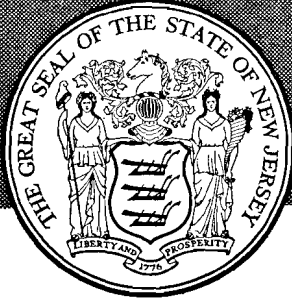
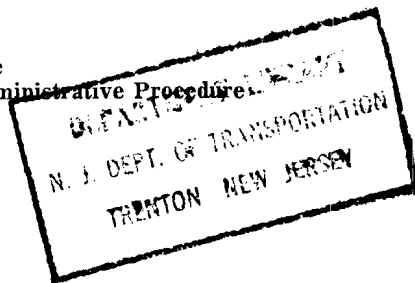


NEW JERSEY REGISTER



Official Publication of the State of New Jersey

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(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Rules On Tuberculosis Control and Eradication

On November 24, 1971, Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-18 through 4:5-53.4 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules concerning tuberculosis control and eradication, as proposed in the Notice published October 7, 1971, as 3 N.J.R. 198(a).

An order adopting these rules was filed and effective November 29, 1971, as R.1971 d.214.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

AGRICULTURE

STATE BOARD OF AGRICULTURE

Terminate Hog Cholera Quarantine

On December 15, 1971, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a termination of a hog quarantine order previously issued on November 25, 1971.

Complete text follows:

TERMINATION OF HOG CHOLERA QUARANTINE

By order of the State Board of Agriculture and pursuant to R.S. 4:1-21.5 of the agricultural laws of New Jersey, that portion of Burlington and Camden Counties east from the New Jersey Turnpike on Route 30 to the intersection with Route 534; northeast on Route 534 to the intersection with Route 541; northwest on Route 541 to the intersection with Route 70; west on Route 70 to its intersection with the New Jersey Turnpike, is hereby released from the hog cholera quarantine issued November 15, 1971.

This release from quarantine is effective December 15, 1971.

An order adopting this Termination of Hog Cholera Quarantine was filed December 16, 1971, as R.1971 d.223.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

EDUCATION

THE COMMISSIONER

Repeal of Present Rules and Emergency Adoption of New Rules on Non-Public School Secular Education

On December 8, 1971, Carl L. Marburger, Commissioner of Education, pursuant to authority of Chapter 336, Laws of 1971 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed in its entirety N.J.A.C. 6:8-1 to 6:8-11 (Non-Public School Secular Education) and adopted in place thereof emergency rules N.J.A.C. 6:8-1 to 6:8-3 (Non-Public School Secular Education).

Complete text of the adopted emergency rules follows:

6:8-1 Reimbursement to Parents for the Cost of Secular Textbooks, Instructional Materials and Supplies

a. At such time and in such form as shall be prescribed, each non-public school shall submit to the Commissioner the following information: (1) name and grade of each student enrolled on September 30, in the school year for which funds are sought, who is a resident in the State of New Jersey; (2) the name and address of the parents of each such student; (3) certification that the cost to the parents for the purchase of secular textbooks, instructional materials and supplies is no less than \$10 per student in grades kindergarten through eight and \$20 per student in grades nine through twelve; (4) a list of the secular textbooks in use in the non-public school in the year in which reimbursement is sought; (5) assurance of compliance with the requirements of Title VI of the Civil Rights Act of 1964 and with applicable Rules and Regulations of the State Board of Education.

b. On the basis of such information, payments shall be made to parents commencing December 31, 1971, or as soon thereafter as possible and in each following year commencing November 30, or as soon thereafter as possible.

6:8-2 Allotments to Non-Public Schools for Secular Instructional Materials, Equipment, Supplies and Auxiliary Services

a. Within the limits of funds available, the Commissioner shall establish, in accordance with Section 6 of the Law, an allotment of funds for each non-public school. Such allotment shall be computed on the basis of the ratio of the number of students enrolled on September 30 in the non-public school to the total number of such non-public school students in the State as a whole as applied to the funds available when all costs for administration and the claims

NEW JERSEY REGISTER

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

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for reimbursement for the cost of textbooks, instructional materials and supplies have been paid.

b. Upon notification of its allotment, each non-public school, shall, at the time and in the form prescribed, apply for authorization to acquire, subject to the limit of its allotment, instructional materials, supplies, equipment and auxiliary services.

c. Upon receipt and review of such request, the Commissioner shall authorize the non-public school to acquire the requested instructional materials, equipment, supplies and auxiliary services according to the procedures established by the Office of Non-Public School Education of the Department of Education.

d. Instructional materials, equipment, supplies and auxiliary services acquired under the provisions of this Act shall be limited to those which have been requested and authorized by the State Department of Education and which have been in use in a public elementary or secondary school in the State within a period of five years prior to the year in which such approval is sought.

e. Title to all instructional materials, equipment and non-consumable articles acquired under this Act shall rest only in the New Jersey State Department of Education and shall be available for use by children and teachers in non-public school on a loan basis only. All instructional materials and equipment made available for use in non-public schools must be stamped or otherwise labeled "Property of the State of New Jersey".

f. Auxiliary services as defined herein shall be limited to those which are currently provided or which have been provided to the students of the public school district in which the non-public school is located within five years preceding the year in which authorization to require auxiliary services is requested. Such services are to be provided only on the basis of mutually satisfactory arrangements between the non-public school and the local board of education which agrees to provide such service. In the event that the agreement to provide auxiliary services involves the placement of personnel on non-public school facilities or grounds, such personnel must:

1. be employees of the board of education,
2. be certified by the State Board of Examiners if such certification is required of similar personnel assigned to public schools,
3. be under the supervision of the local board of education.

The request for authorization to acquire auxiliary services shall be accompanied by a statement signed by a responsible official of the board of education indicating agreement to provide auxiliary services and the terms and conditions of such agreement. Payments for auxiliary services shall be made directly to the board of education providing such services.

g. No charge may be levied against children or their parents for the use of any instructional materials, supplies, equipment or auxiliary services made available to the non-public school under this rule.

h. Instructional materials, supplies, equipment or auxiliary services made available under this rule shall not be used for religious worship or instruction.

i. The allotment of funds authorized to the non-public school shall be available for use by the non-public school only to the end of the fiscal year in which such authorization is requested and received. Evidence of binding commitment on the part of the non-public school to acquire instructional materials, equipment, supplies and auxiliary services must be received by the Department of Education prior to June 30 of the fiscal year in which such commitment is authorized. Commitments made subsequent to

June 30 shall be the responsibility of the non-public school. The obligation of the State for the cost of instructional materials, equipment, supplies and auxiliary services provided to non-public schools shall terminate at the end of the fiscal year following the fiscal year in which the acquisition of such instructional materials, equipment, supplies and auxiliary services was authorized.

6:8-3 Definitions

As used in this rule:

(a) "Auxiliary services" means services provided by personnel other than teachers, guidance counsellors, school librarians, principals or other instructional or supervisory personnel.

(b) "Board" means the New Jersey State Board of Education.

(c) "Commissioner" means the New Jersey State Commissioner of Education.

(d) "Equipment" means mobile or portable articles which are particularly appropriate for use in providing education in academic subjects in an elementary or secondary school and which are to be used either by teachers in connection with teaching or by students in learning secular non-ideological subjects. The term excludes such items as general purpose furniture, radio or television broadcasting apparatus and school public address systems.

(e) "Fiscal year" means the period beginning on July 1 and ending on the following June 30. A fiscal year is designated in accordance with the calendar year of the ending date.

(f) "Instructional materials" means those items which, with reasonable care and use, may be expected to last for more than one year and are suitable for and are to be used in providing education in secular non-ideological subjects in a non-public elementary or secondary school. The term includes such items as tapes and discs, slides and transparencies, films and filmstrips, books, pamphlets and periodicals and other printed and published materials such as maps, globes and charts. The term does not include such items as textbooks (as defined in paragraph j) or chemicals and other supplies which are consumed in use.

(g) "Non-public school" means an elementary or secondary school within the State, other than a public school, offering education in grades kindergarten through twelve, or any combination thereof, which complies with applicable Rules and Regulations of the State Board of Education and the requirements of Title VI of the Civil Rights Act of 1964 (P.L. 88-352).

(h) "Secular subject" means any course which is presented in the curricula of the public schools of this State. Such a course, if taught in a non-public school, shall be a secular subject if the textbooks used for such course are the same as those in use or which have been used within five years in a public school of the State. A secular subject shall not include any instruction in religious or denominational tenets, doctrine or worship.

(i) "Student" means any child who is a permanent resident of the State of New Jersey and who is enrolled as a full-time pupil in a non-public school in grades kindergarten through twelve. A child who boards at a school but has no other residence in the State shall not be deemed to be a permanent resident of the State within the meaning of this rule.

(j) "Textbook" means books, workbooks or manuals, whether bound or in loose-leaf form intended as a principle source of study material for a given class or group of students, a copy of which is available for the individual use of each pupil in such class or group.

(k) "Supplies" means those articles which are appropri-

ate for use in providing education in an elementary or secondary school and which are ordinarily consumed in use by students including but not limited to such items as pencils, paper, paints and the like.

An order repealing the present rules in N.J.A.C. 6:8-1 to 6:8-11 was filed and effective December 10, 1971, as R.1971 d.219 (Exempt, Emergency Rule).

An order adopting the emergency rules in N.J.A.C. 6:8-1 to 6:8-3 was filed and effective December 10, 1971, as R.1971 d.220 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

EDUCATION

STATE BOARD OF EDUCATION

Repeal of Residency Requirements For High School Equivalency Certificates

On December 8, 1971, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:4-35 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, repealed N.J.A.C. 6:17-2 (Residency Requirement), as proposed in the Notice published November 4, 1971, at 3 N.J.R. 220(c).

An order repealing this rule was filed and effective December 10, 1971, as R.1971 d.221.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELL FISHERIES

Proposed Revisions in Shellfish- Growing Water Classifications

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., proposes to adopt revisions concerning shellfish-growing water classifications in regard to the administration of N.J.S.A. 24:2-1 and 24:14-2. All prior rules and regulations in these matters adopted on various dates by the Department of Health and the Department of Environmental Protection of the State of New Jersey are to be rescinded on the effective date of these revisions.

A summary of the major areas of the proposed revisions includes the following:

1. Approximately 1,017 acres in the Navesink River will be downgraded from approved to condemned. The condemnation went into effect on June 8, 1971, as an emergency measure due to the strike of sewage treatment plant workers in New York City. Subsequent investigations of the water quality in the river indicated that the closure should remain in effect.

2. Approximately 90 acres in Doughty Creek and the adjacent Somers Cove area of Reed Bay will be downgraded from approved to condemned. Closure is based on a sanitary survey report.

3. Approximately 256 additional acres at the confluence of Reed Bay and Absecon Bay will be downgraded from

approved to condemned. The closure is based on a sanitary survey report.

4. Approximately 340 additional acres in Great Channel-Hereford Inlet area will be downgraded from approved to condemned. The closure is based on a sanitary survey report.

5. Approximately 787 additional acres in Jenkins Sound including Genesis Bay will be downgraded from approved to condemned. The closure is based on a sanitary survey report.

6. A small but undetermined number of acres in Hansey Creek, a tributary of Dividing Creek, Cumberland County, will be downgraded from approved to condemned.

Copies of the revisions are available from:

Richard J. Bellis
Chief, Shell Fish Control
Department of Environmental Protection
Health-Agriculture Building
John Fitch Plaza
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to the Department of Environmental Protection at the above address.

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

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(c)

ENVIRONMENTAL PROTECTION

COMMISSION ON RADIATION PROTECTION

X-RAY TECHNICIAN BOARD OF EXAMINERS

Proposed Rules Concerning Prohibition of Excessive Exposure to Ionizing Radiation

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 45:25-5, proposes to adopt rules and regulations concerning the prohibiting and/or harmful effects of excessive and improper exposure to ionizing radiation as set forth in N.J.S.A. 45:25-1 et seq.

The proposed rules and regulations concern purpose and responsibility, definitions, use of X-ray by students, practice of X-ray technology and X-ray therapy technology, supervision by a licensed practitioner, students and curriculum and instruction.

Copies of the proposed rules and regulations may be obtained from:

John Russo, Chief
Bureau of Radiation Protection
Department of Environmental Protection
Room 405, Health-Agriculture Building
P.O. Box 1390
John Fitch Plaza, South Warren Street
Trenton, New Jersey 08625

A public hearing will be held regarding these proposed rules and regulations by the Department of Environmental Protection at 10:00 A.M. on February 9, 1972, in the Auditorium of the Health-Agriculture Building, John Fitch Plaza, South Warren Street, Trenton, New Jersey 08625.

Interested persons may present statements or arguments relating to the proposed action at this hearing or may present the same in writing on or before February 9, 1972, to the Department of Environmental Protection at the above address.

Upon full consideration of all of the submissions respecting the proposed action, the Department of Environmental Protection, upon its own motion or at the instance of any interested party, may thereafter adopt the rules and regulations substantially as proposed without further notice.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

HEALTH

DIVISION OF HEALTH FACILITIES

Proposed Plan for Construction And Modernization of Hospitals

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt, pending approval of the Health Care Administration Board, the 1971 State Plan for the Construction and Modernization of Hospitals and Other Medical Facilities as standards under this citation.

Copies of these standards may be obtained from:

Dr. Curtis F. Culp
Assistant Commissioner
New Jersey State Department of Health
Division of Health Facilities
Post Office Box 1540
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, 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.

James R. Cowan
Commissioner
Department of Health

(b)

HEALTH

DIVISION OF HEALTH FACILITIES

Proposed Rules Concerning Cardiovascular Surgical Units

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt, pending approval of the Health Care Administration Board, rules concerning cardiovascular surgical units.

Such proposed rules concern equipment, personnel and criteria for heart operations regarding cardiovascular surgical units.

Copies of the proposed rules may be obtained from:

Dr. Curtis F. Culp
Assistant Commissioner
New Jersey State Department of Health
Division of Health Facilities
Post Office Box 1540
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, 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 the rules substantially as proposed without further notice.

James R. Cowan
Commissioner
Department of Health

(c)

HEALTH

DIVISION OF HEALTH FACILITIES

Proposed Guidelines for Development Of Regional Chronic Hemodialysis Resources

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to adopt, pending approval of the Health Care Administration Board, guidelines for the development of Regional Chronic Hemodialysis resources.

Such guidelines concern the population base, number of beds and personnel of hospital-based hemodialysis centers with home training and chronic renal disease satellites.

Copies of the proposed guidelines may be obtained from:

Dr. Curtis F. Culp
Assistant Commissioner
New Jersey State Department of Health
Division of Health Facilities
Post Office Box 1540
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, 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 the guidelines substantially as proposed without further notice.

James R. Cowan
Commissioner
Department of Health

(d)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revision of New Jersey Food Stamp Plan of Operation

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2, proposes to completely revise the New Jersey Food Stamp Plan of Operation.

Text of this new revision follows:

PLAN OF OPERATION
NEW JERSEY FOOD STAMP PROGRAM
I. STATE AGENCY IDENTIFICATION AND
AUTHORITIES

A. Identification

The agency hereinafter called the State Agency responsible for the Food Stamp Program is the Department of

Institutions and Agencies, Division of Public Welfare, 129 East Hanover Street, Trenton, New Jersey 08625.

Mail may be directed as above or to Box 1627, Trenton 08625.

B. Authorities

New Jersey Statutes, NJSA 30:4B-2 provides the authority of the State agency to accept the responsibility for the intrastate administration of the Food Stamp Program as outlined in this Plan of Operation.

II. GENERAL TERMS AND CONDITIONS

The State Agency agrees to:

A. Administer the Food Stamp Program in accordance with the responsibilities assigned to State Agencies under the Food Stamp Act, as amended, the appropriate Federal Regulation, and FNS Instructions.

B. Submit for FNS approval, any written internal policies, procedures, instruction, methods, forms, or records issued to its local agencies in carrying out the administrative responsibilities assigned to it under the Food Stamp Regulation and FNS Instructions.

C. Certify applicant households in accordance with the policies and procedures set forth in the regulation and procedures issued by FNS.

D. Give due notice to FNS if participation in the program is to be terminated. FNS shall also give due notice to the State Agency if FNS approval of the State Plan of Operation is to be withdrawn. In either event, the State Agency will discharge its accountability for coupons, funds, reports, and other obligations assumed under this Plan of Operation.

III. PROGRAM ADMINISTRATION—STATE LEVEL SUPERVISION

The Director, Division of Public Welfare, is responsible for the administration of the Food Stamp Program. The Bureau of Local Operations of the State Agency has responsibility for the State supervision and operation of the program. Under this supervision, the County Welfare Board of Directors of the designated project areas shall be responsible for administering the Food Stamp Program in their respective counties.

IV. ISSUANCE AND SALE OF COUPONS

A machine issuance system will be used in all project areas.

Sales of coupons will be made by designated banks under contract with the County Welfare Boards to render that service.

The Public Assistance Withholding program (PAW) will be a joint county and State level operation. At the county level, PAW will be operated by the County Welfare Boards under the supervision of the State Agency. The issuance will meet the minimum requirements of FNS.

V. NON-DISCRIMINATION

The Department of Institutions and Agencies assures the United States Department of Agriculture (Department) that, in its administration of the Food Stamp Program in the State of New Jersey, it will comply with all requirements imposed by or pursuant to Part 15 of Title 7, Code of Federal Regulations, of the Regulations of the Department (29 F.R. 16274) to the end that no person in the State of New Jersey, shall, on the ground of race, color, or national origin, be excluded from participation in, be denied

benefits of, or be otherwise subject to discrimination under the Food Stamp Program. The Department of Institutions and Agencies further assures the Department that:

A. It will promptly adopt methods of administration which will give reasonable assurances that the local governmental officials of project areas will comply with the requirements imposed by the Departmental Regulations.

B. It will obtain appropriate assurance from another agency of the State government or any other agency or organization to which it has delegated certain responsibility in connection with the issuance of food coupons (or the certification of general assistance households). This assurance is given in consideration of and for the purpose of obtaining Federal financial assistance for eligible households in approved project areas under the Food Stamp Program. This assurance shall obligate the Department of Institutions and Agencies for the period during which Federal financial assistance is extended to it by the Department under the Food Stamp Program. The Department of Institutions and Agencies recognizes and agrees that Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States Department of Agriculture shall have the right to seek judicial enforcement of this assurance.

VI. METHOD FOR COMPUTING AND CLAIMING REIMBURSABLE COSTS

The State Agency will request reimbursement from FNS in accordance with applicable FNS Instructions.

A. Using the direct method, the State Agency will claim for the salaries, fringe benefits and travel costs of eligible personnel engaged full-time in the following activities:

1. Certification determinations for households other than those in which all members are included in the federally-aided public assistance grant.

2. Quality Control for households other than those in which all members are included in the federally-aided public assistance grant.

3. Outreach

B. Using the standard method, State Agency forms are provided to eligible personnel on which they will report the time spent on any of the following activities:

1. Certification determinations for households other than those in which all members are included in the federally-aided public assistance grant.

2. Quality Control for households other than those in which all members are included in the federally-aided public assistance grant.

3. Outreach

C. Claims for reimbursement for fair hearing officials and authorities appointed by the State Agency shall be made in accordance with applicable FNS Instructions.

O. These costs will be compiled with one claim which will be submitted to FNS quarterly for reimbursement to the State Agency.

VII. STATE OUTREACH PLAN

This portion of the State Plan is under development and will be submitted by January 24, 1972.

VIII. QUALITY CONTROL

The State Agency will have a system of quality control implemented through:

- a. Application of a prescribed sampling method.
- b. Use of FNS prescribed schedules and instructions, or schedules which provide for identical information as a minimum.
- c. Field investigations, including personal visits with all recipients whose cases fall within the sample of the active caseload and, as necessary, to persons who have been denied participation or whose participation has been terminated.
- d. Use of qualified staff under appropriate direction.
- e. Reporting to FNS as prescribed.

1. Sampling Plan

a. The sample of active cases will be drawn from appropriate lists of non-categorical assistance households who have purchased coupons at least once during the sampling month.

b. The sample of negative actions will be drawn from the list of such actions which is to be developed in the State office from the lists of negative actions submitted by the local offices.

c. The samples from both lists will be drawn on a random basis which gives every case an equal chance of being drawn. The sampling will meet FNS specifications.

2. Use of Staff

Only State staff will be used in the Quality Control function. They will be assigned to field offices which report to the Quality Control Supervisor who is located in the State office. All parts of the function will be performed by full time Quality Control staff members who may or may not be devoting full time to review of Food Stamp Program cases.

3. Plan for Analysis of and Action on Findings

Completed review schedules are to be forwarded promptly from the field office to the State office. Schedules containing obvious inaccuracies or omissions are returned immediately for correction and resubmission. Schedules are then tabulated and the required reports developed.

The tabulations and reports are analyzed by State office Quality Control Staff who submit the analysis to the Division Director and the Food Stamp Supervisor. The County Welfare Board will be notified of whatever corrective action may be indicated. Action to keep agency practice within FNS prescribed tolerance limits will be in accordance with FNS instructions.

In addition to the regular reports required, the State Agency will make available to FNS any reports, tabulations, or schedules required.

IX. SPECIAL PROVISIONS

Eligibility Standards and basis of issuance will be implemented for NPA cases with the February 1972 issue. After that date all new or reopened cases will be based on the new regulations.

The new regulations will be applied to the PA caseload over the following four months. A listing of any unchanged cases will be supplied to the local agencies with the June 1972 issuance. After a purge of the files in June 1972, the Variable Purchase Option will be reflected in the July 1972 issue.

Public Assistance Withholding will be implemented on or before July 3, 1972.

All other revisions in the program will be implemented on or before May 1, 1972.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to:

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

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

Maurice G. Kott
Acting Commissioner
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES DIVISION OF PUBLIC WELFARE

Proposed Revisions to Medical Assistance For Aged Manual of Administration

Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise Section 3120.2 (Simplified Process for Establishing Initial Eligibility for Hospitalization) of the Medical Assistance for the Aged Manual of Administration.

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

3120. Process of Establishing Eligibility

.2 Simplified Process for Establishing Initial Eligibility for Hospitalization

Most persons 65 years of age and older are eligible for hospital insurance benefits under Part A and certain medical services under Part B of Title XVIII, Federal Social Security Act.

[Currently,] Prior to January 1, 1972, such hospital insurance benefits provided for 90 days of hospital care in a participating hospital for each "spell of illness" subject to payment of \$52 deductible covering the first 60 days and \$13 per diem coinsurance for the next 30 days. In addition, with respect to hospital care furnished after December 31, 1967, each individual [will have] has a "lifetime reserve" of 60 days of additional coverage of hospital care after the 90 days covered in a "spell of illness" have been exhausted. Coinsurance of \$26 per day [will be] was applicable to these added days of coverage.

The year in which the patient's benefit period begins determines not only the deductible amount to be applied during such spell of illness but also the coinsurance amounts applicable to days of inpatient hospital services after 60 days have been furnished, to lifetime reserve days

and to the coinsurance amounts for ECF services. Thus a \$60 deductible remains applicable in the situation where a Medicare patient begins a hospital stay beginning in 1971, even though he receives services in 1972, so long as the benefit period has not terminated. However, where the benefit period begins in 1972, the deductible amount for a day of inpatient hospital services from the 61st day to 90th day will be \$17, for a lifetime reserve day \$34, and for an ECF day \$8.50.

The lifetime reserve represents a resource which must be utilized. This means that where a client has exhausted his 90 days during a "spell of illness" the county welfare board shall not assume the full cost of any additional days of hospital care until it has established that the "lifetime reserve" of 60 days has also been exhausted.

The following procedures are designed to provide a simplified method for processing applications for payment of the deductible and coinsurance in regard to hospitalization and the deductible for covered medical services, if any, during the 90 day period only:

a. The county welfare board must verify the fact that the applicant is not eligible to receive Medical Assistance under the New Jersey Medical Assistance and Health Services Act (Chapter 413, P.L. 1968).

b. Application will be taken on Form PA-[1] 1G

c. The Repayment Agreement, Form PA-10E, will not be taken.

d. Legally Responsible Relatives identified in section 3341. will not be evaluated.

e. In lieu of the procedures prescribed in subsection 3120.1 and sections 3121. through 3124., the applicant will execute the Affidavit of Eligibility for Hospitalization, Form PA-1D. (See 3100., Appendix VI.) (Person providing the information must be specifically advised that he will be called upon to attest to its accuracy under oath.)

f. Where the applicant is unable to provide the affidavit because of a physical or mental condition and there is no guardian or relative by blood or marriage available, items a., b., and c. will apply and the county welfare board will conduct an investigation to secure the information required on Form PA-1D, Affidavit of Initial Eligibility for Medical Assistance.

g. The [case] worker will prepare a recommendation for agency decision (see 3125.) subject to supervisory review and approval. (See 3126.)

1) If the client is otherwise eligible, the amount of medical assistance to be granted for a benefit period which begins in 1972, shall be the total of the following items if applicable [\$52] \$68 for the first 60 days of hospital care; [\$13] \$17 per diem for the next 30 days of such care; \$34 for a lifetime reserve day; \$8.50 for an ECF day, and physician's services up to the amount of \$40 (80% of the \$50 deductible) if the client has Supplementary Medical Insurance Part B and if such payment is necessary to satisfy the deductible, or 80% of the reasonable charges if the client does not have such coverage.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to:

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

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

Maurice G. Kott
Acting Commissioner
Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revise Financial Assistance Manual

On November 30, 1971, Maurice G. Kott, Acting Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to certain sections of the Financial Assistance Manual of the Division of Public Welfare, as proposed in the Notice published November 4, 1971, at 3 N.J.R. 222(a).

An Order adopting these revisions was filed and effective December 3, 1971, as R.1971 d.217.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

LABOR AND INDUSTRY

THE COMMISSIONER

Correction of Effective Date of Emergency Rule on Withholding Pennsylvania Income Tax

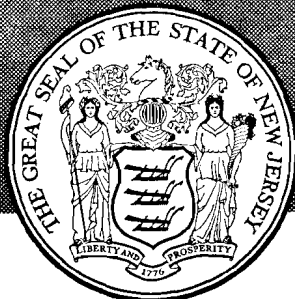
Take notice that, in the Notice published November 4, 1971 at 3 N.J.R. 225(c), the effective date of the emergency rule concerning withholding of Pennsylvania income tax in New Jersey was incorrectly listed as September 29, 1971. The correct effective date of this rule should have been indicated as being October 1, 1971. The text of the rule was correctly stated and remains unchanged.

The last paragraph of the Notice should have read as follows:

An order adopting this emergency rule was filed September 29, 1971, as R.1971 d.166 (Exempt, Emergency Rule) to become effective October 1, 1971.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

NEW JERSEY REGISTER



1971 YEAR CUMULATIVE INDEX

VOL. 3 - Cited 3 N.J.R. 1-280
(Index for Vols. 1 and 2 - Sept. 1969 through
Dec. 1970 - was in March, 1971 Register)

*These index pages are not numbered or indexed for N.J.R. Citations.
They may be removed without affecting the contents of this issue.*

NEW JERSEY REGISTER

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

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Adopt Lottery Rules Changes	3 N.J.R. 235(b)
Adopt Health Benefits Changes	3 N.J.R. 236(a)
Adopt Tax on Linen Rentals	3 N.J.R. 275(b)
Adopt Tax on Farm Property	3 N.J.R. 276(a)

Proposals Not Yet Adopted

Emergency Transportation Tax	3 N.J.R. 29(d)
Proposed Rules on Ice Cream Sales	3 N.J.R. 163(a)
Proposed Advertising Film Tax	3 N.J.R. 164(a)
Proposed Income Tax Rule	3 N.J.R. 210(a)
Proposed School Bond Change	3 N.J.R. 234(a)
Proposed Auto Sales Tax Revisions	3 N.J.R. 234(b)
State Health Benefits Commission	3 N.J.R. 275(a)

PORT OF NEW YORK AUTHORITY

Newark Airport Parking Rate Changes	3 N.J.R. 68(e)
Kennedy Airport Parking Charges	3 N.J.R. 92(a)
Adopt Passenger Ship Terminal Changes	3 N.J.R. 119(b)
Revised Airport Speed Limits	3 N.J.R. 119(c)
Revised Airport Landing Fees	3 N.J.R. 120(a)
Bus Terminal Parking Rates Changed	3 N.J.R. 165(d)

WATERFRONT COMMISSION OF NEW YORK HARBOR

Adopt Rules for Pier Guards	3 N.J.R. 211(c)
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(a)

LABOR AND INDUSTRY

DIVISION OF WORKMEN'S COMPENSATION

Amendments to Rules on Formal Hearings Of Division of Workmen's Compensation

On December 15, 1971, Ronald M. Heymann, Commissioner of Labor and Industry, pursuant to authority of N.J. S.A. 34:15-64 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted amendments to Rules 1 and 2 of the rules concerning formal hearings of the Division of Workmen's Compensation.

Text of the amendments follows (additions indicated in boldface thus):

1. The petition and the answer filed shall be full and complete. In all pleadings the name of the respondent shall be correctly set forth as an individual, as an individual or individuals doing business under a trade name, or as a partnership, or as a corporation, as the case may be. The Division shall indicate the location of the office to which the petition has been assigned for hearing upon the copy of the claim petition which is served upon the respondent.

2. Respondent's answer to the claim petition shall be filed with the assignment clerk at the office to which the claim is assigned within 20 days of the date of service of the petition and a copy of the answer shall be served upon the petitioner's attorney. The filing and service of the answer may be made by first-class mail. The answer may be made by the attorney for the respondent based upon knowledge, information, or belief and will be regarded as his certification of its contents without the necessity of an affidavit. If the answer is not filed as specified above, the judge of compensation to whom the case is assigned, may, on motion, either:

(a) Suppress the defense and permit petitioner to prove his case, or

(b) Permit the filing of the answer upon such terms as may be fixed in the discretion of the judge of compensation.

An order adopting these amendments was filed December 17, 1971, as R.1971 d.225 (Exempt, Exempt Agency), to become effective January 3, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Proposed Amendments on Club Licenses

Richard C. McDonough, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-12(5) and 33:1-39, proposes to amend certain rules of Division Regulation No. 7 concerning Club Licenses, as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

CLUB LICENSES

13:2-85 (Rule 1 of Division Regulation No. 7). Definitions.

For the purpose of these Rules, the following words and

terms shall be deemed to have the meaning herein given to them:

"Club" means an organization, corporation or association consisting of sixty (60) or more persons operating solely for benevolent, charitable, fraternal, social, religious, recreational, athletic or similar purposes, and not for private gain.

"Club Member" means any individual in good standing who has been admitted to voting membership in the manner regularly prescribed by the by-laws of a club, and who maintains such membership in a bona-fide manner, and whose name and address are entered on the list of members.

"Guest of Club Member" means an individual who is expressly invited to the club licensed premises by an individual member of the club and who is sponsored by and personally attended by the member at such premises. An individual club member may have as his guests no more than seven individuals on any one occasion, unless (1) payment for all food and drinks (alcoholic or otherwise) served to all such individuals at the club licensed premises and payment for all charges for the use of the club's facilities by all such individuals is made to the club directly by the individual club member, without direct or indirect reimbursement to such club member by anyone, including his employer, or (2) such individuals are attending at the club-licensed premises a private affair, such as a wedding, anniversary, confirmation, bar mitzvah, or birthday party, honoring a spouse, child, parent or brother or sister of a club member.

13:2-91 (Rule 7 of Division Regulation No. 1). List of Club Members and Club Charter.

A list containing the names and addresses of all members of the club as of date of filing club license application shall be submitted [together] with each [the] application. No club license shall be renewed unless the club then consists of at least sixty (60) members. The charter [of] or articles of association of the club shall also be presented for inspection or certified copy of the same submitted with the initial application.

13:2-92 (Rule 8 of Division Regulation No. 7). Sales to Club Members and Guests Only.

No club license shall sell, serve or deliver, or allow, permit or suffer the sale, service or delivery of any alcoholic beverage to any person not a bona-fide member of the club or a bona-fide guest of such member. All club licensees shall have and keep on the licensed premises a true record, in form prescribed by the Director of the Division of Alcoholic Beverage Control, of all scheduled dinners, luncheons, receptions, dances, parties, catered events and attended by eight or more non-club members. Such record shall be available for inspection by the Director and the other issuing authority and by his or its deputies, inspectors, investigators and agents and by other officers as defined by R.S. 33:1-1(p) for a period of one year from the date of such affair.

13:2-96.1 (Rule 13 of Division Regulation No. 7). Advertising.

No club license shall directly or indirectly advertise or allow, permit or suffer any advertising to non-club members the availability of alcoholic beverages at its licensed premises other than by signs on the interior of the licensed premises not visible from the exterior thereof; provided, however, that the prohibition herein shall not apply to the holder of any special permit, issued by the Director of the Division of Alcoholic Beverage Control and authorizing the sale of alcoholic beverages at a social affair to be

conducted at the club's licensed premises, with respect to such particular affair.

Interested persons may present statements or comments concerning the proposed action at a public hearing to be held on Friday, January 28, 1972, at 10:00 A.M. at the Division of Alcoholic Beverage Control, Room 101, 1100 Raymond Boulevard, Newark, New Jersey, or may present or mail statements in writing relative to the proposed action on or before Friday, January 28, 1972 to Richard C. McDonough, Director of the Division of Alcoholic Beverage Control, 1100 Raymond Boulevard, Newark, New Jersey, 07102.

After full consideration of all comments and submissions concerning the proposed action, the Division of Alcoholic Beverage Control, upon its own motion or at the instance of any interested party, may thereafter adopt the proposed amendments substantially as set forth without further notice.

Richard C. McDonough, Director
Division of Alcoholic Beverage Control
Department of Law & Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF PHARMACY

Proposed Rule Concerning Recording of Prescriptions

Paul A. Pumpian, Secretary of the New Jersey State Board of Pharmacy in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:14-26.2, proposes to adopt a new rule concerning the recording of prescriptions.

Text of the proposed rule follows:

N.J.A.C. 13:39-15.1 Patient Profile Record

(a) A patient profile record must be maintained in all pharmacies by family name (surname, last name) in alphabetical order for all persons for whom prescriptions are dispensed. One profile card may be maintained for all members of a family living at the same address and possessing the same family name. Said record must include:

1. the family name and the first name of the person for whom the medication is dispensed (the patient);
2. the complete address of the patient;
3. the patient's birthdate;
4. all known allergies and idiosyncrasies of the patient and other chronic conditions which may relate to drug utilization;
5. the original date the medication is dispensed pursuant to the receipt of a physician's prescription or in dispensing medication as a renewal (refill) of a new prescription, the date(s) of renewal (refilling) must be entered;
6. the number assigned the prescription;
7. the prescriber's name;
8. the name, strength and quantity of the drug dispensed; and
9. the initials of the dispensing pharmacist.

(b) a pharmacist must refer to the patient's profile record before dispensing prescription medication.

(c) Patient profile records must be maintained for a

period of not less than five (5) years from the date of the last entry on the patient profile record.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before February 1, 1972, to:

Paul A. Pumpian
Secretary
New Jersey State Board of Pharmacy
1100 Raymond Boulevard
Room 325
Newark, New Jersey 07102
Telephone: (201) 648-2433

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

Paul A. Pumpian
Secretary
New Jersey State Board of Pharmacy
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY

DIVISION OF NEW JERSEY RACING COMMISSION

Proposed Revision of Rules On Harness Racing

John J. Reilly, Secretary of the New Jersey Racing Commission in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 5:5-30, proposes to adopt a revised set of rules and regulations governing Harness Racing in the State of New Jersey. The revision consists basically of very minor changes and additions to the existing rules, as well as a rearrangement of the order in which the rules are printed.

Interested persons may obtain copies of the proposed revision from:

John J. Reilly, Secretary
New Jersey Racing Commission
28 West State Street
Trenton, New Jersey 08625
Telephone (609) 292-5012

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 31, 1972 to the above address.

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

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

(c)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Amendments to New Passenger Vehicle Inspection Regulations

On December 7, 1971, Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and

Public Safety, pursuant to authority of N.J.S.A. 39:3-43, 39:8.2 and 39:10-4 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the amendments concerning new passenger vehicle inspection regulations, as proposed in the Notice published November 4, 1971, at 3 N.J.R. 226(a).

An order adopting these amendments was filed and effective December 10, 1971, as R.1971 d.222.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

OFFICE OF THE ATTORNEY GENERAL

Rule Implementing the Legislative Activities Disclosure Act - Fee Schedule

On December 15, 1971, George F. Kugler, Jr., the Attorney General of the State of New Jersey, pursuant to authority of N.J.S.A. 52:13C-23(j) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a procedural rule implementing the Legislative Activities Disclosure Act, one concerning fee schedules.

Text of the rule follows:

Rule 11. Fees

For every Notice of Representation or Quarterly Report required to be filed by the Act, there shall be charged a filing fee of \$5.00. Payment of this fee shall be by check or money order made payable to "State of New Jersey, Office of the Attorney General" and shall accompany the Notice of Representation or Quarterly Report, as the case may be.

No fee shall be required if an organization qualifies under Section 9(b) of Chapter 30 of Laws of 1966, as amended (N.J.S.A. 54:32B-9(b)).

An order adopting this rule was filed and effective December 17, 1971, as R.1971 d.244 (Exempt, Procedural Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

STATE

STATE ATHLETIC COMMISSION

Rule Concerning Boxers Knocked Out of the Ring

On December 1, 1971, Morris Mogelever, Deputy Commissioner of the State Athletic Commission, pursuant to authority of N.J.S.A. 5:2-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule concerning boxers knocked out of the ring. This emergency rule supersedes the text of N.J.A.C. 15:25-8.21 (Boxer fallen or knocked through ropes; return unassisted).

Complete text of the emergency rule follows:

15:25-8.21 Boxer fallen or knocked through ropes; return unassisted

(a) If a contestant has been knocked or has fallen out of the ring during a contest, the referee shall at once order the other boxer to a neutral corner and shall inform the timekeeper to suspend time until directed to resume time from the point of interruption for the duration of the round.

(b) The contestant who has fallen or has been knocked out of the ring must return to the ring unassisted by his seconds.

(c) The referee, at his discretion or guided by expert judgment of the attending physician, shall have the contest continue unless he stops the contest and awards the other boxer the decision by technical knockout.

An order adopting this emergency rule was filed and effective December 1, 1971, as R.1971 d.215 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF BUILDING AND CONSTRUCTION

Proposed Rules on Provision of Facilities For Physically Handicapped in Public Buildings

Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 52:32-4 and 52:32-5, proposes to adopt rules concerning the provision of facilities for the physically handicapped in public buildings based upon American Standard Specifications for making buildings and facilities accessible to and usable by the physically handicapped.

These proposed rules concern scope and purposes, definitions, general principles and considerations, site development and buildings relating to the facilities for the physically handicapped in public buildings.

Copies of the proposed rule may be obtained from:

Director
Division of Building and Construction
Department of the Treasury
Post Office Box 1243
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to the Department of the Treasury at the above address.

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

Norman E. Hardy
Deputy State Treasurer
Department of the Treasury

(a)

TREASURY

DIVISION OF TAXATION

Proposed Rule on Issuance of Trading Stamps With Purchase of Motor Fuels

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:39-10, proposes to adopt a new rule governing the issuance of trading stamps with the purchase of motor fuels in New Jersey. Such rules will be cited as New Jersey Administrative Code 18:19-2.10.

Complete text of the rule follows:

No retail dealer shall issue trading stamps with the purchase of motor fuel if the cash or redemption value of the stamps constitutes a discount on the price of motor fuel of more than 2.08 per cent. This shall apply to bona-fide stamps or any other item having the same effect as trading stamps.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, on or before January 26, 1972, to:

Division of Taxation
Taxation Building
West State and Willow Streets
Trenton, New Jersey 08625
Attention: John K. Rafferty
Telephone: (609) 292-5995

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

Sidney Glaser, Director
Division of Taxation
Department of the Treasury

(b)

TREASURY

DIVISION OF TAXATION

Proposed Rules on Taxability of Use of Commercial Advertising Film Negatives

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:32B-24(1), proposes to adopt new rules governing the taxability of the use of Commercial Advertising Film Negatives, etc., and Original Production Video Tape, etc., Stored in New Jersey. Such rules will be cited as New Jersey Administrative Code 18:24-18.1 et seq.

Complete text of the proposed rules follows:

SUBCHAPTER 18. Commercial Advertising Film Negatives, etc., and Original Production Video Tape, etc., Stored in New Jersey.

18:24-18.1 Scope of Rule

This section is intended to clarify the application of the Sales and Use Tax Act (N.J.S.A. 54:32B-1 et seq.) to the use of Commercial Advertising Film Negatives, etc., and Original Production Video Tape, etc., Stored in New Jersey.

18:24-18.2 Taxability

(a) Where, after the original commercial advertising

motion picture negative is finally edited and completed outside of the State of New Jersey, and after one or more duplicate negatives and/or one or more fine grain master positives are made outside the State, the original negative, with or without said dupes of fine grain masters, is or may be brought into New Jersey for various purposes, including the storage thereof, the person bringing the same into the State is subject to the New Jersey compensating use tax on the use of each of such original negatives, duplicate negatives or fine grain master positives at the time each of them is brought into the State, regardless of the nature or extent of the subsequent use of each of said original negatives, dupe negatives or fine grain master positives.

(b) Under the circumstances described in paragraph (a) above, whether original negative, duplicate negative, or fine grain master positive, the State compensating use tax shall be computed upon the raw stock of the film, plus the cost of laboratory development of each original negative, duplicate negative or fine grain master positive brought into the State. The raw stock cost of the film is the price paid for the quantity of the film brought into the State as if unexposed. The cost of laboratory development is the compensation paid to an outside laboratory. If the development process is performed in and by the user's own laboratory and/or affiliated laboratory, the cost of laboratory development may be determined from its own records or in lieu thereof, the cost shall be the compensation charge for similar development by another outside laboratory in the same area at the same time of development. Where the duplicate negative or fine grain master positive is made by an outside laboratory which also furnishes the raw stock film, the cost with respect to such duplicate negative or fine grain master positive shall be the laboratory's total charge therefor.

(c) Where, after the original production video tape is finally edited and completed outside of the State of New Jersey, and after one or more original protection duplicates and/or one or more air master tapes applicable to both high band and low band video tape recording, are made outside the State, the original production video tape with or without said original protection duplicates or air master tapes is or may be brought into New Jersey for various purposes including the storage thereof, the person bringing the same into the State is subject to the New Jersey compensating use tax on the use of each of such original production video tapes, original production duplicates or air master tapes at the time each of them is brought into the State regardless of the nature or extent of the subsequent use of each of said original production tapes, original protection duplicates or air master tapes.

(d) Under the circumstances described in paragraph (c) above, whether original production video tapes, original protection duplicate or air master tape, the State compensating use tax shall be computed upon the raw stock cost of the tape plus the cost of machine time (processing of video tape) of each original production video tape, original protection duplicate or air master tape brought into the State. The raw stock cost of the tape is the price paid for the quantity of tape brought into the State without the cost of machine time. The cost of machine time is that paid to an outside laboratory. If the machine time is in and by the user's own laboratory and/or affiliated laboratory, the cost of the machine time may be determined from its own records or, in lieu thereof, the cost shall be the compensation for similar cost of machine time by another outside laboratory in the same area at the time rendered. Where the original protection duplicate or air master tape is made by an outside laboratory which also furnishes the

raw stock tape, the cost with respect to such original protection duplicate or air master tape shall be the laboratory's total charge therefor.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action, on or before January 28, 1972, to:

Division of Taxation
Taxation Building
West State and Willow Streets
Trenton, New Jersey 08625
Attention: Herman N. Goldberg
Telephone: (609) 292-5995

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

Sidney Glaser
Director
Division of Taxation
Department of the Treasury

(a)

TREASURY

STATE TREASURER

Rule on Investment of Proceeds Of Bonds for School Building Construction

On November 24, 1971, Norman E. Hardy, Deputy State Treasurer, pursuant to authority of N.J.S.A. 18A:58-33.4 et seq., and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the rule concerning investment of proceeds of bonds for school building construction, substantially as proposed in the Notice published November 4, 1971, at 3 N.J.R.234(a).

An order adopting this rule was filed and effective December 3, 1971, as R.1971 d.216.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TREASURY

DIVISION OF TAXATION

Revisions in Sales Tax of Motor Vehicles Used by Automobile Dealers

On December 9, 1971, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:32B-24 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the rules concerning sales tax of motor vehicles used by automobile dealers for promotion of business, substantially as proposed in the Notice published November 4, 1971, at 3 N.J.R. 234(b), but with subsequent, substantive changes not detri-

mental to the public, according to the Division of Taxation.

An order adopting these revisions was filed and effective December 10, 1971, as R.1971 d.218.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Proposed Rules on Land Use Plan And District Zoning Regulations

The Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq., proposes to adopt the second stage of the Master Plan for the comprehensive development of the Hackensack Meadowlands District. This second stage consists of the Comprehensive Land Use Plan for the Hackensack Meadowlands and Resolution 71-18, Zoning Regulations of the Hackensack Meadowlands District.

Copies of these rules may be obtained upon written request from:

Secretary
Hackensack Meadowlands Development Commission
Post Office Box 85
1099 Wall Street West
Lyndhurst, New Jersey 07070

A public hearing will be held by the Hackensack Meadowlands Development Commission relevant to the proposed action on February 24, 1972, at 7:30 P.M. in the Hudson County Administration Building, Assembly Chambers, Jersey City, New Jersey; and on February 25, 1972, at 7:30 P.M. in the Bergen County Administration Building, Room 427, Hackensack, New Jersey.

Interested persons may present statements or arguments in writing or orally in person relevant to the proposed action at these hearings. Any person wishing to present a statement at either of these hearings should submit a written request to the Secretary of the Hackensack Meadowlands Development Commission on or before the date of the hearing at the above address.

The time, date and place of any subsequent hearing, if deemed to be necessary, will be announced at said hearings but no notice of such subsequent hearing will appear in the New Jersey Register.

Written statements will also be accepted by the Commission on or before the dates of the public hearings, will be included in the record and will be given full consideration by the Commission. The Commission will also accept written statements relevant to the proposed action for a period of ten days subsequent to the completion of the public hearings.

Upon full consideration of all submissions respecting the proposed action, the Hackensack Meadowlands Development Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the rules substantially as proposed without further notice.

Clifford A. Goldman
Secretary
Hackensack Meadowlands Development Commission

(a)

NEW JERSEY TURNPIKE AUTHORITY

Proposed Changes in Regulations On Use of Garden State Parkway

John P. Gallagher, Chairman of the New Jersey Highway Authority, pursuant to authority of N.J.S.A. 27:12B-18, proposes to adopt revised regulations pertaining to the use of service areas by omnibuses; the presence of unattended animals on the roadway; the overall length of vehicles permitted on the Garden State Parkway; and to include in the Authority regulations those additional vehicles specifically authorized by the Legislature to use the entire length of the Garden State Parkway, to wit: hearses, funeral flower and service vehicles of types for which issuance of passenger car plates is authorized, and campers.

Text of the proposed changes follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

Article 1.1.7. Parking, Standing or Stopping on Parkway Prohibited Except in Cases of Emergency

. . . Omnibuses shall not stop in service areas on the Parkway except by special permission obtained in advance through the office of the Authority's Operations Manager.

Parking in public parking facilities at service areas shall not exceed a two-hour period . . .

Article 1.1.8. Limitation on Use of Parkway

B. Use of the Parkway and entry thereon by the following is prohibited at all times:

(4) animals led, ridden, unattended or driven on the hoof except horses on bridle paths and leashed dogs in permitted areas.

(11) vehicles, or combination of vehicles, including any load thereon, exceeding the following maximum dimensions, except by special permit from the Authority: height 13'6", width 8' no inches, length [53'] 55' no inches.

(15) all vehicles except passenger motor vehicles and any attached non-commercial trailer or semi-trailer, omnibuses and taxicabs not cruising for passengers, hearses, funeral flower and service vehicles of types for which issuance of passenger car plates is authorized, campers, and vehicles entitled to toll-free passage under Article 1.3.2. of these regulations, are excluded from any part of the Parkway north of Interchange 97A in Monmouth County.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to:

Thomas J. West, Esq.
General Attorney
New Jersey Highway Authority
Garden State Parkway
Woodbridge, New Jersey 07095

The New Jersey Highway Authority, upon its own motion or at the instance of any interested party, may thereafter adopt the changes substantially as proposed without further notice.

John P. Gallagher
Chairman
New Jersey Highway Authority

(b)

NEW JERSEY TURNPIKE AUTHORITY

Proposed Revisions in Rules on Limitations in Use of the Turnpike

The New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-29, proposes to revise a portion of subsection L of Section 9, Limitations on the Use of the Turnpike, of its rules and regulations.

Complete text of the proposed revised subsection L of Section 9 follows:

Use of the New Jersey Turnpike and entry thereon by the following is prohibited:

L. Vehicles or combinations of vehicles including any load thereon exceeding the following extreme overall dimensions:

Height — 13 feet, 6 inches
Width — 8 feet
Length — 55 feet

No private utility, house-type semitrailer or trailer with a maximum length for a single vehicle of more than 35 feet, a maximum length for a semitrailer and its towing vehicle of more than 45 feet, and a maximum length for a trailer and its towing vehicle of more than 50 feet, shall be operated on the New Jersey Turnpike.

No commercial motor vehicle drawing or having attached thereto any other such vehicle, nor any combination of vehicles shall be operated on the Turnpike, in excess of a total overall length, inclusive of load, of 55 feet.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to:

Mrs. Lillian M. Schwartz
Secretary, New Jersey Turnpike Authority
P.O. Box 1121
New Brunswick, N.J. 08903

The New Jersey Turnpike Authority, upon its own motion or at the instance of any interested party, may thereafter adopt the revisions substantially as proposed without further notice.

Mrs. Lillian M. Schwartz
Secretary
New Jersey Turnpike Authority

(c)

PORT OF NEW YORK AUTHORITY

Revisions of Schedules of Charges At Kennedy and Newark Airports

On December 2, 1971, the Commissioners of the Port of New York Authority adopted revisions of the schedule of charges and cancellation of tariff for public aircraft hardstands at Kennedy International Airport, as well as revision to the schedule of charges and extension of airline leases at Newark Airport.

Complete text of these two resolutions follows:

Kennedy International Airport - Revision of Schedule
of Charges and Cancellation of Tariff for Public
Aircraft Hardstands

Resolved, that the "Schedule of Charges for the Use of the Public Landing Area, Public Passenger Ramp and Apron Area, Public Cargo Ramp and Apron Area and Public Aircraft Parking and Storage Areas at Kennedy International Airport" adopted by the Committee at its

meeting on January 5, 1950 (appearing at page 21 et seq. of the committee minutes of that date), as subsequently amended, be and the same hereby is amended, effective on January 1, 1972, by deleting therefrom Section VIII 2; and be it further

Resolved, that the Executive Director be and he hereby is authorized to revise said Schedule of Charges to provide for a new charge of up to \$1.35 for each passenger arriving at the International Arrivals Building, such action to be subject to the approval of general counsel.

Newark Airport - Revision to the Schedule of Charges and Extension of Airline Leases

Resolved, that the Executive Director be and he hereby is authorized on behalf of the Port Authority to amend the Schedule of Charges for the use of the Public Landing Area, Public Passenger Ramp Area, Public Cargo Ramp and Apron Area and Public Aircraft Parking and Storage Area at Newark Airport adopted by the Committee by resolution of October 5, 1959 (appearing at page 45 et seq. of the committee minutes of that date and further amended) by deleting the figure "\$.49" and substituting the figure "\$.55" in the section entitled "Public Landing Charges", such action being subject to the approval of general counsel; and be it further

Resolved, that the Executive Director be and he hereby is authorized on behalf of the Port Authority to enter into agreements with United Air Lines, Inc., Trans World Airlines, Inc., Eastern Air Lines, Inc. and American Airlines, Inc. extending the terms of their long-term leases at Newark Airport to December 31, 1972 and providing for the payment of flight fees at the rate of \$.55 per thousand pounds of maximum weight for take-off of each aircraft and providing for the payment of a minimum flight fee of \$25 for all aircraft of the lessees having less than twenty-five seats which land or take-off at Newark Airport during specified peak periods, such agreements being subject to the approval of general counsel.

Copies of these resolutions were filed December 22, 1971, as R.1972 d.226 (Exempt, Exempt Agency).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

NEW JERSEY MORTGAGE FINANCE AGENCY

Proposed Amendments Concerning New Residential Mortgages

Robert A. Watson, Executive Director of the New Jersey Mortgage Finance Agency, pursuant to authority of N.J.S.A. 17:1B-4 et seq., proposes to amend Section 9 of the rules and regulations of the New Jersey Mortgage Finance Agency.

Complete text of the proposed amendment to Section 9 follows:

Such new residential mortgages may be made by the mortgage lender either directly or through one or more agents. In the case of new residential mortgages made by a mortgage lender through an agent, the agreement between the mortgage lender and such an agent shall be in form satisfactory to the Agency.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before January 26, 1972, to:

New Jersey Mortgage Finance Agency
Taxation Building—Room 215
West State and Willow Streets
Trenton, New Jersey 08625

The New Jersey Mortgage Finance Agency, upon its own motion or at the instance of any interested party, may thereafter adopt the amendment substantially as proposed without further notice.

Robert A. Watson
Executive Director
New Jersey Mortgage Finance Agency

STATE NEWS OF PUBLIC INTEREST

LOCHHEAD NAMED TO DIRECT COMMUTER OPERATING AGENCY

Transportation Commissioner John C. Kohl last month appointed Donald A. Lochhead to the \$24,500 post as Director of Operations for the Commuter Operating Agency. He will assist Nelson Slater, Assistant Commissioner for Public Transportation.

A graduate of Cornell University with a Bachelor of Civil Engineering degree, Lochhead, 47, has been involved in a wide-range of industrial, transportation, traffic and financial activities. He had been with the New York City consulting engineering firm of Coverdale and Colpitts since 1953, the last eight years as a partner.

A licensed Professional Engineer in New Jersey, New York, Florida and Connecticut, he is a member of the American Society of Civil Engineers and former member of their Committee on Transportation Policy.

During World War II he served in the United States Naval reserve and earned the rank of Lieutenant (JG).

Lochhead is married and lives with his wife and three children in Essex Fells, Essex County.

KALE NOW COORDINATING STATE'S HEALTH PLANNING

Dr. James R. Cowan, state Health Commissioner, announced the appointment of Joseph C. Kale of Hamilton Township as Acting Director of New Jersey's Comprehensive Health Planning Agency.

The agency is responsible under the Federal Partnership for Health Program for coordinating all health planning for the State. It also supervises the setting up of various regional Comprehensive Health Planning Agencies.

Kale, 42, succeeded J. Robert Lackey, who now handles special assignments directly from Dr. Cowan's office. One of these assignments will be liaison with the Comprehensive Health Planning Agency and its advisory State Health Planning Council (SHPC).

Lackey, former East Orange Health Officer, was praised by SHPC Chairman Martin S. Ulan for "accomplishing more in his one year as director than had been achieved during the previous three years of the program."

Kale received a B.S. degree in business administration from Rider College and served with the U.S. Army during the Korean conflict. He joined the Health Department in 1963 as a training advisor and administrative analyst.

The newly-named director and his wife, the former Irene Kozma, reside at 3020 Nottingham Way with their four children.

2,527 STATE EMPLOYEES WIN ALMOST \$1 MILLION IN YEAR-END INCENTIVES

Just before Christmas, at formal and informal ceremonies held in Trenton and elsewhere, incentive bonuses were personally awarded to 2,527 State employees.

The awards, totaling \$963,150, were made in individual cash amounts of \$300, \$500 and \$750 as part of the Incentive Bonus Program initiated by Gov. William T. Cahill for the current fiscal year. The State Legislature had appropriated \$1 million for this purpose.

Terming the program, "a first in public service", the state Civil Service Department said that its purpose is "to recognize and reward individual employees who have made the greatest contributions to State Government."

Basis for the awards is: "For having demonstrated sustained outstanding performance far above established standards for the individual's job title, or having made an outstandingly unique contribution to the accomplishment of the goals and objectives of the individual Department and the State of New Jersey."

Recipients of the awards and reasons for their selection were publicly announced and posted in the various departments and agencies. The number receiving the special awards make up about six per cent of total State employees in all locations and functions who were eligible.

Statistics on the first year of the pioneering program as issued by Civil Service revealed:

- Female employees received 55 per cent of the total number of awards, males 45 per cent.
- The greatest percentage of awards—36 percent—went to employees in the ten salary ranges (#11-20) from \$6,428 to \$12,965. The bulk of the remainder were awarded to workers making less, and only about 17 percent to those above this level.
- Greatest proportion of awards went to 12 State Colleges and Universities under the supervision of the Department of Higher Education, about one-third dollar-wise.
- Greatest single amount of \$124,200 went to 414 employees of Rutgers University, with the New Jersey College of Medicine and Dentistry next, with 186 persons there receiving \$55,800.
- Other areas of the government saw employees under Institutions and Agencies state-wide making up the second major recipients, followed by those in the Departments of Transportation, Labor and Industry, and Law and Public Safety. All Departments and agencies shared in the awards.

STATE SAVING \$300,000 PER YEAR ON PHONE CALLS OVER NEW NETWORK

New Jersey will save approximately \$300,000 per year on telephone costs because of a new private telephone network which went into service November 22.

The State Controlled Automatic Network (SCAN) now links most branches, field offices and institutions with Trenton's capitol complex, thus reducing toll charges between these locations.

A Treasury Department official noted that the State's telephone bill has been about \$1,260,000 a year and that SCAN will reduce that to around \$960,000.

State workers are able to direct-dial most State offices anywhere in New Jersey on the private network instead of making toll calls as previously. Similar to private dialing networks used by many major business and industrial firms, SCAN will enable the State to improve efficiency in use of its 19,000 telephones, the official stated.

ANNUAL BOUND VOLUME AVAILABLE

For subscribers wishing a permanent record, a bound volume of the 12 monthly issues of the New Jersey Register for last year is now available, according to Albert E. Bonacci, Director of Administrative Procedure.

It includes an index for the year listing rules proposed but awaiting adoption at year-end and those adopted during 1971. A cumulative index since initial publication of the Register in September, 1969 and covering 1970 is also included.

The volume is 284 pages in bound booklet form, with matching annual volumes planned for future years, Bonacci said.

Orders, together with check or money order made out to: Director, Div. of Administrative Procedure, may be mailed to the Division, 10 North Stockton Street, Trenton, N.J. 08608.

Price: \$8.00 per volume, postpaid.

The administrative director emphasized that orders must be placed immediately because of the deadline for binding. He said there is no assurance that later requests for 1971 bound volumes can be filled.

STATE RECOMMENDS ENDING SMALLPOX VACCINATIONS IN ALL LOCAL SCHOOLS

Acting on recommendations of the U.S. Public Health Service, Dr. James R. Cowan, state Commissioner of Health, has recommended to school physicians, health officers and local district members that the routine vaccination against smallpox be discontinued in New Jersey.

The U.S. Public Health Service reported that its Advisory Committee on Immunization Practices "now believes that the risk of smallpox in the United States is so small that the practice of routine smallpox vaccination is no longer indicated in this country."

The Advisory Committee added, however, that, "public health efforts should be devoted to assuring adequate immunization of all personnel involved in health services and of all travelers to and from continents where smallpox has not been eradicated."

Dr. Cowan wrote to school officials: "Smallpox vaccination is associated with significant morbidity and mortality. The incidence of smallpox in the world is rapidly declining, and the risk of importation of smallpox is so low that risks of morbidity and mortality from routine vaccination far exceed the present risks of smallpox.

Dr. Cowan added, "New Jersey statutes on smallpox vaccination state that a local school district may exclude pupils or teachers who are unvaccinated. A letter has been sent to each school district from the Commissioner of Education and myself recommending that, until such time as the law is changed, the district exercise its option under the law to delete requirements for smallpox vaccination.

"These recommendations only apply to smallpox vaccination. Needless to say, all other immunization procedures should be continued vigorously."

He also advised that the state Department of Health will no longer supply smallpox vaccine through its biological distributing network but that it will keep some vaccine on hand in Trenton for emergency situations.