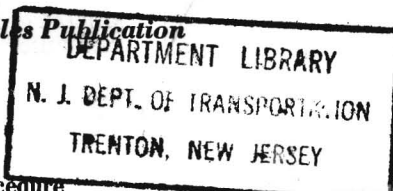


# NEW JERSEY REGISTER



The State's Official Rules Publication



DIRECTOR  
OFC OF INFO SERVICES  
DEPT OF TRANSPORTATION  
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(a)

## CHIEF EXECUTIVE

### THE GOVERNOR

#### Executive Order Concerning the Reorganization Plan of the Division of Local Government Services

On April 12, 1976, Governor Brendan T. Byrne, pursuant to authority of N.J.S.A. 52:14C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, issued an Executive Order concerning the reorganization plan for the Bureau of Financial Regulation and Assistance in the Division of Local Government Services in the Department of Community Affairs.

Full text of the Executive Order follows:

#### REORGANIZATION PLAN OF THE DIVISION OF LOCAL GOVERNMENT SERVICES

The Bureau of Financial Regulation and Assistance in the Division of Local Government Services in the Department of Community Affairs, together with all its functions, powers and duties, is hereby transferred to the Department of the Treasury. All powers exercised by the Commissioner of Community Affairs and the Director of the Division of Local Government Services in direct supervision of the Bureau of Financial Regulation and Assistance are hereby transferred to the Department of the Treasury and shall be exercised by officials in the Department of the Treasury.

The Bureau of Financial Regulation and Assistance, as presently organized, reviews and certifies all municipal budgets, is responsible for post-audit review of municipal and county government and provides financial guidance to local governments.

Placing these local budgeting and financing functions in the Department of the Treasury will assure more effective oversight of municipal and county finance. The problems of local finance have changed to such a degree that a new organization of State oversight and advisory functions is necessary. The transfer proposed by the reorganization plan will enable the State to coordinate better its own financings with the borrowing schedules of local governments. Also a transfer of these governmental budgeting and financing functions to the Department of the Treasury will promote a greater sharing of expertise of the officials of State government concerned with State and local finance. In addition, this proposed transfer enables the Bureau of Financial Regulation and Assistance to work more effectively with the Division of Investment to improve local investment and debt management practices.

In accordance with the provisions of the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-2), I

find and declare that this transfer and reorganization is necessary:

(1) To promote the more effective management of the Executive Branch;

(2) To reduce expenditures and promote economy to the fullest extent practicable;

(3) To increase the efficiency of the operations of the Executive Branch to the fullest extent practicable;

(4) To group, coordinate and consolidate agencies and functions of the Executive Branch, as nearly as practicable, according to major purposes;

(5) To eliminate overlapping and duplication of effort.

All Acts and parts of Acts inconsistent with any of the provisions of this reorganization plan are superseded to the extent of such inconsistencies. All transfers directed by this reorganization plan shall be effective pursuant to the "State Agency Transfer Act", P.L. 1971, c. 375 (C. 52:14D-1 et seq.).

Any provisions of this plan which conflict with Federal law are null and void.

This plan shall be effective July 1, 1976.

A copy of this Executive Order proposing an executive reorganization was filed April 12, 1976 with the Secretary of State and is published herein as R.1976 d.112 (Exempt, Exempt Agency) pursuant to N.J.S.A. 52:14C-4(c) and will become effective July 1, 1976 unless disapproved by the Legislature. Take notice that this Executive Order if not disapproved has the force of law and will be printed and published in the annual edition of the public laws by the Secretary of State and will not be codified in the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### DIVISION OF MARKETS

#### Notice of Hearing on Determination of Formula For N.J. Horse Breeding and Development Account

Take notice that the Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5, N.J.S.A. 4:5-88 and in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), in order to determine a formula for contributions and awards to improve and promote thoroughbred breeding, will hold a public hearing at the Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey at 10:00 A.M., Room 206 on May 13, 1976.

## 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.*

*Material published in the New Jersey Register is the property of the State of New Jersey. However, it may be copied, reproduced or republished by any person for any purpose whatsoever without the permission of the Director of Administrative Procedure, providing that no such reproduction or republication shall bear the title "New Jersey Register" or "Official Rules Publication" without the written permission of the Director of Administrative Procedure.*

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Persons may appear and present oral testimony on suggested formula at that time. Interested persons may also comment in writing for 20 days following publication of this notice to:

Claire E. Welsh  
Chief, Hearings and Administrative Practices  
P.O. Box 1888  
Trenton, New Jersey 08625

Eventually, the data obtained from this hearing may result in proposed rules or revisions in a subsequent issue of the New Jersey Register.

This Notice is published as a matter of public information.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## AGRICULTURE

### DIVISION OF ANIMAL HEALTH

#### Revisions for Negative Reaction of Cattle and Goats To Tuberculosis and Brucellosis Tests

On March 26, 1976, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-74 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 2:3-2.3 concerning negative reaction of cattle and goats to tuberculosis and brucellosis tests, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 95(a).

An order adopting these revisions was filed March 31, 1976, as R.1976 d.98 to become effective on April 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### THE SECRETARY

#### Amendments to Hog Cholera Quarantine

On April 1, 1976, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency amendments to the hog cholera quarantine on Salem County imposed on March 15, 1976.

Full text of the adopted amendments follows:

2:5-1.15(e) Take notice that the Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16, the hog cholera quarantine on Salem County imposed on March 15, 1976, by order of this Department is hereby lifted.

1. Take further notice that the Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the agricultural laws of the State of New Jersey and in order to prevent the spread of hog cholera, an infectious and contagious disease of swine, hereby maintains quarantine on the counties of Gloucester, Camden and Burlington.

2. No movement of swine shall be had into or out of the quarantined area.

3. No movement is permitted within the quarantined area without authorization of a Federal or State official.

4. This release from hold order and imposition of quarantine is effective April 5, 1976.

An order adopting these amendments was filed April 2, 1976, as R.1976 d.101 (Exempt, Emergency Rule) to become effective on April 5, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## AGRICULTURE

### THE SECRETARY

#### Revisions Concerning Swine Quarantine

On April 13, 1976, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the rules concerning the quarantine for the movement of swine from Burlington County.

Full text of the revised rule follows:

2:5-1.15(f) Take notice that the New Jersey Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16, hereby removes the quarantine for the movement of swine from Burlington County:

1. Take further notice that the Department, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16, hereby maintains the quarantine to prevent the spread of the contagious disease of swine on Gloucester and Camden counties.

2. No movement of swine shall be had into or out of the quarantined area.

3. No movement is permitted within the quarantined area without authorization of a Federal or State official.

4. This release from hold order and imposition of quarantine is effective April 13, 1976.

An order adopting these revisions was filed and became effective on April 13, 1976, as R.1976 d.110 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Revised Minimum Milk Prices

On April 15, 1976, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions concerning minimum milk prices which deletes the current text of N.J.A.C. 2:49-1.1(b) and replaces it with new text therein.

Full text of the adopted revision follows:

2:49-1.1(b) Effective May 1, 1976, minimum milk prices under order 69-1 will be 39 cents per quart, 73 cents per half-gallon and \$1.40 per gallon. This amendment shall be effective from and after May 1, 1976.

An order adopting these revisions was filed April 19, 1976, as R.1976 d.114 (Exempt, Procedure Rule) to become effective on May 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions to Personnel Manual (State Service)

On April 6, 1976, the Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subparts 5-15.103, 16-5.101 and 22-1.101 of the Civil Service Personnel Manual (State Service).

The revisions concern appeals for Departmental hearing, determination of lateral displacement, demotional and re-employment rights by the Department of Civil Service and the State Employees' Awards Program.

Copies of the 34 pages of full text of the revisions may be obtained from or made available for review by writing to:

Department of Civil Service  
201 East State Street  
Trenton, New Jersey 08625

An order adopting these revisions was filed on April 12, 1976, as R.1976 d.107 (Exempt, Procedure Rule). Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### THE COMMISSIONER

#### Proposed Revised Rules for the Building, Electrical and Plumbing Subcodes of Uniform Construction Code

Patricia Q. Sheehan, Commissioner of Community Affairs, pursuant to authority of P.L. 1975 c. 217, proposes to adopt the Building, Electrical and Plumbing subcodes of the State Uniform Construction Code.

The Department intends to promulgate regulations adopting by reference:

The building code of the Building Officials and Code Administrators International Inc., known as the BOCA Basic Building Code/1975;

The electrical code of the National Fire Protection Association, known as the National Electrical Code/1975;

The plumbing code of the National Association of Plumbing-Heating-Cooling Contractors Inc., The American

Society of Plumbing Engineers, known as the National Standard Plumbing Code/1975.

Such revisions, if adopted, will appear in Subtitle B, Title 5, of the New Jersey Administrative Code.

A copy of the complete text of the proposed revisions is available upon application to the Department of Community Affairs, Uniform Construction Code Office, P.O. Box 2768, Trenton, New Jersey 08625.

A public hearing on the proposed action will be held on Tuesday, June 29, 1976 at 10:00 A.M. at the State Museum Auditorium, 205 West State Street, Trenton, New Jersey.

Persons interested in testifying should call (609) 292-6364 to arrange for a time to speak. Written statements are to accompany the oral testimony and are to be submitted at the time of testimony. A time limit may be imposed upon each speaker in order to accommodate all speakers.

Interested persons may also present statements in writing relevant to the proposed action on or before July 9, 1976 to the Department at the above address.

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

Patricia Q. Sheehan  
Commissioner  
Department of Community Affairs

(c)

## COMMUNITY AFFAIRS

### LOCAL FINANCE BOARD

#### Adopt Emergency Rule on Realized Revenue

On March 24, 1976, the Local Finance Board in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-28 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule concerning realized revenue.

Full text of the adopted rule follows:

5:30-1.11 Realized revenue

(a) The following promulgated regulations shall be implemented by all counties and municipalities in the State of New Jersey:

1. Commencing May 15, 1976, and every month thereafter, each municipality shall file a statement containing a "Realized Revenues Analysis" as prescribed by Attachment A hereto.

2. Each county and municipal government shall take whatever steps are necessary to assure a full and accurate compilation and transcription of the required information:

i. The budget amount or levy column of the Realized Revenues Analysis form should reflect the budgeted revenue amount or compilation of amounts for each specific revenue item or the property tax levy.

ii. The property tax levy item in the budget amount or levy column should reflect an amount for that item based on a January 1 to June 30 levy; that is, half of the amount levied in the prior year and a July 1 to December 31 levy which is the balance of the property tax levy to meet the total amount to be raised by taxation for that year.

3. The statement filed on each 15th of the month shall be for the prior full calendar month.

4. The first statement filed shall include all information from January 1.

5. The statement shall be certified by the chief financial officer.

**ATTACHMENT A**  
**DIVISION OF LOCAL GOVERNMENT SERVICES**  
**Realized Revenues Analysis**

For ....., County of .....  
**STATUS REPORT: Month of ..... 19.....**

	Budget Amount	Realized This Month	Total To Date
Surplus Revenues Anticipated:			
Cash .....			
Noncash .....			
Miscellaneous Revenues Anticipated:			
State Aid Programs .....			
Gross Receipts Taxes .....			
Franchise Taxes .....			
Interest on Investments .....			
Replacements Revenue Business .....			
Personal Property Tax .....			
Federal General Revenue .....			
Sharing .....			
Other Federal Programs .....			
Total Miscellaneous Revenues .....			
Anticipated .....			
Receipts From Delinquent Taxes .....			
(including Tax Title Liens) .....			
Property Tax Levy 1-1 to 6-30 .....			
7-1 to 12-31 .....			
Prepared By: .....			
Title: .....			

An order adopting this rule was filed March 25, 1976, as R.1976 d.91 (Exempt, Emergency Rule) to become effective on May 6, 1976.

G. Duncan Fletcher  
 Director of Administrative Procedure  
 Department of State

**(a)**

**EDUCATION**  
**STATE BOARD OF EDUCATION**

**Proposed Amendments Concerning  
 Principal and Supervisor Endorsements**

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to amend N.J.A.C. 6:11-10.4 concerning principal and supervisor endorsements.

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

6:11-10.4 (b) Principal: This endorsement is required for positions of principal or vice-principal. Holders of this endorsement may supervise instruction, and may also serve as assistant superintendent of schools, and as "assistant superintendent in charge of curriculum and/or instruction".

(c) Supervisor: This endorsement is required for supervisors of instruction who do not hold a school administrator's or principal's endorsement. The supervisor shall be defined as any school officer who is charged with authority and responsibility for the continuing direction and guidance of the work of instructional personnel. This endorsement also authorizes appointment as an "assistant superintendent in charge of curriculum and/or instruction".

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

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

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

Fred G. Burke  
 Commissioner of Education  
 Secretary, State Board of Education

**(b)**

**EDUCATION**  
**STATE BOARD OF EDUCATION**

**Proposed Revisions Concerning  
 Student Personnel Services Certificate**

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to adopt revisions to N.J.A.C. 6:11-12.13 concerning student personnel service certificates.

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

6:11-12.13 [Student personnel services] **School counselor certificates**

(a) This certificate is required for any person assigned to perform [student] **pupil** personnel services such as study and assessment of individual pupils with respect to their status, abilities, interest and needs; counseling with teachers, [students] **pupils** and parents regarding personal, social, educational and vocational plans and programs; and developing cooperative relationships with community agencies in assisting children and families.

(b) The requirements are:

1. A bachelor's [or higher] **degree from an accredited institution.**

2. A standard New Jersey teacher's certificate, or college transcript[s] indicating completion of the professional coursework required for such a certificate.

3. A **minimum of [one] three years of successful teaching experience [;] in a school setting.**

[4. In addition to the preparation required for II above, successful completion of one of the following:

i. A graduate curriculum approved by the State Department of Education as a basis for issuing this certificate; or

ii. A program of college studies including 30 semester-hour credits of post-baccalaureate work in the five areas listed below, including study in each starred(\*) field. This work must be in addition to that required in II above, and may be in separate or integrated courses. Minimum quantitative requirements are indicated for each of the first four areas.

(1) Guidance counseling—minimum six semester hours.

(A)\* Theory and procedures in individual and group guidance.

(B)\* Counseling and interviewing techniques.

(C)\* Vocational guidance, occupational and educational information and placement.

(2) Testing and evaluation—minimum three semester hours.

(3) Psychology—minimum six semester hours. Child and adolescent development, psychology of exceptional children, psychology of learning, child and youth study.

(4) Sociological foundations—minimum six semester hours.

(A)\* Community agencies, organization and resources.

(B) Educational sociology.

(C) Social problems, juvenile delinquency, law, the family.

(D) Urban sociology.

(5) Electives in such areas as curriculum development, program planning, guidance, psychology, measurement, vocational education, learning disabilities, human relations, group process theory and procedures, labor and industrial relations, and research techniques and interpretation.]

4. A master's degree in an approved school counseling curriculum, including:

i. Guidance and counseling;

ii. Testing and evaluation;

iii. Psychology;

iv. Sociology;

v. Career education;

vi. Human relations;

vii. Electives in such areas as curriculum development, learning disabilities, counseling theory and ethnic cultures; and

viii. Successful completion of a college supervised intern experience of a minimum of 60-clock hours and demonstrated competencies during this internship, to be evaluated by a team approach of cooperating counselors, professors and supervisors. Successful evaluation shall be in terms of:

(1) Individual counseling and group counseling and team counseling;

(2) Assistance to counselee in arriving at personal, educational and career planning;

(3) Identification, interpretation and utilization of resources, agencies, business and industries, to assist counselee to assist counselee;

(4) Consultations and participation with instructional, pupil personnel and administrative staff, in curriculum development;

(5) Providing assistance to parents, guardians and other interested persons.

5. For those persons presently holding a student personnel services certificate who do not meet requirements proposed herein, a waiver of subsection (b) 3. teaching experience, and subsection (b) 4. viii. of this Section, supervised intern experience is effected. All other deficiencies must be met by September 1, 1979, in order to maintain the effectiveness of this certificate.

6. Effective date is September 1, 1978.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

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

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

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions in Learning Disabilities Teacher-Consultant Certificates

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to revise N.J.A.C. 6:11-12.15 concerning learning disabilities teacher-consultant certificates.

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

6:11-12.15 Learning [disabilities teacher-] consultant

(a) This endorsement is required [for] to perform those services [as a] attributed to the learning [disabilities teacher-] consultant in the Administrative Code (Title 6, Chapter 28 - Special Education) of the State Board of Education at the elementary and secondary [schools] level and to conduct in-service education of teachers.

(b) The learning consultant is an educational specialist who has the professional preparation and experience to:

1. Make an assessment and analysis of a pupil's learning characteristics;

2. Plan and prepare instructional strategies;

3. Participate on a child study team in the planning of educational programs;

4. Serve as a consultant to classroom teachers; and

5. Provide in-service education for the instructional staff.

[(b)](c) The requirements are:

1. A standard New Jersey teacher's certificate or equivalent;

2. Three years of successful classroom teaching experience;

3. A master's degree from an accredited college;

4. Successful completion of [a graduate certificate] an approved program or 60 graduate hours for the preparation of learning [disabilities teacher-] consultants approved by the New Jersey State Department of Education as meeting the requirements for this [certificate] endorsement and a statement signed by the authorized certification officer of the college as the basis for issuing this endorsement;

5. Bases for issuance are:

i. Completion of a New Jersey approved program of studies as outlined in subsection (c) above.

[i.] ii. When candidates have completed their preparation for this endorsement in an out-of-State college or university, [a master's degree in learning disabilities] with 60 graduate hours or from a program accredited by the [National Council for Accreditation of Teacher Education (NCATE)] National Association of State Directors of Teacher Education and Certification (NASDTEC), this will be accepted as meeting the requirement.

[ii.] When candidates have developed a background of graduate study in psychology, education, and related areas that they consider to be equivalent to the completion of an approved graduate program in Learning Disabilities, they may submit their credentials for review. A learning disabilities certification review committee will recommend to the Secretary of the State Board of Examiners the additional study, if any, that the applicant should be requested to complete.

iii. Persons who have been employed with full approvals of the State Department of Education as learning dis-

abilities teacher-consultants in local school districts or in the State Department of Education under section 8:28 of the rules of the State Board of Education prior to January 6, 1971, will be eligible for a regular learning disabilities certificate. Persons previously employed with interim approval may qualify for a regular certificate by fulfilling the requirements specified at the time the interim approval was granted.]

iii. For those persons presently holding a learning disabilities teacher-consultant certificate who do not meet requirements proposed herein, a waiver of subsection (c) 2. teaching experience; subsection (d) 4. clinical practice; and subsection (d) 5. college approved field experience is effected. Persons who are deficient in any other areas of study as indicated herein must meet these requirements by September 1, 1980, in order to continue effectiveness of their present certificate.

iv. Effective date September 1, 1978.

[(c)] (d) The standards for the approval of graduate [teacher education] programs in learning [disabilities] consultant are, (all starred courses or their equivalents shall be required):

1. Candidates must have a master's degree including twenty-four semester hours of credit outlined in Section II below.

2. The approved certificate program must include provision for the areas of study listed below. Qualified teachers who have already earned a master's degree, or completed graduate studies in education, reading, speech correction, psychology, education in specific areas of the handicapped or similar fields, should be given credit by the college for as much of their completed programs as is appropriate:

i. Work in the following areas of study must be required as part of the program, not necessarily as separate courses: education of the handicapped; learning theory; physiological bases of learning; orientation in psychological testing; remediation of basic skills; diagnosis and correction of learning disabilities. Course descriptions should make it clear that the program for all students will include study in each of these areas.

ii. The program should also include opportunities to study, perhaps on an elective basis, in areas closely related to learning disabilities, such as group dynamics: methods and materials for teaching the emotionally and socially maladjusted; curriculum development in the teaching of the handicapped; teaching of reading; interviewing and counseling; educational psychology; and community resources.

iii. The program must include a college supervised practicum in diagnosis and remediation of learning disabilities in school and clinical situations. The definition and nature of this practicum, and the courses in which it will be provided, should be clear in the program description. The practicum should provide for a minimum of ninety clock hours of college supervised experience.

iv. Prior to completion of the certificate program, the student must hold a regular New Jersey teacher certificate and submit evidence of three years of successful teaching experience.]

1. Basic professional education (minimum of nine credits):

i. \*Principles of curriculum development and construction;

ii. \*Human growth and development;

iii. \*Orientation in educational and psychological testing and measurement;

iv. Overview of pupil personnel services;

v. Educational research and statistics;

vi. Laboratory training in human relations;  
vii. Social or organizational psychology;  
viii. Educational psychology;  
ix. Behavior deviations common to children and youth.

2. Specialization (minimum of 27 credits):

i. \*Education and psychology of exceptional students;

ii. \*Learning theory and application in the classroom;

iii. \*Physiological basis of learning and behavior;

iv. \*Foundations of learning disabilities;

v. \*Principles and procedures of consultation;

vi. \*Assessment techniques;

vii. \*Corrective techniques;

viii. \*Reading development;

ix. \*Speech and language development;

x. Change strategies in the public schools;

xi. Remediation of basic skills;

xii. Methods and materials for the exceptional child;

xiii. Education of the gifted and talented.

3. Related areas (minimum nine credits)  
Additional study in any of the preceding basic professional or specialization areas and/or areas such as:

i. \*Group dynamics: theory and application;

ii. \*Problems and issues of minority and ethnic groups;

iii. \*Classroom management of behavior;

iv. Crucial issues in education;

v. Behavior modification;

vi. History and philosophy of education;

vii. Self-awareness techniques;

viii. Community resources for exceptional students;

ix. School law;

x. Sociology of education.

4. \*Clinical practica (minimum of 90 clock hours in the assessment and correction of learning problems):

i. This experience may be in an appropriate setting determined by the college. These practica should provide experiences for the acquisition of application skills related to the following areas:

(1) Assessment:

(A) Observation;

(B) Record review;

(C) Testing (formal and informal).

(2) Correction:

(A) Writing reports (organized analysis of assessment data);

(B) Designing programs (educational intervention strategies/techniques);

(C) Diagnostic/clinical teaching.

5. \*College approved field experience (minimum of 360 clock hours):

i. This experience must be in a public school setting under the supervision of the college program and focus on the communication, interaction, and staff development skills related to each of the areas listed under definition in subsection (b) above. The requirement may be fulfilled under the direct supervision of a college supervisor and a certified learning consultant.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

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

The State Board of Education, upon its own motion or at the instance of any interested party, may thereafter

adopt these revisions substantially as proposed without further notice.

Fred G. Burke  
Commissioner of Education  
Secretary, State Board of Education

(a)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Ratification of Prior Emergency Revisions on Special Education

On April 7, 1976, the State Board of Education, pursuant to authority of N.J.S.A. 18A:46-1 et seq., 20 U.S.C.A. 1401 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, ratified the emergency revisions to N.J.A.C. 6:28-1.9 through 6:28-1.11 concerning special education, substantially as set forth in the Notice of Adoption at 8 N.J.R. 174(b), with only inconsequential structural or language changes, in the opinion of the Department of Education. The changes involve the insertion of two commas in N.J.A.C. 6:28-1.11(d).

Full text of that changed rule follows (additions indicated in boldface thus; the other rules adopted previously do not contain additional changes):

6:28-1.11(d) In addition to this review process, a hearing shall be made available, upon request to the local board of education, and shall include the following:

An order ratifying and adopting these revisions was filed and became effective on April 21, 1976, as R.1976 d.120.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Amendments to Sewerage Connection Ban Rules

David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and 58:12-1 et seq., proposes to adopt amendments, known within the Department of Environmental Protection as Docket No. DEP 008-76-04, to N.J.A.C. 7:9-13.4(a)6. concerning sewerage connection bans.

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

7:9-13.4(a)6. If the applicant can provide documentation that through no fault of his own and because of the existence of the ban, he has suffered or will suffer some severe personal hardship which goes beyond the normal hardship caused by his inability to use his land during the duration of the ban, an exemption may be granted. The paying of property taxes will not be considered a severe hardship:

i. The Division will consider certain types of factual situations as representing a hardship provided that the applicant meets all other applicable Sections of these regulations and further provided that the applicant submits appropriate substantiating documentation. Such factual situations shall include but shall not be limited to the following:

(1) Where an applicant demonstrates that violence or vandalism in his neighborhood threatens the safety and security of the applicant or his family and the sewerage connection ban prevents him from relocating into the subject premises, a hardship exemption shall be considered.

ii. The applicant must prove to the satisfaction of the Division that he will suffer irreparable harm unless relief is granted and that there is no other method by which the applicant could alleviate or mitigate his hardship. The burden of proof is on the applicant.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Steven J. Picco  
Department of Environmental Protection  
P.O. Box 1390  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(c)

## ENVIRONMENTAL PROTECTION

### DIVISION OF ENVIRONMENTAL QUALITY

#### Proposed Revisions Concerning Certification of Pesticide Applicators

The Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., proposes to adopt new rules concerning the certification of pesticide applicators and to repeal the current text of N.J.A.C. 7:30-1.9 concerning the registration of applicators. The proposed new rules, known within the Department of Environmental Protection as Docket No. DEP 010-76-04, will be cited as N.J.A.C. 7:30-3.1 et seq., if adopted.

The proposed rules concern the scope, construction, practice where rules do not apply, definitions, commercial applicators' categories, certification, registration, examination, reexamination, recertification, reregistration and records, pesticide applicator business registration and records, private applicators' categories, certification, registration, examination reexamination, recertification, reregistration, special provisions and records, fees, exemption from fees, reciprocity and additional authority.

A public hearing respecting the proposed action, at which time written and/or oral testimony concerning the proposed revisions will be received, will be held in two parts at the following places and dates:

Tuesday, June 22, 1976, at 10:00 A.M. and, if necessary, continuing on Wednesday, June 23, at 10:00 A.M., at Bush Campus, Hill Center, Room 114, Rutgers University, New Brunswick, New Jersey.

Friday, June 25, 1976, at 10:00 A.M. and, if necessary, continuing on Monday, June 28, at 10:00 A.M., at Vineland City Hall, Council Chambers, Vineland, New Jersey.

The hearings will be held in accordance with provisions of the Pesticide Control Act of 1971, N.J.S.A. 13:1F-1 et seq.

Copies of the full text of 12 pages of the proposed rules and the basis therefor may be obtained from, and written comments respecting the proposed action may be made on or before July 28, 1976, to:

George L. Beyer Jr.  
Supervisor, Office of Pesticide Control  
Division of Environmental Quality  
Department of Environmental Protection  
380 Scotch Road  
West Trenton, New Jersey 08628

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

Rocco D. Ricci  
Deputy Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION CLEAN AIR COUNCIL

### Notice of Public Hearing

Take notice that the Clean Air Council of the Department of Environmental Protection will hold a public hearing pursuant to authority of N.J.S.A. 13:1D-7b and N.J.S.A. 26:2C-3.3 on June 10 and June 17, 1976 on the question: "Should New Jersey Change Its Air Pollution Regulations?" This Notice is known within the Department of Environmental Protection as Docket No. DEP 012-76-04.

Comments may address specific issues including, but not limited to, the following:

1. What new regulatory measures are necessary in light of recent developments in the areas of toxic substances and hazardous air pollutants?

2. What criteria should the Department employ in evaluating economic questions as they relate to environmental regulation?

3. Are certain present regulations overly restrictive in light of either environmental or economic considerations?

4. What goals beyond the attainment and maintenance of present ambient air quality standards and/or nondegradation requirements are necessary and justified for New Jersey?

5. Is the Bureau of Air Pollution Control properly constituted in light of today's understanding of necessary air pollution control measures?

6. What should be the nature of the Federal/State relationship in the area of air pollution control?

N.J.S.A. 26:2C-3.3(h) requires the Council to hold public hearings at least once a year, and to report its recommendations thereon to the Commissioner of Environmental Protection.

First hearing will be Thursday, June 10, 1976, from 9:00 A.M. to the conclusion of testimony at:

Gateway Downtowner Motor Inn  
Raymond Boulevard and McCarter Highway  
Newark, New Jersey

A second session will be on Thursday, June 17, 1976, from 9:00 A.M. to the conclusion of testimony at:

Law School  
Rutgers University  
Camden, New Jersey

Written comments may be submitted to, and speaking time arranged with, Patrick Zigrand, Bureau of Air Pollution Control, P.O. Box 2807, Trenton, New Jersey 08625, (609) 292-6720.

The record will be closed at the end of the hearing. This notice is published as a matter of public information.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION DIVISION OF FISH, GAME AND SHELLFISHERIES

### FISH AND GAME COUNCIL

#### Proposed 1976-1977 Game Code

The Fish and Game Council in the Division of Fish, Game and Shellfisheries 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 1976-1977 hunting and trapping seasons. Such proposed rules are known within the Department of Environmental Protection as Docket No. DEP 009-76-04 and, if adopted, will be cited as and replace the current text of N.J.A.C. 7:25-5.1 et seq.

The proposed rules state 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 22 pages of this proposed Game Code may be obtained from:

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

A public hearing on the proposed action will be held Tuesday, June 8, 1976, at 8:00 P.M. in the State Museum Cultural Center Auditorium, West State Street, Trenton, New Jersey. Interested persons may present statements, orally or in writing, relevant to the proposed action.

Interested persons may also present statements or arguments in writing on or before June 8, 1976 to the Fish and Game Council, Division of Fish, Game and Shellfisheries, at the above address.

The Fish and Game Council, upon its own motion or at the instance of any interested party, may thereafter adopt this Code substantially as proposed without further notice.

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

(c)

## ENVIRONMENTAL PROTECTION THE COMMISSIONER

### Revisions to Air Pollution Control Rules On Permits and Certificates

On March 29, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-8 and 26:2C-9 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the air pollution control rules on permits and certificates, substantially as proposed in the Notice published July 10, 1975, at 7 N.J.R. 308(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

Such substantive changes are discussed in the evaluation of testimony section of the report of the public hearing

issued by the Department of Environmental Protection and may be obtained by writing to:

Herbert Wortreich  
Chief, Bureau of Air Pollution Control  
Department of Environmental Protection  
Post Office Box 2807  
Trenton, New Jersey 08625

The adopted revisions are known within the Department of Environmental Protection as Docket No. DEP 043-75-06 and may be cited as N.J.A.C. 7:27-8.1 et seq.

An order adopting these revisions was filed March 29, 1976, as R.1976 d.96 to become effective on June 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Amendments to Rule on Temporary Variances

On March 31, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J. S.A. 26:2C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency amendment to N.J.A.C. 7:27-9.5(c) concerning temporary variances.

Such amendment is known within the Department of Environmental Protection as Docket No. DEP 002-76-03.

Full text of the amended rule follows (additions indicated in boldface thus):

7:27-9.5(c) The variance provisions shall apply in the following areas:

1. Salem County;
2. Upper Township of Cape May County;
3. Cumberland County.

An order adopting this amendment was filed and became effective on March 31, 1976, as R.1976 d.100 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### DIVISION OF PARKS AND FORESTRY

#### BUREAU OF PARKS

#### Revisions Concerning Special Permits for Island Beach State Park

On April 13, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J. S.A. 13:1-26, 13:1B-3, 13:8-20 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 7:2-16.1 et seq., known within the Department of Environmental Protection as Docket No. DEP 058-75-12, concerning special permits for Island Beach State Park, substantially as proposed in the Notice pub-

lished January 8, 1976, at 8 N.J.R. 12(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection. Such revised rules replace the current text of N.J.A.C. 7:2-16.1 et seq.

Full text of the adopted rules follows:

#### SUBCHAPTER 16. ISLAND BEACH STATE PARK

##### 7:2-16.1 Scope

Unless otherwise provided by rule or statute, the provisions of this Subchapter shall constitute the rules of Island Beach State Park.

##### 7:2-16.2 Beach buggy permits

(a) The operation of four-wheel drive beach buggies for the purpose of fishing on the open beach is allowed within designated locations and designated hours provided a beach buggy permit has been obtained. The Director may at his discretion waive the four-wheel drive requirement for previous New Jersey beach buggy permit holders.

(b) Beach buggy permits are available for a calendar-year or a three-day period. The permit grants entry for the licensed vehicle and listed driver without further charge. All other occupants are required to adhere to the admission fee policy, when applicable. Permits are nontransferable and nonrefundable.

(c) Calendar-year beach buggy permits are available by application and payment of a specific fee at the park office or by mail.

(d) Three-day permits are available only by request and payment of fee at the Island Beach gatehouse. No more than 50 three-day permits may be in effect at any one time. Three-day permits expire at midnight on the third full day after the day of issue. Three-day permits may be renewed only after a 24-hour waiting period.

(e) A beach buggy permit may be revoked by the superintendent of the park for the remainder of the calendar year of issue and the right to apply for a permit for an additional period of three full calendar years may be revoked by the Director, Division of Parks and Forestry, for violation of any regulation of the Bureau of Parks (N.J.A.C. 7:2-1 et seq.) or any provision of the laws of this State. A permittee is also subject to prosecution for said violations. No refunds are permitted when revocation occurs.

(f) Lessees who have no other means of access to their leased sites may drive a vehicle by the most direct designated route between the hard-surfaced road and the site without a beach buggy permit.

##### 7:2-16.3 Permit to fish

(a) Calendar-year annual fishing permits are available by application and payment of a specific fee at the park office or by mail. This permit grants entry for the specified individual and vehicle for fishing purposes at all times when the park is open, except when filled to capacity.

(b) All fishing is restricted to the ocean side of the park and/or to designated areas.

##### 7:2-16.4 Speed limit

The maximum speed limit for vehicles is 15 miles per hour while on the beach or access (sand) roads.

##### 7:2-16.5 Park closing hours

(a) Island Beach State Park will be closed to all persons except beach buggy permit holders, fishermen and lessees from 12 midnight to 4:00 A.M.

(b) Residents and persons on official business are exempt from this exclusion. Leaseholders, however, are restricted to their leased premises during these hours unless actively engaged in fishing or in transit. Beach buggy

permit holders and fishermen are required during these hours to register with park officials and park in a designated location unless actively engaged in fishing.

An order adopting these revised rules was filed April 13, 1976, as R.1976 d.111 to become effective on April 15, 1976.  
G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### DIVISION OF ENVIRONMENTAL QUALITY

#### Revised Rules on Sampling and Analytical Procedures and Determination of Opacity

On April 21, 1976, Rocco D. Ricci, Deputy Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, ratified the emergency rules previously adopted on May 20, 1975 (See: 7 N.J.R. 261(d)), concerning the sampling and analytical procedures for determining emissions of particles from manufacturing processes and from combustion of fuels (N.J.A.C. 7:27B-1.1 et seq.) and procedures for the visual determination of the opacity (per cent) and shade or appearance (Ringelmann number) of emissions from sources (N.J.A.C. 7:27B-2.1 et seq.).

The ratification and adoption involved substantive changes to the rules originally adopted, not detrimental to the public in the opinion of the Department of Environmental Protection. The substantive changes are discussed in detail in the evaluation of comments section of the report of the public hearing issued by the Department of Environmental Protection; copies of this report and the adopted rules are available from Herbert Wortreich, Chief, Bureau of Air Pollution Control, Post Office Box 2807, Trenton, New Jersey 08625.

Such revisions are known within the Department of Environmental Protection as Docket Nos. DEP 040-75-05, 033-75-03 and 041-75-05.

An order adopting these revised rules was filed on April 21, 1976, as R.1976 d.121 to become effective on June 21, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed 1977 Hospital Rate Review Program

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to adopt new rules concerning the 1977 Hospital Rate Review program. The proposed rules, if adopted, will replace the current text of N.J.A.C. 18:31-14.1 et seq., 1975 Hospital Rate Review.

The proposed rules concern authority, scope, definitions,

time tables, general methodology, computational techniques, reasonableness tests for global budget, peer comparisons, volume increases, increases due to economic factors, intensity increases, emergency room costs and education/physician coverage, peer groupings used, appeals concerning the determination of costs and retroactive adjustments.

Copies of the full text of the 22 pages of the proposed rules may be obtained from or made available for review by contacting:

John B. Reiss  
Assistant Commissioner  
Health Planning and Resources Development  
Post Office Box 1540  
Trenton, New Jersey 08625

An informal public hearing respecting the proposed action will be held on Tuesday, May 25, 1976, at 10:00 A.M. in the Auditorium, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(c)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Criteria For Mixed Obstetric and Gynecologic Floors

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise portions of the rules concerning the criteria for mixed obstetric and gynecologic floors.

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

8:35-1.2(d)3. [Daily check-sheet: To include answers to all questions listed on the sample form, and to be completed on all patients in the labor-delivery area. It is to be completed at approximately the same time every day, and information recorded will be for the preceding calendar day].

8:35-1.2(d)[4]3. Transfer / morbidity / infection questionnaire: To include answers to all questions listed on the sample form, and to be completed on all **gynecologic/female surgical** patients admitted to the maternity service, [exclusive of patients in the labor-delivery area].

8:35-1.2(e) The selection of gynecologic/female surgical patients to be admitted or to stay on the maternity floor will be under the control of the chief of obstetrics or [his] **the physician designee[s]**. The chief of obstetrics or [his] **the physician designee** will screen all admissions and indicate his approval by signing the admission questionnaire.

8:35-1.3(g)5. When a postoperative patient develops urinary tract infection which has been proven by urinalysis and is related to catheterization, the use of antibiotics or chemotherapeutics will be permitted therapeutically. However, [cultures] urine specimens for culture purposes must be obtained prior to the administration of the antibiotics. Although antibiotics are permitted under these circumstances, all patients who develop morbidity by temperature definition must be transferred from the maternity unit regardless of the cause or morbidity.

8:35-1.3(h) The chief of the department of obstetrics and gynecology shall establish a protocol in writing as to when and how cultures shall be done on newborn infants, gynecologic/female surgical and obstetric patients.

8:35-1.5 [2 (b) Cultures are to be done on newborn infants, obstetric and gynecologic/female surgical patients as follows:

1. On all incisions that break down, including episiotomy.
2. On all suspected infections that are nonobstetric, nongynecologic or nonsurgical.
3. Nasal and cervical (vaginal) cultures when morbidity by definition occurs in adult patients or when 100.4 degrees Fahrenheit or higher occurs in preoperative patients.
4. All pustular skin lesions of infants regardless of size.
5. Nasal and umbilical stump cultures on infants if temperature reaches 100.4 degrees Fahrenheit or higher.

(c) All organisms will be recorded on the hospital charts by their generic names. Further identification of coagulase positive Staphylococcus by phage typing will not be required.]

8:35-1.6(a)2. The maternity log book (maternity service record) has been accurately maintained. The data recorded in this log book shall be used for the purpose of preparing a monthly summary. This would include a list of all complications. The hospital chart number of all cases with morbidity will be placed in this summary, making note of the cause of morbidity or the statement "cause unknown". The information shall also be a part of the final diagnosis on the patient's hospital record. It is also suggested that infant morbidity as defined on page 7 be included in the log book under infant complications. If this is not feasible, the nursery is to keep a record of all infant morbidity.

Editor's note: In addition to the above proposed revisions, a proposed new admission form is also included in this proposal but is not reproduced herein. Further information on this form may be obtained from the Department of Health at the address below.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Wanda Schorn  
Coordinator  
Licensing, Certification and Standards  
Department of Health  
John Fitch Plaza  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions on Effective Date Of Long-Range Plan Requirement Implementation

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-12 and with the approval of the Health Care Administration Board, proposes to revise N.J.A.C. 8:31-12.1(a), concerning the effective date for the implementation of the long-range plan requirements regarding long-term care facilities.

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

8:31-12.1 (a) A planning process designed to satisfy the requirement of N.J.S.A. 26:2H-12 is described in the "Planning Guide for Long-Term Care Facility Long-Range Plans", published by the State Department of Health. All nursing homes licensed for 50 or more skilled- or intermediate-care beds shall prepare and submit two copies of their long-range plan to the Department of Health [no later than 12 months from the effective date of this regulation.] by July 1, 1977. Thereafter, the succeeding plans shall be prepared and submitted on an annual basis. Nursing homes licensed for less than 50 beds will comply with the long-range planning regulation applicable to sheltered care homes.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

John C. Scioli  
Consultant, Department of Health  
P.O. Box 1540  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Manual of Standards for Licensure of Intermediate Dialysis Facilities

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise portions of the Manual of Standards for Licensure of Intermediate Dialysis Facilities.

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

8:36-1.1 Definitions

"Intermediate dialysis facility" means a profit or non-

profit official or voluntary health care agency, either within or outside of hospital facilities, established to serve the people of a specific community or geographic area with organized medical staffs and permanent facilities to provide dialysis services only. The intermediate dialysis facility shall have a written patient transfer agreement with at least one hospital having a chronic renal dialysis center approved by the State Department of Health.

8:36-1.18(b) 1. The space allocated for each machine shall be at least 100-square feet and the 30 inches clear around the machine and lounge shall be maintained. Machine may be installed flush against the wall on one side only. There shall be a four-foot space between beds or lounges.

8:36-1.18(b) 2. i. Soiled utility room shall contain a minimum of 80 square feet. Clean utility room shall contain a minimum of 80 square feet.

a. (1) Handwashing facilities are required in the soiled utility room.

b. (2) A bedpan washer is required in the soiled utility room.

c. (3) A compactor is required within the soiled utility room for compaction of renal waste. The size of the compactor shall be in proportion to the number of dialysis stations.

(4) A sterilizer shall be provided in the facility for more efficient control of hepatitis and other infectious diseases.

8:36-1.18(b) 4. Separate clean and soiled linen rooms are required, [and a laundry area shall be treated as a hazardous area.] Clean linen room shall contain a minimum of 80 square feet. Soiled linen room shall contain a minimum of 80 square feet. If clean linen and clean utility rooms are combined, a minimum of 120 square feet shall be provided.

8:36-1.18(b) [5. Separate sanitary facilities shall be provided for patients and employees.]

8:36-1.18(b) 5. A laundry area, if provided, shall be treated as a hazardous area.

8:36-1.18(b) [6. If a kitchen is provided it shall be separate from the dining area. Separate dining areas must be provided for patients and employees. (Employees dining not permitted in dialysis area.)]

8:36-1.18(b) 6. Separate sanitary facilities shall be provided for patients and employees.

8:36-1.18(b) [7. Trash and garbage from the kitchen area shall be separate from that of the renal dialysis area. All renal dialysis material shall be disposed of daily.]

8:36-1.18(b) 7. If a kitchen is provided it shall be separate from the dining area. Separate dining areas must be provided for employees. (Employee dining is not permitted in dialysis area.) If a patient brings food to the facility, it shall be confined to his/her dialysis area and the area shall be sanitized after each usage.

8:36-1.18(b) [8. The net usable square foot area is 80 square feet with 100 square feet gross area per bed or lounge.]

8:36-1.18(b) 8. Trash and garbage from the kitchen area shall be separate from that of the renal dialysis area. All renal dialysis material shall be disposed of daily. Renal waste shall be double bagged and local public health officials notified of potential infectious material.

8:36-1.18(b) 9. The net usable square foot area is 80 square feet with 100 square feet gross area per bed or lounge. A minimum of 48 inches between bed or lounge is required.

8:36-1.18(b) 10. A nurses station is required in, or adjacent to the dialysis area. A maximum of one day's supplies may be stored at the nurses' station. Such storage shall be off the floor to permit cleaning beneath.

8:36-1.18(b) 11. All doors to patients' toilet rooms shall be equipped with hardware which will permit access in any emergency.

8:36-1.18(b) 12. If home training rooms/areas are provided, each such room/area shall be equipped with a sink for handwashing.

13. If disposable equipment is being used, the clean linen and clean utility room may be combined. This combination shall contain a minimum of 120 square feet.

14. If a disposable equipment is being used, the soiled linen and soiled utility room may be combined. This combination shall contain a minimum of 120 square feet.

15. Adequate and proper storage will be required for at least five or six days (one facility operational week) operating supplies in a separate room adjacent to the dialysis area. Sixty to 70 square feet per dialysis machine is recommended.

16. Storage space shall be provided for wheelchairs and stretchers. All gas storage and gas piping shall be in compliance with National Fire Protection Association rules and regulations.

17. A doctor's office and/or examination room should be provided with a minimum of 80 square feet and a work counter and lavatory for hand washing.

18:36-1.18(c) 2. i. Noncombustible buildings of one story in height shall be built of one-hour-protected noncombustible construction.

8:36-1.18(h) 4. ii. (1) Mechanical exhaust fans shall be on a separate circuit or switch and run continuously when the building is occupied.

8:36-1.18(i) 8. i. The emergency generator shall be in a separate room which has a one-hour fire rating with an approved fresh air intake and an explosion release.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Wanda Schorn  
Coordinator  
Licensing, Certification and Standards  
Department of Health  
John Fitch Plaza  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH THE COMMISSIONER

### Proposed Revisions Concerning Inflation Indices

Dr. Joanne E. Finley, Commissioner of Health, with the approval of the Health Care Administration Board and pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes

to delete the current text of N.J.A.C. 8:31-14.28(c)2. concerning inflation indices and the 1975 Hospital Rate Review rules and adopt new text therein.

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

8:31-14.28(c)2. [Inflation indices would be developed for the six market basket areas, and for the other general supply areas.]

The inflation index to be applied to all supply expenses is to allow actual expenses incurred during 1975, except that the increase over 1974 shall not exceed 12 per cent.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

John B. Reiss  
Assistant Commissioner  
Department of Health  
P.O. Box 1540  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### LABORATORIES AND EPIDEMIOLOGY

#### Proposed Laboratory Charges For Syphilis and Rubella Testing

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:4-47, proposes to adopt a new rule which would establish laboratory charges to all private physicians for syphilis testing and rubella screening for tests performed in State Department of Health laboratories.

Full text of the proposed rule follows:

Commencing July 1, 1976, syphilis testing and rubella screening is on a fee-for-service basis to all private physicians. A charge of \$2.00 will be made for each syphilis test and a charge of \$3.00 for each rubella screen. Reference confirmatory tests for syphilis will continue to be provided free of charge. If the laboratory tests are for Medicaid patients, the State laboratory service fee can be submitted to Medicaid for reimbursement. Fees for these services are on a prepayment basis, through the purchase of stamps from the Division of Laboratories and Epidemiology.

A public hearing respecting the proposed action will be held on May 27, 1976, at 10:00 A.M. in the auditorium, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Martin Goldfield  
Assistant Commissioner  
Department of Health  
P.O. Box 1540  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### LABORATORIES AND EPIDEMIOLOGY

#### Proposed Laboratory Charges for Testing of Water

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:4-47, proposes to adopt laboratory charges for bacteriological testing of water other than community supplies.

Full text of the proposed new rule follows:

8:45-2.1 Laboratory charges; bacteriological testing of water other than community supplies

Commencing July 1, 1976, the bacteriological examination of water supplies other than community supplies is on a fee-for-services basis. A charge of \$6.00 will be made for all such water samples submitted for bacteriological examinations, exclusive of those samples related to justifiable epidemiological investigations of water-borne diseases.

The charge includes the sample bottle, a mailing container and the cost of the examination. Payment is on a prepaid basis, through the purchase of "laboratory service fee" stamps from the Division of Laboratories and Epidemiology.

A public hearing respecting the proposed action will be held on May 27, 1976, at 10:00 A.M. in the auditorium, Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Martin Goldfield  
Assistant Commissioner  
Department of Health  
P.O. Box 1540  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(c)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Forms And Definitions to SHARE

Dr. Joanne E. Finley, Commissioner of Health, with the approval of the Health Care Administration Board and the provisions of N.J.S.A. 26:2H-1 et seq., proposes to adopt minor modifications to the definitions and forms of the Standard Hospital Accounting and Rate Evaluation (SHARE) System, N.J.A.C. 8:31-17.1 et seq.

The proposed revisions do not constitute significant changes but include modifications to text and forms. Examples of the modifications are as follows:

Addition of definition and classification of administrative resident.

Change of years from 1974, 1975P, 1976B to 1975, 1976P, 1977B.

Separate line items for Medicare carve-out and costing differences.

Forms C, D, K-1 - K-4 changed to achieve clarity and to simplify filing of the forms.

Deletion of Form E-3.

Copies of the full text of the SHARE manual changes and additions can be obtained from:

Cathleen Maloney, Director  
Health Economics Services  
Department of Health  
P.O. Box 1540 - Room 405-A  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

John B. Reiss  
Assistant Commissioner  
Department of Health  
P.O. Box 1540  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### COMMUNITY HEALTH SERVICES

#### Rule on Training Homemaker-Home Health Aides

On April 15, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-97 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 8:49-5.10(b), concerning training of homemaker-home health aides, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 118(a).

An order adopting this rule was filed and became effective on April 21, 1976, as R.1976 d.122.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### COMMUNITY HEALTH SERVICES

#### Rules on Drugs in Dispensers Pressurized By Gaseous Propellants for Over-the-Counter Sale

On April 15, 1976, Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 24:2-1 and in accordance with applicable provisions of the Administrative

Procedure Act, adopted rules, to be cited as N.J.A.C. 8:21-1.26, on drugs in dispensers pressurized by gaseous propellants for over-the-counter sales, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 117(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Health.

Such substantive changes concern mainly changing the effective date for ceasing to distribute or sell any such over-the-counter drug products from November 30, 1978, as indicated in the proposed text of N.J.A.C. 8:21-1.26(d), to the date of November 30, 1979, as indicated in the adopted rules.

An order adopting these rules was filed and became effective on April 21, 1976, as R.1976 d.123.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## HIGHER EDUCATION

### HIGHER EDUCATION ASSISTANCE AUTHORITY

#### Proposed Rules on Loan Refinancing

The Higher Education Assistance Authority in the Department of Higher Education, pursuant to authority of N.J.S.A. 18A:72-10, proposes to adopt new rules concerning loan refinancing with the Federally-sponsored Student Loan Marketing Association.

Full text of the proposed new rules follows:

#### SUBCHAPTER 6. LOAN REFINANCING WITH THE FEDERALLY SPONSORED LOAN MARKETING ASSOCIATION

##### 9:9-6.1 Eligible lenders

Refinancing by an eligible lender of student loans guaranteed by the Authority with the Student Loan Marketing Association (hereinafter "SLMA"), a private corporation Federally sponsored in accordance with 20 U.S.C. §1087-2 et seq., shall be in conformance with all applicable Authority statutes, rules and regulations, as amended, and SLMA guidelines for loan servicing.

##### 9:9-6.2 Written notification of transfer/refinance

Upon transfer or refinance of an Authority-guaranteed note to SLMA, an eligible lender shall give written notification of such transfer/refinance to the Authority. Each notification shall contain the name of the student borrower, the student borrower's Social Security number and the amount of the student borrower's loan(s).

##### 9:9-6.3 Notice of rejection

If SLMA rejects a note after its transfer/refinance, the eligible lender shall immediately notify the Authority of such rejection. If SLMA permits the eligible lender to substitute a new note in place of the rejected note, the eligible lender shall immediately notify the Authority of such substitution and shall provide the Authority with the requisite information set forth in N.J.A.C. 9:9-4.2.

##### 9:9-6.4 Alterations and modifications

The only loan condition or term which may be altered or modified is the extension of the repayment period as provided by N.J.S.A. 18A:72-15 and N.J.A.C. 9:9-1.27(b). The maximum permissible repayment period for a student

loan(s) shall be 15 years, which period of time shall commence on the execution date of the student borrower's first Authority-guaranteed loan.

**9:9-6.5 Judicial actions; written approval**

Institution of any judicial action against a student borrower in default on any loan(s) in any court of competent jurisdiction by SLMA, its agents or subcontractors involving an outstanding Authority guarantee, must receive the prior written approval of the Attorney General of the State of New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

William C. Nester  
Secretary  
Higher Education Assistance Authority  
Department of Higher Education  
225 West State Street  
P.O. Box 1293  
Trenton, N.J. 08625

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

Richard Hale  
Assistant Chancellor  
Department of Higher Education

**(a)**

## HIGHER EDUCATION

### HIGHER EDUCATION ASSISTANCE AUTHORITY

#### Proposed Revision Concerning Applicants

The Higher Education Assistance Authority in the Department of Higher Education, pursuant to authority of N.J.S.A. 18A:72-10, proposes to revise N.J.A.C. 9:9-1.11(a)4. concerning applicants and the amount of insurance premiums on loans.

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

**9:9-1.11(a)4.** Pay an insurance premium of [ $\frac{1}{2}$  of] one per cent of the recommended amount of the loan. A check or money order payable to "Treasurer, State of New Jersey" must be submitted with the application. No personal checks will be accepted; and no refunds will be issued after the application is approved;

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

William C. Nester  
Secretary  
Higher Education Assistance Authority  
Department of Higher Education  
225 West State Street  
P.O. Box 1293  
Trenton, N.J. 08625

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

Richard Hale  
Assistant Chancellor  
Department of Higher Education

**(b)**

## HIGHER EDUCATION

### HIGHER EDUCATION ASSISTANCE AUTHORITY

#### Revisions Concerning Married Students

On March 5, 1976, the Higher Education Assistance Authority in the Department of Higher Education, pursuant to authority of N.J.S.A. 18A:72-10 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions which deleted in its entirety the current text of N.J.A.C. 9:9-1.9 concerning married students and marked such Section as reserved for future use.

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

**9:9-1.9 [Married students] Reserved**

[An application submitted by a married student must include the signature of the spouse. The spouse's signature is also required on the original note and the installment note. When a student marries after the funds have been disbursed, the lender may secure the spouse's signature on the installment note; however, in such cases, the spouse is not required to sign the note.]

An order rescinding this rule was filed and became effective April 12, 1976, as R.1976 d.108 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(c)**

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Rule Concerning Inpatient Care Allowance

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to adopt a new rule enabling the Division of Medical Assistance and Health Services to apply recipients' available income in excess of personal incidental expense allowance of \$25.00 toward the cost of inpatient care in New Jersey-licensed class B Special Hospitals.

The proposed rule will affect only persons eligible for the "Medicaid Only" program where such eligibility is based upon the Medicare cap (300 per cent of the monthly supplemental security income benefit rate). Available income will not be used to offset the cost of class B Special Hospital inpatient care for patients who are Medicaid eligible under AFDC, AFWP, SSI or DYFS foster care programs.

The Division of Medical Assistance and Health Services will in all instances advise the participating class B Special Hospital of each Medicaid patient's available income even if there is no income available to offset the inpatient bill.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before May 26, 1976, to:

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions in Reimbursable and Nonreimbursable Services in Home Health Agencies Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise portions of the Manual for Home Health Agencies concerning reimbursable and nonreimbursable services. The proposed revisions concern the transfer of N.J.A.C. 10:60-1.5(a)1. to the new subsection of N.J.A.C. 10:60-1.3(e) and the necessary renumbering of N.J.A.C. 10:60-1.5(a)1. through 10:60-1.5(a)4.

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

10:60-1.5(a)1.] **10:60-1.3(e)** Medical supplies (other than drugs and biologicals) essential to enable the home health agency to carry out the plan of care established by the attending physician and agency nursing staff, are normally supplied by the home health agency, including but not limited to gauze, cotton, bandages, surgical dressings, catheters, surgical gloves, irrigating solutions and rubbing alcohol.

10:60-1.5 Nonreimbursable home health services

(a) In addition to those general exclusions outlined in this Subchapter, the following also are nonreimbursable and therefore not included:

[2] 1. Ambulance transportation: This service must be prior authorized and will be reimbursed directly to provider of transportation services.

[3] 2. Housekeeping services: The only exception are those performed by home health aides incidental to personal care services.

[4] 3. Services which are not part of a treatment plan approved by the New Jersey Medicaid Program.

[5] 4. Equipment rented by the home health agency from a third party.

(b) The supplier must bill the program directly.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions to Physicians Manual

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise various Sections throughout the Physicians Manual in Chapter 54 of Title 10 in the New Jersey Administrative Code.

The proposed revisions concern procedure codes with descriptions and physicians' services. The purpose of the proposed revisions is to clarify, update and more clearly define the current text in the Physicians Manual.

Copies of the 34 pages of full text of the proposed revisions may be obtained from or made available for review by writing to:

Administrative Practice Officer  
Division of Medical Assistance and Health Services  
Post Office Box 2486  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, 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 these revisions substantially as proposed without further notice.

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(c)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions Concerning Verification Of Unemployment/Disability Insurance Benefits

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise portions of N.J.A.C. 10:81-8.7 in the Public Assistance Manual concerning the verification of unemployment/disability insurance benefits.

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

10:81-8.7(c)3. When a client cannot provide the information and fails in his/her efforts to secure it him/herself, or there is reason to believe that the client is furnishing inaccurate or incomplete information, the agency [may address an inquiry in writing to the appropriate local office

of the New Jersey State Employment Service. Requests must be limited to specific information relating to the client's eligibility for benefits or the status of his/her claim] shall request the necessary data from the Division of Unemployment and Disability Insurance by submitting form PA-24 to the central office of the Division. Routine requests for such information shall not be made.

10:81-8.7(c)[4. No requests shall be addressed directly to the State office of the Division of Employment Security regarding unemployment insurance benefits.]

10:81-8.7(d)3. If the client still has not received payment, or notice of ineligibility for benefits for a claim made under the private plan, a direct inquiry in writing shall be sent to the employer. [If the claim has been filed under private plan or to the Disability Insurance Service, Division of Employment Security, John Fitch Plaza, Trenton, New Jersey 08625, if claimed under State Plan, concerning the status of the claim.] If filed under the State plan, inquiry shall be made to the Division of Unemployment and Disability Insurance, through use of form PA-24. In such instances assistance shall be continued until receipt of a reply, and further appropriate action taken when the reply is received.

10:81-8.7(d)[4. Inquiries shall not be made on a routine basis, and no inquiries concerning temporary disability benefits are to be sent to the local offices of the Employment Service.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Division of Public Welfare  
Box 1627  
Trenton, N.J. 08625

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Revisions Concerning Fraudulent Receipt of Assistance

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise portions of the rules concerning fraudulent receipt of assistance.

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

10:81-7.40(d) Statutory authority regarding the identification and treatment of assistance fraud may be found in New Jersey Statutes Revised, Titles 2A and 44 as follows: N.J.S.A. 44:7-32 (regarding assistance obtained falsely and the resultant prohibition on future grant entitlement); N.J.S.A. 2A:111-2 (regarding money or other property obtained falsely); N.J.S.A. 2A:111-3 (regarding medical treatment or financial assistance obtained falsely); N.J.

S.A. 2A:109-1 (regarding issuance and use of forged records, instruments, documents and the like); N.J.S.A. 2A:131-4 (regarding false swearing); N.J.S.A. 2A:17D-43 (obtaining valuable items from charitable organizations by false statements).

10:81-7.42(a)1. The CWB director may utilize the power of subpoena given him/her by N.J.S.A. 44:7-20 to secure testimony and records pertinent to the investigation and needed to determine true facts.

10:81-7.44(a) In every case where the county welfare board initiates an investigation based upon a belief that fraud has been committed, an initial report [shall be forwarded to the Division of Public Welfare] (PA-33, Investigation initiation sheet) shall be routed through the CWB director to the assistance investigations unit of the Division of Public Welfare. [This report should identify the case and set forth a summary of the information which provoked the investigation. When the investigation is completed, and a determination made as to the further action required, a supplementary report shall be sent to the Division summarizing the results of the investigation and the action to be taken. If the investigation is initiated and completed within a reasonable period of time, the initial and supplementary reports may be combined. If the matter is presented for official action by the welfare board, an entry in the minutes giving the findings and decision will serve as the supplementary or combined report.]

(b) [When a referral is made to the county prosecutor or other law enforcement official, a report shall be sent to the Division of the resulting action. If a decision is made not to prosecute, the report should set forth the reasons if they are known or can be determined. If prosecution is undertaken, the report should set forth all available information on the results of the trial and the nature of sentence if a conviction is entered.] Upon disposition of the case through administrative action, referral to the county prosecutor or court action, a subsequent report (PA-34, Investigation disposition sheet) shall be completed and routed through the CWB director to the assistance investigations unit of the Division of Public Welfare.

10:81-7.47 Rights of an individual under investigation

(a) The CWB shall insure that an individual under investigation shall have the following rights:

1. Right to confidentiality: The agency shall insure that information obtained from or concerning a person under investigation shall be restricted in accordance with this Subchapter. The agency shall take special precautions in obtaining information from a third party so that no facts relevant to the alleged fraud are disclosed, including the reason for the investigation or the nature of the allegation, without the written consent of the individual under investigation.

2. Preservation of civil liberties: The agency shall insure that investigative methods do not infringe on the civil liberties of the individual or interfere with due process of law. The agency shall be prohibited from obtaining forced entry, conducting residence searches, making home visits during normal sleeping hours (generally 10:00 P.M. to 7:00 A.M.) or requiring that an individual be subjected to a lie detector test.

10:81-7.48 Procedure for conducting an interview in the course of fraud investigation

(a) When questioning an individual regarding a charge of possible fraud, the agency shall insure that the following procedure is sequentially observed:

1. In all personal contacts or telephone calls, the investigator shall identify him/herself as an investigator for the CWB.

2. The investigator shall identify and explain the nature of the allegation being made.

3. When questioning becomes accusatory in nature, the investigator shall read and explain the contents of form PA-45 to the individual, explaining his/her right to refrain from answering any question and/or to terminate the interview at will, regardless of the fact that the waiver of rights statement has been signed.

4. The investigator shall ask that the individual sign the waiver of rights statement on form PA-45, indicating that he/she understands his/her rights and agrees to discuss the matter without the presence of an attorney. The investigator shall witness the waiver by signing and dating the document. A copy of the signed document shall be given to the individual.

5. If the individual refuses to sign the waiver, no questioning shall occur at this time. If the individual requests the presence of an attorney, he/she shall make such arrangements before any subsequent interview. However, the investigation shall not be delayed pending an interview.

6. The individual shall be advised of the opportunity, where available to obtain legal counsel through Legal Services, Legal Aid Society, Lawyer Referral Service or the Office of the Public Defender.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Division of Public Welfare  
Box 1627  
Trenton, N.J. 08625

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions for Persons Eligible for Medical Assistance

On March 29, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to certain sections of the Public Assistance Manual concerning persons eligible for medical assistance.

The adopted revisions delete in its entirety the current text of N.J.A.C. 10:81-8.18, Persons eligible for medical assistance, and the marking of that Section as (Reserved) and adopt new rules on the subject to be cited as N.J.A.C. 10:81-8.22 et seq.

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

10:81-8.18 [Persons eligible for medical assistance]  
Reserved

[(a) The following are eligible for medical assistance:

1. Recipients of the public assistance programs administered by the county welfare board.

2. A person is also eligible to receive medical assistance

when he/she meets the eligibility requirements for financial assistance from the county welfare board but refuses a money payment and elects to apply for health services only.

3. Members of AFDC families between 18 and 21 years old who would be eligible except that they are not in school.

4. Recipients of the Supplemental Security Income Program.]

#### 10:81-8.22 Persons eligible for medical assistance

(a) The following are eligible for medical assistance:

1. AFDC: All children and their parents who are eligible for AFDC money payments, whether or not they choose to receive such payments.

2. AFWP: All AFWP children and their parents when the family meets the AFDC-U criteria for "unemployment of the father". Medical assistance is Federally matched only for the children when the AFDC-U criteria is not met and is provided through State funding for the parents.

3. Child under age 21: Any dependent child under age 21 whose family's income as calculated by AFDC procedures, would render the family financially eligible for AFDC, regardless of other program requirements; or a child under age 21 who is independent, whether or not he/she lives with his/her family, so long as such child's income is less than that of the applicable AFDC standard.

4. Certain parents of children under age 21: The parents of a dependent child under age 21, who resides with them, when the family's income as calculated by AFDC procedures, would render them financially eligible for AFDC, regardless of other program requirements, and the father meets the AFDC-U criteria for unemployment.

#### 10:81-8.23 Extension of Medicaid benefits

(a) When an AFDC family loses eligibility for money payments due to increased earnings from, or increased hours of employment, Medicaid eligibility continues for a period of up to four months beginning with the first month of financial ineligibility, if the following conditions exist:

1. Such family was eligible for at least three of the six months immediately preceding the month of termination; and

2. So long as a member of the family remains employed.

#### 10:81-8.24 Determination of eligibility

(a) For families or individuals not eligible for AFDC or AFWP money payments, or for extension of Medicaid benefits under Section 22 of this Subchapter, eligibility shall be determined in accordance with the following regulations:

1. AFDC allowance standards: Financial eligibility shall be based on the AFDC allowance standards in Schedule I of the Assistance Standards Handbook.

2. Eligible unit:

i. Eligibility will be determined for the unit of which the child is a member, as defined in Section 121 of the Assistance Standards Handbook.

ii. A child who lives independently, either alone or with his/her family, shall be recognized as an eligible unit of one. However, when a child is a dependent living with his/her family, the income eligibility of all members of the eligible unit must be determined even though the parents themselves do not qualify for medical assistance.

3. Income calculations:

i. All appropriate regulations in the Assistance Standards Handbook regarding income shall apply in determining financial eligibility.

ii. Earned income shall be calculated in accordance with AFDC procedures in Sections 202.1 and 220. of the Assistance Standards Handbook. The \$30.00 plus  $\frac{1}{3}$  disregard

is only applicable during the first four months after termination of AFDC or AFWP money payments. The disregard shall not apply to cases which have never received money payments or for which money payments have been terminated for longer than four months.

4. Nonapplicable program requirements: Requirements related to the WIN program, employment or training, school attendance of the child, and the child support and paternity program do not apply.

5. Citizenship: Medical assistance is available only for United States citizens or lawfully admitted aliens.

An order adopting these revisions was filed and became effective on March 30, 1976, as R.1976 d.97 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF YOUTH AND FAMILY SERVICES

#### Revisions on Administrative Hearings in Contested Cases

On March 31, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-12 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the rules of the Division of Youth and Family Services concerning administrative hearings in contested cases, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 121(a).

These revisions delete the current text of N.J.A.C. 10:120-1.1 through 10:120-1.19 and adopt new text therein, to be cited as N.J.A.C. 10:120-1.1 et seq.

An order adopting these revisions was filed and became effective on March 31, 1976, as R.1976 d.99.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rules on Pharmaceutical Assistance to the Aged Manual

On March 29, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 10:69A-1.1 et seq., entitled Pharmaceutical Assistance to the Aged Manual, substantially as proposed in the Notice published November 6, 1975, at 7 N.J.R. 505(c), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

Copies of the substantive changes may be obtained by writing to:

Administrative Analyst  
Division of Medical Assistance and Health Services  
Department of Institutions and Agencies  
Post Office Box 2486  
Trenton, New Jersey 08625

An order adopting these rules was filed and became effective on April 5, 1976, as R.1976 d.102.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

#### State Plan for Vocational Rehabilitation of Blind Persons

On June 2, 1975, Joseph Kohn, Executive Director of the Commission for the Blind and Visually Impaired in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:6-11 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a revised State Plan for Vocational Rehabilitation of Blind Persons, to be cited as N.J.A.C. 10:98-1.1 et seq., as proposed in the Notice published May 8, 1975, at 7 N.J.R. 226(a).

An order adopting this revised State Plan was filed April 8, 1976, as R.1976 d.106.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Revisions on 1976 Cost Study and Instructions for Long-Term Care Facilities

On April 6, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions concerning the 1976 cost study and instructions for long-term care facilities, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 120(a), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

Such revisions may be cited as N.J.A.C. 10:63-3.1 et seq. An order adopting these revisions was filed and became effective on April 19, 1976, as R.1976 d.113.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSURANCE

### THE COMMISSIONER

#### Proposed Rules on Insurance Licensing of Financial Institutions

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:17-12, 17:22-6.1 et seq., 17B:17-3 and 17B:22-8, proposes to adopt new rules concerning the transactions of insurance by financial institutions in New Jersey.

Full text of the proposed new rules follows:

#### SUBCHAPTER 10. INSURANCE LICENSING OF FINANCIAL INSTITUTIONS

##### 11:1-10.1 Definitions

"Credit life insurance" means insurance on the life of a debtor pursuant to or in connection with a specific loan or other transaction of no more than ten years duration.

"Credit health insurance" means accident and health insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction of no more than ten years duration while the debtor is disabled as defined in the policy.

"Financial institution" means any banking institution or savings and loan association which regularly accepts deposits from New Jersey residents not regularly employed by said lending institutions or its affiliates or bank holding company; finance company (except any finance company affiliated with an insurance company); mortgage loan company; credit union; or any other institution whose principal business is the lending of money; nor any parent company, subsidiary, affiliate, service corporation or member bank of the foregoing institutions.

"Group mortgage cancellation life insurance" means group insurance on the life of a mortgagor pursuant to, in connection with, and limited by a mortgage loan transaction not exceeding the sum of \$30,000 issued to creditors on a term plan.

"Group mortgage cancellation health insurance" means group insurance or disability benefit coverage on group credit life insurance policies on the life or health of a mortgagor issued to creditors on a term plan pursuant to, in connection with, and limited by a mortgage loan transaction not exceeding the sum of \$30,000.

##### 11:1-10.2 Limitation of authority

No insurance agent's, broker's or solicitor's license shall be renewed or issued to any financial institution as defined herein except that such financial institution may obtain authority to solicit and negotiate contracts of credit life insurance, credit health insurance or group mortgage cancellation life insurance or group mortgage cancellation health insurance.

##### 11:1-10.3 Surrender of old license

No individual, partnership or corporation or other entity shall act as an insurance agent, broker or solicitor without first procuring a license in conformance with N.J.S.A. 17B:22-1, et seq. All insurance agents' and brokers' licenses not limited to credit life insurance, credit health insurance, group mortgage cancellation life insurance or group mortgage health insurance presently held by any financial institution as defined herein shall be surrendered forthwith to the Commissioner.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 30, 1976, to:

Herman W. Hanssler  
Assistant Commissioner  
Department of Insurance  
201 East State Street  
Trenton, New Jersey 08625

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

James J. Sheeran  
Commissioner  
Department of Insurance

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### Proposed Rules Delegating Investigative Authority To County and Municipal Offices of Consumer Protection

William F. Hyland, Attorney General of the State of New Jersey, pursuant to authority of L.1975, c.376, proposes to adopt new rules delegating certain investigative authority to county and municipal offices of consumer protection.

Full text of the proposed rules follows:

#### SUBCHAPTER 13. POWERS TO BE EXERCISED BY COUNTY AND MUNICIPAL OFFI- CERS OF CONSUMER AFFAIRS

##### 13:45A-13.1 General purpose and intent

Those regulations are promulgated pursuant to authority conferred by L. 1975 c. 376 and are intended to operate as working guidelines for county and municipal consumer protection agencies in the exercise of powers conferred herein. Any and all powers delegated hereby shall be exercised in strict accordance herewith and with such directives as may from time to time be issued by the Attorney General through the Director of the Division of Consumer Affairs.

##### 13:45A-13.2 Definitions

The following words or terms shall have the indicated meanings unless the context clearly indicates otherwise:

"Director" shall mean the Director of the Division of Consumer Affairs.

"Person" shall mean any natural person or his legal representative, partnership, corporation, company, trust, business entity or association, and any agent, employee, salesman, partner, officer, director, member, stockholder, associate, trustee or cestuis que trustent thereof.

"Act" shall mean the New Jersey Consumer Fraud Act L.1960 c.39 (C.568-1 et seq.) as amended and supplemented.

##### 13:45A-13.3 General provisions

(a) The powers hereinafter delegated shall be exercised consistent herewith in the name of a county or municipal director of consumer affairs. Such a director shall be established by resolution adopted by a County Board of Freeholders or by ordinance adopted by the governing body of a municipality. In the event that such ordinance

or resolution has been adopted prior hereto, the same shall be deemed valid for the purpose of creating a county or municipal director as required hereby.

(b) The powers delegated herein shall be exercised exclusively by the director of a county office of consumer affairs or by a municipal director of consumer affairs until such time as a county director shall be established by the Board of Freeholders of such county.

#### 13:45A-13.4 Qualifications of county or municipal director

(a) A county or municipal director of consumer affairs in order to exercise those powers hereinafter delegated shall:

1. Be established by formal appointment by resolution adopted by the County Board of Freeholders or by ordinance adopted by the governing body of the municipality.

2. Successfully complete such initial educational and training courses as may be established by the Director and such supplemental courses as may from time to time be prescribed.

3. Require that all staff employees or representatives dealing with the investigation or mediation of consumer complaints successfully complete such educational and training courses as may be established by the director. In the event that such staff employees or representatives shall fail to successfully complete such courses or shall be employed prior to the giving of such course, such employees or representatives may continue in such employment under the direct supervision and control of an individual who has successfully completed the course.

4. File such reports with the Division of Consumer Affairs as may be required by the Director.

#### 13:45A-13.5 Termination of authority to exercise delegated authority

(a) The authority to exercise those powers hereinafter delegated to a county or municipal director of consumer affairs may be suspended or revoked for:

1. Failure to comply with the requirements contained in Section 4 hereof.

2. Failure to comply with any requirement or limitation regarding the exercise of those powers hereinafter delegated.

3. Failure to administer a county or local office of consumer protection in accordance with such directives as may be issued by the director.

#### 13:45A-13.6 Delegated powers

(a) A county or local director of consumer affairs, subject to the limitations hereinafter set forth may:

1. Initiate investigations whenever it shall appear to such director that a person has engaged in, is engaging in or is about to engage in any act declared unlawful by the Act as amended and supplemented or in any act or practice which violates any regulation promulgated by the Attorney General to the Act. Such investigations may be commenced either on the complaint of an individual consumer or where, after independent inquiry made by the county or municipal director, it appears that a violation of the Act or any regulation adopted pursuant thereto has occurred or may occur in the future.

2. Require any person to file a statement or report in writing under oath or otherwise, as to all the facts and circumstances concerning the sale or advertisement of merchandise by such person and such other data and information as may be necessary to determine whether a violation of the Act or a regulation adopted pursuant thereto has occurred or will occur.

3. Examine under oath any person in connection with the sale or advertisement of any merchandise.

4. Examine any merchandise or sample thereof, record, book, document, account or paper as may be deemed necessary.

5. Pursuant to an order of the Superior Court, impound any record, book, document, account, paper, or sample of merchandise that is produced in accordance with these regulations, and retain the same until the completion of all proceedings in connection with which the same are produced.

6. Issue subpoenas to any person in aid of any investigation to determine whether a violation of the Act or any regulation adopted by the Attorney General thereto has occurred or will occur. A subpoena shall be issued in the name of the county or municipal director in a form substantially identical to that annexed hereto as Example 1 and shall be signed by counsel to such director. In the event that any person shall fail to comply with a subpoena issued pursuant to this subsection, the county or municipal director may apply to the Superior Court for an order granting such relief as authorized by L.1960, c.39 sec. 6 (C. 56:8-6).

7. Initiate such litigation in the courts in the name of the director seeking such relief as may be authorized by the Act. In the event that litigation is to be commenced by a county or municipal director of consumer affairs, notice thereof shall be given to the director by serving a copy of the proposed complaint and any supporting documents to be filed with the court not less than 15 days prior to the filing of such action. Where litigation is to be commenced by seeking a temporary restraining order on an emergent basis, the Director shall be notified of such action consistent with the rules of court governing such applications.

#### 13:45A-13.7 Limitations; litigation

Whenever it shall appear to the director that any litigation or any other action authorized by the within regulation is improperly brought or is contrary to the public interest, such action shall, on notice to the county or municipal director, be terminated, suspended or modified as may be directed.

#### 13:45A-13.8 Restrictions; powers

(a) A county or municipal director of consumer affairs shall not:

1. Promulgate substantive regulations governing the sale or advertisement of merchandise or defining unlawful practices; provided, however, nothing herein contained shall be deemed to prohibit the adoption of internal administrative procedures governing the handling and processing of complaints received from consumers.

2. Conduct any administrative hearing of a quasi-judicial nature for the purpose of assessing any civil penalty, ordering any restoration of consumer moneys or directing that any person cease and desist from engaging in any unlawful practices; provided, however, nothing herein contained shall be deemed to prohibit the negotiation of any agreement by consent to remedy any individual consumer complaint or the cessation of any unlawful consumer practice.

3. Attempt to confer or grant immunity from any criminal prosecution as authorized by L.1960 c.39 sec. 7 (C. 56:8-7).

#### 13:45A-13.9 Effective date

These regulations shall be effective upon the filing of a final order adopting the same with the Division of Administrative Procedure.

**EXAMPLE 1.**

(County or Municipality)

County or Municipal Seal  
(optional)

TO:

**GREETING:**

WE COMMAND YOU that, laying aside all business and excuses, you personally severally attend and appear before at the ..... on ..... the ..... day of ....., 197....., at ..... o'clock in the ..... noon of that day to testify in a certain investigation now pending between .....

concerning the facts and circumstances relating to the sale or advertisement of merchandise or services to .....

And also that you bring with you and produce at the same time and place aforesaid all records, books, documents, accounts and papers relevant and material to the inquiry, as follows: .....

FAILURE to comply with this subpoena may render you liable for contempt of court and such other penalties as provided by law.

Dated: ....., 197.....

Counsel to Director of Consumer Affairs

.....  
Director of Consumer Affairs  
(County or Municipality)

Interested persons may present statements or arguments in writing relevant to the proposed regulations on or before June 6, 1976, to Virginia Long, Director of the Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey 07102.

The Attorney General of New Jersey, upon his own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

William F. Hyland  
Attorney General  
State of New Jersey

**(a)**

**LAW AND PUBLIC SAFETY**

**DIVISION OF CONSUMER AFFAIRS**

**Proposed Revisions to  
Motor Vehicle Advertising Rule**

William F. Hyland, Attorney General of the State of New Jersey, pursuant to authority conferred by N.J.S.A. 56:8-4, proposes to revise and amend the rules of the Division of Consumer Affairs concerning motor vehicle advertising.

Original proposed revisions and amendments appeared in the New Jersey Register at 7 N.J.R. 470 on October 9, 1975. The following proposed amendments are a further modification of those proposed amendments. These modifications were made both in response to comments by auto dealers and other persons affected by the proposed

regulations and on further consideration of both the existing regulations and the abuses needed to be remedied.

Following is the full text of the proposed amendments (additions indicated in boldface thus; deletions indicated in brackets [thus]):

**13:45A-2.1 Definitions**

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

"Advertisement" means any advertisement as defined by N.J.S.A. 56:8-1(a) of any motor vehicle[;] [such definition to include] including any statement [written or otherwise in words, symbols or otherwise, on radio or television, or] appearing in a newspaper, periodical, pamphlet, circular, [telephone directory] or other publication; [or] paper or [any] sign which [reveals the existence of or gives any information about any advertiser] offers or in any way indicates the availability of a motor vehicle for sale at retail.

"Advertiser" means any person as defined by N.J.S.A. 56:8-1(d) who in the ordinary course of business is engaged in the sale or financing of motor vehicles at retail or who in the course of any 12-month period offers more than three motor vehicles for sale, lease or rental, or who is engaged in the brokerage of motor vehicles whether for sale, lease or rental, and who directly or indirectly initiates, requests, or causes an advertisement to be made for motor vehicles; provided, however, that nothing herein contained shall apply to the owner or publisher of newspapers, magazines, publications or printed matter wherein such advertisement appears or to the owner or operator of a radio or television station which disseminates such advertisement when the owner, publisher or operator has no knowledge of the intent, design or purpose of the advertiser. An advertising agency acting in behalf of any person engaged in the sale of motor vehicles shall be deemed an advertiser within the meaning of this regulation where such agency prepares or places an advertisement for publication.

"Extra cost option" means optional equipment, regardless of its place of installation, on the motor vehicle, the price of which would not be included in the manufacturer's suggested retail price for the basic vehicle.

"Motor vehicle" means any vehicle driven or drawn otherwise than by muscular power, excepting such vehicles as run only upon rails or tracks.

["Price advertisement" means any advertisement in which a specific price is stated or in which the price, though not expressly stated, is indicated as being a given amount of dollars below the list price or above the advertiser's cost.]

"Price reduction advertisement" means any advertisement which in any way [suggests that any motor vehicle is being offered for sale at a price less than either the manufacturer's total suggested retail price (15 USC §1232) or the price range such motor vehicles are usually offered for sale by the advertiser] states or suggests directly or indirectly that the advertised motor vehicle is being offered or made available for sale at a price less than that at which it has been usually sold or offered for sale.

"Sale" means a sale as defined by N.J.S.A. 56:8-1(e) of any motor vehicle.

"Warranty advertisement" means any advertisement in which any warranty or guaranty for any motor vehicle or part thereof is offered in connection with the sale of such motor vehicle.

**13:45A-2.2 Unlawful motor vehicle advertising practices**

a. Without limiting any other practices which may be

(Continued on page 34)

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly listing provides an interim service for subscribers to the New Jersey Administrative Code, as a check-list of rules most recently adopted.

The index is current, covering all rules adopted through last month. It is adjusted in the month following that in

which a mailing of update pages has been completed.

Since the most recent update, the various State Departments have adopted the following rules—which have been printed in the Register but are not yet included in current pages of the Code:

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Adoption Notice (N.J.R. Citation)</u>
<b>AGRICULTURE — TITLE 2</b>			
2:2-2.3(a)2.	Revisions on vaccination of female bovine animals	R.1975 d.233	7 N.J.R. 399(a)
2:3-2.3	Revisions on negative reaction of cattle and goats to tuberculosis and brucellosis tests	R.1976 d.98	8 N.J.R. 215(a)
2:5-1.15	Hog cholera quarantine; swine movement in New Jersey	R.1976 d.61	8 N.J.R. 162(a)
2:5-1.15(d)	Lift swine movement stop order; impose for certain counties	R.1976 d.82	8 N.J.R. 162(b)
2:5-1.15(e)	Amend Salem County hog cholera quarantine	R.1976 d.101	8 N.J.R. 215(b)
2:5-1.15(f)	Revisions on quarantine for movement of swine from Burlington County	R.1976 d.110	8 N.J.R. 215(c)
2:17-16.1	Tomato transplants moved into New Jersey	R.1976 d.30	8 N.J.R. 95(c)
2:20-3.2	Red Pine quarantine in parts of Bergen and Passaic Counties	R.1976 d.16	8 N.J.R. 54(c)
2:49-1.1 et seq.	Revised rules on minimum prices for milk	R.1975 d.232	7 N.J.R. 399(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.272	7 N.J.R. 454(a)
2:49-1.1(b)	Revised minimum milk price	R.1975 d.303	7 N.J.R. 494(c)
2:49-1.1(b)	Revise minimum milk prices	R.1975 d.340	7 N.J.R. 539(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.361	8 N.J.R. 5(b)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.9	8 N.J.R. 54(b)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.45	8 N.J.R. 96(a)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.85	8 N.J.R. 162(c)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.114	8 N.J.R. 215(d)
2:54-3.7	Handling of milk in New York-New Jersey milk marketing area	R.1976 d.90	8 N.J.R. 163(a)
2:71-1.23 et seq.	Revisions on shell eggs	R.1975 d.358	8 N.J.R. 3(a)
2:71-5.5	Revisions on potato labeling	R.1975 d.381	8 N.J.R. 54(a)
2:73-2.5(f)	Revisions on use of Seal of Quality	R.1975 d.356	8 N.J.R. 2(b)
2:73-2.7	Revised license fees	R.1975 d.356	8 N.J.R. 2(b)
2:90-1.1 et seq.	Rules of State Soil Conservation Committee	R.1975 d.360	8 N.J.R. 3(b)
2:90-1.12	Municipal ordinances for soil erosion and sedimentation control	R.1975 d.366	8 N.J.R. 5(a)
<b>BANKING — TITLE 3</b>			
3:1-2.1 et seq.	Adopt procedural rules	R.1976 d.83	8 N.J.R. 164(a)
3:1-2.27	Officially recognized data sources	R.1975 d.155	7 N.J.R. 292(a)
3:1-7.1 et seq.	Miscellaneous fees	R.1975 d.120	7 N.J.R. 247(c)
3:1-8.1	Required information for loan applications	R.1975 d.146	7 N.J.R. 291(b)
3:7-4.1 et seq.	Rules on notice of maturity on long-term time deposits	R.1975 d.165	7 N.J.R. 292(b)
3:7-5.1 et seq.	Rules on statements of interest	R.1975 d.185	7 N.J.R. 293(c)
3:8-3.1	Revisions in required reserve	R.1975 d.325	7 N.J.R. 539(c)
3:8-3.1(a)3.	Revisions on required reserves	R.1976 d.15	8 N.J.R. 55(a)
3:11-2.1	Revisions on exclusion from liabilities of controlling corporation	R.1975 d.226	7 N.J.R. 400(b)
3:17-6.1 et seq.	Revisions to small loan law regulations	R.1975 d.147	7 N.J.R. 291(c)
3:19-1.6	License number	R.1975 d.148	7 N.J.R. 291(d)
3:27-5.3	Revisions on excludable loans	R.1975 d.249	7 N.J.R. 400(c)
3:30-1.3	Notice of maturity of fixed-term savings accounts	R.1975 d.169	7 N.J.R. 293(a)
3:30-1.3	Revised effective date of savings account rule	R.1975 d.265	7 N.J.R. 454(b)
3:32-1.1 et seq.	Conversion of mutual association to capital stock association	R.1975 d.352	8 N.J.R. 9(c)
3:40-1.1 et seq.	Rules of State Cemetery Board	R.1975 d.184	7 N.J.R. 293(b)
<b>CIVIL SERVICE — TITLE 4</b>			
4:1-8.6	Revisions on promotional examinations	R.1976 d.51	8 N.J.R. 101(a)
4:1-8.8	Qualifications of applicants for open competitive examinations	R.1976 d.52	8 N.J.R. 101(b)
4:1-8.21	Make-up examinations	R.1976 d.53	8 N.J.R. 101(c)
4:1-9.6	Tie scores on examinations	R.1976 d.52	8 N.J.R. 101(b)
4:1-9.13	Additions to eligible lists	R.1976 d.53	8 N.J.R. 101(c)
4:1-10.2(c)	Revisions on appointments based on examinations in noncompetitive and labor divisions	R.1976 d.53	8 N.J.R. 101(c)
4:1-17.11	Amount of vacation leave	R.1976 d.52	8 N.J.R. 101(b)
4:1-17.24(k)	Unused sick leave payments to nonclassified employees	R.1975 d.218	7 N.J.R. 401(b)

**COMMUNITY AFFAIRS — TITLE 5**

5:21-3.3 et seq.	Revisions in Uniform Standards Code of Mobile Homes	R.1975 d.166	7 N.J.R. 305(a)
5:22-1.1 et seq.	Rules on tax abatement on added assessments	R.1975 d.327	7 N.J.R. 540(b)
5:22-1.1	Revised definitions on tax abatement on added assessments	R.1976 d.64	8 N.J.R. 171(b)
5:30-1.8	Emergency resolutions exceeding three per cent limitation	R.1975 d.168	7 N.J.R. 306(a)
5:30-1.9	Implementation of Housing and Community/Development Act	R.1975 d.287	7 N.J.R. 497(b)
5:30-1.10	Contracts; expenditures	R.1975 d.322	7 N.J.R. 540(a)
5:30-1.11	Rule on realized revenue	R.1976 d.91	8 N.J.R. 216(c)
5:71-1.1 et seq.	Rules on county offices on aging	R.1975 d.192	7 N.J.R. 355(a)
5:80-2.1	Equity syndication, agency-financed limited-dividend housing projects	R.1975 d.258	7 N.J.R. 459(a)

**EDUCATION — TITLE 6**

6:1-2.2	Delete rule on regular meetings	R.1976 d.34	8 N.J.R. 106(a)
6:1-2.3	Revisions on special meetings	R.1976 d.34	8 N.J.R. 106(a)
6:3-1.19	Evaluation of nontenured teaching staff	R.1976 d.13	8 N.J.R. 62(a)
6:3-1.20	Procedure for appearance before local board of education	R.1976 d.13	8 N.J.R. 62(a)
6:11-3.31	Repeal rule on certification appeals	R.1976 d.14	8 N.J.R. 62(b)
6:11-6.2(c)	Amendment on endorsement of instructional certificate	R.1976 d.33	8 N.J.R. 107(a)
6:11-8.2(a)8.	Reading requirements for teacher education programs	R.1976 d.84	8 N.J.R. 174(a)
6:11-8.3(e)	Amendment on instructional supplement to standards	R.1976 d.33	8 N.J.R. 107(a)
6:28-1.9 et seq.	Revisions on special education	R.1976 d.88	8 N.J.R. 174(b)
6:28-1.9 et seq.	Ratification of adopted rules on special education	R.1976 d.120	8 N.J.R. 220(a)

**ENVIRONMENTAL PROTECTION — TITLE 7**

7:1C-1.1 et seq.	Rules on 90-day construction permits	R.1975 d.347	7 N.J.R. 548(a)
7:1C-1.5(a)4.	Revisions on stream encroachment	R.1976 d.76	8 N.J.R. 180(a)
7:2-2.13	Revised charges at State parks	R.1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R.1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R.1975 d.134	7 N.J.R. 261(c)
7:2-16.1 et seq.	Revised rules on Island Beach State Park	R.1976 d.111	8 N.J.R. 222(b)
7:6-1.1 et seq.	Revised rules on power vessels	R.1976 d.32	8 N.J.R. 107(d)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R.1974 d.188	6 N.J.R. 306(a)
7:7A-1.1(a)15.	Extend Wetlands Order to parts of Cumberland County	R.1975 d.32	7 N.J.R. 103(a)
7:7A-1.1(a)16.	Extend wetlands order to parts of Atlantic County	R.1975 d.216	7 N.J.R. 413(b)
7:7D-1.1 et seq.	Appeals procedures: Coastal Area Review Board	R.1975 d.345	7 N.J.R. 551(a)
7:7D-1.5 et seq.	Revisions on CARB appeals procedures	R.1976 d.60	8 N.J.R. 178(a)
7:9-4.1 et seq.	Revise surface water quality standards	R.1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6iv.	Delete text on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment rules formerly cited 7:9-7.29 - .34	R.1974 d.310	6 N.J.R. 470(c)
7:9-13.1 et seq.	Rules on sewerage connection bans	R.1975 d.302	7 N.J.R. 499(e)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R.1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R.1974 d.363	7 N.J.R. 50(a)
7:12-1.1 et seq.	Revisions on shellfish-growing water classification	R.1976 d.54	8 N.J.R. 108(a)
7:12-1.1	Revised rules on shellfish beds	R.1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R.1974 d.336	7 N.J.R. 6(b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R.1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R.1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R.1975 d.27	7 N.J.R. 102(c)
7:12-1.3(a)5.ii.	Revisions condemning certain shellfish beds	R.1975 d.341	7 N.J.R. 547(b)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R.1975 d.105	7 N.J.R. 206(b)
7:13-1.11(c)21	Main stem of Delaware River delineated	R.1975 d.376	8 N.J.R. 15(a)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R.1974 d.268	6 N.J.R. 394(b)
7:20-6.1	Criteria for floodway and flood hazard area delineation	R.1975 d.104	7 N.J.R. 207(a)
7:25-2.1 et seq.	Revisions for public shooting and fishing grounds	R.1975 d.292	7 N.J.R. 499(c)
7:25-2.14	Field trial activities	R.1975 d.291	7 N.J.R. 499(b)
7:25-2.15	Revisions on controlled hunting	R.1975 d.281	7 N.J.R. 464(b)
7:25-5.1 et seq.	1975-76 Game Code	R.1975 d.178	7 N.J.R. 310(c)
7:25-5.26	Special pheasant and quail stamp required	R.1975 d.277	7 N.J.R. 464(a)
7:25-5.27	Use of conibear traps	R.1975 d.290	7 N.J.R. 499(a)
7:25-6.1 et seq.	1975 Fish Code	R.1974 d.253	6 N.J.R. 394(a)
7:25-6.1 et seq.	1976 Fish Code	R.1975 d.301	7 N.J.R. 499(d)
7:25-7.10	Oyster seed beds for 1975 season	R.1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rules on mussels	R.1975 d.133	7 N.J.R. 261(b)

7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:25-12.1	Revisions on preservation of sea clam resource	R.1976 d.65	8 N.J.R. 179(a)
7:25-9.3	Hard Clams	R.1975 d.367	8 N.J.R. 14(b)
7:25-9.4	Designation of scallop season	R.1975 d.365	8 N.J.R. 14(a)
7:25-11.1	List of endangered species	R.1974 d.348	7 N.J.R. 6(c)
7:25-11.1	List of endangered species	R.1975 d.164	7 N.J.R. 311(a)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:26-2.5 et seq.	Revisions in rules of Bureau of Solid Waste Management	R.1974 d.234	6 N.J.R. 343(c)
7:26-2.5	Amend effective date of rule	R.1975 d.190	7 N.J.R. 360(b)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R.1975 d.66	7 N.J.R. 149(b)
7:26-2.6(d)4	Revised effective date of solid waste rule	R.1975 d.271	7 N.J.R. 463(b)
7:26-4.1 et seq.	Revised fee schedule	R.1975 d.136	7 N.J.R. 259(a)
7:27-2.1 et seq.	Revised rules on control of open burning	R.1975 d.326	7 N.J.R. 547(c)
7:27-8.1 et seq.	Revisions concerning air pollution control rules on permits and certificates	R.1976 d.96	8 N.J.R. 221(c)
7:27-9.5	Temporary variances	R.1976 d.81	8 N.J.R. 181(a)
7:27-9.5(c)	Amend rules on temporary variances	R.1976 d.100	8 N.J.R. 222(a)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R.1975 d.22	7 N.J.R. 102(b)
7:27-15.4(b)	Revisions on control of air pollution from light-duty motor vehicles	R.1976 d.12	8 N.J.R. 62(c)
7:27-16.1 et seq.	Volatile organic substances	R.1975 d.377	8 N.J.R. 15(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R.1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R.1975 d.136	7 N.J.R. 261(d)
7:27B-1.1 et seq.	Revised rules on sampling and analytical procedures; manufacturing processes and combustion of fuels	R.1976 d.121	8 N.J.R. 223(a)
7:27B-2.1 et seq.	Procedures for visual determination of emissions from sources	R.1975 d.76	7 N.J.R. 144(a)
7:27B-2.1 et seq.	Revised rules on visual determination of opacity on emissions from sources	R.1976 d.121	8 N.J.R. 223(a)
7:27B-3.1 et seq.	Emissions of solid particle from combustion of fuel	R.1975 d.135	7 N.J.R. 261(d)
7:35-1.1 et seq.	Rules on tax exemption on real property of nonprofit corporations	R.1975 d.179	7 N.J.R. 310(b)

## HEALTH — TITLE 8

8:2-1.1	Revisions on birth certificates	R.1975 d.194	7 N.J.R. 362(c)
8:7-1.4	Board of Examiners licensure of persons for public health positions	R.1976 d.1	8 N.J.R. 65(a)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R.1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R.1974 d.185	6 N.J.R. 310(b)
8:21-1.24	Labeling of feminine deodorant sprays	R.1976 d.19	8 N.J.R. 65(b)
8:21-1.25	Cosmetic product warning statements	R.1976 d.50	8 N.J.R. 118(b)
8:21-1.26	Drugs in dispensers pressurized by gaseous propellants for over-the-counter sale	R.1976 d.123	8 N.J.R. 227(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R.1974 d.204	6 N.J.R. 311(a)
8:21-4.1 et seq.	Delete text of Subchapter 4	R.1975 d.320	7 N.J.R. 503(b)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R.1974 d.361	7 N.J.R. 56(b)
8:21-5.1 et seq.	Revise acidified milk and fluid milk products rules	R.1975 d.320	7 N.J.R. 503(b)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R.1974 d.184	6 N.J.R. 310(a)
8:21-9.5	Revised wholesale licensing fees	R.1975 d.299	7 N.J.R. 501(a)
8:21-10.11	Acidified milk and acidified milk products	R.1975 d.320	7 N.J.R. 503(b)
8:31-5.1 et seq.	Delete entire Subchapter 5	R.1975 d.315	7 N.J.R. 503(a)
8:31-10.1	Licensing of drug-related facilities	R.1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R.1974 d.195	6 N.J.R. 310(e)
8:31-12.1	Long-term care facilities	R.1975 d.368	8 N.J.R. 16(a)
8:31-14.1 et seq.	1975 hospital rate review	R.1975 d.54	7 N.J.R. 152(b)
8:31-14.1	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)
8:31-16.1	Hospital long range plans	R.1975 d.201	7 N.J.R. 362(d)
8:31-14.9	Revisions on hospital rate review appeals board	R.1975 d.321	7 N.J.R. 503(c)
8:31-17.1 et seq.	Standard hospital accounting and rate evaluation system (SHARE)	R.1975 d.239	7 N.J.R. 415(b)
8:31-18.1 et seq.	Rules for experimental medical reporting systems	R.1975 d.271	7 N.J.R. 463(b)
		R.1975 d.245	7 N.J.R. 416(a)
8:31-19.1 et seq.	Methods of determining final 1974 hospital rates	R.1975 d.244	7 N.J.R. 414(b)
8:31-20.1 et seq.	1977 hospital rate review rules	R.1975 d.312	7 N.J.R. 501(b)
8:31-21.1 et seq.	Guidelines for 1976 hospital rate review program	R.1975 d.314	7 N.J.R. 502(b)
8:31-22.1 et seq.	Doctors' office owned and/or sponsored by health care facilities	R.1976 d.20	8 N.J.R. 65(c)
8:31-23.1 et seq.	Parking garages owned and/or sponsored by health care facilities	R.1976 d.25	8 N.J.R. 66(e)
8:31-24.1 et seq.	Design and construction of interns, residents and nurses housing facilities	R.1976 d.21	8 N.J.R. 66(a)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R.1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R.1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R.1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R.1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R.1974 d.318	6 N.J.R. 472(d)
8:31-21.1 et seq.	Guidelines for submission of certificate of need applications	R.1975 d.315	7 N.J.R. 503(a)

8:33-1.11	Continuation of mixing skilled nursing facilities levels A and B	R.1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R.1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R.1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R.1974 d.269	6 N.J.R. 397(d)
8:33-1.13	Scheduling and completing hearings for certificate of need applicants	R.1974 d.194	6 N.J.R. 310(d)
8:34-1.2	Define responsible administrative positions	R.1975 d.313	7 N.J.R. 502(a)
8:34-1.18(a)3	Delete part of rule on refusal of licenses	R.1975 d.193	7 N.J.R. 362(b)
8:35-1.1 et seq.	Revised criteria on mixed obstetric and gynecologic floors	R.1975 d.60	7 N.J.R. 164(c)
8:38-1.1 et seq.	Rules concerning HMOs	R.1974 d.320	6 N.J.R. 473(a)
8:40-4.1 et seq.	Interim regulations for abortion facilities with temporary license	R.1974 d.215	6 N.J.R. 345(c)
8:40-5.1	Reporting abortions performed in hospitals	R.1974 d.316	6 N.J.R. 472(b)
8:43-1.1 et seq.	Boarding home for sheltered care	R.1974 d.319	6 N.J.R. 472(e)
8:43B-1.1 et seq.	Interim rules on construction and licensure of various health facilities	R.1975 d.256	7 N.J.R. 416(b)
8:43B-3.1(d)	Amend building standards	R.1976 d.23	8 N.J.R. 66(c)
8:43B-10.2	Revisions to manual of standards for hospital facilities	R.1976 d.22	8 N.J.R. 66(b)
8:43B-13.3(d)	Delete rule on long-term care units in general acute hospitals	R.1976 d.24	8 N.J.R. 66(d)
8:43D-1.1 et seq.	Bylaws of Health Care Administration Board	R.1975 d.372	8 N.J.R. 16(b)
8:43D-1.4(a)4.	Amend bylaw on abstention and quorum vote	R.1976 d.89	8 N.J.R. 183(b)
8:49-5.10(b)	Training of homemaker-home health aides	R.1976 d.122	8 N.J.R. 227(a)
8:57-4.1 et seq.	Immunization of pupils in school	R.1975 d.121	7 N.J.R. 264(a)
8:64-3.1	Definition of soap	R.1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R.1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R.1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R.1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R.1975 d.55	7 N.J.R. 155(a)
8:65-7.8(e)	Amend rule on requirements of schedule II prescriptions	R.1975 d.349	7 N.J.R. 556(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R.1975 d.209	7 N.J.R. 363(a)
8:65-11.1 et seq.	Narcotic treatment program	R.1975 d.59	7 N.J.R. 164(c)

#### HIGHER EDUCATION — TITLE 9

9:2-2.27	Revise salary rate for adjunct faculty at State colleges	R.1975 d.257	7 N.J.R. 464(c)
9:9-1.9	Delete rule on married students	R.1976 d.108	8 N.J.R. 228(b)
9:9-1.31	Revisions on late charges	R.1976 d.17	8 N.J.R. 66(f)
9:9-1.33(d)	Revised procedure for filing claims	R.1976 d.17	8 N.J.R. 66(f)
9:9-4.1 et seq.	Policy governing direct public loans	R.1975 d.217	7 N.J.R. 416(c)
9:9-5.1 et seq.	Policy governing graduate insured loans	R.1975 d.217	7 N.J.R. 416(c)

#### INSTITUTIONS AND AGENCIES — TITLE 10

10:34-1.1 et seq.	Minimum standards for county correctional facilities	R.1975 d.300	7 N.J.R. 506(c)
10:35-1.1 et seq.	Revised standards	R.1975 d.108	7 N.J.R. 272(a)
10:35-7.4(b) et seq.	Revised standards	R.1974 d.273	6 N.J.R. 432(b)
10:35-18.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-19.12	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-28.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.3(b)	Revised fee schedules	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.5	Waiver of payment by court order	R.1974 d.356	7 N.J.R. 59(b)
10:35-63.1 et seq.	Inmate responsibility for personal property of substantial value	R.1974 d.273	6 N.J.R. 432(b)
10:35-64.1 et seq.	Inmate marriages	R.1974 d.273	6 N.J.R. 432(b)
10:35-65.1 et seq.	Volunteers in parole program	R.1974 d.356	7 N.J.R. 59(b)
10:35-66.1 et seq.	Probable cause hearing	R.1974 d.356	7 N.J.R. 59(b)
10:35-67.1 et seq.	Distribution of money and personal belongings of deceased inmates	R.1974 d.356	7 N.J.R. 59(b)
10:35-68.1 et seq.	Inmates' personal savings accounts	R.1974 d.356	7 N.J.R. 59(b)
10:35-69.1 et seq.	Revised rules on administrative segregation	R.1975 d.108	7 N.J.R. 272(a)
10:46-4.3	Application for admission; delinquent minor	R.1975 d.158	7 N.J.R. 328(b)
10:47-1.1 et seq.	Manual of standards for private mentally retarded institutions	R.1975 d.203	7 N.J.R. 364(a)
10:49-1.17	Claim submittal time limits	R.1975 d.151	7 N.J.R. 329(c)
10:49-1.17(c)	Amendment concerning noninstitutional providers	R.1975 d.150	7 N.J.R. 328(d)
10:49-1.25	Temporary fee reduction concerning Medicaid	R.1975 d.225	7 N.J.R. 421(a)
10:49-1.26	Reduction in reimbursement for laboratory services	R.1975 d.206	7 N.J.R. 365(a)
10:49-1.28	Medicaid payments to hospitals	R.1975 d.383	8 N.J.R. 70(b)
10:49-1.29	Eliminate certain Medicaid program services	R.1975 d.380	8 N.J.R. 70(a)
10:49-1.29	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:51-1.1 et seq.	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:51-1.1 et seq.	Revisions to pharmacy manual	R.1975 d.182	7 N.J.R. 333(b)
10:51-1.2	Definition of eligible pharmacies in New Jersey	R.1974 d.297	6 N.J.R. 477(c)
10:51-1.8	Revised pharmaceutical services not eligible for payment	R.1975 d.317	7 N.J.R. 507(b)
10:51-1.10	Revisions concerning pharmacy providers	R.1974 d.312	6 N.J.R. 478(c)
10:51-1.10(d)	Revised dispensing fee	R.1975 d.223	7 N.J.R. 419(d)
10:51-1.10(g)	Revisions on legend drugs	R.1975 d.163	7 N.J.R. 329(b)

10:51-1.11(a)3	Revisions on institutional pharmacies	R.1975 d.156	7 N.J.R. 328(a)
10:52-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.206	7 N.J.R. 364(c)
10:52-1.1 et seq.	Revised portions of hospital manual	R.1974 d.201	6 N.J.R. 313(a)
10:52-1.1 et seq.	Revisions on physicians services	R.1975 d.229	7 N.J.R. 431(a)
10:52-1.2(a)18.	Revisions on hospital services	R.1974 d.296	6 N.J.R. 478(a)
10:52-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.4	Revisions in special provisions for general hospitals	R.1974 d.339	7 N.J.R. 8(a)
10:52-1.7(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.15	Reimbursement of third-party claims	R.1975 d.204	7 N.J.R. 364(b)
10:52-2.11	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:52-3.1 et seq.	Rules on teleprocessing	R.1975 d.230	7 N.J.R. 431(b)
10:53-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:53-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:53-1.6(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.1	Define office visits	R.1975 d.86	7 N.J.R. 226(d)
10:54-1.1 et seq.	Revisions to the Physicians Manual	R.1975 d.227	7 N.J.R. 430(a)
10:54-1.2(f)	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:54-1.13 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:54-1.19	Revisions concerning specialist recognition	R.1974 d.201	6 N.J.R. 313(a)
10:54-1.19	Revisions concerning specialists	R.1974 d.311	6 N.J.R. 478(b)
10:54-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:54-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:54-4.1 et seq.	Revised physicians fee schedule	R.1975 d.231	7 N.J.R. 431(c)
10:55-1.2	Revisions concerning eligible providers; prosthetic, orthotic manual	R.1974 d.187	6 N.J.R. 312(e)
10:56-1.16	Revisions on dental services	R.1975 d.262	7 N.J.R. 466(a)
10:56-1.36 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:56-1.48	Recovery of payments correctly made	R.1974 d.202	6 N.J.R. 313(b)
10:56-2.1(d)	Dental providers	R.1974 d.203	6 N.J.R. 313(c)
10:57-1.4	Revisions on noncovered services	R.1975 d.162	7 N.J.R. 329(a)
10:57-1.14 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:57-2.1 et seq.	Revisions on billing procedures	R.1974 d.222	6 N.J.R. 351(c)
10:59-1.7(a)6.	Revised prior authorization and medical supply services	R.1975 d.31	7 N.J.R. 105(b)
10:60-1.1 et seq.	Revisions on home health care services	R.1975 d.354	8 N.J.R. 37(b)
10:60-1.16	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:61-1.1 et seq.	Revised rules on independent laboratory services	R.1975 d.224	7 N.J.R. 420(a)
10:61-1.5	Revisions on reimbursements in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:61-2.5	Revisions on report of services in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:62-1.1 et seq.	Revisions to vision care manual	R.1974 d.181	6 N.J.R. 312(c)
10:62-2.2(a)2	Revisions on reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:62-2.3(j)	Curtailement of reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:63-1.10(a)5.	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:63-1.13	Plans of correction of deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:63-1.14	Skilled nursing and intermediate care services	R.1975 d.87	7 N.J.R. 227(a)
10:63-1.15	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:63-3.1 et seq.	Revised 1976 costs study and instructions for long term care facilities	R.1976 d.113	8 N.J.R. 232(d)
10:63-3.1 et seq.	1975 cost study and instructions long-term care facilities	R.1975 d.149	7 N.J.R. 328(c)
10:64-1.2 et seq.	Revisions to hearing aid manual	R.1975 d.14	7 N.J.R. 58(b)
10:65-1.2	Plans of correction for deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:66-1.3	Out-of-State clinics	R.1974 d.295	6 N.J.R. 477(b)
10:66-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:66-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:66-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:67-2.1 et seq.	Revised procedure for Administrative Code numbers	R.1974 d.245	6 N.J.R. 399(b)
10:69-1.1 et seq.	Reimbursement to pharmaceutical consultants in long-term care facilities	R.1976 d.6	8 N.J.R. 70(c)
10:69A-1.1 et seq.	Pharmaceutical Assistance to the Aged Manual	R.1976 d.102	8 N.J.R. 232(b)
10:81			
Appendix D	Revise effective date to August 1, 1975	R.1975 d.208	7 N.J.R. 365(b)
10:81-1.1 et seq.	New Public Assistance Manual	R.1975 d.29	7 N.J.R. 105(c)
10:81-1.1 et seq.	Revisions to public assistance manual	R.1976 d.63	8 N.J.R. 195(b)
10:81-3.3(i)	Revisions on noncontributory persons in a household	R.1975 d.64	7 N.J.R. 167(b)
10:81-6.13(a)	Revisions on fair hearings	R.1975 d.280	7 N.J.R. 467(a)
10:81-6.13(a)	Revisions of fair hearing	R.1975 d.280	7 N.J.R. 467(a)
10:81-8.18	Delete current text and mark Section Reserved	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.22	Persons eligible for medical assistance	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.23	Extension of Medicaid benefits	R.1976 d.97	8 N.J.R. 231(a)
10:81-8.24	Determination of eligibility	R.1976 d.97	8 N.J.R. 231(a)

10:81-28.3	Recoupment of overpayments	R.1974 d.287	6 N.J.R. 435(b)
10:81-28.4	Periodic notice to client	R.1974 d.287	6 N.J.R. 435(b)
10:81	Rules on child support and paternity program	R.1975 d.180	7 N.J.R. 329(d)
Appendix D			
10:82-1.1 et seq.	Assistance Standards Handbook	R.1975 d.93	7 N.J.R. 227(b)
10:82-1.3(a)	Amendment on designation of stepparents as essential parents	R.1976 d.27	8 N.J.R. 124(a)
10:82-3.2	AFDC program	R.1974 d.205	6 N.J.R. 312(b)
10:82-10.1	Overpayments, underpayments	R.1974 d.287	6 N.J.R. 435(b)
10:82-11.14	Revisions concerning expenses of employment in AFDC	R.1974 d.285	6 N.J.R. 434(a)
10:82-11.16(d)	Revisions concerning disregard of earned income	R.1974 d.286	6 N.J.R. 435(a)
10:84-1.1 et seq.	Delete entire Chapter and mark it Reserved	R.1975 d.29	7 N.J.R. 105(c)
10:85-11.6(a)	Revisions in payments to hospitals	R.1974 d.288	6 N.J.R. 436(a)
10:87-1.1 et seq.	New food stamp manual	R.1975 d.350	7 N.J.R. 567(d)
10:98-1.1 et seq.	Revised State Plan for Vocational Rehabilitation of blind persons	R.1976 d.106	8 N.J.R. 232(c)
10:109 Appendix I	Revisions on Ruling 11, Part I, classification and compensation plan	R.1976 d.66	8 N.J.R. 195(c)
10:109-1.1 et seq.	Revisions concerning public assistance staff development program	R.1974 d.179	6 N.J.R. 312(e)
10:109-1.6(a)	Revisions concerning educational leave stipends	R.1974 d.248	6 N.J.R. 399(a)
10:109-2.1 et seq.	Ruling Number 11; classification and compensation plan	R.1974 d.211	6 N.J.R. 351(a)
10:109-2.1 et seq.	Revisions to classification and compensation plan	R.1975 d.336	7 N.J.R. 567(b)
10:109-3.1 et seq.	Revision to time and leave regulations	R.1975 d.336	7 N.J.R. 567(b)
10:120-1.1 et seq.	Revisions on administrative hearings in contested cases	R.1976 d.99	8 N.J.R. 232(a)
10:120-2.1	Purchase of services; hard-to-place children	R.1976 d.31	8 N.J.R. 123(a)
10:121-3.1 et seq.	Adoption complaint investigation fees	R.1975 d.15	7 N.J.R. 58(c)
10:122-2.1 et seq.	AFDC foster care plan	R.1975 d.99	7 N.J.R. 227(c)
10:123-1.1 et seq.	Revised State Plan for services to families and children	R.1974 d.232	6 N.J.R. 351(b)
10:123-1.1 et seq.	Revised State Plan for families and children	R.1974 d.355	7 N.J.R. 59(a)
10:123-1.1 et seq.	Revised State Plan for individuals and families	R.1975 d.283	7 N.J.R. 467(c)
10:123-1.14	Establishing paternity and securing support for AFDC children	R.1975 d.35	7 N.J.R. 105(a)
10:123-4.1	Amendment concerning community planning	R.1975 d.57	7 N.J.R. 166(b)
10:123-5.3(a)4	Revise maximum income level eligibility	R.1975 d.181	7 N.J.R. 333(a)
10:124-1.1 et seq.	Revised standards for juvenile shelters awaiting disposition	R.1975 d.219	7 N.J.R. 419(b)
10:125-1.1 et seq.	Comprehensive social services plan	R.1975 d.220	7 N.J.R. 467(b)
10:125-1.2(d)	Revise portion of comprehensive social services plan	R.1976 d.49	8 N.J.R. 124(b)
10:126-1.1 et seq.	State training plan under Title XX of Social Security Act	R.1975 d.298	7 N.J.R. 506(b)
10:127-1.1 et seq.	Manual of standards for residential child care facilities	R.1976 d.77	8 N.J.R. 195(e)
10:140-1.1 et seq.	1976 State Plan annual revision	R.1975 d.282	7 N.J.R. 419(c)

## INSURANCE — TITLE 11

11:1-2.1 et seq.	Amend rules on filings regarding property liability insurance	R.1975 d.34	7 N.J.R. 115(a)
11:1-4.2	Sex and/or marital status discrimination	R.1975 d.128	7 N.J.R. 276(b)
11:1-5.1	Deduction of exhaustion of Motor Vehicle Liability Security Fund	R.1974 d.237	6 N.J.R. 351(d)
11:1-5.2	New Jersey Special Joint Underwriting Association	R.1974 d.259	6 N.J.R. 407(a)
11:1-5.2(e)	Establishing means of providing coverage and eligibility for protection	R.1974 d.274	6 N.J.R. 436(b)
11:1-5.3	Special Joint Underwriting Association charge	R.1975 d.210	7 N.J.R. 369(b)
11:1-6.1	Property-Liability Insurance Guaranty Association charge	R.1975 d.170	7 N.J.R. 334(b)
11:1-6.1	Property-Liability Insurance Guaranty Association charge	R.1975 d.319	7 N.J.R. 507(d)
11:2-1.3(f)	Ticket-selling insurance agents' education requirements	R.1974 d.327	7 N.J.R. 10(a)
11:2-1.4	Property-casualty license fees for disabled veterans	R.1975 d.344	7 N.J.R. 569(a)
11:2-12.1 et seq.	Mass marketing of property and liability insurance	R.1974 d.271	6 N.J.R. 408(a)
11:2-13.1 et seq.	Group coverage discontinuance and replacement	R.1974 d.274	6 N.J.R. 409(a)
11:2-13.1 et seq.	Revisions on life and accident and health insurance policies	R.1975 d.109	7 N.J.R. 276(a)
11:2-13.1	Revisions on certain insurance policies and contracts	R.1975 d.129	7 N.J.R. 276(c)
11:2-15.1	Cancellation of property and liability policies; insolvent insurers	R.1974 d.190	6 N.J.R. 323(a)
11:2-16.1	Guaranteed arrest bond certificates of automobile club undertaking	R.1974 d.282	6 N.J.R. 437(a)
11:3-6.3(b)5.iv.	Revisions concerning temporary identification cards	R.1974 d.208	6 N.J.R. 322(b)
11:3-9.2	Private automobile rating class; revoked or suspended	R.1975 d.130	7 N.J.R. 276(d)
11:3-10.1 et seq.	Rules on standards for prompt, fair and equitable settlement of motor vehicle physical damage claims	R.1976 d.46, R.1976 d.47	8 N.J.R. 136(b)
11:4-8.1 et seq.	Rules on charitable annuities	R.1974 d.258	6 N.J.R. 399(c)
11:4-10.1	Reporting of expense experience	R.1975 d.211	7 N.J.R. 370(a)
11:5-1.2	Amendment concerning salesmen applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.3	Amendment concerning broker applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.10(b)	Payment of commissions to terminated salesmen	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.23(c)	Revision on prompt delivery of instruments	R.1976 d.10	8 N.J.R. 70(e)
11:5-1.23(e)	Transmittal of offers	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.27	Amendment concerning educational requirements	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.29(a)	Revisions on fingerprinting	R.1976 d.10	8 N.J.R. 70(e)
11:7-1.1 et seq.	Rules on insurance of municipal bonds	R.1975 d.212	7 N.J.R. 370(b)
11:10-1.1 et seq.	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)

## LABOR AND INDUSTRY — TITLE 12

12:15-1.3	Revised maximum weekly benefit rates	R.1974 d.236	6 N.J.R. 352(b)
12:15-1.3	Revised maximum weekly benefits	R.1975 d.250	7 N.J.R. 432(b)
12:15-1.4	Taxable wage base; unemployment compensation	R.1975 d.251	7 N.J.R. 432(c)
12:17-2.1(g)	Revisions on registration for work and benefit claims	R.1975 d.72	7 N.J.R. 169(b)
12:17-9.1 et seq.	Procedures for wage benefit conflicts	R.1975 d.142	7 N.J.R. 335(a)
12:18-3.1(f) and (g)	Revisions of fees under State Plan for temporary disability benefits	R.1974 d.284	6 N.J.R. 437(b)
12:90-3.1 et seq.	Revisions on boiler construction and inspection	R.1976 d.79	8 N.J.R. 197(c)
12:100-1.1 et seq.	Withdraw State Plan for occupational safety and health	R.1975 d.101	7 N.J.R. 231(a)
12:122-1.1 et seq.	Repeal rules on local exhaust systems	R.1974 d.136	6 N.J.R. 267(a)
12:146-1.1 et seq.	Repeal rules on machinery with rolls	R.1974 d.138	6 N.J.R. 267(c)
12:171-1.1 et seq.	Repeal rules on short-rise material handling lifts	R.1974 d.137	6 N.J.R. 267(b)
12:175-1.1 et seq.	Emergency rules on ski lifts	R.1975 d.371	8 N.J.R. 42(a)
12:195-1.1 et seq.	Rules on carnival-amusement rides	R.1975 d.189	7 N.J.R. 370(c)
12:235-1.1 et seq.	Revised rules of the Division of Workmen's Compensation	R.1975 d.43	7 N.J.R. 169(a)

## LAW AND PUBLIC SAFETY — TITLE 13

13:1-3.4(a)4	Amendment on firearms instruction	R.1976 d.35	8 N.J.R. 137(a)
13:1-4.1(a)3	Revisions on police officer certification—basic training	R.1975 d.370	8 N.J.R. 48(a)
13:1B-1.1 et seq.	Revised rules implementing the Emergency Services Act of 1972	R.1976 d.109	8 N.J.R. 251(b)
13:2-1.16	Advertising notice of application for State license	R.1976 d.72	8 N.J.R. 203(c)
13:2-2.14	Advertising notice of application for municipal license	R.1976 d.72	8 N.J.R. 203(c)
13:2-13.3 et seq.	Revisions on licensees	R.1975 d.237	7 N.J.R. 436(b)
13:2-31.3 et seq.	Revisions to retail and wholesale prices and extension of credit	R.1975 d.238	7 N.J.R. 436(c)
13:2-34.8	Revisions on wholesale prices	R.1975 d.263	7 N.J.R. 482(c)
13:2-34.14(d)	Amendment on wholesale prices of alcoholic beverages and returns	R.1975 d.353	8 N.J.R. 47(c)
13:2.34.14(d)1.	Ratify prior emergency rule on wholesale prices of alcoholic beverages and returns	R.1976 d.71	8 N.J.R. 203(b)
13:4-8.3(a)	Delete text on interrogatory default procedure	R.1975 d.346	7 N.J.R. 571(b)
13:18-8.1	Rule on overhang standards	R.1975 d.285	7 N.J.R. 483(a)
13:18-9.1	Security deposits for uninsured motorists	R.1976 d.75	8 N.J.R. 204(a)
13:20-7.1	Revisions on automobile inspection adjustments	R.1975 d.335	7 N.J.R. 571(a)
13:20-28.6	Revisions on new car decals	R.1975 d.174	7 N.J.R. 343(b)
13:20-28.8	Revisions on new car evidence of compliance	R.1975 d.174	7 N.J.R. 343(b)
13:20-32.1 et seq.	Rules on licensing of motor vehicle reinspection centers	R.1975 d.333	7 N.J.R. 570(c)
13:20-33.1 et seq.	Standards and procedures used by licensed reinspection centers	R.1975 d.334	7 N.J.R. 570(d)
13:21-15.4	Revisions for rejection, suspension or revocation of motor vehicle dealer license	R.1976 d.4	8 N.J.R. 83(b)
13:21-18.1 et seq.	Rules on snowmobile registration	R.1975 d.289	7 N.J.R. 508(b)
13:27-3.13	Board of architects revised fee schedule	R.1975 d.171	7 N.J.R. 342(a)
13:27-3.13	Revised fees for architects	R.1975 d.171	7 N.J.R. 342(a)
13:29-1.2	Public school accountant's license	R.1976 d.87	8 N.J.R. 204(b)
13:29-2.1 et seq.	Revisions on registered municipal accountants	R.1976 d.87	8 N.J.R. 204(b)
13:30-8.1	Fee schedules	R.1975 d.259	7 N.J.R. 482(b)
13:30-8.1	Revised fee schedules for dentists	R.1976 d.11	8 N.J.R. 84(a)
13:35-3.2	Endorsement; Federation Licensing Examination	R.1976 d.48	8 N.J.R. 137(b)
13:35-3.6	Board of Medical Examiners fee schedule	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.6	Revised fees for medical examiners	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.7	Encorsement; first two parts of National Board of Medical Examiners or Osteopathic Examiners and third part of FLEX Examination; third part of FLEX and first two parts of National Boards of Medical Examiners and Osteopathic Examiners	R.1976 d.48	8 N.J.R. 137(b)
13:35-3.8	Examination review procedure	R.1976 d.48	8 N.J.R. 137(b)
13:36-3.6	Examination review procedure	R.1975 d.309	7 N.J.R. 509(a)
13:38-3.11	Revisions on written examinations for applicants for optometry licenses	R.1976 d.105	8 N.J.R. 251(a)
13:42-1.1	Examination review procedure	R.1975 d.310	7 N.J.R. 510(a)
13:44-4.1	Revised fees for veterinarians	R.1975 d.173	7 N.J.R. 342(b)
13:44-4.1	Veterinary medical examiners fee schedule	R.1975 d.173	7 N.J.R. 342(b)
13:45A-12.1 et seq.	Rules on sale of animals	R.1975 d.351	7 N.J.R. 571(c)

## PUBLIC UTILITIES — TITLE 14

14:1-6.20	Revisions of transcript expenses	R.1976 d.26	8 N.J.R. 137(c)
14:1-10.11	Rule on hearing procedures	R.1974 d.313	6 N.J.R. 487(b)
14:3-3.1 et seq.	Revision on home insulation program	R.1975 d.305	7 N.J.R. 510(b)
14:5-1.2(b)	Revisions on separation and protection of conductors buried in earth	R.1975 d.215	7 N.J.R. 437(a)
14:5-4.1 et seq.	Revised rules on residential electrical underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:5-7.1 et seq.	Revisions on electrical inspection authorities	R.1975 d.12	7 N.J.R. 62(b)
14:10-4.1 et seq.	Revised rules on residential telephone underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:11-5.4	Revisions on accident reporting	R.1975 d.8	7 N.J.R. 62(a)
14:18-11.9 et seq.	Applications for municipal consent to operate CATV system	R.1976 d.18	8 N.J.R. 84(b)

**STATE — TITLE 15**

15:10-1.1 et seq.	Voter registration by mail	R.1974 d.270	6 N.J.R. 412(b)
15:10-1.1 et seq.	Revisions on voter registration by mail	R.1975 d.114	7 N.J.R. 278(a)
15:10-2.1 et seq.	Rules on voter declaration of political party	R.1976 d.119	8 N.J.R. 253(a)

**TRANSPORTATION — TITLE 16**

16:3-1.1 et seq.	Uniform patent policy	R.1975 d.160	7 N.J.R. 345(b)
16:26-3.1 et seq.	Revisions on highway safety lighting	R.1975 d.288	7 N.J.R. 521(b)
16:27-1.6	Limitations on use of Parkway	R.1975 d.342	7 N.J.R. 577(b)
16:28-1.10	Revised speed limits on parts of U.S. 46	R.1975 d.95	7 N.J.R. 237(b)
16:28-1.14	Revised rules on rates of speed on Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.25 et seq.	Revise rules on rates of speed along certain State highways	R.1974 d.197	6 N.J.R. 325(a)
16:28-1.26	Revised speed limits on parts of Route U.S. 206	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.35	Revised speed limits on portions of Route 18	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.36	Revised speed limits on parts of Route 24	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.44	Revised speed limits on parts of Route 27	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.51	Revised speed limits on parts of Route 55	R.1975 d.167	7 N.J.R. 346(a)
16:28-1.51	Revised speed limits for parts of Route 55	R.1975 d.254	7 N.J.R. 439(b)
16:28-1.61	Rates of speed on parts of Route 22 Freeway	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.63	Revise rates of speed on Route U.S. 22	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R.1974 d.325	7 N.J.R. 32(b)
16:28-1.68	Revised rates of speed on parts of Route 17	R.1975 d.153	7 N.J.R. 344(d)
16:28-1.70 et seq.	Revise speed rates on certain State highways	R.1976 d.379	8 N.J.R. 85(b)
16:28-1.76	Revised speed limits on parts of Route 15	R.1976 d.354	7 N.J.R. 73(c)
16:28-1.77	Revised rates of speed on parts of Route 29	R.1975 d.144	7 N.J.R. 344(c)
16:28-1.96	Revise rates of speed on Route N.J. 45	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.100	Revised speed limits on Route 439	R.1975 d.50	7 N.J.R. 178(c)
16:28-1.106	Revised speed limits on parts of Route 31	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.107	Revised speed limits on parts of Route 48	R.1975 d.294	7 N.J.R. 521(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.121	Revised speed limits on parts of Route 93	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.122	Revisions to rates of speeds on U.S. 1, 9 and 46	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.128	Revised speed limits on parts of Route 88	R.1975 d.329	7 N.J.R. 576(c)
16:28-1.148	Revised speed limits on Route I-295	R.1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.158	Speed limits on Route 87 in Atlantic City	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.159	Rates of speed on parts of Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.160	Speed limits on portions of Route I-78	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.162	Speed limits on Route 33 Freeway	R.1975 d.274	7 N.J.R. 488(a)
16:28-2.1	Weight limit along Route 152 in Egg Harbor Township	R.1975 d.63	7 N.J.R. 178(d)
16:28-3.77	Rules on restricted parking along certain State highways	R.1974 d.216	6 N.J.R. 359(b)
16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.24	Route number U.S. 40	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.25	Route number 47	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.26	No parking; Route 35	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R.1974 d.359	7 N.J.R. 74(a)
16:28-3.28	Restricted parking rules on various State highways		
through 16:28-3.41		R.1975 d.16	7 N.J.R. 117(a)
16:28-3.42	Restricted parking along certain State highways		
through 16:28-3.50		R.1975 d.49	7 N.J.R. 178(b)
16:28-3.51	Rules on restricted parking on various State highways		
through 16:28-3.62		R.1975 d.143	7 N.J.R. 344(b)
16:28-3.63	Rules on restricted parking on various State highways		
through 16:28-3.67		R.1975 d.154	7 N.J.R. 345(a)
16:28-3.68	Rules on restricted parking on various State highways		
through 16:28-3.71		R.1975 d.202	7 N.J.R. 387(c)
16:28-3.72	Rules on restricted parking on certain State highways		
through 16:28-3.76			
16:28-3.77	Rules on restricted parking along certain State righways	R.1975 d.269	7 N.J.R. 487(c)
through 16:28-3.83			
16:28-3.84 through	Revised rules on no-parking zones along various State highways	R.1975 d.295	7 N.J.R. 522(a)
16:28-3.89			
16:28-3.85	Revised no parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 0000
16:28-3.90	No-parking zones on portions of Route 31	R.1975 d.338	7 N.J.R. 577(a)
16:28-3.91	Restricted parking on parts of Routes 70, 79 and U.S. 206	R.1975 d.378	8 N.J.R. 85(a)
through 16:28-3.93			
16:28-3.94	Restricted parking along portions of various State highways	R.1976 d.42	8 N.J.R. 139(d)
through 16:28-3.100			

16:28-3.101	No parking zones on parts of Route 38	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.102	No parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.103	No parking zones on parts of Route 49	R.1976 d.80	8 N.J.R. 207(d)
16:28-4.1 et seq.	One-way street regulations	R.1974 d.225	6 N.J.R. 359(c)
16:28-4.3	One-way traffic along Route 79	R.1974 d.293	6 N.J.R. 493(c)
16:28-4.4	One-way traffic on parts of Route U.S. 202	R.1975 d.255	7 N.J.R. 439(c)
16:28-4.5	One-way traffic along parts of Route 29 in Lambertville	R.1976 d.118	8 N.J.R. 258(a)
16:28-5.1	Designation of stop intersections	R.1974 d.250	6 N.J.R. 414(b)
16:28-5.2	Stop intersections on parts of Route 440	R.1976 d.44	8 N.J.R. 140(a)
16:28-6.1	No left turn rules on parts of Route U.S. 206	R.1974 d.324	7 N.J.R. 32(a)
16:28-6.1	Revisions on left turns on Route U.S. 206 in Bedminster Township	R.1975 d.48	7 N.J.R. 178(a)
16:28-6.2	Restricted left turns on portions of Route 24	R.1975 d.337	7 N.J.R. 576(d)
16:28-6.4	No-left turns along parts of Route 35	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.5	No-left turns along parts of Route U.S. 40	R.1976 d.41	8 N.J.R. 139(c)
16:28-7.1	Lane usage on Route 35	R.1975 d.375	8 N.J.R. 50(b)
16:28-8.1	Yield intersection on Route 71	R.1976 d.39	8 N.J.R. 139(a)
16:28-9.1	Emergency stopping only on parts of Route 55	R.1976 d.40	8 N.J.R. 139(b)
16:28-10.1	Rules on through streets	R.1976 d.55	8 N.J.R. 207(a)
16:41-1.1 et seq.	Revised fees for highway access permits	R.1975 d.13	7 N.J.R. 73(b)
16:41-2.3 et seq.	Revised fee schedules	R.1975 d.207	7 N.J.R. 387(d)
16:50-2.6	Rule on emergency hearings	R.1975 d.199	7 N.J.R. 387(b)
16:51-4.1 et seq.	Delegation of powers for seniors half-fare bus program	R.1975 d.113	7 N.J.R. 280(b)
16:52-1.1 et seq.	Federal grant program to provide transportation services to elderly and/or handicapped people	R.1976 d.117	8 N.J.R. 259(a)
16:54-6.1 et seq.	Take-off or landing by balloons	R.1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revised rules on ballooning	R.1975 d.131	7 N.J.R. 281(a)
16:65-2.1 et seq.	Revisions on distribution of standard specifications	R.1975 d.195	7 N.J.R. 387(a)

#### TREASURY-GENERAL — TITLE 17

17:1-1.8 et seq.	Revisions on general administration	R.1975 d.235	7 N.J.R. 446(a)
17:1-1.15	Revisions on endorsements	R.1975 d.385	8 N.J.R. 88(a)
17:1-1.15(b)	Revisions on endorsements	R.1976 d.95	8 N.J.R. 262(a)
17:1-1.15(e)	Compliance with endorsement requirements	R.1974 d.219	6 N.J.R. 360(a)
17:1-1.17	Revisions on administrative expenses and their proration	R.1975 d.30	7 N.J.R. 122(a)
17:1-2.20	Base or contractual salary	R.1976 d.36	8 N.J.R. 140(d)
17:2-1.13 et seq.	Revisions on Public Employees' Retirement System	R.1974 d.230	6 N.J.R. 361(a)
17:3-1.4 et seq.	Revise rules of teachers' pension and annuity fund	R.1975 d.140	7 N.J.R. 349(a)
17:4-1.4 et seq.	Revisions to rules of Police and Firemen's Retirement System	R.1975 d.191	7 N.J.R. 393(a)
17:5-2.2	Revisions on survivor benefits	R.1976 d.104	8 N.J.R. 262(c)
17:5-4.1	Revision on previous State service or former membership and interfund transfers	R.1976 d.104	8 N.J.R. 262(c)
17:5-5.15	Revisions on medical examinations	R.1976 d.104	8 N.J.R. 262(c)
17:5-6.1	Revisions on interfund transfers and other State systems	R.1976 d.104	8 N.J.R. 262(c)
17:6-3.3	Revisions on survivor benefits	R.1976 d.103	8 N.J.R. 262(b)
17:6-3.9	Revisions on medical examinations	R.1976 d.103	8 N.J.R. 262(b)
17:7-1.9 et seq.	Revise parts of Prison Officers' Pension Fund rules	R.1975 d.213	7 N.J.R. 442(a)
17:8-1.1	Revise foreword to rules of supplemental annuity collective trust	R.1974 d.231	6 N.J.R. 361(b)
17:9-1.5	Revisions on voluntary termination of employer; notice	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.3	Revisions on annual enrollment period	R.1974 d.228	6 N.J.R. 360(c)
17:9-2.3	Revisions on annual enrollment period	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.9	Revisions on transferees	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.10	HMO election; same employer	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.15	Major medical; separate plans	R.1975 d.68	7 N.J.R. 181(a)
17:9-4.2	Revised definition of State; full time	R.1975 d.68	7 N.J.R. 181(a)
17:9-5.4	Revisions on local employer payment of dependent charges	R.1974 d.229	6 N.J.R. 360(d)
17:9-5.5	Revisions concerning local employer resolution	R.1975 d.65	7 N.J.R. 180(c)
17:9-5.6	Health maintenance organization premiums	R.1974 d.228	6 N.J.R. 360(c)
17:9-5.10	Retroactive premiums; payment due	R.1975 d.159	7 N.J.R. 349(b)
17:9-6.3	Amend retired coverage limitations	R.1975 d.159	7 N.J.R. 349(b)
17:10-3.1	Revised computation of benefits	R.1974 d.335	7 N.J.R. 34(a)
17:10-5.7	Revised employer disability application; employee notice	R.1974 d.335	7 N.J.R. 34(a)
17:16-5.3(a)5.	Revision to static group	R.1976 d.115	8 N.J.R. 262(d)
17:16-5.4	Revised demand group	R.1975 d.11	7 N.J.R. 76(b)
17:16-5.5	Revised temporary reserve group	R.1975 d.362	8 N.J.R. 51(a)
17:16-5.5	Revised temporary reserve group	R.1975 d.278	7 N.J.R. 490(a)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R.1974 d.192	6 N.J.R. 328(c)
17:16-5.5	Revised temporary reserve group	R.1976 d.29	8 N.J.R. 140(c)

17:16-5.6(a)3.	Revisions to trust group	R.1976 d.115	8 N.J.R. 262(d)
17:16-6.1(a)8.	Add Federal Financing Bank to approved list	R.1974 d.323	6 N.J.R. 496(a)
17:16-6.1	Revised rules on U.S. Treasury and government agency obligations	R.1975 d.97	7 N.J.R. 241(a)
17:16-7.3	Delete from revolving housing development grant fund	R.1974 d.191	6 N.J.R. 328(b)
17:16-8.1(a)5.	Amendment on corporate securities - industrial obligations	R.1976 d.116	8 N.J.R. 262(e)
17:16-8.1(a)6.	Amend permissible investment rules concerning corporate securities	R.1974 d.321	6 N.J.R. 495(b)
17:16-9.1(a)5.	Revision concerning finance companies—senior debt	R.1974 d.322	6 N.J.R. 495(c)
17:16-11.1	Revisions on applicable funds	R.1975 d.363	8 N.J.R. 51(b)
17:16-13.5	Revisions on legal papers; commercial paper	R.1974 d.218	6 N.J.R. 361(c)
17:16-13.5	Revisions on legal papers	R.1975 d.236	7 N.J.R. 442(b)
17:16-29.1	Revised definition for FHA mortgages	R.1975 d.364	8 N.J.R. 51(c)
17:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R.1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R.1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R.1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R.1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R.1975 d.67	7 N.J.R. 180(d)
17:20-5.10	Revise agent's compensation rule	R.1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R.1974 d.224	6 N.J.R. 360(b)
17:21-2.3 et seq.	Revised rules concerning weekly lottery	R.1974 d.329	7 N.J.R. 325(b)
17:21-6.1	Delete rules on daily lottery	R.1975 d.374	8 N.J.R. 52(a)
through 17:21-6.6			
17:21-6.9	Final drawings for daily lottery	R.1975 d.374	8 N.J.R. 52(a)
17:21-11.1 et seq.	1776 Instant Lottery rules	R.1975 d.318	7 N.J.R. 525(a)
17:21-11.5 et seq.	Revised rules on 1776 Instant Lottery	R.1975 d.330	7 N.J.R. 578(b)

## TREASURY-TAXATION — TITLE 18

18:2-1.1	Reproduction of forms	R.1974 d.182	6 N.J.R. 328(a)
18:2-2.1 et seq.	Rules on imposition of penalties and interest	R.1975 d.284	7 N.J.R. 490(b)
18:2-2.4 et seq.	Revisions on imposition of tax penalties and interest	R.1976 d.94	8 N.J.R. 261(c)
18:5-3.10(d)	Revised rule on decalcomania revenue stamps on cigarettes	R.1975 d.28	7 N.J.R. 122(b)
18:6-1.1	Revised definition of cost of doing business	R.1974 d.243	6 N.J.R. 414(d)
18:12A-1.6 et seq.	Revisions concerning County Boards of Taxation	R.1975 d.46	7 N.J.R. 180(b)
18:12A-1.16	Electronic Data processing and tax assessment lists	R.1974 d.242	6 N.J.R. 414(c)
18:16-1.1 et seq.	Revisions in realty transfer fee law	R.1975 d.84	7 N.J.R. 240(b)
18:16-1.1 et seq.	Revisions on realty transfer fees	R.1975 d.242	7 N.J.R. 443(a)
18:16-2.2(b) et seq.	Revisions of realty transfer fee law rules	R.1975 d.286	7 N.J.R. 490(c)
18:22-7.6	Gross receipts from transactions; municipal electric supplies	R.1975 d.45	7 N.J.R. 180(a)
18:24-1.14	Effective date of exemption organization permit	R.1975 d.187	7 N.J.R. 350(b)
18:24-5.16(f)	Revisions on use of certificate of capital improvement for sales tax	R.1975 d.246	7 N.J.R. 446(b)
18:24-10.2	Amendments concerning exempt certificates requirements	R.1976 d.62	8 N.J.R. 209(a)
18:24-10.4	Acceptance in good faith	R.1974 d.244	6 N.J.R. 414(e)
18:24-10.5	Disclosure of proper exemption basis	R.1974 d.244	6 N.J.R. 414(e)
18:24-11.2	Filing of monthly and quarterly returns	R.1975 d.4	7 N.J.R. 77(a)
18:24-24.1 et seq.	Sale and installation of gasoline service station equipment	R.1974 d.252	6 N.J.R. 415(a)
18:26	Revised list of district supervisors and investigators	R.1975 d.270	7 N.J.R. 489(b)
Appendix A			
18:26-6.16	No fault insurance rules	R.1975 d.186	7 N.J.R. 350(a)
18:26-8.7	Preaudit payment of inheritance tax	R.1975 d.85	7 N.J.R. 240(c)
18:26-8.7	Revisions on preaudit payment of inheritance tax	R.1975 d.348	7 N.J.R. 578(c)
18:26-8.25	Certificates of deposits, savings certificates and special savings	R.1975 d.177	7 N.J.R. 349(c)
18:26-11.20	Revisions on release of safe deposit box contents	R.1975 d.247	7 N.J.R. 447(a)
18:26-11.21	Revised conditions for opening safe deposit box	R.1975 d.247	7 N.J.R. 447(a)
18:26-11.26	Revisions on box rented by corporation	R.1975 d.247	7 N.J.R. 447(a)
18:30-1.1 et seq.	Rules on capital gains and other unearned income tax	R.1976 d.93	8 N.J.R. 261(b)

## OTHER AGENCIES — TITLE 19

19:1-1.1 et seq.	Revisions pertaining to making loans to mortgage lenders	R.1974 d.233	6 N.J.R. 370(b)
19:1-1.1 et seq.	Revised rules of Mortgage Finance Agency	R.1975 d.311	7 N.J.R. 528(a)
19:1-1.3	Revised definition of Mortgage Finance Agency collateral	R.1974 d.251	6 N.J.R. 418(b)
19:1-1.4 et seq.	Revisions on requests for loans and allocation and award of loans	R.1975 d.324	7 N.J.R. 579(c)
19:3A-2.1	Required land use and control meadows; flood insurance	R.1974 d.213	6 N.J.R. 369(b)
19:3A-2.2	Securing coverage under National Flood Insurance Program	R.1974 d.212	6 N.J.R. 361(d)
19:4-6.25	Revisions on Hackensack Meadowland appeals	R.1975 d.355	8 N.J.R. 52(c)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R.1974 d.214	6 N.J.R. 369(a)
19:8-1.1	Garden State Arts Center defined	R.1975 d.145	7 N.J.R. 350(d)
19:8-1.1 et seq.	Revision on motorcycles on Parkway	R.1975 d.332	7 N.J.R. 579(b)
19:8-1.13	Traffic control on Garden State Parkway	R.1975 d.222	7 N.J.R. 447(b)

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unlawful under the Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., the following motor vehicle advertising practices shall be unlawful thereunder:

1. Bait and switch:

i. The use of [a price] an advertisement as part of a plan or scheme not to sell the motor vehicles advertised or not to sell the same at the advertised price;

ii. Without limiting other means of proof, the following shall be prima facie evidence of a plan or scheme not to sell a motor vehicle as advertised or not to sell the same at the advertised price:

(1) Refusal to show, display, or sell the motor vehicle advertised in accordance with the terms of the advertisement, except that an advertiser shall not be required to provide a road test of a motor vehicle unless so stated in the advertisement;

(2) The disparagement by act or word, either before or after the sale of the advertised motor vehicle, or of the guaranty, warranty, credit terms, availability of service, repairs or parts or of anything in any other respect a material fact connected with the advertised motor vehicle. However, disparagement shall not include an accurate factual description of the difference or differences between the advertised motor vehicle and other motor vehicles when and where the customer requests such information;

[(3) The failure to have available at all outlets listed in the advertisement a sufficient quantity of the advertised motor vehicles to meet reasonably anticipated demands, unless the advertisement expressly states that supply is limited or is available only at designated outlets;]

[(4)] (3) The refusal to take orders for advertised motor vehicles or the taking of orders at a price greater than the advertised price;

[(5)] (4) The failure to submit orders to the manufacturer or other source used in the ordinary course of business, for the advertised motor vehicles;

[(6)] (5) The showing, demonstrating or delivery of any advertised motor vehicle which is known to be or should have been known to be defective, unusable or unsuitable for the purpose represented or implied in the advertisement;

[(7)] (6) Accepting a deposit for an advertised motor vehicle, then switching the purchaser to a higher-priced motor vehicle, except when the purchaser has initiated the switch as evidenced by a writing to that effect signed by the purchaser;

[(8)] (7) The failure to make a delivery of the advertised motor vehicle within the promised delivery period, unless such failure is caused by reasons beyond the control of the advertiser;

[(9)] (8) The use of a sales plan or method of compensating or penalizing salesmen, designed to prevent or discourage them from selling the advertised motor vehicle or from selling the same at the advertised price. However, this provision shall not apply to a sales plan or method of compensation whereby a salesman realizes a fixed percentage rate of the gross amount of his sales made within a specified time period nor to salesman bonus plans designed primarily to encourage or reward salesmen for selling motor vehicles other than the advertised motor vehicle.

[2. Price advertisements:

[i. The use of a price advertisement to offer any motor vehicles unless the advertiser has at least one of the motor vehicles, as advertised, in stock and unless the exact quantity of available advertised motor vehicles at each advertised place of business and delivery dates for

19:8-2.11	Rules on Garden State Arts Center	R.1975 d.145	7 N.J.R. 350(d)
19:8-2.12	Emergency service on Parkway	R.1975 d.331	7 N.J.R. 579(a)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R.1974 d.290	6 N.J.R. 496(c)
19:9-1.1	Revised Turnpike definitions	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R.1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R.1975 d.25	7 N.J.R. 122(d)
19:9-3.1	Schedule of towing charges for Turnpike	R.1975 d.221	7 N.J.R. 447(c)
19:11-1.6	Revisions in number of copies to be filed	R.1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R.1974 d.346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R.1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R.1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R.1975 d.10	7 N.J.R. 78(a)
19:12-2.1	Revisions in invocation of fact-finding	R.1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R.1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R.1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R.1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R.1974 d.267	6 N.J.R. 418(a)
19:25-7.8	Revision on use of funds by political committees	R.1975 d.359	8 N.J.R. 52(b)
19:25-12.2	Revisions on political testimonial affairs	R.1975 d.359	8 N.J.R. 52(b)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R.1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R.1975 d.26	7 N.J.R. 122(c)
19:35-1.1	Rules on FM noncommercial radio stations	R.1975 d.118	7 N.J.R. 285(a)

advertised motor vehicles not in stock are expressly stated in the advertisement;

[ii. The failure in any price advertisement to disclose any of the following:

[ (1) The year, make and model, and the series if such advertised motor vehicles have a designated series;

[ (2) Whether the motor vehicle is new or used;

[ (3) Whether the motor vehicle has been used as a demonstrator, executive, police or fire vehicle, or passenger vehicle for lease, rental or hire, when such prior use is known or should have been known by the advertiser;

[ (4) The bona fide odometer reading of any specifically advertised demonstration, executive or used motor vehicle. The advertiser may rely on his seller's affidavit or certification as to mileage at the time the advertiser took possession of the motor vehicle provided such reliance is in good faith.

[iii. In a price advertisement bearing a price less than actual cash price, the failure to clearly and conspicuously disclose that such price is offered with reference to a trade-in allowance or other means of price set-off;

[iv. The failure in any price advertisement of a new motor vehicle to disclose whether the advertised price includes or excludes transportation, freight, shipping, dealer preparation or licensing costs, or any other additional costs except for tax costs;

[v. In any price advertisement of a new, demonstrator or executive motor vehicle:

[ (1) The listing or naming of any equipment other than extra cost options included in the advertised price, unless standard equipment is clearly stated as standard;

[ (2) The failure to state that any listed equipment is an extra cost option;

[ (3) The failure to expressly state that there are no extra cost options;

[ (4) The failure to expressly state that there are no extra cost options other than those listed.]

#### **2. Advertisements—General Requirements for Disclosure.**

With respect to any advertisement offering or making available for sale a new or used motor vehicle:

a. The failure to state the advertiser's true name and business address;

b. The failure to state a single specific dollar amount indicating the total retail selling price to be charged exclusive of taxes and licensing costs;

c. The setting forth of any price or price comparison which does not include transportation, freight, shipping, dealer preparation and any other additional costs to be borne by a consumer, except for licensing costs and taxes;

d. The setting forth of a price or price comparison that represents less than the total cash price to be paid by a consumer unless the advertisement clearly and conspicuously discloses that such price is offered with reference to a trade-in allowance or other method of price reduction with the amount of such allowance or set-off forth; a set off, discount, trade in allowance or other such price reduction shall be shown as a specific dollar reduction from the advertised price required herein and shall not be incorporated with the advertised price.

e. The failure to state the following information:

i. The number of engine cylinders;

ii. Whether the transmission is automatic or manual, and, if manual, the number of forward gears;

iii. Whether the brakes, steering and accessories are power or manual;

iv. Whether the vehicle has air conditioning.

f. The failure to state the actual odometer reading as of the date of placing the advertisement for publication of any motor vehicle described as a "demonstrator", "executive" vehicle, "leftover" or in such other similar terms;

g. The failure to state the year, make, model and the series where the advertised motor vehicle has a designated series or model;

h. The failure to state the exact number of motor vehicles in stock on the date of placing the advertisement. Where no advertised vehicle is in an advertiser's stock on the date of placing the advertisement, such advertisement shall state "Not in Stock", and the period of time in which delivery will be made:

i. The failure to state that the motor vehicle has previously been used as a demonstrator or executive vehicle; a police or fire vehicle; a passenger vehicle for lease, rental or hire; or as a taxi when such prior use is known or should have been known by the advertiser or the person for whom he acts;

j. With respect to an advertisement offering or making available for sale a new, demonstrator, or executive motor vehicle:

i. The listing or naming of any equipment other than extra cost options included in the advertised price unless standard equipment is clearly identified as standard;

ii. The failure to state that any listed equipment is an extra cost option.

k. With respect to an advertisement offering a used motor vehicle, the failure to state the actual odometer reading as of the date of placing the advertisement for publication. For the purpose of this subsection, any vehicle possessing an odometer reading of greater than 500 miles shall be deemed used.

#### **3. Certain credit advertisements:**

i. The advertising of credit, including but not limited to such terms as easy credit or one-day credit, other than that actually transacted by the advertiser on a regular basis in the ordinary course of business.

#### **[4. Price reduction advertisements:**

[i. In price reduction advertisements:

[ (1) The failure to include the manufacturer's total suggested retail price clearly labeled as such. Such an advertisement may indicate a reduction from either the said manufacturer's total suggested retail price or the price range such motor vehicles are usually offered for sale by the advertiser;

[ (2) Where a former price is used, the use of such price, whether expressed or implied, which was not offered by the advertiser to the public on a regular basis for a reasonably substantial period of time preceding the offer of a price reduction;

[ (3) The use of the term sale, discount, savings, price cut or any other term suggesting a price reduction when the price reduction being offered is insignificant in relation to the total price of any motor vehicle or when no price reduction is in fact being offered.]

#### **4. Price Reduction Advertisements:**

(a) In any advertisement wherein a reduction from the usual selling price is stated or indicated either directly or by implication:

(1) The use or statement of any price from which a reduction is indicated either directly or by implication where such price is not the usual retail price at which the advertised motor vehicle has been sold or offered for sale.

A usual selling price shall be deemed to be that price at which an advertiser has sold or offered for sale the advertised motor vehicle or its substantial equivalent on not less than 10 occasions during the 60-day period immediately preceding the date of publication of the advertisement. Nothing contained herein shall prohibit the statement of a manufacturer's suggested retail price in any advertisement; provided, however, where such price is set forth in a price reduction advertisement such manufacturer's suggested retail price shall have been the usual

price at which the motor vehicle was sold or offered for sale consistent with this subsection unless expressly stated otherwise.

(2) The placement of a price reduction advertisement where the advertised retail sale price does not constitute a bona fide, substantial reduction from the usual retail sale price. For the purpose of the within subsection "bona fide, substantial reduction" shall be deemed to exist where such reduction is not less than 5 per cent of the usual retail sale price.

(3) The use of the terms "sale", "discount", "savings", "price cut" and such other terms of similar import shall be deemed to indicate a price reduction advertisement.

(b) In the event that an advertiser places a price reduction advertisement, the motor vehicle dealer in whose name the advertisement is placed shall retain such records as may be necessary to establish the usual price upon which a reduction is advertised. Such records shall be maintained for a period of 60 days following the date of publication and shall be made available for inspection by the Division of Consumer Affairs. The failure of a motor vehicle dealer to substantiate a usual price through documentation shall constitute a presumption that the price reduction advertisement was not predicated upon a reduction from the usual price and that the claimed reduction was neither substantial nor bona fide as required herein.

5. Warranty advertisements:

i. In any warranty advertisement, other than one stating that the warranty or guaranty is a manufacturer's or factory warranty or guaranty, the failure to disclose the following:

(1) Limitation of warranty or guaranty as to duration, inclusion or exclusion of service or labor charges, and characteristics or properties of the motor vehicle or part thereof included or excluded by the warranty or guaranty;

(2) Whether the warranty or guaranty will be performed by repair, replacement, refund or any other means and whether such manner of performance is at the option of the advertiser;

(3) Limitation of warranty or guaranty as to percentage ratio of cost or pro rata share to be assumed by the advertiser, unless advertisement clearly states that "warranty or guaranty is subject to the limitations contained in our sales contract".

6. Guaranteed satisfaction, discount and quality claims:  
i. In any advertisement:

[(1) The use of the term satisfaction or your money back, free trial period or any other similar term when the advertiser cannot or does not intend promptly to make full refund, or fails to make full refund within a reasonable period of time; except when the advertiser has clearly and conspicuously stated any conditions or limitations on such offer and the purchaser has failed to comply with such conditions or limitations;]

[(2)] (1) The use of the term guaranteed discount, guaranteed lowest prices, or any other similar term unless the advertiser clearly and conspicuously discloses the manner in which such guaranty will be performed and any conditions or limitations controlling such performance;

[(3)] (2) The use of any guaranty, warranty or any other representation regarding the quality of a motor vehicle or part thereof which creates a false impression of the quality, durability, maintenance needs or any other material fact concerning any motor vehicle or part thereof.

7. General:

i. The use of difference in type, size, style, location, lighting or color as to obscure or make misleading any material fact in any advertisement;

ii. In any advertisement, the use of deception, fraud, false pretense, false promise or misrepresentation as to

the size, inventory or nature of the advertiser's business; as to the expertise of the advertiser, his agents or employees; or as to the ability or capacity of the advertiser to offer price reductions or price savings; or the use in any advertisement of the term "full factory equipment", "full factory power" or terms of similar import;

iii. In any advertisement, the use of the term low prices, lowest prices, lower than anyone else or of any other term suggesting that the prices offered are lower than those usually offered in the business area of the advertiser when in fact the prices offered are not reasonably below those usually offered in the business area of the advertiser or any other term which is in any respect misleading;

iv. The use in any advertisement of a comparison to the dealer's cost or inventory price.

[v.] These rules shall apply to any advertisement [uttered, issued, printed, disseminated or distributed within this State regardless of the location of the place of business from which the goods or services are sold or offered for sale, and to any advertisement uttered, issued, printed, disseminated or distributed within this State concerning goods and services sold or offered for sale within this State, regardless of the domicile, residence, place of business or location of the principal office of the advertiser.] published or circulating within the State of New Jersey where an advertiser intends to sell or actually sells motor vehicles on a regular basis to New Jersey residents.

Interested persons may present statements or arguments in writing relevant to the proposed revisions and amendments on or before June 6, 1976, to Virginia Long, Director of the Division of Consumer Affairs, 1100 Raymond Boulevard, Newark, New Jersey 07102.

The Attorney General of New Jersey, upon his own motion or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

William F. Hyland  
Attorney General  
State of New Jersey

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF DENTISTRY

##### Proposed Rule on Complaint Review Procedure

Walter A. Alexander, President of the State Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:6-1 et seq., proposes to adopt a new rule concerning complaint review procedures.

Full text of the proposed rule follows:

##### 13:30-8.5 Complaint review procedures

(a) Complaints from consumer-patients of alleged neglect, malpractice or excessive pricing in the practice of dentistry shall be in writing:

1. The complaint shall specify the name and address of the dentist(s) involved, the name and telephone number of the complainant, the date(s) of the alleged misconduct and a brief but detailed explanation of the grounds for the complaint.

2. The secretary of the Board shall review all complaints for sufficiency. When insufficient information is given, he shall notify the complainant to supply the needed informa-

tion without delay. Complaints may be received by telephone but shall be confirmed in writing as indicated above.

3. All completed complaints shall be logged in a complaint book kept by the secretary. He shall record the name of the complaint, name of dentist, date of complaint and provide space to record the Board's actions. All duly logged complaints shall be placed on the agenda for consideration by the Board at its meeting next following the date of receipt of the complaint.

(b) The Board shall review each complaint at the regular meeting next following its receipt in order to make one or more of the following determinations:

1. The information contained in the complaint is insufficient. In such cases, the Board shall notify the complainant and/or the dentist to provide the needed information without delay.

2. The complaint, viewed most favorably to the complainant, shows no cause for Board action.

3. The complaint is of a nature that requires the complainant to be directly examined by another dentist to determine the state of the patient's dental health and the quality of the dentistry which is the subject matter of the complaint.

4. The complaint is of a nature to require immediate investigation by the enforcement bureau of the Division of Consumer Affairs.

5. The complaint alleges such serious conduct that it requires immediate referral to the Office of the Attorney General for investigation, and if appropriate, to initiate formal disciplinary action before the Board or as otherwise provided by law.

6. Other informal resolution or direction as the Board shall deem appropriate.

(c) The secretary shall record in the complaint log the initial action of the Board and shall keep the Board advised as to the progress and state of all complaints requiring further action or review of the Board.

(d) The Board shall designate a sufficient number of licensed dentists to act as professional review consultants in connection with its review of complaints being processed under subsection (b)3. of this Section:

1. Dentists shall be selected in all areas of the State and shall include generalists and specialists:

i. Three dentists shall be designated for each county wherever possible. When not possible, combinations of counties shall be made.

ii. Specialty consultants will be designated on a regional basis. The Board will establish regions on a dentist-population ratio.

2. Dentists designated as consultants shall meet the following qualifications:

i. Licensed and practicing in the State of New Jersey for no less than five years, or licensed and practicing out-of-State for no less than five years and in this State for no less than two years;

ii. Recommended by three dentists or by a local component dental society to be a highly competent and highly respected practitioner;

iii. No current or past Board record indicating professional misconduct.

3. Whenever possible, consultants within the immediate practice area of a dentist against whom a complaint has been made shall not be assigned to examine and review such cases.

4. The Board shall not assign a consultant to examine and report on a complaint when the consultant does not possess specialized knowledge necessary for the review of a complaint, or where there exists a personal or pecuniary conflict of interest.

5. The Board may appoint an ad hoc consultant if, due

to unavailability, lack of expertise or existence of a conflict, a regular consultant cannot be assigned. Ad hoc consultants need not meet qualifications as stated in paragraph 2. of this subsection if in lieu thereof, the Board is satisfied as to the competence of the consultant.

6. Professional review consultants shall be designated to serve the Board for a period of three years, which period may be renewed at the discretion of the Board.

7. The Board shall hold at least one meeting each year to be attended by all of its professional review consultants.

(e) Whenever the Board determines to process a complaint under subsection (b)3. of this Section the following procedures and rules shall be observed:

1. The Board shall acquire copies of all dental records relevant to the alleged misconduct.

2. The Board shall assign the complaint to an appropriate professional review consultant and shall forward to its consultant a copy of the complaint along with copies of all relevant dental records.

3. The Board shall not disclose to the dentist(s) against whom complaint has been made the identity of the consultant reviewing that case and the consultant shall not disclose to anyone, including the dentist against whom the complaint has been made, the identity of the dentist whose case is being reviewed and shall not disclose the subject matter of any such case under review except as may be necessary to undertake and complete the examination and review as requested by the Board.

4. The Board shall advise the complainant of the name and address of its consultant, the purpose of the examination and review that shall be completed by the consultant, and shall advise the complainant to contact the consultant within ten days from receipt of its notice to arrange for the consultant's examination.

5. Failure of the complainant to contact a consultant pursuant to the request of the Board within 30 days following receipt of the Board's notice shall result in the dismissal of said complaint.

6. Consultants shall undertake and complete an examination and review of each case as instructed by the Board and shall within 14 days following such examination submit to the Board a report in writing, supplemented by such dental records as will aid the Board in its review of the complaint. Findings and conclusions of the consultant shall be submitted only to the Board; the consultant shall not in writing or orally disclose such information to any other person or persons.

(f) The Board shall review the complaint in light of the consultant's report at its next regular meeting following submission to the Board in order to make one or more of the following determinations:

1. Formal hearings must be held regarding the complaint as provided by N.J.S.A. 45:6-7;

2. No cause for Board action;

3. Informal hearing must be held to resolve the complaint between the dentist and complainant.

(g) Complaints handled by informal hearing shall not result in an order of the Board effecting the suspension or revocation of license to practice, or in the assessment of a civil penalty.

(h) Informal hearings may result in one or more of the following determinations by the Board:

1. No cause for Board action;

2. Repair or retreat to correct a deficiency found;

3. Reprimand;

4. Remedial course, study or internship to be undertaken by the dentist;

5. Such other resolution or direction as the Board shall deem appropriate.

Interested persons may present statements or arguments

in writing, orally in person or by telephone relevant to the proposed action on or before May 31, 1976, to:

State Board of Dentistry  
150 East State Street  
Trenton, New Jersey 08608  
Telephone: (609) 292-5416

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

Walter A. Alexander  
President, Board of Dentistry  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

##### Proposed Rule on Enumeration of Prohibited Acts

Carl E. Kastner, secretary-director of the Board of Professional Engineers and Land Surveyors in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8-27 et seq., proposes to adopt a new rule enumerating a prohibited act of misconduct.

Full text of the proposed new rule follows:

**13:40-3.1 (g) Permitting or allowing any person not appropriately licensed pursuant to N.J.S.A. 45:8-27 to act for or on behalf of the licensee as his representative, surrogate or agent while appearing before any public or private body for the purpose of rendering professional engineering or land surveyor services.**

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 31, 1976, to:

Carl E. Kastner, Secretary-Director  
Board of Professional Engineers and Land Surveyors  
1100 Raymond Boulevard  
Newark, New Jersey 07102

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

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

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF NURSING

##### Proposed Amendment of Rule Concerning Intravenous Therapy

Richard E. David, Executive Director, Board of Nursing, pursuant to authority of N.J.S.A. 45:11-24(d)(19), proposes to revise N.J.A.C. 13:37-6.2 concerning intravenous therapy.

Full text of the proposed amended rule follows. (Additions indicated in boldface thus):

##### 13:37-6.2 Intravenous therapy

(a) A registered professional nurse may administer intravenous therapy within the meaning of N.J.S.A. 45:9-21(k) in the absence of a regularly licensed physician or surgeon provided:

1. The employing agency has established a joint committee including the administrative, medical, pharmacy, laboratory and nursing staff, to establish and coordinate a program of intravenous therapy;

2. The nurse has received a course of instruction in intravenous therapy and has been approved for the administering of such tests by the joint committee.

(b) The joint committee of the employing agency shall develop a list of medications which the registered professional nurse may administer intravenously, and under what circumstances they may be administered.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 28, 1976, to:

Richard E. David  
Executive Director  
New Jersey Board of Nursing  
1100 Raymond Boulevard  
Newark, New Jersey 07102

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

Richard E. David  
Executive Director  
Board of Nursing

(c)

## LAW AND PUBLIC SAFETY

### RACING COMMISSION

##### Proposed New Rules Concerning Penalties

John J. Reilly, Executive Director of the New Jersey Racing Commission in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 5:5-22 et seq., proposes to adopt certain new rules governing harness and thoroughbred racing.

The new rules regarding thoroughbred racing are similar to the penalty rules presently in effect with regard to harness racing. The proposed new rules also provide for penalties in both harness and thoroughbred racing where a racing association continues in violation of the racing law, rules and regulations or directives of the Racing Commission for a period of more than three days after being advised of the violation.

Full text of the proposed new rules follows:

##### 13:70-1.25 Violations by track associations and penalties

Notwithstanding any provision of Subchapter 16, 23 and 31 of this Chapter any track association, licensed by the New Jersey Racing Commission, that violates a law, rule or regulation or directive of this Commission and continues in deliberate violation for a period of 72 hours following notification from the Commission office that such violation exists, shall be subject to a fine of not more than \$5,000 per day for each and every day said track association remains in violation of the law, rule or regulation or directive of this Commission. Any association fined pursuant to this rule may, within three days after service of such notice of the imposition of a fine or fines,

request a hearing by petition in writing, which hearing shall be held within four days after the petition has been served upon the Chairman or Executive Director of the Racing Commission.

#### 13:70-3.46 Violations by track associations and penalties

Notwithstanding any provisions of Subchapters 16, 23 and 31 of this Chapter any track association, licensed by the New Jersey Racing Commission, that violates a law, rule or regulation or directive of this Commission and continues in deliberate violation for a period of 72 hours following notification from the Commission office that such violation exists, shall be subject to a fine of not more than \$5,000 per day for each and every day said track association remains in violation of the law, rule or regulation or directive of this Commission. Any association fined pursuant to this rule may, within three days after service of such notice of the imposition of a fine or fines, request a hearing by petition in writing, which hearing shall be held within four days after the petition has been served upon the Chairman or Executive Director of the Racing Commission.

### SUBCHAPTER 31. VIOLATIONS

#### 13:70-31.1 Liability

Any person or association licensed by the Commission or any person or association subject to the jurisdiction of the Commission violating any of its rules or regulations shall be liable to the penalties herein provided, unless otherwise limited in and by the rules and regulations of the Commission. The penalties provided herein are in addition to those which may be imposed under Subchapters 1, 3, 16 and 23 of this Chapter.

#### 13:70-31.2 Attempt to violate

Any attempt to violate the law or any of the rules and regulations of the Commission falling short of actual accomplishment shall constitute and shall be punishable as if consummated.

#### 13:70-31.3 Penalties

(a) The penalties for violation of the law, the rules and regulations or the directives of the Commission shall be as follows:

1. Denial, revocation or suspension of license;
2. Monetary fines not exceeding \$2,000 for each violation. The stewards may not impose directly a fine in excess of \$250.00;
3. Suspension from one or more activities at one or more tracks;
4. Expulsion from racing in New Jersey;
5. Forfeiture of purse;
6. In addition to the foregoing, the Commission may impose as a condition to licensing such conditions as it shall deem appropriate to secure compliance with the rules, regulations and directives of the Commission.

(b) The penalties provided above, where applicable, shall be extracted from all persons and/or associations, whether licensed by the Commission or not.

#### 13:71-2.4 Violations by track associations and penalties

Notwithstanding any provision of Chapter 2 of these rules and regulations, any track association licensed by the New Jersey Racing Commission that violates a law, rule or regulation or directive of this Commission and continues in deliberate violation for a period of 72 hours following notification from the Commission office that such violation exists, shall be subject to a fine of not more than \$5,000 per day for each and every day said track association remains in violation of the law, rule or regulation or directive of this Commission. Any association fined pursuant to this rule may, within three days after service of

such notice of the imposition of a fine or fines, request a hearing by petition in writing, which hearing shall be held within four days after the petition has been served upon the Chairman or Executive Director of the Commission.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 28, 1976, to:

Racing Commission  
404 Abbington Drive  
Twin Rivers Town Center  
East Windsor, New Jersey 08520

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

John J. Reilly  
Executive Director  
Racing Commission  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

### BOARD OF OPTOMETRISTS

#### Revisions on Written Examinations For Applicants for Optometry Licenses

On March 17, 1976, Richard Rosenberg, secretary-treasurer of the Board of Optometrists in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:12-4 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 13:38-3.11 concerning the written examinations for applicants for optometry licenses, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 83(a).

An order adopting these revisions was filed and became effective on April 7, 1976, as R.1976 d.105.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### GOVERNOR'S ADVISORY COUNCIL ON EMERGENCY SERVICES

#### Revised Rules Implementing the Emergency Services Act of 1972

On April 12, 1976, the Governor's Advisory Council on Emergency Services, pursuant to authority of N.J.S.A. 52:14E-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency rules which revised the rules implementing the Emergency Services Act of 1972. The revisions involve deletion of the current text of N.J.A.C. 13:1B-1.1 et seq. and the adoption of new text therein.

Full text of the revised rules follows:

CHAPTER 1B. RULES IMPLEMENTING THE  
EMERGENCY SERVICES ACT OF 1972

SUBCHAPTER 1. GENERAL PROVISIONS

13:1B-1.1 Definitions

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

"Act" means the Emergency Services Act of 1972, N.J.S.A. 52:14E-1 et seq., and any amendments and supplements thereto and any rules and regulations promulgated thereunder.

"Council" means the Governor's Advisory Council for Emergency Services.

"Emergency" means any flood, hurricane, storm, tornado, high water, wind-driven water, tidal wave, drought, fire, explosion, civil disorder or other catastrophe which is or threatens to be of sufficient severity and magnitude to endanger substantially the health, safety and property of the citizens of this State.

"Fund" means the Emergency Services Fund created pursuant to N.J.S.A. 52:14E-5.

13:1B-1.2 Governor's Advisory Council for Emergency Services

(a) The Governor's Advisory Council for Emergency Services shall consist of the Attorney General, who shall be the presiding officer, the Chief of Staff of the Department of Defense, the Commissioner of the Department of Community Affairs, the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Transportation, the President of the Public Utility Commission or their designees.

(b) Whenever any member shall designate a person to act as his or her representative on the Council, the appointment shall be made in writing and to the secretary of the Council designated pursuant to N.J.A.C. 13:1B-1.5.

13:1B-1.3 Emergency Services Fund

The Emergency Services Fund shall consist of such funds as the Legislature may appropriate, such additional sums as may be granted or donated to the Fund from any public or private source, and any income to the Fund from investments authorized pursuant to N.J.S.A. 52:14E-6.

13:1B-1.4 Administration of Fund

(a) The Fund shall be administered by the State Treasurer.

1. All monies appropriated for, earned by or otherwise made available to the Fund shall be deposited to the credit of the Fund in such depositories as the State Treasurer may select and shall be held unless otherwise provided by law for the purposes of the Act.

2. Such portions of the Fund as are not required for immediate disbursement to carry out the provisions of the Act may be invested and reinvested in the manner provided for by law in the trust funds in the State treasury.

3. The State Treasurer shall provide the Council with an accounting of the Fund semiannually to inform them of amounts available for disbursement.

4. The State Treasurer shall make payments out of the Fund upon certification by the Council and warrant of the Director of the Division of Budget and Accounting.

13:1B-1.5 Powers and functions of Council

(a) The Council shall perform the following functions and exercise the following powers:

1. Review, evaluate and recommend to the Legislature any necessary changes in any existing compact between this State and the Federal Government or between this State and any other state created for the purposes set

forth in this Act, or develop such compacts where they do not exist.

2. Develop, review, evaluate and periodically recommend changes in emergency master plans.

3. Encourage and coordinate comprehensive services available through private organizations and intercommunity cooperation.

4. Authorize expenditures from the Fund for units of local government, State agencies or private persons or corporations upon approval of the Governor in order to provide emergency relief deemed appropriate or to reimburse emergency expenditures.

5. Utilize the manpower facilities and materials of the various State Departments for the purposes of the Act.

6. Designate a secretary to the Governor's Advisory Council for Emergency Services as the person primarily responsible for disseminating information concerning the Act and for receiving and reviewing applications for emergency relief and reimbursement of emergency expenditures prior to authorization of payment by the Council.

13:1B-1.6 Meetings; votes necessary for validity of acts

(a) The Council shall hold an annual organizational meeting and shall meet at such other times as may be necessary to fulfill the requirements of the Act and upon convocation by the Governor pursuant to a declaration of emergency by him.

(b) The concurrence of four members of the Council shall be necessary to the validity of all acts of the Council.

13:1B-1.7 Procedure for application for reimbursement of emergency expenditures

(a) Every application for reimbursement pursuant to the Act shall include the following:

1. A signed statement from the applicant containing a narrative description of the causes or chain of events that led to the determination of an emergency, the dates and duration of the emergency, and a description in summary form of the events that transpired during the course of the emergency;

2. An itemization of all expenses incurred as a result of the emergency;

3. A statement setting forth the steps that have been taken to alleviate the emergency or causes thereof, for which reimbursement is requested.

(b) Where an applicant requests reimbursement for expenditures incurred in dealing with more than one emergency situation, the applicant shall assemble and collate the narrative and fiscal material relating to each emergency separately.

(c) The Council shall review every application and may cause further investigation or inquiry to be made to verify the accuracy of statements made therein and to establish the eligibility of the applicant to receive payment pursuant to provisions of the Act.

(d) When payment has been approved by the Council, the secretary will inform the applicant and request that a form 100, certified by a certified public accountant or appropriate fiscal officer, be submitted for referral to the Governor and the Bureau of Budget and Accounting in the Department of the Treasury.

13:1B-1.8 Procedure for application for emergency relief

(a) Every application for emergency relief shall include the following:

1. A signed statement from the applicant describing the nature of the emergency and the events that led to the emergency.

2. An estimate of anticipated expenses.

3. A statement setting forth the steps that the applicant intends to take to alleviate the emergency or causes thereof.

(b) The Council shall review every application and may cause further investigation or inquiry to be made to verify the accuracy of statements made therein and to establish the eligibility of the applicant to receive payment pursuant to provisions of the Act.

(c) The Council shall require an accounting of the actual expenditures made by recipient pursuant to a grant by the Council, including but not limited to audits and reports signed by appropriate fiscal officers or certified public accountants. If the amount of the grant exceeds the amount of actual expenditures, the recipient shall reimburse such excess to the Fund.

#### 13:1B-1.9 Application to secretary of Governor's Advisory Council for emergency services; exception

All requests for information, application forms and copies of the regulations and all completed applications shall be directed to the secretary of the Governor's Advisory Council for Emergency Services, Division of Law, State House Annex, Trenton, New Jersey 08625, except where expediency requires immediate Council action and the secretary is not available, in which case application may be made to the Governor or any member of the Council.

An order adopting these revised rules was filed and became effective on April 13, 1976, as R.1976 d.109 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## STATE

### OFFICE OF THE SECRETARY OF STATE

#### Rules on Voter Declaration of Political Party

On April 21, 1976, J. Edward Crabiell, Secretary of State, pursuant to authority of N.J.S.A. 19:23-45 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency rules concerning voter declaration of political party.

Full text of the adopted rules follows:

#### SUBCHAPTER 2. VOTER DECLARATION OF POLITICAL PARTY

##### 15:10-2.1 General provisions

(a) N.J.S.A. 19:23-45 (L.1975, c.260) requires a voter to be a member of a political party 50 days before the primary election in order to vote in that primary.

(b) A voter becomes a member of a political party either:

1. By having voted in a previous primary of that party;
2. By filing a declaration of membership in that party; or
3. By being a member of the county committee of the party or being a public official holding office to which he has been elected or appointed as a member of that political party.

(c) The declaration of membership must be signed and filed with the municipal clerk or appropriate county election officer no later than the 50th day preceding the primary. However, a voter, who has not previously voted in a party primary under the voter's current registration, may vote in the 1976 primary, only, without filing a declaration. Also, a newly-registered voter is not required to file a declaration before the first primary in which the voter is eligible to vote.

##### 15:10-2.2 Who must file declarations

(a) To decide whether a voter must file a declaration, three steps should be followed:

1. It must be determined whether the voter has ever voted in a primary election under the voter's current registration.

2. If so, it must be determined in which political party primary the voter participated when the voter cast the most recent primary ballot.

3. If the voter now wishes to participate in the primary election of a different political party, the voter must file a declaration.

(b) A voter who has never previously participated in a primary election under the voter's current registration need not file a declaration for the June 8, 1976, primary. However, if the voter does not participate in the 1976 primary, the voter will have to file a declaration in order to vote in the 1977 primary.

(c) If a voter cast a ballot in a primary several years ago, that voter must file a declaration in order to vote in the primary of another party. The passage of time has no effect on the status of the voter as a member of a political party. However, if a voter cast a ballot in a primary under a previous registration, even though that previous registration was in the same county as the current registration, the voter is still deemed not to have participated in a previous primary under the voter's current registration.

(d) For purposes of the 1976 primary, there is no difference between the treatment of a voter who has never voted under his current registration in a previous primary and a newly registered voter; neither voter is compelled to file a declaration. However, in 1977, and thereafter, if a voter has not voted in a previous primary for which the voter was eligible, the voter must file a declaration. A newly-registered voter, in 1977 and thereafter, will be permitted to vote in a primary without a previous declaration as long as it is the first primary for which the newly registered voter is eligible to vote.

##### 15:10-2.3 Voters excused from filing declarations

A member of the county committee of a political party and a public official or public employee holding any office or public employment to which he has been elected or appointed as a member of a political party shall be deemed a member of such political party and need not file a declaration.

##### 15:10-2.4 Responsibilities of municipal clerks

(a) Municipal clerks should obtain and have available for distribution voter declaration forms.

(b) Upon receipt of a signed declaration or a written statement declaring political party membership, the municipal clerk should mark on the form or statement the date on which it was filed with him or her.

(c) The municipal clerk should accurately maintain a registry of declarations received, showing the name and address of the voter, the political party declared and the date received.

(d) Once it has been dated and recorded, the municipal clerk should submit the form or statement to the county commissioner of registration (superintendent of elections in those counties having that office) or to the county board of elections in all other counties.

(e) Appropriate measures should be taken to insure that the forms are properly delivered in the condition in which they were received. Immediately after the expiration of the deadline of the receipt of forms, that is, on April 19, 1976, for 1976, all forms on hand should be delivered within 48 hours to the county commissioner of registration.

(f) In the event that declaration forms or statements are lost or damaged in transit, the municipal clerk may rely upon the records maintained by him or her to advise the county commissioner of registration of the declarations received, but this measure should be resorted to only after all reasonable means of locating or repairing the original forms or statements have been exhausted.

#### 15:10-2.5 Responsibilities of county election officers

(a) The commissioner of registration (superintendent of elections in all counties having this office) and the county board of elections in all other counties has complete responsibility for the permanent registration of all eligible voters within their respective counties and for the enforcement of the provisions of this Act.

(b) The appropriate county election officer must distribute the declaration forms prepared by the Department of State to all municipal clerks and to other sources where, in the judgment of the officer, there is a substantial likelihood that such forms will be distributed to the voting public.

(c) Upon receipt of a signed declaration form or statement, the election officer should immediately mail an acknowledgment to the voter indicating that he or she will be permitted to vote in the primary and further indicating the political party the voter declared. The acknowledgment must also indicate that, if the voter believes that he or she has not filed a declaration or that an error occurred, the voter must so advise the election officer by personally appearing, writing or telephoning within two weeks. The voter must be informed that, in the absence of any response, the voter will be deemed to be a member of the political party declared. In the event a voter submits a written, signed statement to the effect that he or she has not filed a declaration or that an error occurred, the declaration shall be withdrawn or the error corrected, whichever the case may be, and the records of the commissioner or superintendent or county board of elections shall reflect this action.

#### 15:10-2.6 Appearance at polls; declaration not required from excused voters

Voters who are not required to file a declaration under the Act do not have to make a declaration when appearing at the polls to participate in the primary election. It is enough that the voter proceeds to vote in the primary of one party and thereby is deemed to be a member of that party.

#### 15:10-2.7 Operations and enforcement of the Act; questions

Voters in Bergen, Essex, Hudson, Mercer, Monmouth and Passaic Counties should address any questions concerning the operations and enforcement of the Act to the commissioner of registration or superintendent of elections in their respective counties. Voters in all other counties should address such questions to their respective county boards of elections.

#### 15:10-2.8 Filing date

If a voter wishes to file for the 1976 regular primary election, Monday, April 19, 1976 is the last day on which such voter can file a declaration.

#### 15:10-2.9 Method of filing declaration of political party membership

(a) The Department of State has prepared forms which may be obtained by writing or telephoning the commissioner of registration or superintendent of elections in Bergen, Essex, Hudson, Mercer, Monmouth or Passaic Counties or by writing or telephoning the county board of elections in all other counties. Upon filling out and signing the form, the voter should mail or deliver it to the commis-

sioner or superintendent or county board or to the municipal clerk in the municipality in which the voters vote.

(b) The voter wishing to file a declaration of political party membership may do so by appropriate written notice, and the voter is not required to use the forms provided by the Secretary of State. However, the voter should prepare a written statement indicating that he or she is a member of a political party; the statement should be signed by the voter; the name and full address of the voter should appear; and the voter should date the statement.

#### 15:10-2.10 Effect of prior registration and voting

(a) If a voter was registered just prior to the 1975 primary election but did not vote in that year, it is not necessary for the voter to file a declaration in order to vote in the 1976 primary. The voter did not vote in the 1975 primary election and therefore is not required to file a declaration for the 1976 primary election. If such voter should not participate in the 1976 primary, the voter will be compelled to file a declaration if the voter wishes to participate in the 1977 primary.

(b) If a voter participated in the 1975 primary election under the same registration currently in effect for the voter, the voter would have to file a declaration in order to change party affiliation in the 1976 primary election.

(c) If a voter registered between the time of the 1975 general election and the 1976 primary election, the voter would not have to file a declaration in order to vote in the 1976 primary election. This voter is considered to be a newly-registered voter.

(d) If a voter participated in any previous primary election under the voter's current registration, the voter must file a declaration in order to change party affiliation. Previous provisions concerning two subsequent annual primary elections have been amended and are no longer a part of the Act.

#### 15:10-2.11 Availability of declaration forms

(a) A bona fide organization or individual candidate for public office may request a reasonable number of declaration forms from the commissioner of registration or superintendent of elections or county board of elections of each county. The number requested may be limited to two per cent of the total number of declaration forms which the appropriate election official has available at the time of such request. There shall be no limit as to the number of requests that such an organization or candidate may make. The appropriate election official shall maintain a record of all organizations and individual candidates requesting 100 or more forms.

(b) An individual who is not a candidate for public office may request in person from the appropriate election official of each county up to 25 declaration forms and shall be entitled to the forms. There shall be no limit as to the number of requests such an individual may make. An individual making such a request by telephone shall be entitled to at least two forms.

(c) The term "organization" shall be defined as broadly as possible for purposes of these rules.

(d) Declaration forms shall be prepared in the Spanish language for use by individuals or organizations requesting them.

An order adopting these rules was filed and became effective on April 21, 1976, as R.1976 d.119 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TRANSPORTATION THE COMMISSIONER

### Proposed Rule on Left Turns Along Portions of Routes U.S. 1 and 9

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6, proposes to adopt a new rule establishing no left turns along portions of Routes U.S. 1 and 9 in Fairview Borough.

Full text of the proposed rule follows:

16:28-6.10 Routes U.S. 1 and 9 in the Borough of Fairview, Bergen County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on certain parts of State Highway Routes U.S. 7 and 9 described herein below are regulated as follows:

1. No left turn south on Routes U.S. 1 and 9 to east on Prospect Avenue.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976, to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(b)

## TRANSPORTATION THE COMMISSIONER

### Proposed Rules on No Parking Zones Along Portions of Routes 27 and 3

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1, proposes to adopt new rules concerning no parking zones along portions of Route 27 in Franklin Township and Route 3 in Rutherford Borough.

Full text of the proposed rules follows:

16:28-3.106 Route 27 in Franklin Township, Somerset County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 27 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along the westerly side of Route 27 from the southerly curb line of Veronica Avenue to the northerly curb line of Sinclair Boulevard.

16:28-3.107 Route 3 in Rutherford Borough, Bergen County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 3 de-

scribed herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along both sides of Route 3 for the entire length within the corporate limits of Rutherford Borough including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976, to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(c)

## TRANSPORTATION THE COMMISSIONER

### Proposed Revisions in Route 4 Speed Limits

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to adopt revisions to N.J.A.C. 16:28-1.102 concerning rates of speed along portions of Route 4 in Passaic and Bergen Counties. The proposed revisions concern the deletion of the current text of N.J.A.C. 16:28-1.102 and the adoption of new text therein.

Full text of the proposed new text follows:

16:28-1.102 Route 4 in Passaic and Bergen Counties

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 4 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

- |   |               |
|---|---------------|
| 1. City of Paterson:  | Mileposts     |
| i. Zone 1: 40 mph:  | 0.0 to 0.13.  |
| 2. Elmwood Park and Fair Lawn Boroughs:   |               |
| i. 40 mph in Elmwood Park Borough from westerly Elmwood Park Borough line to Rosemont Avenue:   | 0.13 to 0.35; |
| ii. Zone 2: 35 mph in Elmwood Park Borough from Rosemont Avenue to Florence Place:  | 0.35 to 0.59; |
| iii. Zone 3: 40 mph in Elmwood Park Borough from Florence Place extending into Fair Lawn Borough to Banta Place:                                      | 0.59 to 1.07; |
| iv. School zone: 25 mph in Saint Anne's school zone, during recess or while children are going to or leaving school, during opening or closing hours; |               |
| v. Zone 4: 35 mph in Fair Lawn Borough from Banta Place to 30th Street:   | 1.07 to 1.49; |
| vi. Zone 5: 40 mph in Fair Lawn Borough from 30th Street to the junction of Routes 4 and 208:   | 1.49 to 2.08; |

- vii. School zone: 25 mph in Warren Point School #1, school zone, during recess or while children are going to or leaving school, during opening or closing hours;
- viii. Zone 6: 50 mph in Fair Lawn Borough from junction of Routes 4 and 208 to the easterly Fair Lawn Borough line: 2.08 to 2.28.
- 3. Paramus, River Edge Boroughs, City of Hackensack, Teaneck Township, City of Englewood and Fort Lee Borough:
  - i. 50 mph: 2.28 to 10.84.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976, to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION THE COMMISSIONER

### Proposed Rules on No Parking Zones Along Parts of Routes 28, 27 and U.S. 202-206

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1, proposes to adopt new rules establishing no parking zones along portions of Routes 28, 27 and U.S. 202-206.

Full text of the proposed rules follows:

16:28-3.108 Route 28 in the Borough of Roselle Park, Union County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 28 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

i. Along the westbound side of Route 28 from a point 145 feet east of the easterly curb line of Chiego Place (Coolidge Place) to a point 180 feet west of the westerly curb line of Chiego Place (Coolidge Place).

ii. Along the eastbound side of Route 28:

(1) From a point 120 feet east of the easterly curb line of Walnut Street to a point 192 feet east of the easterly curb line of Walnut Street.

(2) From the prolongation of the easterly curb line of Berwyn Street to a point 130 feet west of the prolongation of the easterly curb line of Berwyn Street.

16:28-3.109 Route 27 in the Borough of Highland Park, Middlesex County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 27 described herein below shall be, and hereby are, designated and established as "no parking" zones where parking is prohibited at all times and in accordance with the provisions of N.J.S.A. 39:4-199 permission is hereby granted to erect appropriate signs at the following established bus stops:

1. Along the northbound side of Route 27:

i. Far side bus stops:

- (1) South Adelaide Avenue (110 feet);
- (2) South First Avenue (110 feet);
- (3) South Second Avenue (110 feet);
- (4) South Third Avenue (110 feet);
- (5) South Fourth Avenue (110 feet);
- (6) Woodbridge Avenue (110 feet).

ii. Near side bus stops:

- (1) South Fifth Avenue (110 feet);
- (2) South Ninth Avenue (120 feet);
- (3) South Tenth Avenue (120 feet);
- (4) South Eleventh Avenue (120 feet);
- (5) Merilind Avenue (120 feet);
- (6) Marlboro Road (120 feet);
- (7) Amherst Street (120 feet);
- (8) Rolfe Avenue (110 feet);
- (9) Columbia Street (120 feet).

2. Along the southbound side of Route 27:

i. Far side bus stops:

- (1) North Fifth Avenue (120 feet);
- (2) North Fourth Avenue (110 feet);
- (3) North Third Avenue (110 feet);
- (4) North Second Avenue (110 feet).

ii. Near side bus stops:

- (1) Lexington Avenue (120 feet);
- (2) Washington Avenue (110 feet);
- (3) Highland Avenue (120 feet);
- (4) North Eleventh Avenue (120 feet);
- (5) North Tenth Avenue (120 feet);
- (6) North Ninth Avenue (120 feet);
- (7) North Seventh Avenue (120 feet);
- (8) North Sixth Avenue (120 feet);
- (9) South First Avenue (120 feet);
- (10) North Adelaide Avenue (120 feet).

Note: Length of each bus stop is noted at each street location (measured from the curb line or the prolongation of the curb line of the intersecting street).

16:28-3.110 Route U.S. 202-206 in the Township of Bridgewater, Somerset County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route U.S. 202-206 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along both sides of Route U.S. 202-206 for the entire length within the corporate limits of the Township of Bridgewater, including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976, to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION THE COMMISSIONER

### Proposed Rule on Left Turns On Portions of Route U.S. 30

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6, proposes to adopt a new rule establishing no left turns along portions on Route U.S. 30 in Absecon.

Full text of the proposed rules follows:

16:28-6.11 Route U.S. 30 in the City of Absecon, Atlantic County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of Route U.S. 30 described herein below are regulated as follows:

1. No left turn east on Route U.S. 30 to north on Station Avenue.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976 to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(b)

## TRANSPORTATION THE COMMISSIONER

### Proposed Revisions of Speed Limits On Portions of Route U.S. 46

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to adopt revisions, which would replace the current text of N.J.A.C. 16:28-1.102, concerning rates of speed along portions of Route U.S. 46 in Warren and Morris Counties.

Full text of the proposed revisions follows:

16:28-1.102 Route U.S. 46 in Warren and Morris Counties

(a) In accordance with the provisions of R.S. 39:4-98, the rate of speed designated for the certain part of State Highway Route U.S. 46 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat:

1. For both directions of traffic:

i. Knowlton Township:

Milepost

(1) Zone 1: 50 mph between Route I-80, Route 46 and Route 94 interchange and the White Township line: 0.00 to 5.5;

(2) School zone: 35 mph in the Delaware Zone, during recess or while children are going to or leaving school during opening or closing hours.

ii. White Township:

(1) 50 mph between the Knowlton Township line and 1,900 feet west of Route 31: 5.5 to 9.63;

(2) Zone 2: 45 mph between 1,900 feet west of Route 31 and 550 feet east of Route 31: 9.63 to 10.14;

(3) Zone 3: 50 mph between 550 feet east of Route 31 and the Liberty Township line: 10.14 to 12.5.

iii. Liberty Township: 50 mph 12.5 to 15.7.

iv. Independence Township:

(1) 50 mph between the Liberty Township line and 700 feet east thereof: 15.7 to 15.83;

(2) Zone 4: 40 mph between 700 feet east of the Liberty Township line and 650 feet east of Bakers Mill Road: 15.83 to 17.75;

(3) School zone: 25 mph in the central school zone, during recess or while children are going to or leaving school, during opening or closing hours;

(4) Zone 5: 45 mph between 650 feet east of Bakers Mill Road and the Hackettstown Town line (Morris Canal): 17.75 to 20.6.

v. Town of Hackettstown:

(1) 45 mph between the Independence Township line (Morris Canal) and 600 feet east thereof: 20.6 to 20.73;

(2) Zone 6: 35 mph between 600 feet east of the Independence Township line (Morris Canal) and 250 feet east of Prospect Street: 20.73 to 21.00;

(3) Zone 7: 30 mph between 250 feet east of Prospect Street and the Musconcong River Bridge (Warren County - Morris County line): 21.00 to 21.87.

vi. Washington Township:

(1) Zone 8: 35 mph between the Musconcong River Bridge (Warren County - Morris County line) and Mine Brook Bridge: 21.87 to 22.48;

(2) For eastbound traffic in Zone 9: 45 mph between Mine Brook Bridge and the Mount Olive Township line: 22.48 to 23.3;

(3) For westbound traffic in Zone 10: 50 mph between the Mount Olive Township line and Mine Brook Bridge: 23.3 to 22.48.

vii. Mount Olive Township:

(1) For eastbound traffic in Zone 9: 45 mph between the Washington Township line and 800 feet west of Schooley's Mountain Road - Sand Shore Road: 23.3 to 24.48;

(2) For westbound traffic in Zone 10: 50 mph between 800 feet west of Schooley's Mountain Road - Sand Shore Road and the Washington Township line: 24.48 to 23.3.

viii. Mount Olive Township:

(1) Zone 11: 50 mph between 800 feet west of Schooley's Mountain Road and Woodsedge Avenue - Sand Shore Road: 24.48 to 27.1;

(2) Zone 12: 45 mph between Woodsedge Avenue - Sand Shore Road and Budd Lake Road - Netcong Road: 27.1 to 28.4;

(3) Zone 13: 50 mph between Budd Lake - Netcong Road and the Netcong Borough line (Rt. I-80): 28.4 to 29.4;

(4) School zone: 35 mph in the Budd Lake Elementary School Zone, during recess or while children are going to or leaving school, during opening or closing hours.

- ix. Netcong Borough:
- (1) 50 mph between the Mount Olive Township line and 300 feet west of Flanders Road: 29.4 to 29.6;
  - (2) Zone 14: 40 mph between 300 feet west of Flanders Road and the Roxbury Township line (Helen Way): 29.6 to 30.45.
- x. Roxbury Township:
- (1) Zone 15: 50 mph between the Netcong Borough line (Helen Way) and the Route 10 - Route U.S. 46 traffic circle: 30.45 to 33.30;
  - (2) Zone 16: 45 mph between the Route 10 - Route U.S. 46 traffic circle and the Black River Bridge: 33.30 to 34.24;
  - (3) Zone 17: 40 mph between the Black River Bridge and Dell Avenue: 34.24 to 35.09;
  - (4) Zone 18: 45 mph between Dell Avenue and the Mine Hill Township line: 35.09 to 35.3.
- xi. Mine Hill Township:
- (1) 45 mph between the Roxbury Township line and William Street: 35.3 to 36.0;
  - (2) Zone 19: 40 mph between William Street and 200 feet east of Randolph Avenue: 36.0 to 36.55;
  - (3) School zone: 25 mph in the Route 46 school zone, during recess or while children are going to or leaving school, during opening or closing hours;
  - (4) Zone 20: 45 mph between 200 feet east of Randolph Avenue and the Wharton Borough line (Spring Brook Bridge): 36.55 to 37.23.
- xii. Wharton Borough:
- (1) Zone 21: 40 mph 37.23 to 37.33.
- xiii. Town of Dover:
- (1) 40 mph between the Wharton Borough line and the Bridge over Central Railroad of New Jersey: 37.33 to 38.18;
  - (2) Zone 22: 35 mph between the Bridge over Central Railroad and Maple Avenue: 38.18 to 38.77;
  - (3) School zone: 25 mph in the Dover Middle School Zone, during recess or while children are going to or leaving school, during opening or closing hours;
  - (4) Zone 23: 40 mph between Maple Avenue and the Rockaway Township line (George St.): 38.77 to 39.5;
  - (5) School zone: 25 mph in the East Dover Elementary School Zone, during recess or while children are going to or leaving school, during opening or closing hours.
- xiv. Rockaway Township:
- (1) 40 mph: 39.5 to 39.9.
- xv. Rockaway Borough:
- (1) 40 mph between the Rockaway Township line and Mannino Street: 39.9 to 40.6;
  - (2) Zone 24: 50 mph between Mannino Street and the Denville Township line (New Main Street): 40.6 to 42.0.
- xvi. Denville Township:
- (1) 50 mph between the Rockaway Borough line and Broad Street: 42.0 to 42.12;
  - (2) For eastbound traffic:
    - (A) Zone 25: 40 mph between Broad Street and 775 feet east of Frazer Road: 42.12 to 42.84;
    - (B) Zone 26: 50 mph between Frazer Road and Route 53: 42.84 to 43.04.

- (3) For westbound traffic in Zone 27: 40 mph between Route 53 and Broad Street: 43.04 to 42.12;
  - (4) For both directions of traffic:
    - (A) School zone: 25 mph in the Saint Mary School Zone, during recess or while children are going to or leaving school, during opening or closing hours;
    - (B) Zone 26: 50 mph between Route 53 and the Mountain Lakes line (New Lake-wood Drive): 43.04 to 43.8.
- xvii. Mountain Lakes Borough and Parsippany Troy-Hills Township:
- (1) 50 mph between the Denville Township line and the Montville Township line (Rockaway River): 43.8 to 50.35.
- xviii. Montville Township:
- (1) 50 mph between the Parsippany Troy-Hills line (Rockaway River) and the Passaic River Bridge (Morris Co. - Essex Co. line): 50.35 to 51.82.

Interested persons may present relevant statements or arguments in writing on the proposed action on or before May 26, 1976, to Robert R. Reed Jr., Administrative Practice Officer, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION THE COMMISSIONER

### Rule on One-Way Traffic Along Portions of Route 29

On April 20, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-85.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule concerning one-way traffic along portions of Route 29 in Lambertville, New Jersey.

Full text of the adopted rule follows:

16:28-4.5 One-way traffic along Route 29 in the City of Lambertville, Hunterdon County

(a) In accordance with the provisions of N.J.S.A. 39:4-85.1, certain parts of State Highway Route 29 described herein below shall be and hereby are designated for one-way traffic until construction on Route 29 is completed and the detour no longer needed:

1. Route 29 (Main Street) in a northerly direction between Elm Street and Cherry Street.

An order adopting this rule was filed and became effective on April 20, 1976, as R.1976 d.118 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Rules on Federal Grant Program to Provide Transportation Services to Elderly and/or Handicapped People

On April 15, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 16:52-1.1 et seq., concerning the Federal grant program to provide transportation services to elderly and/or handicapped people, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 137(d).

An order adopting these rules was filed and became effective on April 20, 1976, as R.1976 d.117.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### DIVISION OF TAXATION

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Proposed Revisions in Home Improvement Exemptions

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of P.L. 1975, c.104, proposes to adopt revisions to some of the rules concerning home improvement exemptions as required by the changes in the law effected by P.L. 1975, c.283, amending P.L. 1975, c.104.

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

#### 18:12-6.1 Definitions

Unless the context indicates otherwise, the following words shall have the following respective meanings:

"Assessor" means the assessor, board of assessors or any other official or body of a taxing district charged with the duty of assessing real property for the purpose of general taxation.

"Completion" means substantially ready for the use for which it was intended.

"Dwelling" means any building or part of a building used, to be used, or held for use, [in whole or part,] as [the] a home or residence [of one or more families], including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for the fair enjoyment thereof.

"Home improvement" means the improvement of a dwelling which does not change [neither changes its size nor] its permitted use, [except that a garage may be en-

larged to the extent necessary to accommodate a modern automobile] and shall include the modernization, rehabilitation, renovation, alteration or repair of a dwelling.

"Qualified municipality" means any municipality in which residential neighborhoods have been declared by the county planning board or the Commissioner of the Department of Community Affairs to be endangered by blight, pursuant to Section 3 of the Act.

"Department" means the Department of Community Affairs.

"Board" means the Board of Property Tax Abatement Appeals established with the Department to hear matters arising out of P.L. 1975, c.104.

"Application" means a written request for the exemption filed with the local tax assessor on forms devised by the Director of the Division of Taxation.

"Assessors full and true value of home improvements" means that portion of any increased assessed value of real property which directly resulted from improvements made thereon.

"Exemption" means that amount to be deducted from the "assessor's full and true value of home improvements".

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Division of Housing and Urban Renewal  
Department of Community Affairs  
P.O. Box 2768  
Trenton, N.J. 08625  
Attention: Michael Kuzma or Sol Metzger

or

Division of Taxation  
Department of the Treasury  
West State and Willow Streets  
Trenton, N.J. 08625  
Attention: J. Henry Ditmars

The Department of the Treasury and the Department of Community Affairs, upon their own motions or at the instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Sidney Glaser  
Director, Division of Taxation  
Department of the Treasury

David S. Davies  
Director, Division of Housing and  
Urban Renewal  
Department of Community Affairs

(c)

## TREASURY

### DIVISION OF TAXATION

#### Proposed Revisions Concerning Unincorporated Business Tax Act

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:11B-1 et seq., proposes to revise a portion of the rules concerning the Unincorporated Business Tax Act. The proposed revisions concern a revised definition of "gross receipts" in N.J.A.C. 18:11-1.1, revisions to portions of N.J.A.C. 18:11-2.1 concerning gross receipts, and revisions to portions of N.J.A.C. 18:11-3.1 concerning the computation of tax.

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

18:11-1.1 Definitions

"Gross receipts" means and includes all receipts, of whatever kind and in whatever form, derived by an unincorporated business, without any deduction therefrom on account of any item of cost, expense or loss, except that gross receipts does not include the sales price of property returned by customers to the extent that the sales price thereof is refunded either in cash or by credit. (See Sections 2.1 through 2.7 of this Chapter.) With respect to gross receipts received or accrued on and after January 1, 1975, and applicable to taxpayers reporting on the basis of the calendar year 1975 and fiscal years ending on and after December 31, 1974, and not later than June 30, 1976, retail dealers of motor fuels shall be entitled to a deduction of 100 per cent of the amount of Federal and New Jersey motor fuel taxes which were paid on motor fuel purchased by said dealers and which were included in the cost to the retail dealers on the purchase of said motor fuel. (See Section 2.1(c) of this Chapter.)

Statutory Reference

As to definitions, see N.J.S.A. 54:11B-2[.] and N.J.S.A. 54:11B-25.

18:11-2.1 (b) No deductions except as provided in subsection (c) below are permitted in arriving at the calculation of gross receipts since the tax is a gross tax and therefore the cost of items may not be deducted nor may any other item, such as expenses or losses incurred.

18:11-2.1 (c) Retail dealers of motor fuels shall be entitled to a deduction from gross receipts of 100 per cent of the amount of Federal and New Jersey motor fuel taxes which were paid on motor fuel purchased by said dealers and which were included in the cost to the retail dealers on the purchase of said motor fuel. The deduction shall be applicable with respect to gross receipts received or accrued on and after January 1, 1975, and shall be applicable to taxpayers reporting on the basis of the calendar year 1975 and fiscal years ending on and after December 31, 1974, and not later than June 30, 1976.

Statutory Reference

As to gross receipts, see N.J.S.A. 54:11B-2[.] and N.J.S.A. 54:11B-25.

18:11-3.1 Computation of tax

(a) Under the Act, any taxpayer engaged in the conduct of an unincorporated business is subject to an annual excise tax at the rate of ¼ of one per cent on the gross receipts allocated to this State for the taxable year.

Example (1):

Mr. "B", a cash basis calendar year taxpayer, owns and operates "B" company. During 1969, total gross receipts were \$30,000 as follows: \$22,000 in receipts from his Newark Office; \$8,000 in receipts from his Plainfield Office; the tax to be paid by Mr. "B" for 1969 will be \$75.00 (\$30,000 x .0025).

Example (2):

Mr. "A", a cash basis calendar year taxpayer, owns and operates the "Z Truck Leasing Company" as a sole proprietorship. During 1969 his total gross receipts were \$30,000 as follows: \$22,000 in receipts from his New Jersey Office, \$8,000 in cash receipts from the New York State branch office which has its own trucks, is an unincorporated sole proprietorship under the same name and wholly owned by Mr. "A". The tax to be paid by Mr. "A" for 1969 will be \$55.00 (\$22,000 x .0025) since Mr. "A" is entitled to allocate the receipts from the New York branch office.

(b) In addition to the tax imposed above by Section 3 of P.L. 1966, c. 137 (C. 54:11B-3), there is imposed a temporary tax for the use of the State upon every individual or other unincorporated entity engaged in an unincorporated business an annual excise tax, measured by the gross receipts of such unincorporated business, and allocated to the State as hereinafter provided at the rate of ¼ of one per cent.

(c) The tax imposed by the supplementary act shall be applicable with respect to gross receipts received or accrued on and after January 1, 1975, and shall be applicable to taxpayers reporting on the basis of the calendar year 1975 and fiscal years ending on and after December 31, 1974, and not later than June 30, 1976, and shall expire June 30, 1976.

(d) For 1975 calendar year taxpayers, the amount of tax due shall be computed by multiplying the amount of gross receipts by 0.00375 (¾ of one per cent).

(e) For fiscal year taxpayers the amount of tax due shall be computed by multiplying the amount of gross receipts by the appropriate rate in the table below which applies to your fiscal period:

Fiscal Period Ending Date:	Rate:
1. January 31, 1975:	.002604;
2. February 28, 1975:	.002708;
3. March 31, 1975:	.002813;
4. April 30, 1975:	.002917;
5. May 31, 1975:	.003021;
6. June 30, 1975:	.003125;
7. July 31, 1975:	.003229;
8. August 31, 1975:	.003333;
9. September 30, 1975:	.003438;
10. October 31, 1975:	.003542;
11. November 31, 1975:	.003646;
12. December 31, 1975 to June 30, 1976:	.003750.

Statutory Reference

As to Imposition of Tax, see N.J.S.A. 54:11B-3[.] and N.J.S.A. 54:11B-24 to N.J.S.A. 54:11B-28.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976 to:

Jack Silverstein  
Acting Chief  
Tax Counselors Section  
Division of Taxation  
West State and Willow Streets  
Trenton, New Jersey 08625

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

Sidney Glaser  
Director, Division of Taxation  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### PUBLIC EMPLOYEES' RETIREMENT SYSTEM

##### Proposed Revisions in Election of Member-Trustee

The board of trustees of the Public Employees' Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:15A-17

et seq., proposes to revise the rule concerning the election of member-trustees.

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

17:2-1.4(b) 3. The instructions will indicate that at least [1000] 500 eligible State employee members; county members or municipal members as the case may be, must sign the petition in order for a candidate's name to be placed on the ballot.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Division of Pensions  
Department of the Treasury  
20 West Front St.  
Trenton, N.J. 08625

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

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### POLICE AND FIREMEN'S RETIREMENT SYSTEM

##### Proposed Revisions for Interfund Transfers

The Board of Trustees of the Police and Firemen's Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:16A-13 et seq., proposes to revise a portion of its rules concerning interfund transfers.

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

17:4-7.1(b)3. The employee will contribute at a rate appropriate to his original age in the former system. He will continue any previous schedules of loans and arrearages which were in effect at the time of transfer.

(c) As of January 1, 1976, in the event the amount in the former system is less than that required in the Police and Firemen's Retirement System, where the members are transferring following the adoption of the latter system, the actuary shall calculate the liability of the employer of employees becoming members, taking into account the value of moneys remitted by the first pension fund. The liability of the employer shall include an amount equal to the difference between the amount required and the moneys remitted. Upon certification by the actuary of the Police and Firemen's Retirement System, the employer shall make such contributions as are required to meet the financial obligations in the same manner and within the same period of time as is specified in the case of all other employees.

17:4-7.2 Interfund transfers; eligibility

(a) A member must elect to transfer credit at the time

of his employment change, while he is still a member of his former State-administered system[.], or at the time of the adoption of the new system by his employer.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Division of Pensions  
Department of the Treasury  
20 West Front Street  
Trenton, N.J. 08625

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

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(b)

## TREASURY

### DIVISION OF TAXATION

#### Adopt Rules on Capital Gains And Other Unearned Income Tax

On March 26, 1976, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:8B-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 18:30-1.1 et seq., concerning the capital gains and other unearned income tax, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 141(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of the Treasury. A summary of the changes was published April 8, 1976 at 8 N.J.R. 207(e).

An order adopting these rules was filed and became effective on March 26, 1976, as R.1976 d.93.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TREASURY

### DIVISION OF TAXATION

#### Revisions on Imposition of Penalties and Interest

On March 26, 1976, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:50-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the rules in N.J.A.C. 18:2-2.4 through 18:2-2.9 concerning the imposition of penalties and interest, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 154(a).

An order adopting these revisions was filed and became effective on March 26, 1976, as R.1976 d.94.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### DIVISION OF PENSIONS

#### Revisions Concerning Endorsements

On March 24, 1976, William J. Joseph, Director of the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions concerning endorsements, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 140(b).

Take notice that these revisions are reflected in N.J.A.C. 17:1-1.15(b) rather than N.J.A.C. 17:1-1.15(c) as was indicated in the notice of proposal.

An order adopting these revisions was filed and became effective on March 26, 1976, as R.1976 d.95.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### DIVISION OF PENSIONS

#### CONSOLIDATED POLICE AND FIREMEN'S PENSION FUND

#### Revisions on Survivor Benefits And Medical Examinations

On April 1, 1976, Elmer G. Baggaley, secretary of the Consolidated Police and Firemen's Pension Fund in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:16-7 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:6-3.3 and 17:6-3.9 concerning survivor benefits and medical examinations, as proposed in the Notice published January 8, 1976, at 8 N.J.R. 50(c).

An order adopting these revisions was filed and became effective on April 5, 1976, as R.1976 d.103.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TREASURY

### DIVISION OF PENSIONS

#### STATE POLICE RETIREMENT SYSTEM

#### Revisions to System's Rules

On March 31, 1976, Elmer G. Baggaley, secretary of the State Police Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 53:5A-30 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:5-2.2, 17:5-4.1, 17:5-5.15 and 17:5-6.1 concerning the rules of the State Police Retirement System, as proposed in the Notice published November 6, 1975, at 7 N.J.R. 523(a).

An order adopting these revisions was filed and became effective on April 5, 1976, as R.1976 d.104.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Revisions in Classification of Funds

On April 1, 1976, Clifford A. Goldman, Deputy State Treasurer, on behalf of the State Investment Council in the Department of the Treasury and pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the rules concerning the static group and trust group in Subchapter 5., Classification of Funds, in Chapter 16 of Title 17 of the New Jersey Administrative Code.

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

17:16-5.3(a)5. Rutgers Medical School—[Grant Fund]  
**Restricted Fund;**

17:16-5.6(a)[3. Rutgers Medical School—Endowment  
Fund;]

[4.]3. Supplemental Annuity Collective Trust.

An order adopting these revisions was filed and became effective on April 19, 1976, as R.1976 d.115 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

## TREASURY

### STATE INVESTMENT COUNCIL

#### Amendments Concerning Corporate Securities and Industrial Obligations

On April 1, 1976, Clifford A. Goldman, Deputy State Treasurer, on behalf of the State Investment Council in the Department of the Treasury and pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-8.1(a)5. concerning permissible investments for pension and annuity or trust group regarding corporate securities-industrial obligations.

Full text of the amended paragraph follows (additions indicated in boldface thus):

17:16-8.1(a)5. The total amount of debt issues purchased or acquired of any one corporation shall not exceed ten per cent of the outstanding debt of the company and not more than the greater of \$10 million or ten per cent of any one issue may be purchased at the time of issue, except that these requirements may be waived by the State Investment Council;

An order adopting these amendments was filed and became effective on April 19, 1976, as R.1976 d.116 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(a)**

**TREASURY**

**DIVISION OF PENSIONS**

**STATE HEALTH BENEFITS**

**Revisions Concerning Administration**

On April 21, 1976, William J. Joseph, Secretary of the State Health Benefits Commission in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:14-17.27 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:9-1.5, 17:9-2.3, 17:9-2.9 and 17:9-2.10 concerning administration, substantially as proposed in the Notice published February 5, 1976, at 8 N.J.R. 85(c), but with only inconsequential structural or language changes, in the opinion of the Department of the Treasury.

An order adopting these revisions was filed and became effective on April 22, 1976, as R.1976 d.124.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(b)**

**ECONOMIC DEVELOPMENT AUTHORITY**

**Proposed Rule on Loan and Bond Guarantee Fees**

The Economic Development Authority, pursuant to authority of N.J.S.A. 34:1B-1 et seq., proposes to adopt a new rule concerning loan and bond guarantee fees.

Full text of the proposed rule follows:

**19:30-2.2 Loan and bond guarantee fees**

The Authority may accept applications for loan and bond guarantees on projects deemed eligible for assistance under the New Jersey Economic Development Authority Act (Chapter 80, P.L. 1974; C. 34:1B-1 et seq.). An initial nonrefundable payment of \$250.00 shall accompany every application, in addition to any payments required pursuant to N.J.A.C. 19:30-2.1. This initial payment will be credited towards the full loan and bond guarantee fee if the application is approved by the Authority. The full loan and bond guarantee fee shall be determined by multiplying 1/2 of one per cent of the initial dollar amount of the project loan to be guaranteed by the Authority, by the number of years the loan and bond guarantee is to be in force. The balance of the loan and bond guarantee fee shall be paid in full at the time of closing of the loan.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

Robert S. Powell Jr., Executive Director  
Economic Development Authority  
John Fitch Plaza  
Post Office Box 1446  
Trenton, New Jersey 08625

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

Robert S. Powell Jr.  
Executive Director  
Economic Development Authority

**(c)**

**HIGHWAY AUTHORITY**

**GARDEN STATE PARKWAY**

**Proposed Rules on Inspection and Obtaining of Authority Records**

The Highway Authority, pursuant to authority of N.J. S.A. 27:12B-18 et seq., proposes to adopt new rules concerning the inspection and obtaining of Authority records.

Full text of the proposed new rules follows:

**SUBCHAPTER 7. INSPECTION AND OBTAINING OF AUTHORITY RECORDS**

**19:8-7.1 General provisions**

(a) All Authority records which are required by law or regulation to be made, maintained or kept on file shall be available to every citizen of New Jersey during regular business hours for the purpose of inspection or hand copying.

(b) Except as otherwise specified herein, copies of such records may be obtained by written request accompanied by a check or money order made payable to the Highway Authority in accordance with the following fee schedule:

1. Documents up to 8½ by 13 inches, per page ..... \$0.50;
2. Documents larger than 8½ by 13 inches,  
per page ..... \$1.00;
3. Drawings, maps and plan sheets, per page ..... \$1.00;
4. Microfilm, per page or sheet ..... \$1.00;
5. Photographs up to 8 by 10 inches, black and white  
glossy, per picture ..... \$3.00;
6. Photographs up to 8 by 10 inches, color glossy,  
per picture ..... \$6.00;
7. Slides, 35 millimeter, per slide ..... \$1.00.

(c) No payment may be required when the request is made by the United States, the State of New Jersey or any agency or political subdivision thereof; individuals or firms doing work or performing services for the Authority; organizations or associations of which the Authority is a member; and organizations exchanging information with the Authority on a reciprocal basis.

(d) Records in connection with a claim against the Authority, its agents, servants or employees, will be furnished only in accordance with New Jersey court rules.

**19:8-7.2 Bid documents**

Copies of bid documents for contractors and vendors bidding on work, services or materials shall be obtained at fees established by the executive director and published in the advertisement for the receipt of bids.

**19:8-7.3 New Jersey State Police reports**

(a) Copies of New Jersey State Police accident reports of Troop E on the Garden State Parkway may be obtained by written request addressed to the following:

Commanding Officer, Troop E  
New Jersey State Police  
P.O. Box 20  
Woodbridge, New Jersey 07095

1. Requests must be made by mail. Reports will not be furnished to anyone applying in person.

(b) All requests must be accompanied by a check or money order made payable to the Highway Authority in accordance with the following schedule:

1. One- to three-page report ..... \$10.00;
2. Each additional page ..... \$ 2.00;
3. Over six pages ..... No additional fee.

(c) No payment is required when the request is made by a law enforcement agency of the United States, the State of New Jersey or any political subdivision thereof.

(d) Criminal reports, statements, photographs and other evidential reports, if any, attached to accident reports will be furnished only in accordance with New Jersey court rules.

(e) In the event that the commanding officer, Troop E, in his discretion, determines that the interests of law enforcement and public safety require that the requested report not be furnished, the applicant will be so informed and the fee accompanying the request will be returned and the report will be furnished only in accordance with New Jersey court rules.

**19:8-7.4 Subscription services**

(a) Any person may subscribe to the Authority's annual, regular and special notices of meetings by written request accompanied by a check or money order made payable to the Highway Authority in accordance with the following subscription rate:

1. Notices of Authority meetings, including annual, regular and special notices, per year ..... \$24.00.

(b) No payment is required when the request is made by the Governor of the State of New Jersey or television and radio stations and newspapers serving New Jersey.

(c) All subscriptions shall be on a calendar-year basis only and rates for subscriptions commencing during a calendar year will be prorated accordingly.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

John P. Gallagher  
Garden State Parkway  
Woodbridge, N.J. 07095

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

John P. Gallagher  
Executive Director  
Highway Authority

(a)

**HIGHWAY AUTHORITY**

**GARDEN STATE PARKWAY**

**Proposed Revisions to Certain Definitions**

The Highway Authority, pursuant to authority of N.J.S.A. 27:12B-18, proposes to revise some of the definitions currently in N.J.A.C. 19:8-1.1.

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

**19:8-1.1 Definitions**

"Camper" means a self-propelled motor vehicle, single unit or unit attached, which is used and designed [and

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- Proposed business tax revisions ..... 8 N.J.R. 259(c)
- Proposed pension trustee changes ..... 8 N.J.R. 260(a)
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- Adopt capital gains tax rules ..... 8 N.J.R. 261(b)
- Revise tax penalties and interest ..... 8 N.J.R. 261(c)
- Revise pension endorsements ..... 8 N.J.R. 262(a)
- Revise police survivor benefits ..... 8 N.J.R. 262(b)
- Revise police retirement rules ..... 8 N.J.R. 262(c)
- Revise investment funds ..... 8 N.J.R. 262(d)
- Amend corporate securities rules ..... 8 N.J.R. 262(e)
- Revise health benefits administration ... 8 N.J.R. 263(a)

**ECONOMIC DEVELOPMENT AUTHORITY**

- Proposed loan guarantee rule ..... 8 N.J.R. 263(b)

**HIGHWAY AUTHORITY**

- Proposed records inspection rule ..... 8 N.J.R. 263(c)
- Proposed revision of definitions ..... 8 N.J.R. 264(a)

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equipped primarily] for human habitation [, including fixtures for eating and sleeping, and not displaying commercial advertising or] and not used for commercial purposes.

"Omnibus" means [a] any motor vehicle [primarily designed to carry ten or more passengers and] used [solely] to transport passengers [and their baggage] for hire, excluding taxicabs.

"Passenger motor vehicle" means a four-wheeled motor vehicle [primarily] used and designed [for passenger use but not more than nine] to transport passengers [, including the operator].

"Passenger van" means a van-type, four-wheeled motor vehicle [primarily] used and designed [for] to transport [passenger use, but not more than nine passengers, including the operator,] passengers, with windows all around, rear seat(s) and not [displaying commercial advertising or] used for commercial purposes, similar to a station wagon.

"Truck van" means any van-type motor vehicle other than a passenger van or camper.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 26, 1976, to:

John P. Gallagher  
Garden State Parkway  
Woodbridge, N.J. 07095

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

John P. Gallagher  
Executive Director  
Highway Authority