commonly

known as the Summer Line, better described in N.J.S.A. 50:3-14.

Each working day shall open at 7 a.m. and close at 3 p.m. Eastern Standard Time or Eastern Daylight Time, whichever prevails.

This order shall take effect March 14, 1971.

Richard J. Sullivan  
Commissioner  
Department of Environmental Protection

NOTE: A copy of the preceding Order was filed with the Division of Administrative Procedure March 22, 1971, as a document not subject to codification.

**(a)**

**ENVIRONMENTAL PROTECTION**

**DIVISION OF FISH, GAME  
AND SHELL FISHERIES**

**Proposed Game Code for  
1971-72 Hunting Seasons**

**1971-72 Hunting Seasons**

The Fish and Game Council of the Division of Fish, Game and Shell Fisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-30 et seq., proposes to adopt the Game Code for the 1971-72 hunting seasons.

The proposed Game Code states when, under what circumstances, in what localities, by what means and in what amounts and numbers game birds, game animals, and fur-bearing animals may be pursued, taken, killed or had in possession.

Copies of the full text of the proposed Game Code may be obtained from:

Division of Fish, Game and Shell Fisheries  
Post Office Box 1809  
Trenton, New Jersey 08625

Interested persons may present written comments regarding the proposed Game Code to the New Jersey Fish and Game Council, Division of Fish, Game and Shell Fisheries at the above address on or before May 11, 1971.

A public hearing on the proposed Game Code will be held on May 11, 1971 at 8:00 p.m. in the Auditorium, First Floor, State Health and Agriculture Building, John Fitch Plaza, Trenton, N. J., at which time interested persons may present statements, orally or in writing, relevant to the proposed action.

After full consideration of all submissions respecting the proposed Game Code, the New Jersey Fish and Game Council, upon its own motion or at the instance of any interested party, may thereafter adopt the Game Code substantially as proposed without further notice.

Russell A. Cookingham, Director  
Division of Fish, Game and Shell Fisheries  
Department of Environmental Protection

**(b)**

**ENVIRONMENTAL PROTECTION**

**DIVISION OF MARINE SERVICES**

**BUREAU OF NAVIGATION**

**Revision of New Jersey Boat  
Regulation 1-11 (Equipment)**

On March 9, 1971, Richard J. Sullivan, Commissioner

of Environmental Protection, pursuant to authority of N.J.S.A. 12:7-34.49 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the revision of New Jersey Boat Regulation 1-11 (Equipment) as proposed in the Notice published February 4, 1971, at 3 N.J.R. 23(d).

An order adopting the revision was filed March 22, 1971, as R.1971 d.37.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

**(c)**

**INSTITUTIONS AND AGENCIES**

**DIVISION OF MEDICAL ASSISTANCE  
AND HEALTH SERVICES**

**Proposed Manual for Dental Services**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a manual of rules and regulations governing dental service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of dental service available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for reimbursement under the New Jersey Health Services Program.

Copies of the manual may be obtained from:

Medical Care Administration  
Division of Medical Assistance and  
Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before April 26, 1971, to the Division of Medical Assistance and Health Services at the above address.

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

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

**(d)**

**INSTITUTIONS AND AGENCIES**

**DIVISION OF MEDICAL ASSISTANCE  
AND HEALTH SERVICES**

**Proposed Manual for Hearing Aid Services**

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a manual of rules and regulations governing Hearing Aid service participation in the New Jersey Health Services Program.

The proposed manual is concerned with the provision of Hearing Aid services available to eligible recipients of the New Jersey Health Services Program. The manual estab-

lishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

Copies of the manual may be obtained from:

Medical Care Administrator  
Division of Medical Assistance and  
Health Services  
36 West State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-7672

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before April 26, 1971, to the Division of Medical Assistance and Health Services at the above address.

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

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Coinsurance Payment Elimination

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to change the basis of payment for services rendered to individuals who are covered under both Medicare part B and the New Jersey Health Services Program for all such services rendered on or after June 1, 1971.

For those individuals who are covered under Medicare, responsibility for payment by the New Jersey Health Services Program will be limited to the unsatisfied deductible to the extent that the payments do not exceed the maximum allowable under the Program in the absence of other coverage.

Charges not paid by Medicare because of the coinsurance features will not be considered for supplementary payment by the New Jersey Health Services Program. However, this change does not preclude consideration of charges for services which are eligible under Medicaid even though they may be ineligible under Medicare.

In the promulgation of this action, review has shown that this payment is an administratively expensive and inefficient procedure. Given Health Service Program fee limitations, if a payment is made under the coinsurance factor, it ranges from a payment of pennies to a zero payment.

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

Division of Medical Assistance and Health Services  
36 West State 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 action substantially as proposed without further notice.

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revision of Commission For the Blind Vending Stand Rules

Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:6-11, proposes to revise the rules governing vending stands or business enterprises owned and operated by the New Jersey Commission for the Blind and Visually Impaired.

The proposed revision is intended to reorganize and update the rules of the Commission and does not effect the substance of such rules.

The complete text of the revised rules reads as follows:

#### REGULATIONS FOR THE ADMINISTRATION OF VENDING STANDS OR BUSINESS ENTERPRISES OWNED AND OPERATED BY THE NEW JERSEY COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

The regulations governing the administration of vending stands or business enterprises owned and operated by the New Jersey Commission for the Blind and Visually Impaired are designed to:

A. Establish and extend employment opportunities for the blind;

B. Maintain uniform standards of service and management that will build public confidence in the capabilities of blind people and protect employment opportunities in this field.

C. Provide such "supervision and control" as required by law over vending stands and business enterprises that will insure:

1. A high standard of service to the public;

2. A meaningful and trouble-free service for the owners or the managements of buildings in which the vending stands or business enterprises may be located;

3. Freedom from fiscal embarrassments and involvements on the part of the State and the individual.

It is recognized by the Commission that the achievement of these objectives depends in a large measure upon the cooperation and mutual trust of all parties concerned. It is in this spirit that these regulations have been set forth. In their administration the Commission will make every effort, consistent with its responsibilities and facilities, to serve the interests of blind people, the public, building managements and the Vending Stand Program.

"All services and benefits provided by and through the New Jersey Commission for the Blind and Visually Impaired, including services under the Vending Stand Program are provided on a non-discriminatory basis and these are in accordance with Title VI of the Civil Rights Act of 1964 and State law."

Any blind person desiring to secure the privilege of operating a vending stand owned and operated by the Commission for the Blind and Visually Impaired shall make written application for such privilege on blanks provided, and such application shall be prima facie evidence of his knowledge of, and his willingness to abide by, the rules and regulations governing their administration. A copy of the regulations will be made available to each applicant. In order to be eligible for consideration, an applicant must be blind, at least twenty-one years of age, and shall be a resident of the State.

Such applicant, when duly approved, shall be granted a license for the operation of a vending stand owned and

operated by the Commission for the Blind and Visually Impaired, and shall hereinafter be known as the Licensee. His relationship with the New Jersey State Commission for the Blind and Visually Impaired, hereinafter referred to as the Commission, shall be governed by the following regulations:

1. The Commission shall take necessary actions to develop and enforce policies for the operation of the Vending Stand and Business Enterprise Program. It shall review such policies regularly, hold hearings to adjudicate complaints and give Licensees an opportunity to express their ideas and needs.

2. Each Licensee when appointed to operate a vending stand shall have a trial period of 4 months following which a formal letter licensing the operator shall be issued by the Commission, unless there are reasons for denying the License. If such exist, the Licensee will be advised in writing and will be given the opportunity of a formal hearing before the Commission Director. If the Licensee is dissatisfied, he may have a further hearing before the Vending Stand Committee of the Commission's Board of Managers. Any request for this further hearing is to be made in writing and the areas of disagreement must be stated. The decision of the Board shall be binding on the parties involved.

3. The Licensee shall personally conduct the business assigned to him. He shall devote his best energies and full time to the conduct of the business and shall not be absent for any reason without due notice to the Commission, except acute illness or emergencies. The Licensee shall inform the Commission of any absence which involves the closing of the stand for more than 1 day.

4. If the Licensee decides to terminate his assignment as a vending stand operator, he shall notify the Commission of this fact by mail at least 2 months in advance of his actual date of termination. The Commission needs advance notice so that sufficient time will be available to find and suitably prepare a replacement operator at his location.

5. All equipment and other property on the premises shall be surrendered in good order and condition except for reasonable wear and tear whenever the Licensee terminates his assignment in a stand location.

6. Since the vending stands are owned and operated by the Commission for the purpose of providing good employment opportunities for blind clients, it is understood that any stand can be used for evaluation or training of other clients of the Commission under terms and conditions established by the Vocational Rehabilitation Department.

7. From time to time promotional opportunities may occur in the Stand Program through the acquisition of new stands or the availability of existing stands due to retirement of Licensees or other causes. The choice of a Licensee to fill the vacated stand will be based upon the following considerations:

1. Seniority

2. The ability to perform the particular duties required at the stand.

In all cases the preservation of the stand location as an effective, income-producing business will be an important consideration in making the choice. Should the vacancy occur as a result of an emergency, the Commission will appoint an individual to fill the vacancy on a temporary basis until a permanent appointment can be made. Announcement of stand vacancies will be made by mail, and clients wishing to be considered for such promotional opportunities must respond by mail within 10 days after the receipt of the announcement.

8. The Licensee shall pay cash for all supplies and shall

not purchase on credit except as may be approved by the Commission.

9. Since the Commission realizes the financial difficulties that may confront an individual newly installed in a vending stand or business enterprise, a non-interest-bearing loan in the amount of \$400.00 may be granted by the Commission, upon request, for the original stock and supplies. This may be supplemented by the Director as required. The first installment of repayment may be deferred until the third month after the stand has been in operation. From this point the Licensee will be required to repay the loan in 10 monthly payments of \$40.00 each. If the Licensee is assigned to an existing business as a replacement operator and the stock and supplies on hand exceed the value of \$400.00, the repayment conditions set forth above will be extended until full repayment for stock and supplies on hand is completed.

10. When an inventory of stock and supplies is taken pursuant to the transfer of a business from one Licensee to another for any cause, it is required that persons representing the Licensee of record, his replacement and the Commission be present, so that there can be agreement as to the amount and wholesale value of stock and supplies on hand for reimbursement purposes. Such inventory shall be binding on all parties concerned.

11. It is understood that the grant of a license to a Licensee is not subject to transfer and that the license is immediately terminated by death, revocation, or voluntary withdrawal from the business by the Licensee. In case the License is terminated, the Commission will immediately take inventory of the business and will make such adjustment as may be indicated by comparing such inventory with that taken when the license was granted to the Licensee. As a routine matter, the Licensee is required to submit a weekly report of the business activities at the stand on a form provided by the Commission which shall indicate the amount of gross business done, the amount of all purchases of stock and supplies, the amount of miscellaneous expenses, including wages for employees and the amount of net profit.

12. The Licensee is required to keep books of account and such other records as the Commission shall prescribe; such records and accounts at all times are to be open to the inspection of the Commission. In general, these books of account shall meet the minimum requirements of the Internal Revenue Service, the Social Security Administration, the N.J. Sales Tax Division, the Division of Employment Security, the Division of Workmen's Compensation and any other agency having jurisdiction.

13. The selection and discharge of such added employees as may be essential for the proper conduct of the business shall be subject to the approval of the Commission. Wherever possible, preference in employment shall be given to other blind or visually impaired people.

14. The Licensee or other employees shall not destroy, sell, or in any way alter or dispose of any part of the fixtures, equipment or other property at the stand, which was purchased by the Commission. Such property continues to be owned by the Commission. Stocks and articles which are regularly sold over the counter, such as food or merchandise, are of course exempt from this requirement.

15. The Licensee may not purchase or lease equipment for use in the stand without the express written permission of the Commission for the Blind and Visually Impaired. It is understood that the granting of permission to purchase equipment does not imply an agreement on the part of the Commission to purchase the item from the Licensee at the time he leaves the program or from his heirs or assigns after his death.

16. The Licensee shall not permit the fixtures, equipment or any other property belonging to the Commission to be altered without the written consent of the Commission, and he shall consult with the Commission from time to time as to the general condition of the equipment and the business, and recommend any increase or change of equipment or stock that he thinks advisable to the Commission's Representative.

17. Emergency repair and normal repair of equipment and/or utilities that might be expected in the day to day operation of the business, such as plugged sinks, leaky faucets, blown fuses, burned out cooking equipment, etc., will be the responsibility of the Licensee. The office of the Commission will be notified of any such required repairs in the hope of shortening the down time of the unit in question.

18. The Licensee shall notify the Commission immediately of any attempt to dispossess him or to obtain a lien or execute a process of law upon property belonging to him or to the Commission.

19. The Licensee and his workers, if any, shall be liable to the Commission for any damage whatsoever to the stock, equipment or fixtures or any other losses resulting from his negligence or the negligence of those responsible to him due to failure to observe the regulations of the Commission.

20. The Licensee shall at all times recognize any representative of the Commission as an official entitled to the rights of inspection and supervision in regard to the appearance of and conduct of the stand or any business connected with the stand.

21. The Licensee shall carry such insurance as the Commission may require. In addition, he may carry any amount and type of insurance that he deems adequate for the protection of himself and his business. In general, such insurance shall include Workmen's Compensation and Unemployment Insurance for all workers hired by the Licensee and Public and Product Liability Insurance in the minimum amounts available or in amounts that may be prescribed by the owner of the property where the stand is located.

22. All Federal rulings and regulations affecting the conduct of vending stands in public buildings under Federal jurisdiction are hereby made an integral part of the Commission's regulations, insofar as they concern stands under Federal supervision only.

23. If a disagreement arises between a Licensee and the staff of the Vending Stand Program, the Licensee has the right to resolve his grievance under the following procedure:

A. He may discuss with the Supervisor of the Vending Stand Program the point of controversy, and in most instances, the disagreement can be resolved at this level.

B. If resolution of the problem has not been made, the Licensee may request a hearing with the Executive Director of the Commission.

C. If he is dissatisfied, he may request a formal hearing before the Vending Stand Committee of the Commission's Board of Managers. This request must be made by mail, outlining the specific points of disagreement.

24. The Chief Executive Officer of the Commission may prescribe such detailed rules from time to time as may be in accord with these regulations, and as may be required for carrying out their general purpose.

25. Pursuant to official action taken by the Board of Managers of the New Jersey State Commission for the Blind and Visually Impaired on the foregoing regulations for the control and supervision of vending stands owned and operated by the New Jersey Commission for the Blind and

Visually Impaired, these regulations shall be deemed uniformly and impartially applicable to all persons and procedures affected by them and are conducted in complete compliance with the Laws of the State of New Jersey; the Federal Randolph-Sheppard Act; Title VI of the Civil Rights Act of 1964; and all licenses issued to blind persons as Licensees are hereby made conditional upon the full acceptance and adherence to said regulations, and failure to observe them in all particulars shall in itself be deemed sufficient cause for suspension or revocation of license, in accordance with the procedure set forth in Regulation 2 and Regulation 23.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 30, 1971, to:

New Jersey Commission for the Blind  
1100 Raymond Boulevard  
Newark, New Jersey 07102

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

Lloyd W. McCorkle  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Medical Assistance for Aged Manual of Administration

On February 26, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended the Medical Assistance for the Aged Manual of Administration by deleting Section 3522 "Nursing Home Patient Requiring Hospitalization", as proposed in the Notice published February 4, 1971, at 3 N.J.R. 27(a).

An order adopting this amendment was filed and effective March 1, 1971, as R.1971 d.25.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Manual of Administration

On February 26, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended Section 2101.15 "Definition of Parent Person" of the Division of Public Welfare Manual of Administration, as proposed in the Notice published February 4, 1971, at 3 N.J.R. 26(a).

An order adopting this amendment was filed and effective March 1, 1971, as R.1971 d.26.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF PUBLIC WELFARE**  
**Manual of Administration**

On February 26, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J. S.A. 44:10-3 and 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, revised the Division of Public Welfare Manual of Administration by adding a new Section 2238, "Diagnostic Examination Services", and deleting County Series #3, Attachment #7, "Procedures and Maximum Allowances for Certain Medical Care Needs", and, in place thereof, amending 2200, Appendix XIII, "Procedures and Maximum Allowances", as proposed in the Notice published February 4, 1971, at 3 N.J.R. 27(b).

An order adopting these revisions was filed and effective March 1, 1971, as R.1971 d.27.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF MEDICAL ASSISTANCE**  
**AND HEALTH SERVICES**

**Manual for Pharmaceutical Services**

On March 3, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of the New Jersey Medical Assistance and Health Services Act, P.L. 1968, c. 143 (N.J.S.A. 30:4D-1 et seq.) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a manual of rules and regulations governing pharmaceutical service participation in the New Jersey Health Services Program substantially as proposed in the Notice published February 4, 1971, at 3 N.J.R. 25(a).

An order adopting the above rules and regulations was filed and effective March 5, 1971, as R.1971 d.29.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF MEDICAL ASSISTANCE**  
**AND HEALTH SERVICES**

**Manual for Hospital Services**

On March 3, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of the New Jersey Medical Assistance and Health Services Act, P.L. 1968, c. 143 (N.J.S.A. 30:4D-1 et seq.) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a manual of rules and regulations governing hospital service participation in the New Jersey Health Services Program substantially as pro-

posed in the Notice published February 4, 1971, at 3 N.J.R. 24(b).

An order adopting these rules and regulations was filed and effective March 5, 1971, as R.1971 d.30.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF COMMUNITY**  
**AND PROFESSIONAL SERVICES**  
**BUREAU OF COMMUNITY INSTITUTIONS**

**Fire Protection and Life Safety**  
**Standards for Homes for the Aged**

On March 8, 1971, Lloyd B. Wescott, President of the Board of Control of the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:11-1 et seq. and N.J.S.A. 30:11A-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted new fire protection and life safety standards for homes for the aged substantially as proposed in the Notice published February 4, 1971, at 3 N.J.R. 28(a).

An order adopting these new standards was filed and effective March 12, 1971, as R.1971 d.36.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(e)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF PUBLIC WELFARE**

**Manual of Administration**

On March 24, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and 44:7-6 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to sections of the Division of Public Welfare Manual of Administration pertaining to residence requirements and definitions as proposed in the Notice published March 4, 1971, at 3 N.J.R. 39(a).

An order adopting these amendments was filed and effective March 24, 1971, as R.1971 d.38.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(f)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF MEDICAL ASSISTANCE**  
**AND HEALTH SERVICES**

**Manual for Physician's Services**

On March 18, 1971, Lloyd W. McCorkle, 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 a manual of rules and regulations governing phys-

ician's service participation in the New Jersey Health Services Program, substantially as proposed in the Notice published February 4, 1971, at 3 N.J.R. 25(b).

The manual is concerned with the provision of physician's services available to eligible recipients of the New Jersey Health Services Program. This manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

An order adopting this manual of rules and regulations was filed March 25, 1971, as R.1971 d.40 to become effective April 26, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Manual for Hospital Services

On March 18, 1971, Lloyd W. McCorkle, 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 a manual of rules and regulations governing hospital service participation in the New Jersey Health Services Program substantially as proposed in the Notice published February 4, 1971, at 3 N.J.R. 24(b).

The manual is concerned with the provision of hospital services available to eligible recipients of the New Jersey Health Services Program. This manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

An order adopting this manual of rules and regulations was filed and effective March 25, 1971, as R.1971 d.42.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Prosthetic and Orthotic Services Manual

On March 26, 1971, Lloyd W. McCorkle, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the manual of rules and regulations governing Prosthetic and Orthotic service participation in the New Jersey Health Services Program, substantially as proposed in the Notice published March 4, 1971, at 3 N.J.R. 43(d).

The manual is concerned with the provision of Prosthetic and Orthotic services available to eligible recipients of the New Jersey Health Services Program. The manual establishes definitions, general policies and procedures for authorization and billing for eligibility to obtain reimbursement under the New Jersey Health Services Program.

An order adopting this manual of rules and regulations was filed on March 26, 1971, as R.1971 d.43 to become effective June 1, 1971.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## INSURANCE

### THE COMMISSIONER

#### Proposed Amendments to Automobile Insurance Plan

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

The proposed amendments provide that, effective May 1, 1971, the Plan will afford, at the request of the insured and in addition to the coverage presently available, an Installment Payment Plan wherein 40% of the premium is due at inception of the policy, and the second and third installments of 30% each are due at the end of the third and sixth month from the inception date. A new system providing for an annual review of the insured's experience coupled with an initial verification of the insured's rate classification is designed to reduce premium costs to the insured. The proposed amendments further provide that assignments from the Plan will be proportional to the number of policies non-renewal by the company. Finally, the Plan would be expanded to include Light Commercial Vehicles.

Copies of the full text of the proposed amendments are on file with the Department of Insurance and the administrative office of the New Jersey Automobile Insurance Plan and can be obtained by telephoning (609) 292-5371 or by writing to:

W. Morgan Shumake  
Deputy Commissioner  
Department of Insurance  
State House Annex  
Trenton, New Jersey 08625

Interested persons may present written comments, suggestions and recommendations concerning these amendments and any other proposals respecting any additions and modifications to the amendments, not later than April 28, 1971, to the above address.

A public hearing will be held April 28, 1971 at 10:00 a.m. in the State House Annex, Trenton, New Jersey, at which time and place, comments, suggestions, recommendations, additions and modifications to these amendments and evidence with respect thereto will be received for the record.

The time and date of any subsequent hearing, if such is determined to be necessary, will be announced at the April 28, 1971 meeting. However, no notice of any subsequent hearing will appear in the New Jersey Register.

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

Robert L. Clifford  
Commissioner  
Department of Insurance

(a)

## LAW AND PUBLIC SAFETY

### NEW JERSEY RACING COMMISSION

#### Proposed Horse Racing Rule Changes

John J. Reilly, Secretary of the New Jersey Racing Commission, pursuant to authority of N.J.S.A. 5:5-30, proposes to adopt the following amendments and additions to the rules and regulations governing horse racing in New Jersey as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

#### AMENDMENTS TO MUTUELS RULES:

Rule 358—Each Association must maintain an approximate odds board [and an efficient odds man whose duty it shall be to post not less than four (4) complete quotations or lines of odds,] for the purpose of informing the public of the actual wagering on each horse as disclosed by an accurate take-off of the straight pool at the time such odds are posted, and also a final line or flash after the close of wagering, which shall show the correct pay-off of each horse before the finish of the race. [No quotation or line shall exceed a total of 122%.]

Rule 360 — The Mutuel Manager is held responsible for correctness of all pay-off prices posted on the board. Before the Mutuel Department of any race track posts the pay-off prices of any pool for any race, the Mutuel Manager shall require each of the [calculating sheets] computer print-out sheets of such race to be proven by the [calculator] computer and the winners verified. Such proof shall show Pay-Breaks-Commission, and added together show they equal total pool. All pay-slips are to be checked with [calculating sheet] computer print-out sheet as to winners and prices before being issued to Cashiers, and all board prices are to be re-checked with the [calculator] computer print-out sheet before they are released to the public.

Rule 375—Any under-pay caused by error in calculation [mutuel calculators] shall be paid to the State. Overpays or underpays caused by errors [of the totalisator] shall be adjusted at close of each race meeting. Any net under-pay resulting therefrom shall be paid to the State.

Rule 390—The Manager of the Pari-Mutuel Department shall furnish a copy of all [take-off] computer print-out and calculating sheets to the Supervisor of Mutuels immediately after completion.

Rule 229—[In claiming races, except claiming stakes, only one horse may be started by one interest. If a race is to be divided an additional conditional entry may be accepted from any interest to the end that each interest may have an entry in each division.]

Not more than two horses of the same ownership or interest shall start in any race (except stakes). When making a double entry in the same ownership the owner or trainer must express a preference; and in no case may two horses start in the same ownership to the exclusion of a single entry.

#### NEW RULES:

##### STABLES MUST BE LICENSED BY COMMISSION

No horse may start in any race nor may any lead pony be used unless stabled on the grounds of a race track licensed by the New Jersey Racing Commission, or at a farm approved by the New Jersey Racing Commission, any farm desiring to accommodate horses for racing or lead ponies at a licensed track must meet the following specifications:

(a) It must have properly ventilated box stalls, measuring not less than 10 feet x 10 feet.

(b) Its arrangements for the disposal of manure and other refuse must meet the approval of the Commission veterinarian.

(c) All electrical wiring must meet the approval of the state fire marshal.

(d) Facilities for spraying and/or fogging for insects must meet the approval of the Commission veterinarian.

(e) Minimum size training track for the adequate conditioning of the horses stabled.

(f) One paddock area.

(g) One fire extinguisher on outside wall of each stable entrance door and two fire extinguishers inside the stable area, and fire hose with ample water supply.

(h) The farm will be maintained tick free as certified by the State Department of Agriculture and cannot be under quarantine. Free access to any area shall be granted the Department of Agriculture representatives and employees of the Racing Commission upon their request.

(i) A list of all employees and others working with the animals shall be filed and kept current with the Commission and it shall be the responsibility of the farm to see that each individual is properly licensed and fingerprinted.

(j) Each approved farm will be required to pay a license fee of \$25.00.

#### NO SMOKING RULE

Smoking is prohibited under the shed row of any barn. Persons found violating this rule will be reported to the Stewards and shall be subject to a fine of \$25.00 for the first offense, \$50.00 for the second offense and to an indefinite suspension for the third violation.

#### STORAGE OF HAY ETC.—PROHIBITED

The storage of hay, straw or feed in the stall of any barn located on the premises licensed by this Commission is expressly prohibited. Each track association shall be required to provide detached metal sheds for the storage of hay, straw, feed and any other material that may be considered of a flammable nature. Any persons or permit holder violating this rule shall be reported to the Stewards and subject to a fine or to an indefinite suspension.

#### BREAK TO A NICKEL IN THE EVENT OF A MINUS POOL

The minimum pari-mutuel pay off by any licensee conducting pari-mutuel wagering shall be \$2.10 on each winning \$2.00 wager. This shall pertain only in the event that there is insufficient money in the net pari-mutuel pool to return \$2.20 on each \$2.00 wager.

#### INSPECTIONS

The barn area of each track association is to be inspected at least twice during the racing season to insure that each permittee has adequately guarded against the hazards of fire. The Racing Commission will appoint annually a qualified engineering company to make fire inspections. The compensation of the inspection company shall be fixed by the Commission and paid by the respective track associations.

#### TEMPORARY LICENSE

Where in the case of extenuating circumstances an owner may be unavailable to complete the license application, permission may be granted by the Racing Commission for the horses of said owner to be entered. The trainer for the owner in question will be required to promptly fill out a temporary application and pay all license fees.

## DISSEMINATION OF RACING INFORMATION

The Racing Commission may in its discretion agree not to make available and direct the track associations not to make available to outside sources, information such as the name of jockeys, scratches, substitute races, track conditions, whether races are to be run on the turf or regular course, morning line information, equipment changes, weight and any other information it may deem advisable, in order to curtail the illegal activities of book-makers and to prevent other States from using the results of races run in New Jersey as part of such other State's off-track betting scheme.

## STEWARDS' QUALIFICATIONS

Before being appointed or approved by the Racing Commission (or Racing Board) to serve in the capacity of Steward, an applicant shall have been employed as Steward, Racing Secretary, Assistant Racing Secretary, Starter, Placing Judge, Patrol Judge, Paddock Judge or Clerk of Scales at a recognized meet or meetings for a period of not less than sixty (60) racing days per year, during at least three (3) of the five (5) preceding calendar years; provided, however, that if no applicant possesses the foregoing qualifications, whenever possible, the person or persons appointed or approved as Steward should have had prior experience in some other branch of racing, such as owner, trainer, jockey, breeder or such other related experience as the Commission may deem sufficient.

## AMENDMENTS TO HARNESS RACING RULES:

20. "In Harness" shall mean that the horses participating are attached to a sulky. Jog carts shall not be used for racing. All sulkies used in a race must be equipped with (wheel discs) unicolored or colorless wheel discs on the inside and outside of the wheels, of a type approved by the Stewards or by the Racing Commission. The State Steward or Presiding Judge may order the use of mud sulkies when in his judgment track conditions warrant their use.

15. Use of Goaded Devices, etc. The possession or use of a goading device, chain or mechanical devices or appliances, other than the ordinary whip or [blunt spur] crop upon any horse in any race shall constitute a violation of this Rule. The brutal use of a whip or [blunt spur] crop, kicking a horse with a foot, striking a horse on the legs with the whip under the seat of the sulky or indiscriminate use of a whip or [blunt spur] crop may be considered a violation.

Interested persons are invited to attend a public hearing regarding the proposed changes at the offices of the New Jersey Racing Commission at 28 West State Street, Trenton, New Jersey 08625, on Thursday, May 6, 1971 at 11 a.m.

Persons desiring to present statements at this hearing must request an opportunity to do so in writing on or before Monday, May 3, 1971.

Written statements received at any time prior to Monday, May 10, 1971, as well as statements presented at the public hearing will be considered by the Commission in connection with the above proposals.

After full consideration of all written and oral submissions respecting the proposed amendments, the State Racing Commission upon its own motion may thereafter adopt the amendments substantially as set forth without further notice.

John J. Reilly, Secretary  
New Jersey Racing Commission  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Employment Permit Fees Increased

On February 26, 1971, Richard C. McDonough, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-26 and 33:1-39 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended N.J.A.C. 13:2-132, 133, 134 and 135 (Rules 3, 4, 5, and 6 respectively of State Regulation No. 13) of the rules of the Division of Alcoholic Beverage Control regarding the increase in employment permit fees, as proposed in the Notice published September 10, 1970, at 2 N.J.R. 75(d).

An order adopting these amendments was filed and effective March 1, 1971, as R.1971 d.24.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### DIVISION OF AERONAUTICS

#### Proposed Amendments to Aircraft Registration Rules

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 6:1-63 et seq. and N.J.S.A. 27:1A-3, proposes to amend N.J.A.C. 16:56-1 "Annual Registration" and N.J.A.C. 16:56-6 "Evidence of Registration", to read as follows (additions indicated in boldface thus):

16:56-1 ANNUAL REGISTRATION. The owner, rentor, or other person entitled to the exclusive use of any aircraft based within this State, whether the same is being operated within or beyond the boundaries of this State, shall annually register said aircraft with the Commissioner of Transportation. The application shall be submitted on forms provided by the Division of Aeronautics, Department of Transportation, accompanied by the appropriate registration fee made payable to the "New Jersey Division of Aeronautics." Upon specific application to the Commissioner and approval thereof, no fee shall be charged for the registration of any aircraft owned or leased exclusively by the State of New Jersey or any of its agencies, authorities or political subdivisions, or any of the above created by compact between this State and any other State. The Division of Aeronautics is the duly authorized agent of the Commissioner of Transportation for all purposes in connection with the registration of aircraft and the collection of fees.

16:56-6 EVIDENCE OF REGISTRATION. Upon satisfactory execution of the application for registration of any aircraft pursuant to the statutes and this rule, and payment of the proper fee, a certificate of registration and decal shall be issued by the Commissioner of Transportation. The registration certificate shall remain in the aircraft at all times. The decal shall be permanently and conspicuously displayed in the following manner:

Fixed Wing Aircraft — anywhere on the right side of the fuselage between the rear edge of the door (or rear cockpit) and the rear portion of the tail cone; or the right side of the vertical stabilizer; or right rear window; and clearly visible to a person standing on the ground.

Rotary Wing Aircraft — anywhere on the right side of the aircraft clearly visible to a person standing on the ground.

Upon satisfactory proof of loss or destruction of the registration certificate or decal, the Commissioner of Transportation will issue a duplicate thereof to the person entitled to such, upon payment of a fee of two dollars (\$2.00).

The proposed amendment to N.J.A.C. 16:56-1 is necessary in order to correct an error made at the time of original submission. The proposed amendment to N.J.A.C. 16:56-6 is necessary in order to clarify requirements related to the proper display of registration decals.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1971, to:

James E. Varanyak, Acting Director  
Division of Aeronautics  
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 the amendments substantially as set forth above without further notice.

John C. Kohl  
Commissioner  
Department of Transportation

(a)

## TREASURY

### DIVISION OF PENSIONS

### POLICE AND FIREMEN'S RETIREMENT SYSTEM

#### Proposed Changes in Rules

Elmer G. Baggaley, Secretary of the Police and Firemen's Retirement System, pursuant to the authority delegated to the Board of Trustees by N.J.S.A. 43:16A-13, proposes to amend certain sections of Chapter 4 of Title 17 of the New Jersey Administrative Code, as follows (additions indicated in boldface thus; deletions indicated within brackets [thus]):

#### 17:4-7. APPEAL FROM BOARD DECISIONS:

[Appeals from any decision of the Board must be registered in writing with the System within 45 days following formal advice to the aggrieved party. If no written statement is received within the 45-day period, the determination of the Board shall be considered final.]

The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or his legal representative:

"If you disagree with the determination of the Board of Trustees in this matter, you may appeal by sending a written statement to the Board within 45 days from the date of this letter informing the Board of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period, this determination shall be considered final."

#### 17:4-11. MEDICAL REQUIREMENTS:

Applicants must furnish evidence of good health sufficient to satisfy the Board of Trustees. In this connection, the Board [will] may accept the medical determination of the Civil Service Commission or of the physician examining for the appointing county or municipality. If either of these medical sources indicate further examination is in order, the System will select and arrange an appointment with an independent physician. Each question of the physical eligibility is decided individually and on the basis of recommendations and [finding] findings of the examiner.

#### 17:4-13. AGE REQUIREMENTS:

a.) Applicants are subject to a maximum age requirement which is 35 years.

b.) Municipalities having adopted the provisions of Civil Service are subject to the determination of that agency in determining eligibility for such appointments. The Board will recognize anyone certified from a Civil Service list as having met the age requirements of the System.

c.) Title 38, Chapter 23A, is recognized as a modification of the age maximum for certain "veterans." Persons having served in the active military service of the United States during "time of war" can for the purpose of meeting the maximum age requirement for entrance into this retirement system, reduce their actual age by the stipulated [periods] period of such military service. An initial period of military service, a part of which was rendered in "time of war", will be credited in full for such purpose. Any succeeding periods of military service [not commencing in the stipulated periods] will not be considered. Maritime service or service with the Merchant Marine is not considered. Any active military service terminating in dishonorable discharge is not creditable.

#### 17:4-21. [WORKMEN'S COMPENSATION:

No application for retirement will be processed or considered by the Board of Trustees if the applicant is in receipt of periodic benefits under the Workmen's Compensation law.]

#### 17:4-22. [LOAN] REVALUATION:

If a member is off the payroll for a period of eight months or less, any loan outstanding will have the ending date of the loan extended to cover the period off the payroll. In the event the member is off longer than eight months, the loan will be revalued and an additional interest charge made.

#### 17:4-28. TERMINATION; WITHDRAWAL:

a.) A member who resigns or who is dismissed will receive the total basic contribution he has made to the System without interest. This withdrawal will not include contributions previously made for contributory insurance.

b.) A membership will automatically terminate two years from the last employee contribution. In the event such employee does not file for the return of his contributions, the money will be held in a suspense account where it earns no interest.

c.) A membership is terminated two years from the last contribution made by the employee. A membership cannot be re-activated at a subsequent date by the re-deposit of the amount withdrawn, nor can the time be purchased by a member at a subsequent re-enrollment, except pursuant to the provisions of Chapter 199, P.L. 1967 or Chapter 303, P.L. 1969.

#### 17:4-29. TEMPORARY SERVICE:

Authorized purchase of temporary service will require the following:

a.) Determine cost of purchase by a formula using present rates and present salary.

b.) Existing ratio of employee and employer contributions to apportion cost of such service purchase.

c.) "Special Police" service is not acceptable.

[These transactions must be made within one year by a one sum payment.]

**17:4-30. LEAVE OF ABSENCE; ELECTIVE POSITION:**

Leave of absence for the purpose of accepting an elective position cannot exceed the two year limit prescribed by the statutes. If such a member elects to purchase such time pursuant to the terms of Chapter 325, P.L. 1968, the following will apply:

a.) If such a member elects to make current payments while in such elective office, he may do so by paying to the System at his assigned rate and salaries he would have received if he remained a Policeman or Fireman, plus an equal amount representing normal payment by the employer. All such contributions will be credited to the member's account and establish credit for the time involved.

b.) If such a member elects to purchase such time, he must register his intention and commence a payment program within two years of the employment change. A lump sum purchase will be the equivalent of twice the contribution required by his assigned rate and the highest salary he would have received as a Policeman or Fireman during the two year period, or he may purchase the credit by installment payments, the extra payments being equal to the regular deductions and the length of such amortization determined by the principal plus interest [at the rate established by the Board of Trustees].

c.) The credit for the time purchased will for retirement purposes reflect the actual salaries received or salaries he would have received.

d.) There will be no retroactive application of the law except those instances cited above.

**17:4-31. REINSTATEMENT OF MEMBERSHIP CREDIT:**

A member may not purchase credit previously established in the Police and Firemen's Retirement System but terminated by resignation, dismissal or other cause of withdrawal, except pursuant to the terms of Chapter 199, P. L. 1967 or Chapter 303, P. L. 1969. If such is effected, the following rules will apply:

a.) A member who has not withdrawn his pension contributions from the Annuity Savings Fund and whose account has not otherwise been terminated because of a two year cessation of salary and pension deductions, must—

1. resume his original account with the original rate and previous service credits, plus adjustment and resumption of any outstanding arrearage.

2. The period of absence between the last pension deduction and the time of reinstatement and commencement of the account will be denoted as a break in service.

b.) A "former member" who has:

1. terminated his account by the withdrawal of his accumulated pension deduction; or

2. whose account has been terminated by the System at the advice of his resignation or dismissal, such account being closed by refund of the deductions or transfer of such money to the suspense fund; or

3. whose account has been terminated because of a two year lapse in salary or pension deductions

must again satisfy the physical requirements of becoming a member of the retirement system in addition to the requirements relating to the resumption of insurance coverage and must commence a new pension account and purchase the membership credits of the previous account

in full, including the value of any other arrearage outstanding. Such a purchase will be made in full together with [4%] interest for the interim period between the last pension deduction made and the resumption of the new account, or

by the scheduling of extra deductions each equal to the regular pension deduction but not to exceed 25% of the salary. However, if an employee retires or dies before the arrearage payments are completed, pension credit will be recognized in proportion of the amount paid to the total arrearage.

A "former member" whose account has been terminated by withdrawal or by the transfer of such account into the suspense fund must prove insurability in order to resume his insurance coverage.

A member originally denied enrollment because of physical ineligibility could not purchase "previous service" at eventual enrollment.

**17:4-39. DEFERRED RETIREMENT:**

A person electing a deferred retirement in lieu of withdrawal will receive the retirement benefit commencing with the month following his 55th birthdate. [No application of the] The "Special Retirement" benefit will [be made] not apply if the member attains the dual requirements during such a period of deferment.

**17:4-46. INTERFUND TRANSFERS; OTHER STATE SYSTEMS:**

Interfund transfers between State-administered pension funds are permitted on reciprocal transfer arrangements and [reflect full membership credits] result in the transfer of years of service or fractions thereof. Such transfers require an application by the employee and involve the transfer of the employee's account and the reserve necessary to fund the credits in the System accepting the transfer. Identical agreements between the Police and Firemen's Retirement System of New Jersey, the Public Employees' Retirement System of New Jersey, the Teachers' Pension and Annuity Fund and the State Police Retirement System of New Jersey call for the actuarial determination of the reserves accumulated in the former system and those required in the new system. If the reserve in the former is more than the new, only the amounts required in the new will be transferred. If the amount in the former is less than that required in the new, only the reserves for the first system will be transferred to establish full credits in the new system. The employee will contribute at a rate appropriate to his original age in the former system. The years of credit will be subject to the benefit formula of the second system after transfer.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action on or before April 28, 1971, to:

Elmer G. Baggaley, Secretary  
Police and Firemen's Retirement System  
137 East State Street  
Trenton, New Jersey 08625  
Telephone: (609) 292-3646

After full consideration of all submissions respecting the proposed amendments, the Board of Trustees of the Police and Firemen's Retirement System, upon its own motion or at the instance of any interested party, may thereafter adopt the regulations substantially as proposed without further notice.

Elmer G. Baggaley Secretary  
Police and Firemen's Retirement System  
Division of Pensions  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### COUNCIL OF SUPPLEMENTAL ANNUITY COLLECTIVE TRUST

##### Collective Trust Rules Adopted

On February 24, 1971, William J. Joseph, Secretary of the Supplemental Annuity Collective Trust, pursuant to authority of P.L.1963, c.123 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, amended N.J.A.C. 17:8-3 "Appeals from Council Decisions" and adopted as new rules N.J.A.C. 17:8-22.1 "Full Monthly Payments" and N.J.A.C. 17:8-22.2 "Approved Annuity", as proposed in the Notice published February 4, 1971, at 3 N.J.R. 30(a).

An order adopting the above rules was filed and effective March 8, 1971, as R.1971 d.34.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### DIVISION OF PENSIONS

#### Prison Officers' Pension Fund Appeals

On February 24, 1971, Joseph R. Jablonski, Secretary of the Prison Officers' Pension Fund in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:7-19 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a revision of N.J.A.C. 17:7-7., "Appeal from Commission Decisions", of the rules of the New Jersey Prison Officers' Pension Fund, as proposed in the Notice published February 4, 1971, at 3 N.J.R. 29(c).

An order adopting the above revision was filed and effective March 8, 1971, as R.1971 d.35.

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(c)

## DELAWARE RIVER PORT AUTHORITY

### PORT AUTHORITY TRANSIT CORPORATION OF PENNSYLVANIA AND NEW JERSEY

#### New Rules and Regulations Governing Southern New Jersey Rapid Transit System

On February 17, 1971, the Board of Directors of the Port Authority Transit Corporation, a subsidiary of the Delaware River Port Authority, pursuant to authority of N.J.S.A. 32:4-6, adopted a resolution establishing Rules governing the Southern New Jersey Rapid Transit System.

A certified copy of these rules was filed February 23, 1971, as R.1971 d.23 (Exempt, Exempt Agency Rules).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(d)

## NEW JERSEY EXPRESSWAY AUTHORITY

### New Rule On Use of Motorcycles On Atlantic City Expressway

On December 17, 1970, the New Jersey Expressway Authority, pursuant to authority of N.J.S.A. 27:12C-11(i), repealed Section 3.3b of the regulation governing the use of the Atlantic City Expressway which prevented the use of all motorcycles on the Expressway, and adopted in place thereof a revised Section 3.3b which prohibits on the Atlantic City Expressway—"Bicycles, every motorcycle, every motor scooter or every bicycle with a motor attached of 150 cubic centimeters or less piston displacement."

The former Section 3.3b prohibition against motorcycles was declared void on June 11, 1970, by the Camden County Court, Criminal Division, in the case of the State of New Jersey v. Rowland J. Ernst, for the reason that the investigation of the need for this prohibition was insufficient.

The New Jersey Expressway Authority has made additional investigations and has determined that motorcycles with 150 cubic centimeters or less piston displacement are not safe for use on a high-speed expressway because these cycles have difficulty in maintaining minimum speeds; and the Authority has received the written opinion of the Director of Governmental Relations for the Motorcycle Industry Council, Inc. that two-wheeled vehicles of 150 cubic centimeters or less are unsafe on limited-access highways.

A copy of the resolution adopting the revised regulation was filed on March 25, 1971, as R.1971 d.41 (Exempt, Mandatory Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

(e)

## PORT OF NEW YORK AUTHORITY

### Revision of Newark Airport Public Vehicular Parking Rates

On March 4, 1971, the Commission on Operations of The Port of New York Authority amended the resolution establishing fees for parking vehicles on public vehicular parking areas at Port Authority air terminals originally adopted on March 11, 1948 (appearing on Page 90 et seq. of the Official Minutes of that date), as subsequently amended, by revising the section relative to Newark Airport as follows:

	Parking Lot 1	Parking Lots 3 and 4
Up to 1 hour	\$ .50	\$ .50
Up to 6 hours	1.00	1.00
Up to 12 hours	2.00	1.00
Up to 18 hours	3.00	2.00
Up to 24 hours	4.00	2.00
Over 24 hours	\$1.00 for each 6 hour period or part, including 15% tax	\$1.00 for each 12 hour period or part, including 15% tax

A copy of the above resolution was filed March 25, 1971, as R.1971 d.39 (Exempt, Exempt Agency Rule).

Albert E. Bonacci  
Director of Administrative Procedure  
Department of State

# STATE NEWS OF PUBLIC INTEREST

## TWO DAYS OF PUBLIC HEARINGS TO DISCUSS AIR POLLUTION CONTROL

The New Jersey Clean Air Council will hold two days of public hearings this month on the topic "How Can the Citizens of New Jersey Fight Air Pollution Most Effectively?"

The hearings will consist of three sessions, including one night and two Saturday sessions, in order to accommodate those unable to attend during regular working hours.

The first will be April 23, from 10:30 a.m. to 9 p.m., in the Labor Education Center Auditorium, Ryders Lane, Rutgers University. The hearing will recess during the luncheon and dinner hours.

On Saturday, April 24, hearings will be held simultaneously in Teaneck and Haddonfield. The Teaneck session will be in Becton Lecture Hall No. 205 on the Fairleigh Dickinson campus, and in Haddonfield at Haddonfield Junior High School, Chestnut and Lincoln Avenues. Both will begin at 10 a.m. and run to 4 p.m.

The April 23 hearing will be headed by Dr. John Horton, chairman of the council, who will also preside at the Teaneck session. Irwin S. Zonis, vice chairman of the council and chairman of its public hearing committee, will officiate at Haddonfield.

It is recommended that anyone planning to make a statement, either as a private citizen or as a representative of an anti-pollution citizens' committee, submit a printed copy for the record, either earlier or at the time of the hearing. Testimony may also be submitted by mail prior to May 10, from those unable to appear in person.

All three hearings are open to the public, advance registration is suggested but not required, and it is permissible to attend any hearing without testifying, Dr. Horton advises.

The New Jersey Clean Air Council, an official body of the State Government, advises the State Commissioner of Environmental Protection on matters pertaining to air-pollution control. The council is required to hold a public hearing each year and the April hearings are in accordance with the provisions of the New Jersey Air Pollution Control Act of 1954, as amended, (26:2C-3.3(h)).

## STATE LIBRARY PUBLICATION GIVES ALL STATE DRUG LAWS

The State Library in Trenton has compiled New Jersey's narcotic and dangerous drug laws and published them in a 93-page pamphlet, according to Roger H. McDonough, state librarian.

The pamphlet includes the law on criminal penalties, use of drugs by authorized medical personnel, regulation of the drug industry and all other provisions of existing state statutes concerning drugs. It also notes changes in the narcotics laws made by the state legislature in the past year.

McDonough said that a copy of the publication is being provided to every college, high school and public library in the state and that persons who wish to use the pamphlet should consult their public or school librarian.

## INTERSTATE SANITATION COMMISSION ADOPTS UPGRADED WATER REQUIREMENTS

Dr. Natale Colosi, Chairman of the Interstate Sanitation Commission, announced last month that new and improved water quality standards have been adopted by the Commission and will take effect April 15, 1971.

The authority under which the Commission acted was given to it only last September when New Jersey joined in action previously taken by New York and Connecticut to expand the tri-state compact which has provided a joint water pollution control program for the past 35 years.

Dr. Colosi said that the number of factors contributing to good water quality is large and that the issuance of soundly-based and documented regulations to cover all of them will take a considerable amount of time.

Accordingly, the regulations effective April 15 cover only a part of the field. They apply to waters of the Interstate Sanitation District which border the three states, on the basis of their intended uses.

The principal differentiation is between those waters suitable for "primary contact recreation" such as swimming, water skiing and shellfish harvesting, and those waters principally intended for "secondary contact recreation" such as boating or fishing and industrial and commercial uses.

The Commission's requirements include upgraded standards for the amount of oxygen which must be present in the water, set limits for allowable solids, and establish a more rigid bacterial standard.

Last fall, a series of consultations with environmental officials of the three member states was held by the Commission to determine the relationship of this proposal to programs of the states.

On Feb. 17, 18 and 19, after formal notice, the Commission held three days of public hearings on the proposed regulations in Newark, Bridgeport and New York City. State officials, local officials, representatives of civic and private organizations and individual citizens testified at the hearings and made a number of suggestions which resulted in modifications of the original draft.

Copies of the new Water Quality Regulations, adopted March 8 to become effective April 15, 1971, are available from Thomas R. Glenn, Director—Chief Engineer, Interstate Sanitation Commission, 10 Columbus Circle, New York, N.Y. 10019. Telephone: (212) 582-0380.

The Interstate Sanitation Commission is a joint agency of New York, New Jersey and Connecticut with jurisdiction over waters in the Greater New York metropolitan area.

## WARN POISONOUS MEAT TENDERIZER MAY STILL BE IN HANDS OF CONSUMERS

A mislabeled, dangerous meat tenderizer may still be in use in New Jersey.

The U.S. Food and Drug Administration has repeated an urgent warning to the State Department of Health that there may be consumers in New Jersey who have in their possession jars of "Spice of Life" or "County Tavern" meat tenderizer.

Some glass jars of the product contain pure sodium nitrite, a deadly poison at high levels in foods.

Dr. William J. Dougherty, Deputy State Commissioner of Health, requests that any person with this product in his possession notify the State Department of Health, Trenton, New Jersey, or his local

health officer. The person to call in Trenton is Frank Timko at (609) 292-5595.

FDA issued its first public warning Nov. 19, 1970. At that time, the mutual spice company, Division of Hygrade Food Products, North Bergen, N.J., repacker of the product, initiated a voluntary recall at the retail level of the two meat tenderizer brands.

The State Department of Health since that time has traced and recovered all but 12 of the 20-ounce jars of the toxic substance.

## **URBAN ECONOMIC DEVELOPMENT SPECIALIST JOINS STATE STAFF**

Arch S. Whitehead, a specialist in urban economic development, has been named director of the state's minority enterprise program, which helps low-income residents from economically depressed areas to develop, operate and eventually own their own business ventures.

Community Affairs Commissioner Edmund T. Hume said Whitehead would direct the operations of the Urban Loan Authority, a quasi independent agency within the department, and also the State Development Corporation, which will be formed with leadership from both the business-financial community and the inner-city poor.

Both programs will be jointly administered and will utilize state and federal funds.

New Jersey is believed to be the first state in the nation to undertake such an effort to promote minority group enterprises.

Whitehead, 35, received an unlimited leave of absence from the post of director of economic development of the Urban Institute at Fairleigh Dickinson University, Rutherford, to come with the state at a salary of \$27,000, paid with funds from both programs.

Commissioner Hume said, "I am pleased to gain the services of Mr. Whitehead, who brings to the post the necessary educational and business credentials to launch the state's pioneering minority economic development programs, so that black, Spanish-speaking and all other minority group residents can share in New Jersey's economic enterprises."

Hume said Whitehead has "compiled a solid record of achievement in the economic development field, including 11 years as founder and chief executive officer of his own management consulting firm."

The Urban Loan Authority was created by the State Legislature in December, 1969, under the Business Incentive Loan Act, which created a \$2 million state-aid fund to provide financial backing to business ventures in ghetto areas. The authority consists of Commissioner Hume, who serves as chairman, State Treasurer Joseph M. McCrane Jr. and State Banking Commissioner James C. Brady.

In addition to making loans and insuring and guaranteeing loans made by commercial banks, the Authority is empowered to offer managerial and technical assistance to qualified borrowers. The maximum amount the Authority can lend to a single borrower is \$250,000 and loans and guarantees may not exceed ten years.

The State Development Corporation, when formed, will develop and launch economic development ventures in four of the state's cities with the assistance of a \$2.5 million grant from the U.S. Office of Economic Opportunity. This program, developed by the Community Affairs Department, is the first of its kind by a state government.

The corporation will make grant and loan funds available to locally organized non-profit community development corporations in each of the four urban target areas.

These bodies, with the advice and assistance of the poor themselves, will use the funds to create new profit-making businesses according to their own self-determined needs. The four cities will be selected jointly by the state and federal governments.

Whitehead received a B.S. degree in sociology from Dartmouth College in 1958. He attended the Columbia University School of Business for a year, when he transferred to New York University, from which he expects to receive an M.S. in urban sociology in September. At that time, he plans to enroll in Fairleigh Dickinson's doctoral program in urban education on a part-time basis. He served a six-month stint with the U.S. Army Reserves from October, 1958 until April, 1969.

The Whiteheads plan to relocate in New Jersey from Manhattan at the close of the current school year. Their four children range in age from four months to ten years, and, in addition, Whitehead is the guardian of Peter Chaleanor, 17, a freshman at Cornell, who has lived with the Whitehead family for five years.

## **BERGEN COUNTY MAN NAMED AS NEW ASSISTANT HIGHWAY COMMISSIONER**

Commissioner of Transportation John C. Kohl recently announced the appointment of Fred C. DePhillips, former Bergen County Director of Public Works, as Assistant Commissioner of Highways.

DePhillips took up duties in the \$34,670 post on March 8, 1971, succeeding Russell H. Mullen, resigned.

A resident of Old Tappan in Bergen County, DePhillips had been Director of Public Works and County Engineer of Bergen County since 1969. Previously, he served as supervisor of roads for the county and was municipal engineer for the borough of Leonia from 1964-68.

Earlier, he spent ten years in consulting engineering work following a tour of active duty with the U.S. Second Army at Fort Knox, Ky.

DePhillips, 39, is a 1953 civil engineering graduate of Manhattan College and a registered professional engineer in New Jersey and New York. He lives with his wife and three children at 44 Cheryll Lane, Old Tappan.

## **HOUSING FINANCE AGENCY NAMES TWO TOP OFFICIALS**

John P. Renna Jr., executive director of the New Jersey Housing Finance Agency, announced the filling of two key posts in the agency.

Vincent Corrado, 51, of Newark, a partner in Corrado Brothers building firm, is NJHFA's director of operations, with responsibility for supervising processing of all NJHFA-financed developments from application for mortgage loans through construction.

William H. Clark, of Livingston, is director of management, with responsibility for supervising all occupied NJHFA developments and approval of applications from families seeking admission to NJHFA housing. Clark held management and engineering positions in New Jersey Bell Telephone's division of plant extension engineering from 1927 to 1970.

Both men served as Essex County Freeholders from 1968 to 1970.

Clark also served as director or associate director of the New Jersey Federation of Planning Officials since 1950. He received a degree in engineering from Newark College of Engineering in 1927.

# STATE NEWS OF PUBLIC INTEREST

## DIRECTOR NAMED FOR NEW DIVISION OF WATER RESOURCES

Charles M. Pike of Holmdel, Monmouth County, took office February 22, 1971 as new director of the Division of Water Resources in the Department of Environmental Protection.

Pike, 43 assumed the \$24,000 post immediately following a swearing-in ceremony in the Trenton office of State Commissioner Richard J. Sullivan. He had been nominated by Gov. William T. Cahill and confirmed by the State Senate.

Pike heads a newly-organized division responsible for both water supply and water quality throughout the State. The division is a merger of units within the former Division of Water Policy and Supply and the bureaus of water pollution control, shellfish control, and potable water which formerly were in the Division of Environmental Quality. The bureau of geology also was shifted to the new division in a departmental reorganization effective Jan. 1 of this year, Sullivan noted.

A professional planner, Pike served for 16 years as executive director of the Monmouth County Planning Board prior to coming to Trenton.

"Mr. Pike brings to the job exceptional background and experience in dealing with the problems of water pollution and water supply," said Commissioner Sullivan. "While serving with the Monmouth County Planning Board, he was instrumental in helping shape that county's plan for a regional sewerage system as well as its plans for future management of water resources."

Monmouth is one of the few New Jersey counties to help its municipalities financially in the development and implementation of regional water pollution control plans, Sullivan pointed out.

Pike is a 1952 graduate of Rutgers University and studied at Columbia University's graduate School of Architecture. Before taking the top planning post in Monmouth County he worked for the Piscataway Township and Middlesex County Planning boards.

Married and with four children, the family lives in Holmdel.

## CHANNEL 52, STATE'S FIRST TV STATION, GOES INTO OPERATION

Channel 52, the State's own full-color television station, went on the air April 5 as station WNJT-TV of the New Jersey Public Broadcasting Authority.

It is broadcasting from 5 p.m. to 11 p.m. weekdays and from 6 to 11 on Saturdays and Sundays with a signal covering a 40-mile radius of Trenton.

The official inaugural show featuring Gov. William T. Cahill and other state officials will be on Sunday, April 18, according to Dr. Lawrence T. Frymire, the station's executive director.

This is the first of four public and educational television stations to be set up by the Public Broadcasting Authority,

a new State agency. The other three stations expected to be in operation by the end of 1971 are Channel 50 in Montclair, Channel 58 in New Brunswick and Channel 23, between Camden and Atlantic City.

While some 3½ million people should be able to bring in Channel 52, the four stations are planned to provide service to 98 percent of the state.

In addition to "children's" shows, including the popular Misterogers Neighborhood and Sesame Street, Channel 52 has a half-hour "New Jersey News Report" program each weekday evening at 7:30, and a weekly public affairs program each Thursday at 8:30 p.m. featuring comments by newspaper editors from across the state.

Sports, cultural events and important state-wide activities will also be offered.

The station's engineers say that the 989-foot broadcast antenna in the Bakers Basin section of Lawrence Township should beam a crisp and clear picture within a 40-mile radius. For those having trouble tuning in, they advise orienting home antennas toward Trenton or installing a convenient switch that will utilize a small, inexpensive UHF antenna that can be installed by most TV servicemen.

Further aid can be secured by writing the N.J. Public Broadcasting Authority, 1573 Parkside Avenue, Trenton, N.J. 08638.

## CIVIL SERVICE ADOPTS SIMPLIFIED METHODS FOR VETERAN APPLICATIONS

James A. Alloway, President of the New Jersey Department of Civil Service, has announced adoption of a new procedure whereby an individual can establish his veteran or disabled veteran status permanently with the Department of Civil Service.

Once the status has been authenticated the individual will receive a Veterans Preference Number. On all future applications for examinations it will only be necessary to fill in his number in the space provided.

This should offer a convenience to veterans and disabled veterans by saving them the bother and expense of constantly duplicating, notarizing and mailing the required documents each time an application is filed, the Commissioner said.

"After discussions with various veterans organizations' representatives I found that the submitting of military documents every time a veteran filed an application for examination was a constant irritant and was considered bureaucratic", he explained.

"I asked our Examination Division to thoroughly review the existing procedure and to come up with a more satisfactory method for dealing with this situation. We hope that this new procedure will encourage more veterans to file for Civil Service examinations."

If a veteran is not presently filing for an examination but wishes to establish his status or if a disabled veteran or other provided by law wishes to establish status, he can write or visit the main office of the New Jersey Department of Civil Service, State House, Trenton 08625 or visit one of their branch offices—at 1100 Raymond Boulevard Newark 07102; 211 East State Street, Trenton 08625; or 517 Market Street, Camden 08102, and obtain a Veterans Preference Claim Form.

After this is sent in with the necessary documents and processed, he will receive his Veterans Preference Number.

# STATE NEWS OF PUBLIC INTEREST

## PRINTING OF N. J. ADMINISTRATIVE CODE TO BEGIN; TERMED MAJOR SECOND STEP

A contract to print New Jersey's Administrative Code in sets of 15 loose-leaf volumes was awarded last month, according to Albert E. Bonacci, Director of the Division of Administrative Procedure in the Department of State.

The contract was won on competitive bidding by McGregor & Werner Graphics, Inc., Woodbine, N.J., the lowest of five in-state bidders for the major offset printing job, he said. Based on an accelerating production, the amount of the contract will approach \$100,000 over its life, Bonacci estimated.

"This is a major second step in our assignment to bring together for the first time the rules and regulations of the State," the administrative director said. Step one, started last fall, was the hiring of Auto-comp Inc., a Washington, D.C. computer firm, to codify, computerize and photocompose the rules.

The computer is now turning out finished page proofs and printing under the new contract will begin almost immediately. The full text of the New Jersey Administrative Code is being stored on computer tape for future retrieval and regular updating with supplemental pages, he said, and when completed will total some 12,000 pages originally.

New Jersey is a pioneer state in the computer-photocomposition and retrieval technique for rule codification. Pennsylvania has also recently undertaken a similar project, according to Bonacci.

The Administrative Code will contain the State's rules and regulations and loose-leaf pages arranged by Departmental titles and subject matter and it will be legally citable, he said.

The set along with a continuing update service will be offered for sale to lawyers, governmental agencies, libraries, colleges and schools and others interested at a price yet to be established.

The printing award followed an inspection of the Woodbine production facilities of McGregor & Werner by state officials. "In addition to their low bid, we wanted to be assured of fast and accurate printing, inventory control and updating facilities," Bonacci said.

"The firm will print the Code on their two-story Harris-Cottrell web offset press, which they affectionately dubbed their 'friendly monster.' It really eats up paper and will turn out 28,000 printed pages a minute at 96 pages an impression."

McGregor & Werner, with headquarters in Washington, D.C., has for 25 years printed similar material for the Federal Government, the director noted. The firm will set up a Trenton office with a technical representative to service the State account.

Compiling and printing the Administrative Code is a major function of the Administrative Procedure Division. Related to the Code is this New Jersey Register, which has been published monthly since September, 1969 as the official publication to pro-

vide advance public notice of proposed new rules and of rules adopted by State agencies.

Bonacci pointed out that a rule or regulation upon adoption has the same effect as a law passed by the State Legislature.

"Publication in the New Jersey Register affords the public the opportunity to be heard, in line with the Division's function of encouraging public knowledge of, and participation in, the State's rule-making process," he said. "The Code, when completed, will provide a single source for all Departments' rules and regulations which affect the public."

## FIRST YOUTH CONSERVATION CORPS CAMP PROGRAM STARTS THIS MONTH IN STATE

The State of New Jersey was awarded a contract March 22, 1971 from the U.S. Department of the Interior to operate the nation's first Youth Conservation Corps Camp under a new federal program that provides summer jobs, training and recreation experiences for youths representing varied income, race and social backgrounds.

The contract signed by State Community Affairs Commissioner Edmund T. Hume and representatives of the Interior Department is the first to be awarded under the federal Youth Conservation Corps Act signed last August by President Richard M. Nixon.

The act establishes the Corps as a three-year pilot project designed to involve youths from different backgrounds in constructive work projects in the nation's parks, forests and wildlife refuges.

The program will be administered by the New Jersey Department of Community Affairs through Horizons for Youth, a non-profit youth oriented organization in Kingston (Middlesex County), which has participated in the Department's summer youth employment projects the past three years.

The Department will receive \$104,000 in Federal funds to operate the program for the first year, with a total of 87 high school students and 32 high school teachers expected to participate.

The selected students and teachers will spend the summer working in national parks, forests, wildlife refuges or other public lands administered by the U.S. Interior or Agriculture Departments. Participants will receive instruction in modern conservation practices and measures designed to improve and maintain the quality of the environment.

"In addition to the ecological aspect of this program" said Commissioner Hume, "our primary goals are to help young adults experience personal growth and use this summer experience as a vehicle for changing the schools and communities which they attend."

Hume said the program represents "an attempt to develop a systematic approach to change — change in the attitudes and behavior of teachers towards students, students toward teachers, in young adults towards themselves, and in the development of better human relations and more pertinent education programs."

The Department plans to initiate the program in mid-April with a ten-day training session in human relations. Participants will then return home but will meet for five weekends during May and June in preparation for group camping and outdoor living.

In the fall, the youths will return to their schools, but will continue to participate in follow-up projects. At least 20 hours of problem-solving training will be required, and other activities will be held.