

# NEW JERSEY



# REGISTER

## IN THIS ISSUE— “INDEX OF ADOPTED RULES”

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## TABLE OF RULES IN THIS ISSUE

RULE PROPOSALS	
ADMINISTRATIVE LAW	
Interlocutory review .....	778(a)
Agency rulemaking .....	780(a)
BANKING	
Super NOW deposit accounts .....	786(a)
COMMUNITY AFFAIRS	
Local Finance Board: Municipal port authorities .....	786(b)
ENVIRONMENTAL PROTECTION	
State Pesticide Control Code .....	787(a)
Pre-proposal: Municipal and county pesticide control .....	809(a)
HEALTH	
Residential and inpatient drug treatment facilities .....	812(a)
HUMAN SERVICES	
Reporting cancer chemotherapy injectable drugs .....	813(a)
PAM: Legally responsible relatives .....	814(a)
ASH: Relatives as a resource .....	814(b)
GAM: Eligibility of young people .....	815(a)
GAM: Eligibility of refugee groups .....	815(b)
Medicaid Only: Burial and funeral expenses .....	816(a)
Child care centers: Staff requirements .....	816(b)
ENERGY	
Computing energy cost savings in shared-savings contracts .....	820(a)
TRANSPORTATION	
Speed rates on US 130 in Gloucester County .....	824(a)
Bus stops on Route 4 in Elmwood Park .....	825(a)
Parking on US 30 in Atlantic City; Rising Sun Square Road in Bordentown .....	825(b)
Turns on Route 31 in Hunterdon County .....	826(a)
TREASURY-TAXATION	
Corporation Business Tax and short table .....	826(b)
OTHER AGENCIES	
HIGHWAY AUTHORITY	
Speed limits on Garden State Parkway .....	827(a)
CASINO CONTROL COMMISSION	
Service industry applications .....	827(b)
Gaming chips and plaques .....	828(a)
Use of cards and dice .....	829(a)
Correction: Double shoe in blackjack .....	832(a)
RULE ADOPTIONS	
AGRICULTURE	
Swine brucellosis control .....	833(a)
Calfhood brucellosis vaccination .....	833(b)
Goats for exhibition: Disease testing .....	833(c)
Dairy farmers and relief from notice of intent .....	833(d)
Commercial values of fertilizers .....	833(e)
BANKING	
Real property transactions: Executive officer defined ..	834(a)
“Executive officer” and affiliated persons .....	834(b)

(Continued on Inside Back Cover)

# RULE PROPOSALS

## ADMINISTRATIVE LAW

(a)

### OFFICE OF ADMINISTRATIVE LAW

#### Uniform Administrative Procedure Rules of Practice Jurisdiction of the Office of Administrative Law

**Proposed New Rules: N.J.A.C. 1:1-9.7**  
**Proposed Repeal: N.J.A.C. 1:1-9.7**

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.  
Authority: N.J.S.A. 52:14F-5e, f and g.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Steven L. Lefelt, Esq.  
Deputy Director for Policy  
Office of Administrative Law  
88 East State Street  
Trenton, New Jersey 08625

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-308.

The agency proposal follows:

#### Summary

The purpose of these amendments is to conform the Uniform Administrative Procedure Rules governing the conduct of contested cases with the holding in *In the Matter of the Appeal of Certain Sec-*

tion of the Uniform Administrative Procedural Rules, NJ (Dkt. No. A-51, June 29, 1982). In that case, the Supreme Court held that the rules must permit application to an agency head for interlocutory review of an administrative law judge's (ALJ) order or ruling on matters which "impact upon the status of the parties, the number and nature of claims and defenses, the identity and scope of issues, the presentation of evidence, the decisional process, or the outcome of the case," including procedural orders or rulings of these types and grants or denials of emergency relief.

In accordance with the Court's holding, the provisions of N.J.A.C. 1:1-9.7(e) and (f) are being repealed. The provisions of N.J.A.C. 1:1-9.7(a) through (d) are being reformulated in the proposed rule.

Pursuant to the holding in the case, the proposed rule details the various categories of orders or rulings which may be interlocutorily reviewed by an agency head at the request of a party. If a party does not request an interlocutory review, any such order or ruling may nonetheless be reviewed by an agency head after the ALJ's initial decision in the contested case.

With a view to minimizing delay and confusion in the handling of contested cases, the proposed rule specifies time limits and procedures for interlocutory requests and reviews. A party has three days to request, in writing, an interlocutory review. On receiving such a request, an agency head has three days to determine whether to conduct an interlocutory review. The agency head then has seven, 20 or 45 days from the date of the request to dispose of the review, depending upon the nature of the order or ruling being reviewed. The time requirements may be relaxed by the joint action of the OAL director and the agency head.

#### Social Impact

The interlocutory review process will enable parties to seek quick agency action on an ALJ's order or ruling. The specific provisions of the rule are designed to enable the parties and the agency heads to make adequate requests and reviews, with a minimum of delay and disruption to the adjudicatory process.

#### Economic Impact

The interlocutory review process required by the Court will result in some delays and disjunctions in the handling of contested case hearings. The delays and disjunctions may cause parties and the State to incur some extra expense in the contested case process. The extent of delay, disjunction and expense resulting will depend upon whether the Court's concerns for "efficiency and economy" and

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"uninterrupted proceedings at the trial level, with a single and complete review . . ." will be respected, and whether the Court's admonition will be heeded that: "It is anticipated that the interlocutory review of ALJ orders will be exercised sparingly." (Slip opinion at page 22.)

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

[1:1-9.7 Orders on motion; review by agency head; when permitted; when not permitted]

(a) On any substantive issue decided by motion, an order that changes the status quo at the time of hearing before the Office of Administrative Law shall, by its terms not be effective for ten days from the entry of the order. On the day such an order is entered, the judge shall forward a copy to the agency head who shall indicate in writing to the clerk, judge and all parties within the specified ten day period whether the order will be reviewed. If the order will be reviewed by the agency head, its effective date shall be stayed pending such review subject to the provisions of subsections (c) and (d) of this section. If the agency head elects not to review the order it shall be effective on the eleventh day after its entry.

(b) On any substantive issue decided by motion, an order that preserves the status quo at the time of hearing before the Office of Administrative Law shall, by its terms, be effective immediately. On the day such an order is entered, the judge shall forward a copy to all parties and the agency head who shall indicate in writing to the clerk, judge and all parties within ten days from the entry of the order whether the order will be reviewed. Within 10 days from the entry of the order and upon notice to all other parties, the judge and the clerk, any party may file a motion with the agency head seeking relief from the order unless such a motion is prohibited by the agency's rules or regulations.

(c) When an agency head indicates that an order decided by motion dealing with a substantive issue will be reviewed, the entire record in the case to the date of order, including such written memorandum as may be deemed necessary by the judge setting forth the basis of the order, shall be certified to the agency head. Within thirty days after receiving the record and memorandum, the agency head shall affirm, reject or modify the judge's interim or emergency order. This time limit may be extended by the Director of the Office of Administrative Law and the agency head for good cause shown as defined in N.J.A.C. 1:1-16.6(b), (c), and (d).

(d) Review by the agency head of any order shall not cause a delay in scheduling hearing dates or result in a postponement of any scheduled hearing dates unless the judge assigned to the case determines that a postponement is necessary because of special requirements of the case, possible prejudice, or for other good cause.

(e) An agency head may not review a procedural order of an administrative law judge. A procedural order is one which relates solely to the conduct or management of a contested case while it is pending before the Office of Administrative Law and which is designed to ensure the full, fair and prompt resolution of a matter.

(f) Interlocutory appeal of any order determined by the judge to be procedural may not be taken to the agency head. Exception to the judge's determination that a matter is procedural may be filed with the agency head within 10 days after receipt of the initial decision in accordance with N.J.A.C. 1:1-16.4. Appeal of a judge's order dealing with a procedural matter may be made following the final decision in the contested case in accordance with the Rules of Court.]

#### 1:1-9.7 Interlocutory Review

(a) **Orders and Rulings affecting the status of the parties, the number and nature of claims or defenses, the identity and scope of issues, the presentation of evidence, the decisional process or otherwise affecting the outcome of the case may be reviewed interlocutorily by an agency head at the request of a party.**

(b) **All requests for interlocutory review shall be made to the agency head no later than three days from the date of the order or ruling. All requests for interlocutory review shall be in writing, by memorandum, letter or motion; and copies filed with the judge and the clerk.**

(c) **Within three days of the request for interlocutory review, the agency head shall notify the parties and the clerk whether the order or ruling will be reviewed. If the agency head determines to review, the notice shall also identify the specific category of review as defined in (f) below. If the agency head does not give notice within three days, the request for review shall be considered denied. Informal communication by telephone or in person to the parties or their representatives and to the clerk within the required 3 day period will satisfy this notice requirement provided that a written communication or order promptly follows.**

(d) **Any order or ruling by a judge which:**

1. **Affects the conduct or management of the contested case proceeding; or**

2. **Preserves the position of a party pending the outcome of the contested case proceeding; or**

3. **Disposes of an application for emergency relief shall, by its terms, be effective immediately subject to interlocutory review by the agency head. Any other order or ruling by a judge shall, by its terms not be effective for six days, subject to interlocutory review by the agency head.**

(e) **The making of an application for interlocutory review shall not stay the effect of any order or ruling described in (d) above; however, the effect of any such order or ruling shall be automatically stayed upon the agency head's notification that an interlocutory review will be conducted, unless the agency head determines in writing, that the terms of the ruling or order or modified terms shall be effective pending review.**

(f) **In all instances of interlocutory review, the agency head shall issue a decision, order or other disposition on the review:**

1. **No later than seven days from receipt of the request where the order or ruling affects the decisional process, the status of the parties in the contested case, the presentation of evidence, except for questions of privilege; or grants or denies emergency relief;**

2. **No later than 20 days from receipt of the request where the order or ruling deals with a question of privilege or affects the identity and scope of the issues;**

3. **No later than 45 days from receipt of the request where the order or ruling disposes of claims or defenses, or otherwise affects the outcome of the case. Where the agency head does not issue a decision within the specified time limits, the judge's ruling shall be considered affirmed. The forgoing time limits establish maximum periods. Where the interests of justice require, the agency head shall be obliged to dispose of interlocutory reviews on an expedited basis.**

(g) **Where the proceeding generating the request for interlocutory review has been sound recorded and the agency head requests the verbatim record, the clerk shall furnish the original sound record or a certified copy within one day of the request. The party requesting the interlocutory review shall provide the agency head with all other papers, materials, transcripts or parts of the record which pertain to the request for interlocutory review.**

(h) **Within two days of the agency head's notice that an interlocutory review will be conducted, the judge, in his or her discretion, may provide the agency head and the parties with a written memorandum concerning the order or ruling.**

(i) **The time requirements of this rule may be relaxed upon certification by the the agency head and the Director of the Office of Administrative Law that good cause exists, pursuant to the standards contained in N.J.A.C. 1:1-16.6(d). Any such extension shall not issue except upon notice to the parties or after reasonable efforts have been made to so notify them.**

(j) An agency head's determination to review an order or ruling shall not delay the scheduling of hearing dates, unless the judge assigned to the case determines that a postponement is necessary because of special requirements of the case, probable prejudice, or for other good cause.

(k) All orders or rulings reviewable under this rule may be reviewed by the agency head after the judge renders the initial decision in the contested case, even if an application for interlocutory review was not made.

## (a)

### OFFICE OF ADMINISTRATIVE LAW

#### Rules for Agency Rulemaking

#### Proposed Amendments: N.J.A.C. 1:30

Authorized By: Howard H. Kestin, Director, Office of Administrative Law.

Authority: N.J.S.A. 52:14B-7(g) and 52:14F-5f.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Burton D. Weltman, Esq.  
Assistant Director for Rules  
Office of Administrative Law  
88 East State Street  
Trenton, NJ 08625

The Office of Administrative Law thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-291.

The agency proposal follows:

#### Summary

These proposed amendments to the Rules for Agency Rulemaking are a result of a year's experience under P.L. 1981, c.27, and the rulemaking rules which were adopted to implement that statute. P.L. 1981, c.27 made several significant changes in the Administrative Procedure Act, (APA) and the Office of Administrative Law (OAL) responded with new rules and procedures, including the publication of the Register on a twice-monthly basis.

During the last year, the OAL has received various comments on the new rules and procedures, and has reached out to every agency for suggestions. The OAL also has conducted rules-drafting sessions with the various agencies, and has worked with agencies on the technical and mechanical preparation of rules.

As a result of these experiences, the following amendments are proposed:

1. A number of sections have been clarified through language and technical changes, and through several new definitions;

2. N.J.A.C. 1:30-2.2(e) requires that where an agency's rule is based on a State or Federal statute or a Federal regulation, some reference to that source should be made in the agency's rule. This requirement is to help the public to find the legal source for an agency rule, and to encourage agencies not to merely repeat statutes and Federal rules in their agency rules;

3. N.J.A.C. 1:30-2.4 requires that proposed and adopted rules be signed by duly authorized persons. The rule codifies the current practice of almost all the State agencies. The requirement that an

adopted rule be certified by a person specifically authorized by statute to adopt rules is consistent with the intent of the authorizing statutes, the APA, and the importance of the rulemaking function;

4. N.J.A.C. 1:30-2.5 clarifies that the statement for a proposed rule is part of the agency's proposal;

5. N.J.A.C. 1:30-2.6 designates the Register copy as the authoritative copy of a rule. The rationale for this amendment is that the copy of a rule that the State has formally made available to the public, and not a private copy in a file drawer, should be the authoritative copy;

6. N.J.A.C. 1:30-2.7 provides for administrative correction of a rule where, the process of proposing and promulgating the rule, some minor typographical or other inconsequential error has been made. An administrative correction need not be formally proposed or promulgated, and may be made only upon the joint agreement of the OAL and the adopting agency;

7. N.J.A.C. 1:30-3.4(b) requires agencies to maintain rulemaking records for three years, instead of the present two years. This amendment is in compliance with the State's record retention guidelines which require all correspondence to and from a State agency to be kept for three years.

8. N.J.A.C. 1:30-3.5(c) specifies the types of changes which may be made to a proposed rule upon its adoption;

9. N.J.A.C. 1:30-3.6(c) specifies the types of action which an agency may take with respect to a petition for a rule;

10. N.J.A.C. 1:30-3.7(b) clarifies the definition of a "Federally required rule";

11. N.J.A.C. 1:30-4.3 outlines the rulemaking procedures for compliance with Executive Order No. 66(1978);

12. N.J.A.C. 1:30-4.4(a)2 explicates the definition of "emergency";

13. N.J.A.C. 1:30-4.5(a) clarifies the effective date of a re-adopted rule.

#### Social Impact

These amendments should help the OAL make the New Jersey Register and Administrative Code a more useful tool for the public and State agencies. The amendments should also help rationalize and publicize the rulemaking process, so that the process better conforms to the letter and spirit of the Administrative Procedure Act and Executive Order No. 66(1978) which provide the framework for State-agency rulemaking.

#### Economic Impact

These amendments provide no new requirements for agencies not already contained in the APA and Executive Order No. 66(1978). The amendments may require more careful agency staff work in some areas of rulemaking, but also allow for some savings of staffwork in other areas. For example, an agency need not repeat verbatim in its rules a controlling statute or Federal rule, but may merely summarize and cite that authority.

The requirements that agencies keep rulemaking records for three years instead of two years, may call for some additional filing space.

**Full text** of the proposal follows. Delete in its entirety the text of N.J.A.C. 1:30 as it appears in the New Jersey Administrative Code. Full text of the new proposal follows.

### CHAPTER 30 RULES FOR AGENCY RULEMAKING

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 1:30-1.1 Short title

The provisions of this chapter shall be known as "The rules for agency rulemaking".

1:30-1.2 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 Administrative Procedure Act of 1968, P.L. 1968, c.410, as amended and supplemented by P.L. 1978, c.67 (N.J.S.A. 52:14B-1 et seq. and 52:14F-1, et seq.) and P.L. 1981, c.27 (52:14B-4.1 et seq.).

“Administrative Publications and Filings” means that section of the Office of Administrative Law to which documents shall be submitted, formerly the Division of Administrative Procedure of the Department of State.

“Adopt” means the action whereby a rule is officially approved and authorized for promulgation by an adopting agency.

“Adopting agency” means that agency authorized by law to conduct a rule-making proceeding.

“Agency” or “State agency” is defined in N.J.S.A. 52:14B-2(a).

“Adopting agency head” means either that person designated by statute as authorized to promulgate rules, or the principal executive officer of an authorized adopting agency.

“Amend” means to adopt a rule which modifies, alters or revises a previously promulgated rule.

“Code” means the New Jersey Administrative Code, published pursuant to N.J.S.A. 52:14B-7(a).

“Codify” means to devise, pursuant to N.J.S.A. 52:14B-7(f), the form in which rules are published to achieve a logical and consistent arrangement of their provisions.

“Director” means the Director of the Office of Administrative Law.

“Document” means any writing submitted to the Office of Administrative Law by an agency for the purpose of filing, publishing, or other processing pursuant to law. The singular of this term refers to the entirety of each writing although such writing establishes or affects more than one rule or subject matter, or consists of more than one page or part.

“Effective” means that a rule, pursuant to the Constitution, the Act and this chapter, has been duly adopted, accepted for filing by the Office of Administrative Law, and promulgated in the New Jersey Register.

“Exempt agency” means any agency exempt under the definition of “agency” in N.J.S.A. 52:14B-2(a).

“Exempt rule” means any rule of an exempt agency.

“File” means the action whereby a certified copy of a document is submitted to Administrative Publications and Filings and accepted by the director to be stamped with the date and time of acceptance and entry into the registry.

“Notice of petition for a rule” means that document described in N.J.A.C. 1:30-3.6 which must be submitted to the Office of Administrative Law for publication in the Register when a request for agency rulemaking action is made by an interested person, pursuant to N.J.S.A. 52:14B-4(f).

“Notice of pre-proposal for a rule” means that document described in N.J.A.C. 1:30-3.2 which must be submitted to the Office of Administrative Law for publication in the New Jersey Register, when an agency determines to conduct, pursuant to N.J.S.A. 52:14B-4(e), a preliminary deliberative proceeding with respect to a contemplated rulemaking proceeding.

“Notice of proposed rule” means that document described in N.J.A.C. 1:30-3.1 which must be submitted to the Office of Administrative Law for acceptance by the director, and then publication in the New Jersey Register and distribution to the Legislature and interested persons.

“Operative” means that the adopting agency shall enforce and the affected public shall obey the terms of an effective rule. Unless otherwise specified in the rule, a rule becomes operative when effective.

“Organizational rule” means a rule promulgated pursuant to N.J.S.A. 52:14B-3(1), including a description of the structure of the agency; the persons from whom and places from which

information, applications and other forms may be obtained; the persons to whom and places to which applications, requests and other submissions may be made.

“Person” means any natural individual, association, board, venture, partnership, corporation, organization, institution and governmental instrumentality recognized by law for any purpose whatsoever.

“Promulgate” means to officially proclaim in the Register and thereby render effective a rule duly adopted by an agency and accepted for filing by the Office of Administrative Law.

“Propose” means the action whereby an adopting agency submits a notice of proposed rule to the Office of Administrative Law which is accepted for filing and publication by the Director.

“Readopt” means to conduct a rulemaking proceeding for the purpose of continuing in effect an emergency rule which would otherwise expire pursuant to N.J.S.A. 52:14B-4(c) (see 1:30-4.4(d)), or a rule which expires pursuant to the “sunset” provisions of Executive Order No. 66(1978) (see N.J.A.C. 1:30-4.6). In a rulemaking proceeding to readopt a rule, the rule continues in effect upon the acceptance for filing of the notice of adoption by the Office of Administrative Law.

“Register” means the “New Jersey Register” published pursuant to N.J.S.A. 52:14B-7(b).

“Registry” means the serial list of documents which are accepted for filing by the director.

“Repeal” means to declare void a rule, the effect of which is to terminate the legal effect of such rule prospectively only. Any rule so terminated shall continue thereafter to be enforced in and applied to all proceedings, formal or otherwise, initiated pursuant to rule or to law prior to the effective date of such repeal.

“Rescind” means to declare void a rule, the effect of which is to terminate the legal effect of a rule both prospectively and retroactively as if the rule had never existed for any purpose.

“Rule” or “administrative rule” is defined in N.J.S.A. 52:14B-2(e).

“Rule activity” means any agency action with respect to a rule authorized or required by the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and including a petition for a rule, a pre-proposal for a rule, and a rulemaking proceeding.

“Rulemaking proceeding” means those steps which shall be followed, pursuant to the Act and this chapter, for a rule to be validly promulgated, and which include the procedures for proposal of a rule, N.J.A.C. 1:30-3.1 et seq., the proper adoption of a rule, and the procedures upon adoption of a rule, N.J.A.C. 1:30-4.1 et seq.

“Suspend” means to render a rule inoperative for a definite period of time.

1:30-1.3 Offices

(a) Administrative Publications and Filings, Office of Administrative Law, is located at 88 East State Street, Trenton, New Jersey 08625.

(b) Hours during which documents may be submitted or reviewed are from 9:00 A.M. to 4:00 P.M., Monday through Friday, holidays excepted.

1:30-1.4 Citations to the Code

(a) The New Jersey Administrative Code shall be cited as N.J.A.C.

(b) The citation of a particular section of the New Jersey Administrative Code shall include the numerical designations of the title, chapter, subchapter and section referred to, preceded by the initials N.J.A.C. Thus, this section should be cited as N.J.A.C. 1:30-1.4.

1:30-1.5 Citations to the Register

(a) The New Jersey Register shall be cited as N.J.R.

(b) The citation to material appearing in the New Jersey Register shall include the volume number, page number and item letter, the

volume and page numbers being separated by the initials "N.J.R." Thus, the third item on page 27 of the first volume of the Register would be cited as: 1 N.J.R. 27(c).

#### 1:30-1.6 Citations in the Code

Statutory citations will be "N.J.S.A.", the New Jersey Statutes Annotated. This is for the convenience of the public, but the official copy of any statute will be found in the State's unpublished compilation of statutes or in the published yearly pamphlet laws.

#### 1:30-1.7 Headings not to be used in construing rule

Title, subtitle, chapter, subchapter, section, article, group, part and division headings contained in the Register or Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of any provision of the Register or Code.

#### 1:30-1.8 Access to documents

(a) Every document accepted by the Office of Administrative Law shall be maintained on record by Administrative Publications and Filings.

(b) Any person shall, upon request, be afforded opportunity to examine any document so maintained.

#### 1:30-1.9 Copies of documents; fees

(a) Any person shall be provided copies of filed documents pursuant to N.J.S.A. 47:1A-2.

(b) The original of a filed document shall not be released from the custody of the Office of Administrative Law.

#### 1:30-1.10 Forms

From time to time the Office of Administrative Law may adopt as interagency statements the forms and formats which shall be used in the submission of proposed and adopted rules, pre-proposals for rules, and notices therefor.

#### 1:30-1.11 Computation of time

In computing any period of time fixed by a rule or judicial order, the day of the act or event from which the designated period begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor legal holiday.

#### 1:30-1.12 Compliance

The Office of Administrative Law may refuse to accept for publication or for filing any proposed or adopted rule, any pre-proposal for a rule or any notice which is not in compliance with N.J.S.A. 52:14B-1 et seq. and the rules contained in this chapter. The Office shall return the document to the agency with recommendations for compliance. The Office of Administrative Law will provide its good offices and technical assistance to assist any agency in complying with the law.

#### 1:30-1.13 Invalidation of rule

In the event that a proposed or adopted rule is suspended or otherwise rendered inoperative or ineffective by Court rule or ruling, by legislative action or by Executive Order, the Office of Administrative Law shall, upon receipt of notice of the event, file the notice and publish the notice in the Register and the Code, as appropriate.

#### 1:30-1.14 Filing of document

(a) Upon acceptance of a document for filing there shall be stamped on its face the following:

1. The hour and date of acceptance for filing;
2. The word "filed"; and
3. The facsimile signature of the Director.

(b) A document number assigned by Administrative Publications and Filings shall be endorsed on the face of the document. The

document shall be entered in a registry maintained by Administrative Publications and Filings for that purpose.

### SUBCHAPTER 2. RULEMAKING GENERALLY

#### 1:30-2.1 Clarity of rules

In order to be accepted for publication or for filing, a proposed or adopted rule, or any notice shall be written in a reasonably simple, clear, understandable and easily readable way so as to offer affected persons and other interested persons fair notice of its provisions.

#### 1:30-2.2 Incorporation by reference

(a) Specifically designated sections of the following sources may be incorporated into a rule by reference:

1. New Jersey Statutes Annotated;
2. United States Code;
3. New Jersey Session Laws;
4. Code of Federal Regulations;
5. Federal Register;
6. Any uniform system of accounts published by the National Association of Regulatory Utility Commissioners;
7. Any generally available standard published by any of the standardizing organizations listed in the National Bureau of Standards Special Publication 417, Director of United States Standardization Activities or supplements thereto or reissues thereof; or
8. Any other generally available publication approved by the director.

(b) Any section of a source incorporated by reference shall be made available for public inspection by the adopting agency and shall be available in printed form from the adopting agency or the original source for a reasonable fee.

(c) Any agency incorporating any section of a source by reference shall adopt and file as a rule appropriate language indicating:

1. What is incorporated including either:
  - i. The specific date or issue of the section of the source incorporated; or
  - ii. A Statement indicating whether the section incorporated includes future supplements and amendments.
2. Where and how a copy of the section may be obtained.

(d) Except with respect to a section of a source indicated in (a)1 through (a)5 above, an agency shall file with the Office of Administrative Law a copy of the section incorporated by reference.

(e) Where a State agency rule elaborates on, or summarizes or paraphrases a State or Federal statute or Federal regulation, the rule shall contain a citation of, reference to or footnote on that statute or regulation.

#### 1:30-2.3 Single subject for each rule

Each proposed or adopted rule or notice shall embrace but one subject, and that shall be expressed in the title.

#### 1:30-2.4 Authorization for rule activity

(a) A notice of adoption shall be signed by the adopting agency head, or any other person authorized by statute.

(b) A notice of proposed rule or any other rule activity shall be signed either by:

1. The adopting agency head; or
2. By an agency employee who has been duly authorized by the agency head to propose rules, and for whom a written authorization signed by the agency head has been submitted to the Office of Administrative Law.

#### 1:30-2.5 Effect of statement for proposed rule

The statement for a proposed rule, as described in N.J.A.C. 1:30-3.1(a)3, shall be an intrinsic part of the proposal contained in a notice of proposed rule, and may be used as an extrinsic aid in interpreting the rule.

1:30-2.6 Official copy of proposed, adopted and promulgated rule

(a) The Register constitutes the authoritative text of any notice printed therein.

(b) The full text printed in the Register of any proposed rule, adopted rule or any change made upon adoption of a proposed rule, constitutes the authoritative text of that proposed rule, adopted rule or change. An official copy of the text printed in the Register shall be kept on file at the OAL.

(c) Where the full text of an adopted rule is not printed in the Register, the full text of the proposed rule printed in the Register, plus the full text of any change printed in the Register upon adoption, constitutes the authoritative text of the adopted and promulgated rule. An official copy of the text printed in the Register shall be kept on file at the OAL.

(d) Where the full text of any proposed rule or change is not printed in the Register, the authoritative text is the copy submitted by the adopting agency and kept on file at the Office of Administrative Law.

1:30-2.7 Administrative correction

(a) Upon agreement of the adopting agency and the Office of Administrative Law, the Office of Administrative Law may administratively correct a promulgated rule. An administrative correction may contain:

1. A correction of spelling, grammar, or punctuation which does not change the meaning or substance of a rule;
2. A correction of codification; or
3. An addition of a missing word or phrase which does not change the substance of a rule and which could be implied from the text and context of the notice of proposed rule or notice of adopted rule.

(b) An administrative correction shall be made by inserting the correction on the official copy of the rule contained on file at the Office of Administrative Law. The OAL employee authorized to make an administrative correction shall date and initial any correction.

(c) An administrative correction shall be effective upon filing.

(d) A notice of any correction of codification or addition of a missing word or phrase shall be published in the Register.

SUBCHAPTER 3. PROPOSAL PROCEDURE

1:30-3.1 Notice of proposed rule

(a) Where the law requires that an agency give notice of rulemaking proceedings, the agency shall prepare a notice of proposed rule and submit the notice to the OAL. The notice of proposed rule shall include:

1. The name of the adopting agency head and agency and the signature of the adopting agency head or agency employee duly authorized by the agency head to propose rule (see N.J.A.C. 1:30-2.4).
2. The text of the proposed rule, or a description of the proposed rulemaking action detailed and specific enough to identify: who and what will be affected by the proposed action; how, when and where the affect will occur; what is being prescribed, proscribed or otherwise mandated; what enforcement mechanisms and sanctions may be involved; any other key provisions. The notice shall include the text of any existing rule that is being amended, specifically indicating additions, deletions and the identity of any rule being repealed or renumbered.
3. A brief statement for the proposed rule, which shall include:
  - i. A summary of its subject matter and a clear and concise explanation of its purpose and effect;
  - ii. A citation of the specific legal authority authorizing the proposed rulemaking action and a brief explanation of how the proposed rule implements the authorizing legal authority. The citation shall identify the section or sections of law which particularly authorize this particular action. The citation shall not merely be the agency's enabling statute, unless the agency is relying upon its residual or other general powers, and so states in the notice;

iii. Its expected social impact on the public, particularly any segments of the public proposed to be regulated, and including any proposed or expected differential impact on different segments of the public, and the justification therefor;

iv. Its expected costs, revenues and other economic impact upon governmental bodies of the State, particularly the adopting agency, and upon the public, particularly any segments of the public proposed to be regulated;

v. A proposed code citation for it, according to a format proposed and distributed by Administrative Publications and Filings, or the Code citation of any rule affected, amended or repealed by it; and

vi. The agency through which and the methods by which it would be implemented.

4. An announcement of the public's opportunity to be heard regarding the proposed rule, which shall include:

- i. When, where and how persons may present their views orally or in writing (see N.J.A.C. 1:30-3.3, Opportunity to be heard); and
- ii. When, where, and how, persons may attend any formal rule adoption proceeding.

(b) Upon acceptance of the notice by the director:

1. The OAL shall submit the notice, other than a notice of a Federally required rule (see N.J.A.C. 1:30-3.7), to the Senate and the General Assembly;

2. The OAL shall publish the notice of proposed rule in the New Jersey Register. Pursuant to N.J.S.A. 52:14B-7(c), an unduly cumbersome proposed rule may not be printed full text in the Register, but may be summarized in the Register and made available upon request.

3. The agency shall mail the notice of proposed rule, as accepted by the Director, to those persons who have made timely request of the agency for notice of its rulemaking actions; and

4. The agency shall undertake an additional method of publicity reasonably calculated to inform the most interested and affected persons of the proposed rule.

1:30-3.2 Notice of pre-proposal for a rule

(a) Where pursuant to N.J.S.A. 52:14B-4(e), an agency determines to conduct a preliminary, deliberative proceeding with respect to a contemplated rulemaking proceeding, the agency shall submit a notice of pre-proposal for a rule to the OAL for publication in the New Jersey Register at least 30 days prior to submission of any notice of proposed rule on the same subject.

(b) The notice of pre-proposal for a rule shall include:

1. The name of the adopting officer and agency;
2. The subject matter, problem and purpose which the agency contemplates addressing;
3. A citation of the legal authority authorizing the contemplated action;
4. An announcement of the public's opportunity to be heard regarding the contemplated action, which shall include:
  - i. Where, when and how persons may present their comments orally or in writing (see N.J.A.C. 1:30-3.3 Opportunity to be heard); and
  - ii. When, where, and how, persons may attend an informal conference or consultation.

5. The title and nature of any committee, and, where appropriate, the names and affiliations of any committee members, appointed to advise the agency with respect to any contemplated rule-making.

1:30-3.3 Opportunity to be heard

(a) Written submission: As part of any proceeding for a pre-proposal, under N.J.A.C. 1:30.3.2, or for a proposed rule, under N.J.A.C. 1:30-3.1, the agency shall accept these written submissions for at least 30 days following publication in the Register of the notice of pre-proposal or proposed rule.

(b) Public hearing:

1. Where a public hearing is requested pursuant to N.J.S.A. 52:14B-4(a)(3), the party making the request may submit a copy of the request to the Office of Administrative Law for inclusion in the record of the proposed rule.

2. Where a public hearing is held as part of a proceeding for a pre-proposal or a proposed rule, the agency shall provide at least 15 days notice thereof. Wherever possible, notice of the public hearing shall be contained in the notice of pre-proposal or proposed rule. Otherwise, notice of the public hearing shall be published in the New Jersey Register or given in another manner reasonably calculated to reach the interested public.

3. Any public hearing held in connection with a pre-proposal or a proposed rule shall be conducted according to the procedures outlined in N.J.S.A. 52:14B-4(g).

(c) Other submissions: Where an agency permits any other method of public comment on a pre-proposal or proposed rule, the agency shall provide timely notice of that opportunity in a manner reasonably calculated to reach the interested public.

1:30-3.4 Record of the public's opportunity to be heard

(a) Prior to either the submission of a proposed rule resulting from a pre-proposal proceeding (see N.J.A.C. 1:30-3.2) or the adoption of a proposed rule (see N.J.A.C. 1:30-3.1), the agency shall prepare a record of any written, oral, or other material submitted in response to the notice of proposed rule or pre-proposal during the period affording interested persons an opportunity to be heard. The record shall include the following:

1. The date, the method of issuance and a copy of any notices concerning the rule activity, including any notice mailed to interested persons pursuant to N.J.A.C. 1:30-3.1(b)3 and any additional publicity pursuant to N.J.A.C. 1:30-3.1(b)4.

2. A description of the public comments on the notice of proposed rule or pre-proposal including:

i. A list of the persons commenting on the notice of proposed rule or pre-proposal for a rule;

ii. The name and, where feasible, the estimated membership of any trade, craft or professional organization or association making written or oral submissions;

iii. A copy or summary of each written submission and a summary of each oral submission of any person made in response to the notice of proposed rule or pre-proposal for a rule, and any written answer of the agency;

iv. The certificate of the adopting officer attesting that all submissions were examined and that due consideration was given their merits prior to the submission or adoption of the proposed rule, as the case may be;

v. A description of the principal points of controversy revealed during the proceeding;

vi. A statement of the reasons for accepting and rejecting the public comments.

3. A description of any public hearing or other proceeding which was held as a result of the proposed rule including:

i. The date, time and place;

ii. The name and title or position of the presiding person;

iii. The nature of the proceeding;

iv. The recommendations of the hearing officer, in the case of a public hearing conducted pursuant to N.J.S.A. 52:14B-4(g).

(b) Each agency shall maintain for each rule adopted by it the record of the opportunity to be heard for a period of not less than three years from the effective date of the subject rule.

(c) The record constitutes an official document of the administrative agency, is evidence of its compliance with the legislative mandate to provide opportunity to be heard, and shall be available for public inspection at the agency.

1:30-3.5 Variance between the rule as proposed and as adopted

(a) Where, following the notice of a proposed rule, an agency determines to make changes in the proposed rule so substantial as to effectively destroy the value of the notice, and to effectively create a new proposed rule, the agency shall give a new notice of proposed rule and public opportunity to be heard.

(b) In determining whether the changes in the proposed rule are

so substantial, consideration shall be given to the extent that the changes:

1. Enlarge or curtail who and what will be affected by the proposed rule;

2. Change what is being prescribed, proscribed or otherwise mandated by the rule;

3. Enlarge or curtail the scope of the proposed rule and its burden on those affected by it.

(c) Where the changes between the rule as proposed and as adopted are not substantial, the changes shall not prevent the adopted rule from being accepted for filing. Changes which are not substantial include:

1. Spelling, punctuation, technical, and grammatical corrections;

2. Language or other changes, whose purpose and effect is to clarify the proposal or correct printing errors; and

3. Minor substantive changes which do not significantly enlarge or curtail the scope of the rule and its burden, enlarge or curtail who or what will be affected by the rule, or change what is being prescribed, proscribed or mandated by the rule.

1:30-3.6 Notice of petition for a rule

(a) When a person petitions an agency to begin a rulemaking proceeding, pursuant to N.J.S.A. 52:14B-4(f), the agency shall forthwith file a notice of petition with the Office of Administrative Law, which shall include:

1. The name of the petitioner;

2. The substance or nature of the rulemaking action which is requested;

3. The problem or purpose which is the subject of the request; and

4. The date the petition was received.

(b) Within 30 days of receiving the petition, the agency shall mail to the petitioner, and file with the Office of Administrative Law for publication in the Register, a notice of action on the petition which shall include:

1. The name of the petitioner;

2. The Register citation for the notice of petition, if that notice appeared in a previous Register;

3. Certification by the agency head that the petition was duly considered pursuant to law;

4. The nature or substance of the agency action upon the petition; and

5. A brief statement of reasons for the agency action.

(c) Agency action on a petition may include:

1. Denying the petition;

2. Filing a notice of proposed rule or a notice of pre-proposal for a rule with the Office of Administrative Law; or

3. Referring the matter for further deliberations, the nature of which shall be specified and which shall conclude upon a date certain. The results of these further deliberations shall be mailed to petitioner and submitted to the OAL for publication in the Register.

(d) Each agency shall prescribe by rule the form of a petition and the procedures for its submission.

1:30-3.7 Federally required rule

(a) Pursuant to N.J.S.A. 51:14B-4.4, a Federally required proposed rule is not required to be submitted to the Legislature.

(b) A proposed rule is a Federally required rule if the specific provisions of the proposed rule are prescribed by Federal statute, rule or ruling, so that the agency exercises no discretion as to whether to promulgate the rule and as to what is prescribed by the rule.

(c) Where an agency claims that a proposed rule is Federally required, the agency shall submit as part of the notice of proposed rule a citation for the Federal statute, rule or ruling involved and an explanation of the Federal requirement.

SUBCHAPTER 4. PROCEDURE UPON ADOPTION

1:30-4.1 Requirements for filing an adopted rule

(a) With each adopted rule submitted for filing the adopting agency shall include:

1. Certification by the adopting agency head that the rule was duly adopted according to law and in compliance with the requirements of the Administrative Procedure Act, P.L. 1968, c.410, as amended by P.L. 1978, c.67 and P.L. 1981, c.21, and of this chapter;

2. Where the notice of proposed rule contained the full text of the proposed rule, the text of any changes between the rule as proposed and as adopted, specifically indicating insertions and deletions;

3. Where the notice of proposed rule did not contain the full text of the proposed rule, the text of the rule, including the text of any existing rule that is being amended, specifically indicating additions and deletions, and the identity of any existing rule being repealed or renumbered;

4. The operative date of the rule, if later than the date of promulgation in the Register;

5. A summary of any changes between the rule as proposed and as adopted, and the reasons for the changes;

6. A brief description of the public's opportunity to be heard, including:

- i. The type of opportunity to be heard afforded the public;
- ii. The type of notice afforded the public;
- iii. Where and how the record of the opportunity to be heard can be inspected, and a statement of the principle points of controversy revealed during the rulemaking proceeding and the reasons for adoption of the public views accepted and for rejection of the public views rejected;

7. The date and occasion of adoption;

8. The expiration date, pursuant to Executive Order No. 66 (1978), or exemption therefrom and reasons therefor.

1:30-4.2 Time for filing an adopted rule

(a) No adopted rule, other than an emergency rule or a Federally required rule, shall be accepted for filing until 60 days after the submission of the proposed rule by the Office of Administrative Law to the Senate and Assembly.

(b) No adopted rule, other than an emergency rule or an organizational rule, shall be accepted for filing until 30 days after the publication of the proposed rule in the Register.

(c) Any document submitted for filing shall be accepted or rejected by the Office of Administrative Law not more than three business days following the receipt of the document by the Office of Administrative Law.

(d) If an agency has not adopted and the OAL has not accepted for filing a rule within one year from the date the proposed rule was published in the New Jersey Register, the proposal expires. Before the rule can be promulgated, the agency must resubmit the proposal for publication in the Register and must comply with the notice and opportunity to be heard requirements of the Act.

1:30-4.3 Executive Order No. 66 (1978); expiration date for adopted rule

(a) Pursuant to Executive Order No 66 (1978):

1. Each new subchapter adopted after May 15, 1978 shall include an expiration date of no more than five years from the effective date of the subchapter;

2. For any subchapter adopted prior to May 15, 1978, the first amendment shall include an expiration date, of no more than five years from the effective date of the amendment. This expiration date shall automatically attach and apply to the whole subchapter, and, at the discretion of the adopting agency, may attach and apply to the whole chapter of which the subchapter is a part;

3. No expiration date need be included where:

- i. The provisions of the subchapter are prescribed by Federal or State statute, Federal regulation, or Court ruling, so that the agency

exercises no discretion as to whether to promulgate the subchapter and as to what is prescribed by the subchapter; or

ii. The establishment of an expiration date for the subchapter is precluded by a preemptive State or Federal statute or Federal regulation, or any preemptive agreement made pursuant to such statute or regulation, so that the agency exercises no discretion as to whether to repeal or to amend the subchapter; or

iii. The Governor has waived the requirement of an expiration date for the subchapter; and

iv. The agency establishes in writing that the rule is exempt from the expiration date requirement.

(b) Once an expiration date is established:

1. That expiration date remains effective, irrespective of any subsequent amendments to the subchapter, short of a complete repeal or complete repromulgation of the whole subchapter.

2. Any amendment to that subchapter shall include the expiration date which has been established for the subchapter.

(c) In order to maintain the effectiveness of a rule, the rule must be duly proposed, adopted and filed prior to its expiration date. The readopted rule is effective upon acceptance for filing by the Office of Administrative Law.

1:30-4.4 Certificate for emergency adoption

(a) Any agency adopting an emergency rule pursuant to N.J.S.A. 52:14B-4(c) shall prepare and present to the Office of Administrative Law at the time of submitting the rule for filing, a certificate of emergency which shall include the following:

1. The agency head's order adopting or changing the rule;

2. A written statement specifically describing the reasons for the agency head's finding that there is an imminent peril and that the peril necessitates emergency proceedings. The specific reasons shall contain facts upon which a reasonable person could conclude the existence and nature of the harm to the public which necessitates immediate rulemaking action or which would result if normal rulemaking requirements were complied with, and shall not be merely conclusory statements or repetition of statutory language. Specific reasons may include the immediate need to conform rules to the requirements of Federal or State statutes, Federal regulations, or court orders;

3. A written summary of the subject matter of the rule and the way it will respond to the imminent peril;

4. A certificate of the adopting officer attesting to the facts set forth in the statement;

5. The expiration date of the rule, pursuant to N.J.S.A. 52:14B-4(c);

6. A certificate of the Governor attesting to the existence of an imminent peril which justifies the emergency rulemaking proceeding;

7. A written statement specifying the measures being taken to inform affected parties of the rule.

(b) An emergency rule is effective upon acceptance for filing.

(c) Upon acceptance for filing by the Director, the Office of Administrative Law shall transmit a copy of the emergency rule and the certificate of emergency to the President of the Senate and the Speaker of the General Assembly.

(d) The provisions of an emergency rule shall be readopted in compliance with normal rulemaking requirements in order to continue in effect beyond the statutory limits of N.J.S.A. 52:14B-4(c), except that the readopted rule shall be effective upon acceptance for filing of the notice of adoption by the Director. The provisions of an emergency rule may not be readopted as an emergency rule.

(e) A request for legislative extension of the effective period for an emergency rule shall be submitted to the Office of Administrative Law for transmission to the Senate and General Assembly, and shall include a statement specifically describing the need for the extension.

1:30-4.5 Effective date and promulgation of adopted rule

(a) Any rule adopted or readopted as an emergency rule pursuant to N.J.A.C. 1:30-4.4(b) and (d), readopted pursuant to Executive Order No. 66(1978) (see N.J.A.C. 1:30-4.6), or adopted as an organizational rule pursuant to N.J.S.A. 52:14B-4(b) is effective upon acceptance for filing by the Office of Administrative Law.

(b) Any other adopted rule is effective upon promulgation.

## BANKING

### (a)

#### DIVISION OF BANKING

#### Super NOW Deposit Accounts

#### Proposed New Rule: N.J.A.C. 3:6-9

Authorized By: Michael M. Horn, Commissioner,  
Department of Banking.  
Authority: N.J.S.A. 17:1-8.1.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Roger F. Wagner, Deputy Commissioner  
Department of Banking  
Division of Banking  
CN 040  
Trenton, New Jersey 08625

The Department of Banking thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-297.

The agency proposal follows:

#### Summary

This new rule will allow banks to create and offer a new deposit account. The new account must maintain a minimum balance of \$5,000 and may pay any rate of interest.

#### Social Impact

It is expected that the deposit accounts established in accordance with these regulations will enable banks to effectively compete with money market funds and will prevent an outflow of deposit funds from this State. The public will benefit from the proposed new rule in that an increased money supply will be available to borrowers and consumers in the State. Also, the new rule will foster more competition in the market of high interest rate accounts.

#### Economic Impact

This rule will require no additional expense to the State nor produce any additional income. The public will not incur any additional costs while the banks will sustain minimal administrative costs in implementing the new accounts.

**Full text** of the new rule follows.

#### SUBCHAPTER 9. SUPER NOW DEPOSIT ACCOUNTS

3:6-9.1 Super NOW Account

In addition to any other powers authorized by law, every bank may

create and offer a Super NOW Deposit Account subject to the provisions of this subchapter.

3:6-9.2 Activity

(a) A bank may require a minimum deposit amount for the opening and a minimum balance for the maintenance of a Super NOW Account, but at no time can the minimum deposit or minimum balance be less than \$5,000.

(b) A bank may allow withdrawals, additions or automatic transfers to or from a Super NOW Account on such terms and conditions as it determines.

3:6-9.3 Interest

(a) A bank may pay any rate of interest on a Super NOW Account as it determines without limitation including a fluctuating rate calculable by a formula.

(b) A bank offering a Super NOW Account shall provide its depositors at the opening of the account with a written statement setting forth the conditions of the account, including the term of the account, the rate of interest or the method for determining the rate of interest, and the treatment of the account if the balance falls below \$5,000 or such higher minimum as established by the bank.

(c) The term, rate or method of determining interest, and other conditions of the account may be changed after 15 days written notice of the change to the depositors.

3:6-9.4 Minimum balance

In the event that the balance in the account falls below \$5,000, the bank shall pay no more than the highest rate of interest allowed on a passbook account calculated on a daily basis for each day the account remains below \$5,000.

## COMMUNITY AFFAIRS

### (b)

#### LOCAL FINANCE BOARD

#### Municipal Port Authorities

#### Proposed New Rules: N.J.A.C. 5:30-10.1 and 10.2

Authorized By: Local Finance Board, Helen L. Mathews,  
Secretary.  
Authority: N.J.S.A. 52:27BB-10, 40:68A-29 et seq. and  
P.L. 1981, c.547.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Helen L. Mathews  
Local Finance Board  
363 West State Street  
Trenton, New Jersey 08625

The Local Finance Board thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-293.

The agency proposal follows:

**Summary**

The proposed rules govern the monitoring and approval process of the Local Finance Board with regard to certain fiscal affairs of municipal port authorities such as annual budget, obligations, municipal guarantees of authority bonds, financing agreements and the lease, sale, and disposition of real property. P.L. 1981, c.547 authorizes the adoption of these rules.

**Social Impact**

The New Jersey system of regulating local finance has proved to be a sound one which has served local governments and the public well. The proposed regulations will continue that effort by placing a greater emphasis on State review of the financial condition of municipal port authorities. The review and approval process by the Local Finance Board of the annual budgets and other financing agreements of municipal port authorities as required by statute will serve to reinforce and protect their fiscal integrity. These regulations will safeguard public funds.

**Economic Impact**

The requirement for compliance may involve some minor added administrative costs for municipal port authorities. For many local units, the effect of the proposed regulations will be negligible as this type of information is required by statute.

Full text of the proposal follows.

**SUBCHAPTER 10. MUNICIPAL PORT AUTHORITIES**

**5:30-10.1 Annual budget of port authorities**

Every municipal port authority is required to submit its annual budget to the Local Finance Board 45 days prior to its final adoption for approval by the Local Finance Board.

**5:30-10.2 Municipal port authorities obligations; municipal guarantees of authority bonds; financing agreements; and leases, sales or dispositions of real property**

(a) No authority shall introduce or adopt any resolution authorizing (unless it shall have been approved by the Local Finance Board):

1. The issuance of bonds, notes, mortgages or other obligations;
2. Any agreements regarding municipal guarantees of authority bonds;
3. Any financing agreements to be entered into by the authority; or
4. Any leases, sales, or dispositions of real property.

(b) Prior to the introduction of any such proposed resolution, the authority shall submit the proposed resolution to the Local Finance Board for review and approval.

(c) The Local Finance Board may by resolution, approve or disapprove any such resolution proposed by the authority, or may require changes in the proposed resolution.

(d) The Local Finance Board shall, in connection with such review and approval, give consideration to the engineering and feasibility studies prepared in connection with any project financing or the lease, sale or disposition of real property and the terms and provisions of any proposed financing agreements or the lease, sale or disposition of real property. In connection with its review, the Local Finance Board may consider any estimates, computations or calculations made in connection with such submission, may require the production of any papers, documents, witnesses or information to be made, any audit or investigation, and may take any action which it may determine advisable.

(e) At any time within 12 months after approval by the Local Finance Board, the authority may introduce or adopt the resolution so approved, and after adoption shall immediately transmit a copy to the Local Finance Board. Failure of any authority to act within 12 months of approval of the Local Finance Board will void the resolution adopted by the Local Finance Board.

**ENVIRONMENTAL PROTECTION**

(a)

**OFFICE OF PESTICIDE CONTROL**

**Pesticides Control  
New Jersey Pesticide Control Code**

**Proposed Amendment: N.J.A.C. 7:30**

Authorized By: Robert E. Hughey, Commissioner,  
Department of Environmental Protection.  
Authority: N.J.S.A. 13:1D-1 et seq. and 13:1F-1 et seq.  
DEP Docket No.: 024-82-06

Three public hearings concerning this rule will be held at the following times and locations:

August 19, 1982  
2:00 P.M. to 9:00 P.M.  
Morris County College, Auditorium  
Center Grove Road  
Randolph Township, Morris County

August 20, 1982  
2:00 P.M. to 9:00 P.M.  
Rider College, Student  
Center Theatre  
2083 Lawrenceville Road  
(Route 206)  
Trenton, Mercer County

August 23, 1982  
2:00 P.M. to 9:00 P.M.  
Vineland Municipal Building  
Council Chambers  
7th and Wood Streets  
Vineland, Cumberland County

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Raymond Ferrarin, Acting Chief  
Office of Pesticide Control  
Division of Environmental Quality  
CN 027  
Labor and Industry Building  
Room 1108  
Trenton, New Jersey 08625

The Department of Environmental Protection thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-279.

The agency proposal follows:

**Summary**

On July 17, 1951 the New Jersey Economic Poison Act (N.J.S.A. 4:8A-1 et seq.) was enacted by the Legislature of the State of New Jersey. This Act, as amended, related to the manufacture, distribution, sales, and transportation of economic poisons (pesticides) in and through the State of New Jersey. On July 1, 1971 the New Jersey Pesticide Control Act (N.J.S.A. 13:1F-1 et seq.) became effective and allowed the department to formulate

and enforce regulations governing the use of pesticides in the State of New Jersey. On October 30, 1971 an Office of Pesticide Control was officially started. This new office took over the administration of both the Economic Poison Act and the Pesticide Control Act.

Under the auspices of the Office of Pesticide Control two sets of regulations were promulgated. N.J.A.C. 7:30-1, dealing primarily with the distribution, sales, and use of pesticide products within the State of New Jersey, became effective in 1974. N.J.A.C. 7:30-3, which dealt with the certification and registration of pesticide applicators and pesticide applicator businesses, was promulgated on September 20, 1976. Since that time no modifications have been made to these regulations.

On January 12, 1982, Governor Brendan Byrne approved Assembly Bill No. 3055 which was an Act to amend and supplement the Pesticide Control Act of 1971 and repeal the Economic Poison Act of 1951.

In view of the changes which have occurred since the enactment of the current Pesticide Control regulations, the office is proposing to modify its current regulations.

This new modification will repeal, totally, the present regulatory program and, in its place, establish a more comprehensive and efficient regulatory scheme addressing each individual aspect of the pesticide industry.

**N.J.A.C. 7:30-1 Pesticide Product Registration and General Requirements:** This subchapter is related to the requirement for pesticide product registration within the State of New Jersey. The proposed regulation represents a consolidation of the portions of the Economic Poison Act of 1951 which are still relevant and regulations which are consistent with the current Federal regulations which have already received the approval of governmental and industry representatives.

The subchapter also increases the product registration fee from \$5.00 to \$50.00.

**N.J.A.C. 7:30-2 Prohibited and Restricted Use Pesticide List:** In 1974 the office proposed a listing of prohibited and restricted use pesticides for the State of New Jersey. This listing has not been modified or updated since that time and this proposed regulation seeks to address the changes which have occurred since 1974. Although the list still contains several individual entries, an attempt has been made to devise a listing which is as consistent as possible with the current Federal listing and regulations of these pesticide products.

**N.J.A.C. 7:30-3 Pesticide Dealers:** This regulation would require that any person who distributes, sells, offers for sale or supervises the aforementioned activities must become certified and registered, submit a \$10.00 registration fee, and demonstrate a certain minimal level of expertise if restricted use pesticides are involved.

**N.J.A.C. 7:30-4 Pesticide Dealer Businesses:** This proposed regulation deals with the operation requirements of any person who is involved in the physical sale and/or distribution of restricted use pesticides in the State of New Jersey. The significant provisions are the institution of a \$50.00 registration fee and the requirement that the person who is making the sale must either be a pesticide dealer himself or directly supervised by a certified and registered pesticide dealer.

**N.J.A.C. 7:30-5 Commercial Pesticide Operators:** This proposed regulation requires that individuals involved in commercial pesticide applications maintain a certain minimal level of competence and knowledge. The regulation is proposed in response to the pesticide misuse problems which have been caused by individuals who are not certified pesticide applicators and who are working under the direct supervision of certified pesticide applicators.

**N.J.A.C. 7:30-6 Commercial Pesticide Applicators:** This subchapter addresses the certification and registration requirements for those individuals who intend to make commercial pesticide applications.

**N.J.A.C. 7:30-7 Pesticide Applicator Businesses:** This subchapter addresses the operation requirements of those persons who hire themselves out to perform commercial pesticide applications. Except for the section on financial responsibility the proposed regulation is essentially the same as the current regulations in this area. The financial responsibility provision would require that a pesticide applicator business demonstrate it has in effect a sufficient degree of insurance coverage in the event that its activities result in bodily injury or property damage.

The annual registration fee assessed to businesses pursuant to this subchapter would be \$50.00.

**N.J.A.C. 7:30-8 Private Pesticide Applicators:** This subchapter addresses the certification, registration, and record keeping requirements of applicators who use restricted use pesticides for the purpose of producing an agricultural commodity. This regulation is almost identical to the current regulations on private pesticide applicators and there has been no increase in the fee assessment.

**N.J.A.C. 7:30-10 Pesticide Use:** This subchapter addresses the application, storage, and disposal of pesticides within the State of New Jersey.

Of most significance is the provision requiring that, prior to a pesticide application to any waters of the State, a permit must be obtained from the Office of Pesticide Control; and the provisions requiring that, prior to community or area wide applications, community wide notification must be given and prior to ornamental applications using hydraulic spraying equipment, all persons within 100 feet of the target site who so desire must be notified. There is also a requirement that bee keepers within one-half mile of the target site be notified of the application of any pesticide that is toxic to bees.

#### **Social Impact**

Many changes and additions have been made to the current pesticide control regulations in formulating the proposed regulations. What has primarily been done in the revision process is that the various, distinct sections of the existing regulations have been expanded, and their provisions compiled into individual subchapters.

Many of the changes proposed have been made in an effort to clarify existing provisions, with little or no change in intent. Many of the new provisions added are actually just direct statements of requirements which are already in force based on interpretations of existing provisions but which need to be spelled out. These provisions primarily require actions which are generally, accepted as standards of good practice but which have frequently been neglected by applicators leading to needless exposure to pesticides. Because most of the changes, therefore, should already be in effect, they should enhance efforts to enforce the purposes of the Act without presenting significant costs for regulated parties.

Some significant changes, however, have been proposed for which some costs may be incurred. These are intended to address certain problem areas that have come to the attention of the Office. These include new additions to the restricted pesticide list; new certification requirements for dealers (with separate registration requirements for individuals and businesses); new training and registration requirements for pesticide operators (persons who work under the supervision of certified applicators but who are not accompanied by them); new requirements for business insurance coverage; introduction of a permit system for aquatic pesticide applications; and notification requirements for community/areawide applications, outdoor ornamental applications, and applications affecting bees.

Additions to the restricted use pesticide list are not thought to present increased costs to society. The pesticides added to the list are in the same toxicity and use classes as those currently on the list, and persons using or selling these pesticides are most likely already certified and registered to use or sell restricted products. The additions will, through adequate enforcement, have the benefit of keeping those pesticides with the greatest potential for harm in the hands of professionals.

Aside from fees, which will be discussed below, the new training, certification, and registration requirements for both dealers and operators and the aquatic permit system should not significantly increase costs to industry. Dealers will have to pass certification tests, but this will most likely need to be done only once by any one person. Operators will be required to undergo only that training which should already be given by their supervisors for adequate performance of their jobs. Registration is an uncomplicated process required only once a year. Aquatic permit applications will take time for applicators to complete, but the information to be submitted will likely not exceed what the applicator must already record and have reviewed by other persons and the number of applications which will fall under this program is not excessive. Most of the cost of these programs will be borne by the Office of Pesticide Control itself in increased registration and review work necessary. It is felt that this burden, however, is outweighed by the effect the programs will have in preventing pesticide misuse and unnecessary environmental contamination.

The section of the new regulations likely to place the greatest burden on the pest control industry, particularly tree sprayers, is that requiring notification of applications. Most persons affected by the requirements for notification prior to community/area-wide applications are involved in programs which already provide the type of notification required (i.e. gypsy moth and mosquito programs). As such, the new requirements will not have too much effect on them. Likewise, regarding notification to beekeepers, all applicators are already bound to following label directions, many of which have precautions warning about toxicity to bees. This new section in the regulations is intended to outline what is expected of applicators with regards to these bee warnings. The ornamental notification section, however, is new and is proposed in response to the great outcry from the public that they wish to be made aware of pesticide applications which may very directly affect them. Exactly how much of an additional burden this will place on applicators is not known, but the proposed requirements are thought to comprise the actions which can reasonably be expected of applicators in recognition that some notification is necessary.

**Economic Impact**

The most readily identifiable cost of the proposed regulations relate to the increases in existing fees and addition of new fees, costs which will naturally be borne by the regulated industries. The proposed fee increases and additions total an estimated \$323,000 distributed over the various segments of the pesticide industry. The largest portion of this sum (\$270,000) is to be paid at the manufacturing/producing end of the pesticide distribution network by those persons who register pesticide products (registration fee increased from \$5.00 to \$50.00). The remainder is distributed as follows: \$11,000 to applicator businesses (registration fee raised from \$40.00 to \$50.00); \$15,000 to dealer businesses (new registration fee \$50.00); \$7,000 to certified dealers (new registration fee \$20.00); \$20,000 to commercial operators (new registration fee \$5.00). It has been determined that these fee increases and additions are vitally necessary to fund the continuing operation of the Bureau of Pesticide Control.

The expenses incurred by the department in its implementation of these regulations involves the development or acquisition and administration of examinations to evaluate those using or dealing in pesticides. Administrative support must be provided to score all examinations, address and mail applications and registration forms and to conduct examinations. Enforcement procedures must be

developed and personnel and other resources provided to implement them.

The department has evaluated these administrative expenses and has determined that by imposing registration and other fees in the manner provided by this proposal, these costs will be shared realistically and fairly by all aspects of the industry.

**Full text** of the proposal follows. **Delete** in its entirety the text of N.J.A.C. 7:30 as it presently appears in the New Jersey Administrative Code, and replace with the text below.

**SUBCHAPTER 1. PESTICIDE PRODUCT REGISTRATION AND GENERAL REQUIREMENTS**

7:30-1.1 Scope

Unless otherwise provided by rule or statute, the following shall constitute the rules of the Office of Pesticide Control and shall govern the manufacturing, labeling, registration, and classification of pesticides, the registration of pesticide dealers and pesticide dealer businesses, the registration of applicators of pesticides, and the distribution, use, application, storage, handling, transportation, and disposal of pesticides in the State of New Jersey.

7:30-1.2 Definitions

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

“Act” means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

“Active ingredient” means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, or desiccant.

“Adulterated” means any pesticide:

1. Whose strength or purity is not equal to the professed standard or quality as expressed on its labeling or other representations under which it is sold; or
2. In which any substance has been substituted wholly or in part for the pesticide; or
3. In which any valuable constituent of the pesticide has been wholly or in part extracted.

“Animal” means any and all vertebrate and invertebrate species, including but not limited to man and other mammals, birds, fish, and shellfish.

“Applicant” means any person who applies for a registration.

“Brand” or “brand name” or “trade name” means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

“Commissioner” means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

“Defoliant” means any substance or mixture of substances intended to cause the leaves or foliage to drop from a plant, with or without causing abscission.

“Department” means the State Department of Environmental Protection.

“Desiccant” means any substance or mixture of substances intended for artificially accelerating the drying of plant tissue.

“Distribute” means to offer for sale, sell, barter, ship, or otherwise supply a pesticide.

“Environment” means water, air, land, and all plants and man and other animals living therein, and the interrelationships which exist among these.

“EPA” means the United States Environmental Protection Agency.

“FIFRA” means the Federal Insecticide, Fungicide, and Rodenticide Act as Amended (7 U.S.C. 136 et seq.).

“Fungi” means all non-chlorophyll-bearing thallophytes (that is, all non-chlorophyll-bearing plants of a lower order than mosses and

liverworts) as, for example, rusts, smuts, mildews, molds, yeasts, and bacteria, except those on or in living man or other living animals, and except those in or on processed food, beverages, or pharmaceuticals.

"Highly toxic pesticide" means any pesticide determined to be a highly toxic pesticide under the authority of section 25(c) (2) of FIFRA or by the department under the Act or rules and regulations promulgated thereunder.

"Inert ingredient" means an ingredient which is not an active ingredient.

"Ingredient statement" means a statement of the name and percentage of each active ingredient, together with the total percentage of the inert ingredients, in the pesticide; if the pesticide contains arsenic in any form, the ingredient statement shall also include the percentages of total and water soluble arsenic, each calculated as elemental arsenic.

"Insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising six-legged, usually winged forms, as for example, beetles, bugs, bees, flies, and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as for example, spiders, mites, ticks, centipedes, and wood lice.

"Label" means the written, printed or graphic matter on, or attached to, the pesticide or any of its containers or wrappers.

"Labeling" means the label and all other written, printed, or graphic matter:

1. Accompanying the pesticide at any time; or
2. To which reference is made on the label or in literature accompanying the pesticide except to current official publications of the EPA, the United States Departments of Agriculture and Interior, the Department of Health and Human Services, State experiment stations, State agricultural colleges, and other similar Federal or State institutions or agencies authorized by law to conduct research in the field of pesticides.

"Land" means all land and water areas, including airspace, and all plants, animals, structures, buildings, contrivances, and machinery appurtenant thereto or situated thereon, fixed or mobile, including any used for transportation.

"Misbranded" means a condition as to a pesticide wherein:

1. Its labeling bears any statement, design or graphic representation relative thereto or to its ingredients which is false or misleading in any particular; or
2. It is an imitation of or is distributed under the name of another pesticide; or
3. Any word, statement, or other information required to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or graphic matter in the labeling), and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use; or
4. The labeling accompanying it does not contain directions for use which are necessary for effecting the purpose for which the product is intended and, if complied with, together with any requirements imposed by FIFRA, are adequate to prevent injury to plants and animals including man, and protect against any unreasonable adverse effects on the environment; or
5. The labeling bears any reference to registration under the provisions of the Act; or
6. The label does not bear the information designated in N.J.A.C. 7:30-1.10(a)2; or
7. The pesticide container does not bear a label or if the label does not contain all the information required by the Act and the rules and regulations adopted pursuant to the Act, or both; or
8. The pesticide has been determined to contain any substance or substances in quantities highly toxic to man and the label does not bear in addition to any other matter required by the Act or rules and regulations promulgated thereunder:
  - i. The skull and crossbones; and

ii. The word "POISON" prominently printed in red on a background of distinctly contrasting color; and

iii. A statement of an antidote or a practical treatment in case of poisoning by the pesticide.

"Nematode" means invertebrate animals of the phylum Nematelminthes and class Nematoda, that is, unsegmented round worms with elongated, fusiform, or sac-like bodies covered with cuticle, and inhabiting soil, water, plants, or plant parts; may also be called nemas or eelworms.

"Persons" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pest" means any insects, rodents, nematodes, fungi, weeds, and other forms of terrestrial or aquatic plant or animal life or viruses, bacteria, or other micro-organisms (except viruses on or in living man or other animals) which are injurious to health or the environment.

"Pesticide" means and includes any substances or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Plant regulator" means any substance or mixture of substances, intended through physiological action, for accelerating or retarding the rate of growth or rate of maturation, or for otherwise altering the behavior of ornamental or crop plants or the produce thereof, but shall not include substances to the extent that they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

"Registrant" means any person whose name is on a registration issued by the Office of Pesticide Control.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2.1, or so classified by the Administrator of the United States Environmental Protection Agency.

"Supplemental registration" means an additional registration, with the EPA, of a primary registered pesticide product for the purpose of allowing a distributor to market that pesticide product under the distributor's brand name. The supplemental registered product is characterized by having the same composition and labeling claims as the primary registered product and by having a label which bears the registration number of the primary registered product and the distributor's company number as a suffix to that registration number.

"Unreasonable adverse effects" means any risk to man or the environment which exceeds the bounds of reason or moderation after a person has taken into account the economic, social and environmental costs and benefits of the use of any pesticide in the specific situation being reviewed.

"Weed" means any plant which grows where not wanted.

"Wildlife" means all living things that are neither human, domesticated, nor pests, including but not limited to mammals, birds, and aquatic life.

#### 7:30-1.3 Registration

(a) No person shall distribute, sell, or offer for sale within this State or deliver for transportation or transport in intrastate commerce or between points within this State through any point outside this State any pesticide unless it is currently registered with the department.

(b) Any pesticide product containing a supplemental registration must be registered separately.

(c) At the time of registration the registrant shall file a statement with the department which includes:

1. The name and address of the applicant and the name and address of the person whose name will appear on the label, if other than the applicant's;

2. The brand name of the pesticide;

3. Other necessary information required for completion of the application for registration form;

4. A complete copy of the label, which shall contain all statements, words, graphic material and any other information required by FIFRA, and the labeling accompanying the pesticide and a statement of all claims including the directions and precautions for use; and

5. The use classification of the pesticide as required by Federal or State regulations.

(d) The department when it deems it necessary in the administration of the Act, may require the submission of the complete formula of any pesticide including all active and inert ingredients.

(e) The department may require a full description of the tests made and the results thereof which serve as the basis for any claims on any pesticide or on any pesticide on which restrictions are being considered. In the case of renewal of registration, the registrant shall be required to furnish only information which is different from that furnished when the pesticide was registered or reregistered during the previous registration year.

(f) The department may require other necessary information.

(g) Before distributing, selling, or offering for sale any pesticide in this State the applicant or registrant shall pay an annual registration fee of \$50.00 to the department or its authorized representative for each pesticide to be registered. All such registrations shall expire on December 31 of each calendar year.

(h) Any registration approved by the department and in effect on December 31 of the year for which a renewal application has been made and the proper fee paid, shall continue in full force and effect until the department notifies the registrant that the registration has been renewed or denied. Forms for reregistration shall be mailed to the registrant at least 30 days prior to the due date.

(i) If the renewal of a pesticide registration is not filed prior to January 1 of any one year an additional fee of \$100.00 shall be assessed and added to the total registration fee and must be paid by the registrant before the renewal registration for any pesticide(s) shall be issued. The payment of such additional fee shall not preclude any other actions deemed necessary by the department.

(j) All Federal, State and county agencies or municipalities must register all pesticides distributed, sold, or offered for sale by them but shall not be required to pay the registration fee.

(k) Any person who can prove to the satisfaction of the department that he has not manipulated, distributed, or sold a specific pesticide for at least five years shall not be required to register such pesticide.

(l) The provisions of this section shall not apply to:

1. A pesticide if it is shipped from one plant or warehouse to another plant or warehouse and is used solely at such plant or warehouse as a constituent part to make a pesticide; provided, however, that the pesticide is not technical grade material which is required by the EPA to be registered.

2. Any carrier while lawfully engaged in transporting a pesticide within this State, if such carrier shall, immediately upon request, permit the department to examine and copy all records showing the transactions in and movement of the pesticide.

3. Public officials of this State and the Federal government while engaged in the performance of their official duties in administering State or Federal pesticide laws or regulations or while engaged in pesticide research.

4. Any pesticide which is intended solely for export to a foreign country, and is prepared or packed according to the specifications or directions of the purchaser; provided that all provisions of this subchapter shall apply if the pesticide is not exported.

7:30-1.4 Registrations pursuant to the provisions of sections 18 and 24(c) of FIFRA

(a) The department may issue emergency exemption registrations pursuant to the provisions of section 18 of FIFRA if the State has been authorized by the Administrator of the EPA to issue such registrations. The issuance of such registrations shall comply with the terms and conditions of such authorization and any rules and regulations promulgated under the provisions of section 18 of FIFRA.

(b) The department may issue a special local needs registration pursuant to the provisions of section 24(c) of FIFRA if:

1. The State is authorized by the Administrator of the EPA to issue such registrations; and

2. The department has received the information set forth in N.J.A.C. 7:30-1.3(c), (d), (e) and (f); and

3. The composition of the pesticide is such as to warrant the proposed claims for it; and

4. The labeling and other material required to be submitted comply with the requirements of FIFRA, the Act or any rules and regulations promulgated thereunder; and

5. The pesticide will perform its intended function without unreasonable adverse effects on the environment; and

6. When used in accordance with widespread and commonly recognized practices the pesticide will not generally cause unreasonable adverse effects on the environment; and

7. The classification for general or restricted use is in conformity with State of New Jersey regulations and section 3(d) of FIFRA.

(c) Any person who intends to test or use a substance to determine its potential for pesticidal activity under conditions which do not require an experimental use permit from the State or the EPA must notify the department of the name and address of the person testing the substance and the location(s) where the substance will be tested.

7:30-1.5 Experimental use permits

(a) The holder of a Federally issued experimental use permit shall:

1. Submit to the department a copy of the Federally approved experimental use permit label; and

2. Submit to the department a copy of the EPA letter which authorizes and approves the experimental use permit and which defines the parameters limiting the experimental use of the pesticide; and

3. Submit to the department the names, locations, and acreage of the site(s) in New Jersey where the experimental pesticide will be used; and

4. Indicate the amount of experimental pesticide that will be used at each site in the State of New Jersey; and

5. Submit to the department the names and addresses of person(s) whose property in the State of New Jersey will be used for the experimental use program; and

6. Have available upon request a copy of the reports required under Federal regulations.

(b) Provided that the State is authorized by the Administrator of EPA to issue experimental use permits and subject to the terms and conditions of such authorization, the department may:

1. Determine the condition(s) and situation(s) under which an experimental use permit would be necessary;

2. Issue an experimental use permit to any person applying for an experimental use permit if the department determines that the applicant needs such permit and that the pesticide use under the proposed terms and conditions would not cause unreasonable adverse effects on man or the environment;

3. Prescribe terms, conditions, and the period of time for the experimental use permit;

4. Revoke or modify any experimental use permit at any time, if the department finds that the terms and conditions of the permit are being violated or if the department finds that the terms and conditions of the permit are inadequate to avoid unreasonable adverse effects on man or the environment.

#### 7:30-1.6 Refusal, cancellation, or suspension of a pesticide registration

(a) The department may refuse to register, or may cancel or suspend the registration of any pesticide distributed, sold, offered for sale or used in the State of New Jersey if it does not appear to the department that the pesticide warrants the proposed claims or if the pesticide and its labeling and other required material do not comply with the provisions of the Act or rules and regulations adopted thereunder; and if the department notified the registrant of the manner in which the pesticide, labeling or other required material failed to comply with the provisions of the Act; and if the department permitted the registrant to make the necessary corrections; and if, upon receipt of such notice, the registrant does not make any required changes.

(b) The department may issue an Order prohibiting the distribution or use of a pesticide pending the suspension or cancellation of its registration where the department determines that a situation exists in which the continued use of a pesticide during the time required for suspension or cancellation would likely result in unreasonable adverse effects on the environment.

(c) At the time of application for registration of any pesticide the department may:

1. Restrict or limit the manufacture, delivery, distribution, sale or use of any pesticide in this State;
2. Refuse to register any pesticide which is highly toxic and for which there is no effective antidote under the conditions of use for which such pesticide is intended or recommended;
3. Refuse to register any pesticide for use on a crop for which no finite tolerances for residues of such pesticide have been established by either the department or the Federal government.

#### 7:30-1.7 Collection of samples

To determine compliance with the requirements of the Act and rules and regulations promulgated thereunder the department may, at all reasonable hours, enter into any car, warehouse, store, building, boat, vessel or place supposed to contain pesticides for the purpose of inspection or sampling, and may procure samples for analysis or examination from any lot, package or parcel of pesticide or material supposed to contain a pesticide.

#### 7:30-1.8 Records

(a) Any person issued a registration under the provisions of this subchapter must maintain and, upon request by the department, submit accurate records containing the following information:

1. The delivery, movement, or holding of any pesticide including the quantity;
2. The date of shipment and receipt;
3. The name of consignor and consignee; and
4. Any other information necessary for the enforcement of this subchapter, as prescribed by the department.

(b) The department shall have access to such records at any reasonable time to copy or make copies of such records for the purpose of carrying out the provisions of this subchapter.

#### 7:30-1.9 Publication of information

The department may publish from time to time, in such form as it may deem proper, information concerning the use, sale or distribution of pesticides as it may consider advisable, and may publish reports of the results of the analyses based on official samples of pesticides collected, provided, that individual distribution information shall not be a public record.

#### 7:30-1.10 General requirements

(a) No person shall distribute, sell, or offer for sale within this State or deliver for transportation or transport in intrastate commerce or between points within this State through any point outside this State:

1. Any pesticide if any of the claims made for it or any of the directions for its use or other labeling differs from the representations

made in connection with its registration, or if the composition of a pesticide differs from its composition as represented in connection with its registration;

2. Any pesticide unless it is in the registrant's or the manufacturer's unbroken immediate container and there is affixed to such container—and to the outside container or wrapper of the retail package, if there is one through which the required information on the immediate container cannot be clearly read—a label bearing the following information:

- i. The name and address of the producer, registrant or person for whom produced; and
- ii. The brand or trade name under which the pesticide is distributed; and
- iii. An ingredient statement on that part of the immediate container—and on the outside container or wrapper of the retail package, if there be one, through which the ingredient statement on the immediate container cannot be clearly read—which is presented or displayed under customary conditions of purchase; provided, that the ingredient statement may appear prominently on some other part of the container, as permitted by the provisions of FIFRA, if the size or form of the container makes it impracticable to place the ingredient statement on the part which is presented or displayed under customary conditions of purchase; and
- iv. Directions for use and a warning or caution statement which are necessary and which, if complied with, would be adequate for the protection of health and protection against injury to plants and animals including man and protection against any unreasonable adverse effects on the environment; and
- v. The net weight or measure of the contents; and
- vi. The EPA registration number assigned to each establishment in which it was produced and the EPA registration number assigned to the pesticide, if required by regulations under FIFRA; and
- vii. A statement of the use classification under which the product is registered; and
- viii. Any other information required by Federal regulations or the Act or any rules and regulations promulgated thereunder.

3. Any pesticide which has not been colored or discolored pursuant to the provisions of FIFRA, the Act or rules and regulations promulgated thereunder;

4. Any pesticide which is adulterated or misbranded;

5. Any pesticide in containers which have become unsafe;

(b) The provisions of (a) above shall not apply to:

1. Any carrier while lawfully engaged in transporting a pesticide within this State, if such carrier shall, immediately upon request, permit the department to copy all records showing the transactions in and movement of the pesticide;

2. Public officials of this State and the Federal government while engaged in the performance of their official duties in administering State or Federal pesticide laws or rules and regulations or while engaged in pesticide research;

3. The manufacturer or distributor of a pesticide for experimental use only by or under the supervision of this State or of the Federal government; provided, that such manufacturer or distributor holds a valid experimental use permit as provided for by N.J.A.C 7:30-1.5 or by the EPA;

4. Any pesticide which is intended solely for export to a foreign country, and is prepared or packed according to the specifications or directions of the purchaser; provided, that all provisions of this subchapter shall apply if the pesticide is not exported.

(c) The department may authorize the distribution, sale or use of any pesticide upon request by the Commissioner of the Department of Health or the Secretary of the Department of Agriculture, and when the Commissioner of the Department of Environmental Protection determines that such action will serve the interest of the public health, safety or welfare.

(d) No person shall detach, alter, deface or destroy, wholly or in part, any label or labeling provided for in the Act or rules and regulations promulgated thereunder.

(e) No person shall add any substance to, or take any substance

from, a pesticide in a manner that may defeat the purpose of the Act or the rules and regulations promulgated thereunder.

(f) No person shall use for his own advantage or reveal, other than to the Commissioner or proper officials or employees of the State or Federal executive agencies, or to the courts of the State in response to a subpoena, or to physicians, or in emergencies to pharmacists and other qualified persons for use in the preparation of antidotes, any information relative to formulas of products acquired by authority of N.J.A.C. 7:30-1.3, 4 or 5 or any information judged by the department as containing or relating to trade secrets or commercial or financial information obtained by authority of the Act or rules and regulations promulgated thereunder.

(g) No person shall refuse, upon a request in writing specifying the nature or kind of pesticide to which such request relates, to furnish to or permit any person designated by the Commissioner to have access to and to copy such records of business transactions as may be essential in carrying out the purposes of the Act or rules and regulations promulgated thereunder.

(h) No person shall distribute, sell, or offer for sale any pesticide if part or all of its registered pesticide label or labeling is missing, obscured, altered, unreadable or otherwise damaged beyond use or recognition.

(i) No person shall handle, transport, store, display, or distribute any pesticide in a manner that may endanger man or his environment or that may contaminate food, feed, or any other product that may be transported, handled, stored, displayed, or distributed with such pesticides.

(j) No person shall make false or misleading claims through any media relating to the effects of a pesticide, the degree of certification required, or the application methods to be utilized.

(k) No person shall sell a formula or information about a method of preparation for a substance which could then be classified and used as a pesticide unless such formula or information has received the prior approval of the department.

SUBCHAPTER 2. PROHIBITED AND RESTRICTED USE PESTICIDE LIST

7:30-2.1 Definitions

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

“Act” means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

“Active ingredient” means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, or desiccant.

“Aerosol” means a suspension in air of fine liquid or solid particles between 0.1 to 100 microns in size which is produced by blasts of heated air, or exhaust gas, or rapid volatilization of a liquified gas or propellant, or mechanical aerosol generators.

“Certified and registered responsible pesticide applicator” means any responsible pesticide applicator who is certified and registered pursuant to the provisions of either N.J.A.C. 7:30-6 (Commercial Pesticide Applicators) or N.J.A.C. 7:30-8 (Private Pesticide Applicators).

“Department” means the State Department of Environmental Protection.

“Distribute” means to offer for sale, sell, barter, ship, or otherwise supply a pesticide.

“EPA” means the United States Environmental Protection Agency.

“FIFRA” means the Federal Insecticide, Fungicide, and Rodenticide Act as Amended (7 U.S.C. 136 et seq.).

“Fumigant” means a substance or mixture of substances which produces matter in a gaseous state, not including aerosols, intended to prevent, control or destroy pests.

“Label” means the written, printed or graphic matter on or attached to, the pesticide or any of its containers or wrappers.

“Labeling” means the label and all other written, printed or graphic matter:

1. Accompanying the pesticide at any time; or

2. To which reference is made on the label or in literature accompanying the pesticide except that it does not include current official publications of the EPA, the United States Departments of Agriculture and Interior, the Department of Health and Human Services, State experiment stations, State agricultural colleges, and other similar Federal or State institutions or agencies authorized by law to conduct research in the field of pesticides.

“Listed number” means the number assigned by the Department to a prohibited or restricted use pesticide.

“Person” means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

“Pesticide” means and includes any substance or mixture of substances, labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term “pesticide” shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant or plant regulator.

“Responsible pesticide applicator” means any individual who is accountable for the use of pesticide by himself or any person under his direct supervision.

“Restricted use pesticide” means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2 or so classified by the Administrator of the United States Environmental Protection Agency.

“Under direct supervision of” means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

“Water” or “Waters of the State” means the ocean and its estuaries, all springs, streams, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State or subject to its jurisdiction.

7:30-2.2 Prohibited pesticides

No person shall distribute, sell, offer for sale, purchase, or use any pesticide if the label or labeling of the pesticide contains any use or registration which has been suspended or cancelled by the EPA.

7:30-2.3 Restricted use pesticides

(a) The following pesticides are restricted use pesticides which can be purchased and/or used only by certified and registered responsible pesticide applicators or persons working under their direct supervision. Unless otherwise provided, all formulations and uses of the following pesticides are restricted use.

1. Any pesticide meeting the criteria of EPA Toxicity Category I delineated 40 CFR 162.10 which must bear the signal word(s) “Danger” or “Poison”.

2. Any pesticide classified by the Administrator of the EPA for restricted use under the provisions of section 3(d)(1) of FIFRA.

3. Any fumigant except:

i. Any pesticide containing naphthalene, orthodichlorobenzene, and/or para-dichlorobenzene as the sole active ingredient or in combination with another active ingredient which is not classified for restricted use if the pesticide product is used to control mosquitoes or clothes moths;

ii. Any sulphur candle fumigator intended to control general household pests;

iii. Any coils containing pyrethrins and/or allethrin as the active ingredient which are used to control flies and/or mosquitos;

iv. Any resin strips not included within the provisions of (a)7.405 below.

4. Any pesticide which contains labeling instructions indicating

that the pesticide is usable in the waters of the State but that there are restrictions if the treated water is to be used for potable water, irrigation, agricultural sprays, stock watering, or swimming, or if the fish in the treated waters are to be used for food or feed.

5. Any fungicides, nematicides, fumigants and related materials listed below:

Listed Number	Restricted Pesticides
203	Cadmium products (containing salts or metal complexes)
210	0,0-diethyl 0-2 pyrazinyl phosphorothioate
212	4,6-dinitro-0-cresol and salts
213	4,6,-dinitro-0-cyclohexyphenol and salts
218	Pentachlorophenol and salts - all concentrations above 5%
223	Sodium [4-(dimethylamino)phenyl] diazenesulfonate- all concentrations above 5%
224	Triphenyltin hydroxide - all concentrations above 10%
225	Sodium Azide - all concentrations above 0.5%
226	Any pesticide containing mercury as an inorganic or organic compound except those used as a drug as defined in N.J.S.A. 24:21-2, those used as a fungicide in the treatment of textiles and fabrics intended for continuous outdoor use, those used as an in-can preservative in water-based paints and coating, or those used as a fungicide in water-based paints and coatings used for exterior application.

6. Any herbicides and related materials listed below:

Listed Number	Restricted Pesticides
304	2,4,-Dichlorophenoxyacetic acid (high volatile esters)
309	Sodium Chlorate
310	2,4,5-Trichlorophenoxyacetic acid
311	2,3,6-Trichlorobenzoic acid and related polychlorobenzoic acids, dimethylamine salts
312	2-[4-chloro-6-(ethylamino)-s-triazin-2 yl] amino]-2-methyl propionitril-all concentrations above 30%

7. Any insecticides and related materials listed below:

Listed Number	Restricted Pesticides
402	Chlordane
405	2,2-dichlorovinyl dimethyl phosphate-all concentrations above 3%. All resin strips not restricted if Federally registered.
406	Phosalone-all concentrations above 12%
407	0,0-diethyl 0-(3 chloro-4-methyl-2oxo-2H-1 benzopyran-7-yl) phosphorothioate-all concentrations above 5%
408	0,0-Diethyl 0-(2-isopropyl-6-methyl-4 pyrimidinyl) phosphorothioate-all concentrations above 25%
412	Mexacarbate-all concentrations

414	above 2% Dimethyl 3-hydroxylglutaconate dimethyl phosphate-all concentrations above 1%
416	Fenthion-all concentrations above 0.5%
423	Ethion-all concentrations above 6% G; 3% all others
426	O-Isopropoxyphenyl-methyl-carbamate-all concentrations above 2%
427	Lindane (Gamma isomer of benzene hexachloride)-all concentrations above 10%
433	Paraoxon
440	Dimethoate-all concentrations above 10%
441	Bendiocarb-all concentrations above 15%
442	N-(Mercaptomethyl) phthalimide
443	S-(0,0-dimethyl) phosphorodithioate-all concentrations above 20%
443	Beta-Butoxy beta' - thiocyanodiethyl ether - all concentrations above 10%
444	4-(Methylthio)-3,5-xylyl methylcarbamate-all concentrations above 2%
445	Metasystox - all concentrations above 7%
446	Pirimicarb - all concentrations above 15%
447	Pirimiphos-ethyl-all concentrations above 20%
448	Dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate-all concentrations above 15%
449	Aldrin
450	Dieldrin
451	Heptachlor
452	Toxaphene
453	Endrin
454	Chlorpyrifos- all concentrations above 15%
455	Any inorganic arsenical pesticide not specifically covered elsewhere which has greater than 0.5 ounces of active ingredient

8. Any rodenticides and related materials listed below:

Listed Number	Restricted Pesticides
601	3-(alpha-acetonylfurfuryl)-4-hydroxycoumarin-all concentrations above 3%
602	Alpha-Naphthylthiourea - all concentrations above 4%
603	4-Aminopyridine
604	2-Chloro-4-(dimethylamino)-6-methylpyrimidine
606	Diphacinone - all concentrations above 3%
607	Phosphorus (yellow, white)
608	2-Pivalyl-1, 3-indandione - all concentrations above 3%
610	Warfarin - all concentrations above 3%
612	3-[3-(4'-Bromo-1,1'-biphenyl-4-yl)-3-hydroxyl-1- phenylpropyl]-

- 613 4-hydroxy-2H-1-benzopyran-2-one- all concentrations above 0.01%
- 614 2-[(p-Chlorophenyl)phenyl- lacetyl]-1, 3-inandione- all concentrations 0.2% and above
- 615 Red Squill- all concentrations above 30%
- Arsenic Trioxide - all concentrations above 1.5% in products intended for the control of rodents

7:30-2.4 Amending prohibited and restricted-use pesticide lists

(a) From time to time the department may revise the list of prohibited and restricted use pesticides designated by the State of New Jersey at the date of enactment of this subchapter; provided that, prior to effecting any change in the lists, the department shall publish a notice of its intentions in the "New Jersey Register" and allow all interested persons not less than 60 days from the date of publication to submit written data and comments in regards to the proposed revision(s).

(b) No more than 90 days after the close of the comment period the department shall make and publish its determination.

(c) Any persons may petition the department for modifications of the listings in N.J.A.C. 7:30-2.2 or 2.3 provided that the petitioner must supply adequate information (as determined by the department) to demonstrate that the modification is necessary.

(d) If the Administrator of the EPA reclassifies any pesticide addressed in N.J.A.C. 7:30-2.2 or 2.3, then such reclassification shall automatically supercede the current listing in this subchapter— unless the department undertakes actions to the contrary.

SUBCHAPTER 3. PESTICIDE DEALERS

7:30-3.1 Definitions

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

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1) as amended.

"Certified" means the recognition by the State that a person has met the requirements as prescribed in section 3 of this subchapter.

"Commercial pesticide operator" means any person who applies pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator.

"Commissioner" means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

"Department" means the State Department of Environmental Protection.

"Distribute" means to offer for sale, sell, barter, ship, or otherwise supply a pesticide.

"End user" means any person who applies or supervises the application of a pesticide or any person who acquires a pesticide for the purpose of application by another person.

"EPA" means the United States Environmental Protection Agency.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Pesticide applicator" means any person who is required to be certified and registered pursuant to the provisions of either

N.J.A.C. 7:30-6 (Commercial Pesticide Applicators) or N.J.A.C. 7:30-8 (Private Pesticide Applicators).

"Pesticide dealer" means any individual who distributes, sells, or offers for sale, or who supervises the distribution, sale, or offering for sale of, any restricted use pesticide to an end user.

"Register" means the recognition by the State of New Jersey that a person has met the requirements as prescribed in N.J.A.C. 7:30-3.4 and is authorized to operate within the parameters of his registration.

"Responsible pesticide applicator" means any individual who is accountable for the use of a pesticide by himself or any person under his direct supervision.

"Responsible pesticide dealer" means any individual who is accountable for the distribution, sale, or offering for sale of a restricted use pesticide by himself or any person who is directly supervised by him.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2, or so classified by the Administrator of the United States Environmental Protection Agency.

"Under direct supervision" means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

7:30-3.2 General requirements

(a) Effective July 1, 1983, no person shall distribute, sell, or offer for sale or supervise the distribution, sale, or offering for sale of any restricted use pesticide to an end user without first meeting the requirements of certification and registration as a pesticide dealer unless:

1. Such person is working under the direct supervision of a responsible pesticide dealer who is physically present at the time and place of distribution;

2. Such person is a pesticide applicator who sells or distributes pesticides only as an integral part of his pesticide application service when such pesticides are dispensed only through equipment used during a pesticide application; or

3. Such person is a State or county agent or instrumentality thereof and is providing pesticides to its employees for its own programs; or

4. Such person is a duly licensed pharmacist dispensing a prescription pharmaceutical which contains a substance which could be classified as a restricted use pesticide; or

5. Such person is a veterinarian administering or dispensing a restricted use pesticide for use in animals as a part of his practice; or

6. Such person is distributing a restricted use pesticide under the provisions of an experimental use permit issued by the EPA or the department; or

7. Such person is a scientist conducting limited educational research or experiments involving a restricted use pesticide for the purpose of gathering information about the pesticide.

(b) Persons exempt under this section from all certification requirements shall not be considered to be pesticide dealers.

(c) The department may grant a variance to any person who has shown to the satisfaction of the department that compliance with the provisions of this subchapter will result in undue hardship and that granting of the variance will not, in the opinion of the department, result in danger or financial loss to man or the environment.

7:30-3.3 Certification

(a) In order to become certified, an applicant must pass an examination approved or administered by the department. The examination shall include but not be limited to such areas as pesticide handling and safety, environmental considerations, symptoms of pesticide poisoning, current laws and regulations, and label comprehension.

(b) An examination fee may be charged for each examination.

(c) Application for examinations must be made on a form supplied by the department which must be filed, along with the examination fee, with the department no later than midnight of the closing date for the examination as determined by the department. The examination fee will not be refunded.

#### 7:30-3.4 Registration

(a) Within 12 months after a person has become certified and eligible to register as a pesticide dealer, the certified pesticide dealer must complete and file with the department an application to register and must include as an integral part of the application an annual registration fee of \$20.00. A fee not to exceed \$10.00 may be charged for each additional duplicated registration certificate issued. Any certified pesticide dealer who fails to file within the 12-month period will lose certification status and must again become certified in accordance with the provisions of this subchapter.

(b) The registration year shall expire on June 30 of each calendar year.

(c) Applications for new registrations will be accepted from certified pesticide dealers throughout the calendar year, but a full year's registration fee will be required. All such registrations will expire on June 30 following the date of application except that the department may issue a registration for an additional year when an application is initially filed during the last three months of the registration year.

(d) The certification and registration of a pesticide dealer are not transferable.

(e) A pesticide dealer must notify the department, in writing and within 30 days, if he changes any information on his application for registration or is no longer offering for distribution or sale or supervising the distribution or sale of restricted use pesticides.

#### 7:30-3.5 Re-registration

(a) A certified pesticide dealer shall re-register annually with the department and pay the re-registration fee.

(b) A previously certified and registered pesticide dealer who has not registered with the department for two consecutive registration years after the expiration date of his registration shall lose certification status and must again become certified and registered in accordance with the provisions of this subchapter.

#### 7:30-3.6 Continuing certification

In order to maintain his certification, the pesticide dealer must meet the requirements for continuing certification as specified by the department. If the requirements for continuing certification are not met, the pesticide dealer must again be certified in accordance with the provisions of this subchapter.

#### 7:30-3.7 Records

(a) A pesticide dealer shall keep, for each distribution or sale of restricted use pesticides with which he is associated, a record containing the following information:

1. The name and address of the purchaser;
2. The brand/trade name and the EPA product registration number of each restricted use pesticide distributed or sold;
3. The quantity of each restricted use pesticide distributed or sold;
4. The date of the distribution or sale;
5. The certified pesticide applicator registration number used by the purchaser at the time of sale or distribution.

(b) The records or copies thereof must be kept for a minimum of two years and shall be immediately available upon request by the department. These records may be kept by a pesticide dealer business pursuant to the provisions of N.J.A.C. 7:30-4.

#### 7:30-3.8 Sale of restricted use pesticides

(a) No pesticide dealer shall distribute or sell a restricted use pesticide to an end user unless the purchaser presents a valid pesticide applicator registration.

1. For the purpose of this section, the presentation of only a commercial pesticide operator's registration is not acceptable.

2. For the purposes of this section a valid certification issued by a Federal agency shall be acceptable in lieu of a State of New Jersey pesticide applicator's registration if the purchaser is applying a pesticide on property or premises owned or rented by the Federal government, if the purchaser is a Federal employee engaged in the performance of his official duties, and if the purchaser has been certified as an applicator of pesticides under a Federal agency plan which has been approved by the United States Environmental Protection Agency pursuant to the provisions of Section 4 of FIFRA, as Amended.

(b) No pesticide dealer shall supervise the distribution, sale, or offering for sale of a restricted use pesticide to an end user without being physically present at the time and place of sale or distribution.

#### 7:30-3.9 Denial, suspension, or revocation of pesticide dealer documents

(a) No person shall:

1. Falsify or make misleading statements in the application for certification or registration;
2. Falsify or make misleading statements in any documents which were utilized to obtain a certification or registration;
3. Alter his certification or registration documents;
4. Falsify required records;
5. Aid, abet, combine with, or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or
6. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to any penalties authorized by the Act, may deny, suspend or revoke the application, certification, or registration of a pesticide dealer if the applicant or certified pesticide dealer has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

#### 7:30-3.10 Exemption from fees

The following shall be exempt from all fees required under this subchapter: the State government, employees or agencies thereof, or any political subdivisions of the State, employees or agencies thereof, provided that whenever the word "employee" is used in this section it shall mean any employee engaged in the distribution or sale of restricted use pesticides solely as is necessary within the scope of his employment.

#### 7:30-3.11 Reciprocity

(a) The department may waive initial certification testing where an applicant has previously been certified and registered in the State in which he resides pursuant to a valid certification test given in any other state or territory of the United States, provided that the Commissioner, by cooperative agreement, has previously recognized such state or territory as having adopted a dealer certification program substantially equivalent to New Jersey's.

(b) A New Jersey pesticide dealer registration will be issued pursuant to this section if the following conditions are satisfied:

1. The department receives proof of a valid license from any state or territory which has been officially recognized by the State of New Jersey as having a dealer certification program substantially equivalent to New Jersey's and which has signed a cooperative agreement with the State of New Jersey relating to the certification of pesticide dealers and the reciprocal acceptance thereof; and
2. The registrant demonstrates to the department a knowledge of relevant New Jersey pesticide control laws and regulations; and
3. The department receives all applicable fees.

(c) The provisions of this section shall not be construed to apply to persons domiciled, residing, or living in New Jersey.

#### 7:30-3.12 Additional authority

In the event of the issuance of a final order assessing a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and

Rodenticide Act (7 U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

SUBCHAPTER 4. PESTICIDE DEALER BUSINESSES

7:30-4.1 Definitions

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

“Act” means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1) as amended.

“Brand” or “brand name” or “trade name” means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

“Commercial pesticide operator” means any person who applies pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator.

“Commissioner” means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

“Department” means the State Department of Environmental Protection.

“Distribute” means to offer for sale, sell, barter, ship, or otherwise supply a pesticide.

“End user” means any person who applies or supervises the application of a pesticide or any person who acquires a pesticide for the purpose of application by another person.

“Environmental” means water, air, land, and all plants and man and other animals living therein, and the interrelationships which exist among these.

“EPA” means the United States Environmental Protection Agency.

“For resale only” means the process whereby a person is the recipient of a pesticide and sells that pesticide intact as received.

“Person” means and shall include corporation, companies, association, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

“Pesticide” means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term “pesticide” shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

“Pesticide accident” means any undesirable event that adversely affects the environment or may tend to cause a threat to human health and welfare which was caused by the use, handling, transportation, storage, or distribution of any pesticide(s).

“Pesticide applicator” means any person who is required to be certified and registered pursuant to the provisions of either N.J.A.C. 7:30-6. (Commercial Pesticide Applicators) or N.J.A.C. 7:30-8 (Private Pesticide Applicators).

“Pesticide dealer” means any individual who distributes, sells, or offers for sale, or who supervises the distribution, sale, or offering for sale of, any restricted use pesticide to an end user. “Pesticide dealer business” means any person who ultimately controls the transactions conducted at and the operation of a pesticide outlet.

“Pesticide outlet” means any site, location, or place at or through which restricted use pesticides are distributed. (This term does not include any site, location, or place used solely for the storage of restricted use pesticides or solely as a holding area where a purchaser takes physical possession of a restricted use pesticide after it has been purchased).

“Responsible pesticide applicator” means any individual who is

accountable for the use of a pesticide by himself or any person under his direct supervision.

“Responsible pesticide dealer” means any individual who is accountable for the distribution, sale, or offering for sale of a restricted use pesticide by himself or any person who is directly supervised by him.

“Restricted use pesticide” means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2 or so classified by the Administrator of the United States Environmental Protection Agency.

“Under direct supervision” means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

7:30-4.2 Registration

(a) Effective July 1, 1983, no person shall cause, suffer, allow or permit the operation of a pesticide dealer business which distributes restricted use pesticides to end users in the State of New Jersey without first registering such business with the department, on forms provided by the department, unless:

1. Such person is a duly licensed pharmacist dispensing a prescription pharmaceutical which contains a substance which could be classified as a restricted use pesticide; or

2. Such person is a veterinarian administering or dispensing a restricted use pesticide for use in animals as a part of his practice; or

3. Such person is a pesticide applicator who sells or distributes pesticides only as an integral part of his pesticide application service when such pesticides are dispensed only through equipment used during a pesticide application; or

4. Such person is a State or county agency or instrumentality thereof and is providing pesticides to its employees for its own programs; or

5. Such person is distributing a restricted use pesticide under the provisions of an experimental use permit issued by the EPA or the department; or

6. Such person is a scientist conducting limited educational research or experiments involving a restricted use pesticide for the purpose of gathering information about the pesticide.

(b) Each pesticide outlet from which restricted use pesticides are distributed, sold, or offered for sale to end users, and each name under which such outlet operates, shall be required to be registered separately.

(c) Each salesperson or agent of a pesticide dealer business operating outside of a pesticide outlet and each direct sales representative of an out-of-state distributor who is involved, wholly or in part, with the sale and/or distribution of restricted use pesticides to end users must be registered separately.

(d) An annual registration fee of \$50.00 shall be paid to the department at the time of registration for each separate registration. The registration period shall end on June 30 of each calendar year.

(e) Applications for new registrations will be accepted from pesticide dealer businesses throughout the calendar year, but a full year's registration fee will be required. All such registrations will expire on June 30 following the date of application except that the department may issue a registration for an additional year when an application is initially filed during the last three months of the registration year.

(f) Any person required to register as a pesticide dealer business shall submit to the department as an integral part of the registration the names, residences, and addresses for all salespersons or agents operating in the State of New Jersey who are authorized to solicit business and/or to enter into contracts related to restricted use pesticides sales on their behalf.

(g) The registration of a pesticide dealer business is not transferable.

(h) A pesticide dealer business must notify the department, in writing and within 30 days, if he changes any information on his application for registration or if he is no longer engaged in the business of distributing or selling restricted use pesticides.

(i) Every pesticide dealer business shall post in a conspicuous and accessible area a list of persons to contact in case of a pesticide accident. This list must include, but not necessarily be limited to, the name, address, and telephone number of the nearest poison control center, the telephone number of the department environmental action hot line, and the telephone number of the local fire department.

#### 7:30-4.3 Records

(a) A pesticide dealer business shall keep, for each distribution or sale of restricted use pesticide to an end user, a record containing the following information:

1. The name and address of the purchaser;
2. The brand or trade name and the EPA product registration number of each restricted use pesticide distributed or sold;
3. The quantity of each restricted use pesticide distributed or sold;
4. The date of the distribution or sale;
5. The certified pesticide applicator registration number used by the purchaser at the time of sale or distribution; and
6. The name of the responsible pesticide dealer associated with the physical distribution and/or sale of restricted use pesticides.

(b) The records or copies thereof must be kept for a minimum of two years at the pesticide outlet from which the distribution and/or sale was made and must be immediately available upon request by the department.

#### 7:30-4.4 Sale of restricted use pesticides

(a) No pesticide dealer business shall distribute or sell a restricted use pesticide to an end user unless the purchaser presents a valid pesticide applicator registration.

1. For the purposes of this section, the presentation of only a commercial pesticide operator's registration is not acceptable.

2. For the purposes of this section, a valid certification issued by a Federal agency shall be acceptable in lieu of a State of New Jersey pesticide applicator's registration if the purchaser is applying a pesticide on property or premises owned or rented by the Federal government, if the purchaser is a Federal employee engaged in the performance of his official duties, and if the purchaser has been certified as an applicator of pesticides under a Federal agency plan which has been approved by the United States Environmental Protection Agency pursuant to the provisions of Section 4 of FIFRA, as Amended.

(b) No pesticide dealer shall distribute or sell a restricted use pesticide for resale only to another dealer or distributor without first informing the purchaser that the pesticide being distributed or sold is a restricted use pesticide.

(c) Each pesticide dealer business shall have present, at the time and place of any transaction involving the sale or distribution of restricted use pesticides to an end user, a certified and registered pesticide dealer employed by the business.

#### 7:30-4.5 Denial, suspension, or revocation of pesticide business documents

(a) No person shall:

1. Falsify or make misleading statements in the application for registration;
2. Falsify or make misleading statements in any documents which were utilized to obtain a registration;
3. Alter his registration document;
4. Falsify required records;
5. Aid, abet, combine with, or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or
6. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to any penalties authorized by the Act, may deny, suspend or revoke the application or registration of a pesticide dealer business if the applicant or pesticide dealer

business has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

#### 7:30-4.6 Exemption from fees

The following shall be exempt from all fees required under this subchapter: the State or Federal government, employees or agencies thereof, or any political subdivisions of the State, employees or agencies thereof, provided that whenever the word "employee" is used in this section it shall mean any employee engaged in the use and application of pesticides solely as is necessary within the scope of his employment.

#### 7:30-4.7 Additional authority

In the event of the issuance of a final order assessing a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

### SUBCHAPTER 5. COMMERCIAL PESTICIDE OPERATORS

#### 7:30-5.1 Definitions

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

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1) as amended.

"Agricultural commodity" means any plant or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vinyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

"Commercial pesticide applicator" means any person (whether or not he is a private pesticide applicator with respect to some uses) who uses or supervises the use of any pesticide for any purpose or on any property other than as provided by the definition of "private pesticide applicator."

"Commercial pesticide operator" means any person who applies pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator.

"Commissioner" means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

"Department" means the State Department of Environmental Protection.

"EPA" means the United States Environmental Protection Agency.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Private pesticide applicator" means any person who uses or supervises the use of any pesticides for the purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Register" means the recognition by the State of New Jersey that a person has met the requirements as prescribed in N.J.A.C. 7:30-

5.4 and is authorized to operate within the parameters of his registration.

“Responsible pesticide applicator” means any individual who is accountable for the use of a pesticide by himself or any person under his direct supervision.

“Restricted use pesticide” means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2, or so classified by the administrator of the United States Environmental Protection Agency.

“Under direct supervision” means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

**7:30-5.2 General requirements**

(a) Effective October 1, 1983, no commercial pesticide operator shall engage in, cause, suffer, allow, or permit the use or application of any pesticide without first meeting the training and registration requirements of this subchapter unless:

1. Such person is certified and registered as a commercial pesticide applicator; or

2. Such person is working under the direct supervision of a responsible commercial pesticide applicator who is present at the time and place of application.

(b) Notwithstanding the liability of any other person or the exemption from the provisions of any other section of this subchapter, any commercial pesticide operator may be jointly and severally liable for any aspects of any pesticide application in which he is involved.

(c) Persons exempt under this section from all training requirements shall not be considered to be commercial pesticide operators.

(d) No commercial pesticide operator shall supervise the use or application of any pesticide.

**7:30-5.3 Training**

(a) In order to meet the requirements for training, a commercial pesticide operator must obtain instruction in and possess adequate knowledge of the proper use and application of pesticides.

1. The instruction must result in the commercial pesticide operator having a working knowledge which shall include but not be limited to the following areas:

- i. The proper use of the application equipment;
- ii. The hazards that may be involved in applying the pesticides;
- iii. Calculating the concentration of pesticides to be used in particular circumstances;
- iv. Protective clothing and safety equipment required during the handling and application of pesticides;
- v. General precautions to be followed in the disposal of containers as well as the cleaning and decontamination of the equipment which the certified pesticide operator proposes to use;
- vi. Applicable State and Federal pesticide laws and regulations; and
- vii. An understanding of how to correctly interpret pesticide label and labeling information.

2. The instructions shall include a sufficient level of practical training to allow the commercial pesticide operator to competently perform the functions associated with any applications in which the certified pesticide operator is expected to be involved.

(b) The commercial pesticide operator must undergo training no less than annually to ascertain that his knowledge reflects the proper level for satisfactory completion of work-related duties and significant advances in the state-of-the-art in pesticide control.

(c) Subject to the approval of the department, the person responsible for the training of a commercial pesticide operator shall determine the appropriate level of training needed for each commercial pesticide operator.

**7:30-5.4 Registration**

(a) At the completion of training the commercial pesticide

operator must file with the department, on forms provided by the department, an application to register. The application must be co-signed by a certified and registered responsible commercial applicator employed by the business which was responsible for the training and shall indicate that the co-signer will be the responsible pesticide applicator for pesticide applications performed by the commercial pesticide operator. An annual registration fee of \$5.00 must be included as an integral part of the application.

(b) The registration year shall expire on September 30 of each calendar year.

(c) Applications for new registrations will be accepted from commercial pesticide operators throughout the calendar year but a full year's registration fee will be required. All such registrations will expire on September 30 following the date of application, except that the department may issue a registration for an additional year when an application is initially filed during the last three months of the registration year.

(d) The registration shall cease to be in force if the holder thereof or the co-signer of the application on which it was based ceases to be an employee of the business.

1. Any commercial pesticide operator whose registration has become void as a result of this subsection shall immediately be eligible to refile for another registration with a new co-signer.

i. No additional registration fee shall be required if the application is refiled during the current registration year.

ii. Any registrations issued pursuant to the provisions of (d) of this section shall expire on the same date as the original registration.

2. Any commercial pesticide operator whose registration has become void pursuant to this subsection shall be allowed to apply pesticides in accordance with his current registration for a period of 15 calendar days from the date of cessation of employment of the co-signer if the commercial pesticide operator is still employed by the same business and is applying pesticides under the direct supervision of a certified and registered responsible pesticide applicator.

(e) The registration of a commercial pesticide operator is not transferable.

(f) A commercial pesticide operator must notify the department, in writing and within 30 days, if he changes his name or address or if he is no longer engaged in the application of pesticides.

(g) The commercial pesticide operator and/or the co-signer of the application for registration must notify the department, in writing and within 30 days, of any changes in the information contained on the application for registration.

(h) The commercial pesticide operator must maintain his registration on his person whenever a pesticide application is performed.

**7:30-5.5 Re-registration**

(a) A commercial pesticide operator must re-register annually with the department and pay the re-registration fee of \$5.00.

**7:30-5.6 Records**

The records of each application of pesticides made by a commercial pesticide operator must be kept by the co-signer of the commercial pesticide operator's registration application in the manner delineated in N.J.A.C. 7:30-6.8.

**7:30-5.7 Denial, suspension, or revocation of commercial pesticide operator documents**

(a) No person shall:

1. Falsify or make misleading statements in the application for registration;

2. Falsify or make misleading statements in any documents which were utilized to obtain a registration;

3. Alter his registration documents;

4. Falsify required records;

5. Aid, abet, combine with, or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or

6. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to the penalties authorized by the Act, may deny, suspend or revoke the application or registration of a commercial pesticide operator if the commercial pesticide operator has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

#### 7:30-5.8 Exemption from fees

The following shall be exempt from all fees required under this subchapter: the State or Federal government, employees or agencies thereof, or any political subdivisions of the State, employees or agencies thereof, provided that whenever the word "employee" is used in this section, it shall mean any employee engaged in the use and application of pesticides solely as is necessary within the scope of his employment.

#### 7:30-5.9 Additional authority

In the event of the issuance of a final order assessing a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

### SUBCHAPTER 6. COMMERCIAL PESTICIDE APPLICATORS

#### 7:30-6.1 Definitions

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

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

"Agricultural commodity" means any plant or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

"Antimicrobial agents" means:

1. Disinfectants intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects; or
2. Sanitizers intended to reduce the number of living bacteria or viable virus particles on inanimate surfaces, in water, or in air; or
3. Bacteriostats intended to inhibit the growth of bacteria in the presence of moisture; or
4. Sterilizers intended to destroy viruses and all living bacteria, fungi, and their spores, on inanimate surfaces; or
5. Fungicides and fungistats intended to inhibit the growth of, or destroy fungi (including yeasts) pathogenic to man or other animals on inanimate surfaces; or
6. Commodity preservatives and protectants intended to inhibit the growth of, or destroy bacteria in or on raw materials (such as adhesives and plastics) used in manufacturing, or manufactured products (such as fuel, textiles, lubricants, and paints), but not in wood treatment, the pulp and paper process or cooling towers.

"Brand" or "brand name" or "trade name" means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

"Certified" means the recognition by the State that a person has met the requirements as prescribed in N.J.A.C. 7:30-6.4.

"Commercial pesticide applicator" means any person (whether or not he is a private pesticide applicator with respect to some uses) who uses or supervises the use of any pesticide for any purpose or on any property other than as provided by the definition of "private pesticide applicator".

"Commissioner" means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

"Department" means the State Department of Environmental Protection.

"EPA" means the United States Environmental Protection Agency.

"Forest" means a concentration of trees and related vegetation in non-urban areas sparsely inhabited by and infrequently used by humans; characterized by natural terrain and drainage patterns.

"Ornamental" means trees, shrubs, and other plantings in and around habitations generally, but not necessarily, located in urban and suburban areas, including residences, parks, streets, retail outlets, industrial and institutional buildings.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The terms "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Private pesticide applicator" means any person who uses or supervises the use of any pesticide for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Private residence" means any building or structure, or portion thereof, that is designed and occupied exclusively for residence purposes.

"Register" means the recognition by the State of New Jersey that a person has met the requirements as prescribed in N.J.A.C. 7:30-6.5 and is authorized to operate within the parameters of his registration.

"Responsible pesticide applicator" means any individual who is accountable for the use of pesticides by himself or any person under his direct supervision.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provision of N.J.A.C. 7:30-2 or so classified by the Administrator of the United States Environmental Protection Agency.

"Under direct supervision" means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

#### 7:30-6.2 General requirements—variances

(a) No commercial pesticide applicator shall engage in, cause, suffer, allow, or permit the use or application of, or supervise the use or application of, any pesticide in any category or subcategory in which he has not been certified and registered unless:

1. Such person is applying a general use pesticide by equipment other than aerial in or around a private residence owned or rented by him and in which he resides.

2. Such person is applying a general use pesticide by equipment other than aerial for himself or his employer on property or premises owned or rented by him or his employer and utilized for non-residential purposes provided:

- i. The application does not involve more than three acres of land;
- ii. The application is not made to an area where food or food-stuffs for human consumption are prepared, served, or stored; and
- iii. The property or premises to which the pesticide is applied is not utilized by an operation involving more than 10 employees.

3. Such person is applying pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator; or

4. Such person is applying a pesticide on property or premises owned or rented by the Federal government:

- i. If such person is a Federal employee engaged in the performance of his official duties, and;
- ii. If such person has been certified as an applicator of pesticides under a Federal agency plan which has been approved by the United States Environmental Protection Agency pursuant to the provisions of Section 4 of FIFRA, as amended; or

5. Such person is applying antimicrobial agents unless such agents have been classified as restricted use pesticides.

(b) Notwithstanding the liability of any other person or the exemption from the provisions of any other section of this subchapter, any pesticide applicator may be jointly and severally liable for any aspects of any pesticide application in which he is involved.

(c) Persons exempt under this section from all certification requirements shall not be considered to be commercial pesticide applicators.

(d) Any person who believes that compliance with the provisions of this subchapter with respect to the requirements of N.J.A.C. 7:30-6.2(a) will result in undue hardship, may apply to the department for a variance setting forth his reasons and justifications therefore, provided the proposed application is limited to general use pesticides to be applied on private property not open to the general public.

7:30-6.3 Categories

(a) Any commercial pesticide applicator who satisfactorily completes the requirements for Core certification may become certified in one or more of the following categories or subcategories:

- 1. Agricultural pest control:
  - i. Plant: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides in the production of agricultural crops, including, but not limited to, tobacco, peanuts, cotton, feed grains, soybeans, and forage; vegetables, small fruits, tree fruits and nuts, as well as on grasslands and non-crop agricultural lands.
  - ii. Animals: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides on animals, including, but not limited to, beef cattle, dairy cattle, swine, sheep, horses, goats, poultry, and livestock, and to places on or in which animals are confined. Doctors of Veterinary Medicine engaged in the business of applying pesticides for hire or publicly holding themselves out as pesticide applicators are included in this category.
- 2. Forest pest control: This category includes commercial pesticide applicators using or supervising the use of pesticides in forests, forest nurseries, and forest seed producing areas.
- 3. Ornamental and turf pest control:
  - i. Ornamental: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides to control pests in the maintenance and production of ornamentals.
  - ii. Turf: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides to control pests in the maintenance and production of turf.
- 4. Seed treatment: This category includes commercial pesticide applicators using or supervising the use of pesticides on seeds.
- 5. Aquatic pest control: This category includes commercial pesticide applicators using or supervising the use of any pesticide purposefully applied to standing or running water, excluding applicators engaged in public health related activities included in (a)8 below, public health pest control.
- 6. Right-of-way pest control: This category includes commercial pesticide applicators using or supervising the use of pesticides in the maintenance of public roads, industrial weed control on driveways, electric power lines, pipelines, railway rights-of-way or other similar areas.
- 7. Industrial, institutional, structural pest control:

i. General and household pest control: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides to control general household pests including but not limited to roaches, ants, bees, ticks, fleas, rodents and other vertebrates.

ii. Termites and other wood destroying pests: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides to control termites or other wood destroying pests.

iii. Fumigation pest control: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides which may be classified as true fumigants.

iv. Food manufacturing and processing: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides in food manufacturing, packaging and processing establishments including but not limited to meat packing plants, dairy product operations, canning, grain, milling, bottling, and coffee roasting plants, not including retail sales outlets.

8. Public health pest control:

i. General: This subcategory includes but is not limited to State, Federal, or other governmental employees using or supervising the use of pesticides in public health programs for the management and control of pests having medical and public health importance.

ii. Mosquito control: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides for the management and control of mosquitoes.

iii. Campground pest control: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides in locations having area(s) specifically designated for the purpose of erecting temporary shelters such as tents and cabins. These locations may or may not include areas which are used for recreational activities.

iv. Antimicrobial and cooling tower pest control: This subcategory includes commercial pesticide applicators using or supervising the use of pesticides to control microbial and other pests in cooling towers, swimming pools, or related areas.

9. Regulatory pest control: This subcategory includes State, Federal, or other governmental employees who use or supervise the use of pesticides in the control of regulated pests.

10. Demonstration and research pest control: This category includes:

- i. Individuals who demonstrate to the public the proper use and techniques of application of pesticides or supervise such demonstration; and
- ii. Persons conducting field research with pesticides.

Note: Included in the first group are such persons as extension specialists and county agents, commercial representatives demonstrating pesticide products, and those individuals demonstrating methods used in public programs. The second group includes: State, Federal, commercial and other persons conducting field research on or utilizing pesticides. A person applying for certification in this category will be required to pass at least two examinations in addition to the Core examination. These shall include a general examination for this category, as well as an examination in any category or subcategory which is related to the specific type of demonstration or research to be carried out by the applicant.

11. Aerial pest control: This category includes all pilots responsible for agricultural and other pest control. A person applying for certification in this category will be required to pass at least two examinations in addition to the Core examination. These shall include a general examination for this category, as well as an examination in any category or subcategory which is related to the specific type of aerial application to be carried out by the applicant.

(b) New categories: Whenever the department determines that a particular type of pesticide application involves concepts included in more than one category or subcategory or concepts not addressed

by an existing category or subcategory, the department may establish a special category or subcategory which will incorporate such concepts. A person may apply pesticides in the special category or subcategory without being certified in that particular category or subcategory for a period of time which does not exceed 90 days after the date that the examination for the special category or subcategory becomes available.

#### 7:30-6.4 Certification

(a) In order to become certified, an applicant shall be required to pass a Core examination as well as a specific category examination, which may be written and when deemed necessary by the department may include performance testing; the examinations shall include but not be limited to all areas of required knowledge set forth in federal regulations 40 CFR 171. The Core examination shall include such areas as pesticide handling and safety, environmental considerations, symptoms of pesticide poisoning, current laws and regulations. The category or subcategory examination shall include areas of required knowledge which are specific to the commercial category or subcategory in which the applicant has applied to be certified.

(b) Certification in a category or subcategory must be obtained within 120 calendar days from the date of the most recent Core examination which was successfully completed. Any person who does not meet the requirements of this subsection must again take the Core examination and become certified in accordance with the provisions of this subchapter.

(c) An examination fee may be charged for each examination.

(d) Application for the examinations must be made on a form supplied by the department which must be filed, along with the examination fee, with the department no later than midnight of the closing date for the examination as determined by the department. The examination fee will not be refunded.

(e) After certification a pesticide applicator who elects to add one or more categories or subcategories to his certification shall be required to take only the category examination for such category or subcategory, and shall file a separate application and pay the examination fee for each exam.

#### 7:30-6.5 Registration

(a) Within 12 months after a person has become fully certified and eligible to register as a commercial pesticide applicator the certified commercial pesticide applicator must complete and file with the department an application to register, and must include as an integral part of the application an annual registration fee of \$20.00. A fee not to exceed \$10.00 may be charged for each additional duplicated registration certificate issued. Any certified pesticide applicator who fails to file within the 12-month period will lose certification status and must again become certified in accordance with the provisions of this subchapter.

(b) The registration year shall expire on September 30 of each calendar year.

(c) Applications for new registrations will be accepted from certified commercial pesticide applicators throughout the calendar year but a full year's registration fee will be required. All such registrations will expire on September 30 following the date of application, except that the department may issue a registration for an additional year when an application is initially filed during the last three months of the registration year.

(d) The certification and registration of a commercial pesticide applicator are not transferable.

(e) A commercial pesticide applicator must notify the department, in writing within 30 days, if he changes any information on his application for registration or if he is no longer engaged in the application of pesticides.

(f) A commercial pesticide applicator must maintain his registration on his person whenever a pesticide application is performed.

#### 7:30-6.6 Re-registration

(a) A certified commercial pesticide applicator shall re-register annually with the department and pay the re-registration fee of \$20.00.

(b) A previously certified and registered commercial pesticide applicator who has not registered with this department for two consecutive registration years after the expiration date of his registration shall lose certification status and must again become certified and registered in accordance with the provisions of this subchapter.

#### 7:30-6.7 Continuing certification

In order to maintain his certification, the commercial pesticide applicator must meet the requirements for continuing certification as specified by the department. If the requirements for continuing certification are not met, the commercial pesticide applicator must again become certified in accordance with the provisions of this subchapter.

#### 7:30-6.8 Records

(a) A commercial pesticide applicator shall keep, for each application of pesticides made by him, a record of application containing the following information:

1. The date of application;
2. The place of application;
3. The brand or trade name of the pesticide used or symbol representing such name, providing the applicator also keeps a list which clearly correlates the symbol used with full and complete pesticide product names;
4. The amount of each pesticide used; and
5. The dosage or rate of each pesticide used.

(b) In addition to the records required by (a) above, the applicator shall also keep, in writing, a listing of the names and corresponding EPA Registration Numbers of all the pesticides applied by him. This information may be kept separately from the records required by (a) above or may be integrated with such records by including on the record of each pesticide application the full name and EPA Registration Number of the pesticide(s) used.

(c) All records and information required to be kept pursuant to this section shall be kept for a minimum of two years and must be immediately available upon request by the department. These records may be kept by a business pursuant to N.J.A.C. 7:30-7.

(d) A commercial pesticide applicator must, upon written request, provide a customer with any requested information which is required to be kept pursuant to this section and which pertains to a pesticide application performed for that customer.

#### 7:30-6.9 Denial, suspension, or revocation of commercial pesticide applicator documents

(a) No person shall:

1. Falsify or make misleading statements in the application for certification or registration.
2. Falsify or make misleading statements in any documents which were utilized to obtain a certification or registration;
3. Alter his certification or registration documents;
4. Falsify required records;
5. Aid, abet, combine with or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or
6. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to any penalties authorized by the Act, may deny, suspend, or revoke the application, certification or registration of a commercial pesticide applicator if the applicant or certified pesticide applicator has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

**7:30-6.10 Purchase and restricted use pesticides**  
 No person shall purchase a restricted use pesticide unless he presents a valid certified pesticide applicator registration.

**7:30-6.11 Exemption from fees**  
 The following shall be exempt from all fees required under this subchapter: the State government, employees or agencies thereof, or any political subdivisions of the State, employees or agencies thereof, provided that whenever the word "employee" is used in this section, it shall mean any employee engaged in the use and application of pesticides solely as is necessary within the scope of his employment.

**7:30-6.12 Reciprocity**  
 (a) The department may waive initial certification testing where an applicant has previously been certified and registered in the state in which he resides pursuant to a valid certification test given in any other state or territory of the United States, provided that the Commissioner, by cooperative agreement, has previously recognized such state or territory as having adopted a certification program substantially equivalent to New Jersey's.

(b) A New Jersey Pesticide Applicator registration will be issued pursuant to this section if the following conditions are satisfied:

1. The department receives proof of a valid license from any state or territory which has been officially recognized by the State of New Jersey as having a certification program substantially equivalent to New Jersey's and which has signed a cooperative agreement with the State of New Jersey relating to the certification of pesticide applicators and the reciprocal acceptance thereof; and

2. The registrant demonstrates to the department a knowledge of relevant New Jersey Pesticide Control laws and regulations; and

3. The department receives all applicable fees.

(c) The provisions of this section shall not be construed to apply to persons domiciled or residing in New Jersey.

**7:30-6.13 Additional authority**  
 In the event of the issuance of a final order assessing a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

**SUBCHAPTER 7. PESTICIDE APPLICATOR BUSINESSES**

**7:30-7.1 Definitions**  
 The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

"Brand" or "brand name" or "trade name" means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

"Commercial pesticide applicator" means any person (whether or not he is a private pesticide applicator with respect to some uses) who uses or supervises the use of any pesticide for any purpose or on any property other than as provided by the definition of "private pesticide applicator."

"Commercial pesticide operator" means any person who applies pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator.

"Department" means the State Department of Environmental Protection.

"EPA" means the United States Environmental Protection Agency.

"Person" means and shall include corporations, companies,

associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Pesticide applicator business" means for the purposes of this subchapter any person who either wholly or in part holds himself out for hire to apply pesticides in the State of New Jersey.

"Private pesticide applicator" means any person who uses or supervises the use of any pesticide for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Place of business" means any physical location at or through which the functional operations of business, including but not limited to financial transactions, arrangement of contracts, and assignment of work, regularly occur. (This term shall not include buildings or locations used solely for storage of equipment or supplies or the offices of telephone answering services.)

"Register" means the recognition by the State of New Jersey that a person has met the requirements as prescribed in section 2 of this subchapter and is authorized to operate within the parameters of his registration.

"Responsible pesticide applicator" means any individual who is accountable for the use of pesticides by himself or any person under his direct supervision.

"Under direct supervision" means under the instructions and control of another person who is responsible for actions taken and who is available if and when needed, even if not physically present.

**7:30-7.2 Registration**  
 (a) No person shall cause, suffer, allow or permit the operation of a pesticide applicator business as defined by this subchapter in the State of New Jersey without first registering such business with the department on forms provided by the department.

(b) An annual registration fee of \$50.00 must be paid to the department at the time of registration. The registration period shall end on September 30 of each calendar year except that the department may issue a registration for an additional year when an application is initially filed during the last three months of the registration year.

(c) Pesticide applicator businesses having more than one place of business operating within the State must register and pay the annual registration fee for each place of business. Pesticide applicator businesses which operate under more than one name must register and pay the annual registration fee for each name separately.

(d) Each place of business must employ, for each category or subcategory in which it makes pesticide applications, at least one responsible commercial pesticide applicator who is certified and registered in that category or subcategory.

(e) Each pesticide applicator business shall prominently display on every service vehicle operated by that business the registration number assigned to that business by the department. The registration number shall be in figures at least three inches high and shall be located on at least two sides of each vehicle.

(f) A registered business must notify the department, in writing and within 30 days, of any changes in any information on its application for registration, or if the business is no longer engaged in the application of pesticides.

## 7:30-7.3 Records

(a) Every business required to register pursuant to the provisions of N.J.A.C. 7:30-7.2 shall keep, for each application of pesticides made by that business, a record of application containing the following information:

1. The date of application;
2. The place of application;
3. The brand or trade name of each pesticide used (or symbol representing such name, providing the business also keeps a list which clearly correlates the symbol used with full and complete pesticide product name;
4. The amount of each pesticide used;
5. The dosage or rate of each pesticide used; and
6. The name of the person making the application.

(b) In addition to the records required by (a) above, the business shall also keep, in writing, the following information:

1. A listing of the names and corresponding EPA Registration Numbers of all the pesticides applied by the business; and
2. The names and applicator registration numbers of all the certified and registered responsible pesticide applicators employed by the business together with a delineation of the applications for which each is responsible. (The delineation may be by type or category of application or by any other classification or grouping used to define responsibility.)

i. This information may be kept separately from the records required by (a) above or may be integrated with such records by including on the record of each pesticide application the full name and EPA Registration Number of the pesticide used and the name of the applicator responsible for the application.

(c) All records and information required to be kept pursuant to this section, or copies thereof, shall be kept for a minimum of two years at the place of business and must be immediately available upon request by the department.

(d) A pesticide applicator business must, upon written request, provide a customer with any requested information which is required to be kept pursuant to this section and which pertains to a pesticide application performed for that customer.

## 7:30-7.4 Financial responsibility

(a) Businesses required to register under N.J.A.C. 7:30-7.2 shall submit with the application for registration an attestation by the person providing the coverage that the business has in force an insurance policy (or surety bond in equivalent amounts) which meets or exceeds the standards set forth below:

1. For pesticide applicator businesses which do not engage in fumigation pest control:

- i. Bodily injury liability:
  - (1) \$100,000 - each occurrence
  - (2) \$300,000 - aggregate
- ii. Property damage liability:
  - \$50,000 - each occurrence

2. For pesticide applicator businesses engaged, wholly or in part, in fumigation pest control:

- i. Bodily injury liability:
  - (1) \$300,000 - each occurrence;
  - (2) \$500,000 - aggregate
- ii. Property damage liability:
  - \$300,000 - each occurrence.

(b) The attestation submitted in accordance with the requirements of (a) above must contain a statement that indicates that the person providing the coverage will notify the department in writing and within 15 days if the policy or bond is cancelled for any reason.

## 7:30-7.5 Assignment of work

No person shall require any individual to make a pesticide application in any category or subcategory in which the individual has not been trained or certified and registered unless the individual so assigned is applying pesticides by equipment other than aerial and is working under the direct supervision of a certified and

registered responsible pesticide applicator who is employed by the same business and is physically present at the time and place of application.

## 7:30-7.6 Denial, suspension, or revocation of pesticide applicator business documents

(a) No person shall:

1. Falsify or make misleading statements in the application for registration;
2. Falsify or make misleading statements in any documents which were utilized to obtain a registration;
3. Alter his registration documents;
4. Fail to keep or falsify required records;
5. Aid, abet, combine with, or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or
6. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to any penalties authorized by the Act, may deny, suspend, or revoke the application or registration of a pesticide applicator business if the applicant or pesticide applicator business has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

## 7:30-7.7 Additional authority

In the event of the issuance of a final order assessing a civil penalty under Section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

## SUBCHAPTER 8. PRIVATE PESTICIDE APPLICATORS

## 7:30-8.1 Definitions

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

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

"Agricultural commodity" means any plant, or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

"Brand" or "brand name" or "trade name" means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

"Certified" means the recognition by the State that a person has met the requirements as prescribed in N.J.A.C. 7:30-8.3.

"Commissioner" means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

"Department" means the State Department of Environmental Protection.

"EPA" means the United States Environmental Protection Agency.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or

in living man or other animals. The term "pesticide" shall also include any substance or mixture of substance labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Private pesticide applicator" means any person who uses or supervises the use of any pesticide for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Register" means the recognition by the State of New Jersey that a person has met the requirements as prescribed in N.J.A.C. 7:30-8.4 and is authorized to operate within the parameters of his registration.

"Responsible pesticide applicator" means any individual who is accountable for the use of pesticides by himself or any person under his direct supervision.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2, or so classified by the Administrator of the United States Environmental Protection Agency.

"Under direct supervision" means under the instructions and control of another person who is responsible for actions taken and who is available, if and when needed, even if not physically present.

7:30-8.2 General requirements

(a) No private pesticide applicator shall engage in, cause, suffer, allow, or permit the use or application of, or supervise the use or application of, any pesticide which is classified for restricted use without first meeting the requirements of certification and registration as a private pesticide applicator unless:

1. Such person is applying pesticides under the direct supervision of a certified and registered private pesticide applicator; or
2. Such person is a commercial pesticide applicator certified and registered in a commercial category or subcategory which completely covers the subject matter content in the private pesticide applicator certification requirements.

7:30-8.3 Certification

(a) In order to become certified, an applicant must pass a Core examination as well as a second examination. The examinations may be written or oral, or a combination of both, and shall include but not be limited to all areas of required knowledge set forth in Federal regulations 40 CFR 171. The Core examination shall include such areas as pesticide safety and handling, current laws and regulations, understanding of label and labeling information, including the name of the pesticide, the crop, animal or site to which it will be applied, pest(s) to be controlled, when and how to apply, harvest intervals, related environmental hazards, poisoning symptoms and disposal techniques. The second examination will cover comparable topics but reflect a higher level of competency. The second examination shall also include but not be limited to pest identification and damage assessment.

(b) Satisfactory completion of the second examination must be accomplished within 120 calendar days from the date of the most recent Core examination which was successfully completed. Any person who does not meet the requirements of this subsection must again take the Core examination and become certified in accordance with the provisions of this subchapter.

(c) An examination fee may be charged for each examination.

(d) Application for examinations must be made on a form supplied by the department which must be filed, along with the examination fee, with the department no later than midnight of the closing date for the examination as determined by the department. The examination fee will not be refunded.

7:30-8.5 Re-registration

(a) A certified private pesticide applicator shall renew his registration every year, and pay a fee of \$5.00 at the time of renewal on a form supplied by the department.

(b) A previously certified and registered private pesticide applicator who has not registered with the department for two consecutive registration years after the expiration date of his registration shall lose certification status and must again become certified and registered in accordance with the provisions of this subchapter.

7:30-8.6 Continuing certification

In order to maintain his certification, the private pesticide applicator must meet the requirements for continuing certification as specified by the department. If the requirements for continuing certification are not met, the private pesticide applicator must again become certified in accordance with the provisions of this subchapter.

7:30-8.7 Special provisions

The department may issue special permits or limited private pesticide applicator registrations in cases that warrant deviations from the certification requirements of this subchapter. Specialized training and examinations that assure the department that competency and other necessary requirements are met may be the basis for issuance of special registrations.

7:30-8.8 Records

(a) A private pesticide applicator shall keep, for each application of restricted use pesticides made by him, a record of application containing the following information:

1. The date of application;
2. The place of application;
3. The brand or trade name of each pesticide used or symbol representing such name, providing the applicator also keeps a list which clearly correlates the symbols used with full and complete pesticide product names;
4. The amount of each pesticide used; and
5. The dosage or rate of each pesticide used.

(b) In addition to the records required by (a) above, the applicator shall also keep, in writing, a listing of the names and corresponding EPA Registration Numbers of all the pesticides applied by him. This information may be kept separately from the records required by (a) above or may be integrated with such records by including on the record of each pesticide application the full name and EPA Registration Number of each pesticide used.

(c) All records and information required to be kept pursuant to this section shall be kept for a minimum of two years and must be immediately available upon request by the department.

7:30-8.9 Purchase of restricted use pesticides

No person shall purchase a restricted use pesticide unless he presents a valid certified pesticide applicator registration.

7:30-8.10 Denial, suspension, or revocation of private pesticide applicator documents

- (a) No person shall:
1. Falsify or make misleading statements in the application for certification or registration;
  2. Falsify or make misleading statements in any documents which were utilized to obtain a certification or registration;
  3. Alter his certification or registration documents;
  4. Fail to keep required records;
  5. Falsify required records;
  6. Aid, abet, combine with, or conspire with any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder; or
  7. Allow his registration to be used by any person for any purpose which will evade or be in violation of the provisions of the Act or any rules and regulations promulgated thereunder.

(b) The department, in addition to any penalties authorized by the Act, may deny, suspend, or revoke the application, certification or registration of a private pesticide applicator if the applicant or

certified private pesticide applicator has failed to comply with any provisions of the Act or any rules and regulations promulgated thereunder.

#### 7:30-8.11 Reciprocity

(a) The department may waive initial certification testing where an applicant has previously been certified and registered in the state in which he resides pursuant to a valid certification test given in any other state or territory of the United States, provided that the Commissioner, by cooperative agreement, has previously recognized such state or territory as having adopted a certification program substantially equivalent to New Jersey's.

(b) A New Jersey Pesticide Applicator registration will be issued pursuant to this section if the following conditions are satisfied:

1. The department receives proof of a valid license from any state or territory which has been officially recognized by the State of New Jersey as having a certification program substantially equivalent to New Jersey's and which has signed a cooperative agreement with the State of New Jersey relating to the certification of pesticide applicators and the reciprocal acceptance thereof.

2. The registrant demonstrates to the department a knowledge of relevant New Jersey Pesticide Control laws and regulations; and

3. The department receives all applicable fees.

(c) The provisions of this section shall not be construed to apply to persons domiciled, residing, or living in New Jersey.

#### 7:30-8.12 Additional authority

In the event of the issuance of a final order assessing a civil penalty under section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.) or a criminal conviction under Section 14(b), the department will review and may suspend or revoke the registration of any person so assessed or convicted.

### SUBCHAPTER 9. (RESERVED)

### SUBCHAPTER 10. PESTICIDE USE

#### 7:30-10.1 Definitions

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

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

"Active ingredient" means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, or desiccant.

"Agricultural commodity" means any plant or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption propagation, or other use by man or animal.

"Application equipment" means any type of ground, water, or aerial apparatus or contrivance used to apply any pesticides.

"Brand" or "brand name" or "trade name" means the characteristic designation by words, symbols, name, number or trademark of a specific, particular pesticide or formulation thereof under which the pesticide is distributed, sold, offered for sale, handled, stored, used or transported in the State of New Jersey.

"Commissioner" means the Commissioner of Environmental Protection in the State Department of Environmental Protection.

"Community or area-wide" means any pesticide application performed on aggregate areas greater than three acres of land which is part of a pesticide control program administered by a governmental agency or which is contracted for or performed by one person who has control over the use of the land to which the pesticide is applied.

"Department" means the State Department of Environmental Protection. "Dispose of" means the final transfer of pesticides,

pesticide containers or pesticide related equipment from the current possessor to a second party or place.

"Distribute" means to offer for sale, sell, barter, ship, or otherwise supply a pesticide.

"Drift" means the movement of a pesticide during or immediately after application or use through air to a non-target site.

"Environment" means water, air, land, and all plants and man and other animals living therein, and the interrelationships which exist among these.

"EPA" means the United States Environmental Protection Agency.

"Label" means the written, printed or graphic matter on, or attached to, the pesticide or any of its containers or wrappers.

"Labeling" means the label and all other written, printed, or graphic matter:

1. Accompanying the pesticide at any time; or

2. To which reference is made on the label or in literature accompanying the pesticide except that it does not include current official publications of the EPA, the United States Department of Agriculture and Interior, the Department of Health and Human Services, State experiment stations, State agricultural colleges, and other similar Federal or State institutions or agencies authorized by law to conduct research in the field of pesticides.

"Non-target site" means any location, thing, or organism that is not a target site.

"Ornamental" means trees, shrubs, and other plantings in and around habitations generally, but not necessarily, located in urban and suburban areas, including residences, parks, streets, retail outlets, industrial and institutional buildings.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Private applicator" means any person who uses or supervises the use of any pesticide for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2 or so classified by the Administrator of the United States Environmental Protection Agency.

"Service container" means any container, other than the original labeled container of a registered pesticide provided by the registrant which contains the original material, that is utilized to hold, store or transport a pesticide concentrate or a pesticide use-dilution preparation.

"Target site" means the specific location, thing or organism, including, but not limited to, any crop, commodity, vehicle, article, object, surface, organism (including humans), delineated field or area, or structure or part thereof, that is intended to be treated by a pesticide so that any pests therein or thereon are controlled, killed or detrimentally affected. This term does not include any similar site which was not a part of the original agreement between the contracting parties even if such site is included on the label or labeling of a pesticide.

"Unreasonable adverse effects" means any risk to man or the environment which exceeds the bounds of reason or moderation after a person has taken into account the economic, social, and

environmental costs and benefits of the use of any pesticide in the specific situation being reviewed.

"Use" means any act of handling or release of a pesticide, or exposure of man, property, or the environment to a pesticide through acts which include but are not limited to:

1. Applying a pesticide, including mixing and loading and any required supervisory action in or near the area of application;
2. Handling, transporting, or storing a pesticide or pesticide container;
3. Disposal actions for a pesticide and/or containers or equipment associated with the pesticide.

"Waters" or "waters of the State" means the ocean and its estuaries, all springs, streams, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State or subject to its jurisdiction.

"When unattended" means a situation wherein the person or a knowledgeable employee of the person possessing a restricted use pesticide or container contaminated by residues of restricted use pesticides either is not present at the storage site or is present but is so located that he cannot immediately detect and respond if any unauthorized second party enters the storage site.

7:30-10.2 Community or areawide mosquito or fly applications

(a) No person shall apply any pesticide on a community or area-wide basis for the control of larval or adult forms of mosquitoes and/or flies (in the Order Diptera) unless the application is approved under the Bureau of Pesticide Control Mosquito Permit program.

(b) The provisions of this section do not apply to:

1. Applications for agricultural purposes; or
2. Programs conducted pursuant to the provisions of the Mosquito Extermination statutes (N.J.S.A. 29.9-1 et seq.)

(c) All mosquito and fly control applications must conform to the applicable guidelines of the department, or in the absence thereof, the application guidelines of the New Jersey Agricultural Experiment Station.

(d) Any person administering a community or areawide mosquito control program must contact and coordinate his program with any county mosquito control agency which exists in the county in which the application is to be made.

(e) A fee may be charged for each permit.

7:30-10.3 Aquatic use permits

(a) No person shall apply a pesticide to any waters of the State without having obtained approval for an aquatic application from the Bureau of Pesticide Control prior to the proposed date of application.

(b) An approval is not required if the application is made by a recognized water purveyor who is approved by the Bureau of Potable Water and who uses only copper sulfate or copper chelates during the application for the control of algae.

(c) An approval shall not be required if the application is to waters of the State which are not used as a source of potable water and:

1. The application is made to waters which have no outflow and which are bounded by land wholly owned or rented, and controlled, by one person; or
2. The application is made for the control of mosquitoes or flies and the application procedure requires approval pursuant to the provisions of N.J.A.C. 7:30-10.2(a) or by the appropriate lead agency operating under the provisions of the Mosquito Extermination Statutes (N.J.S.A. 26:9-1 et seq); or
3. The application is made to sanitary or storm sewers owned and maintained by any governmental body of this State or any agencies or instrumentalities thereof if the application is made by a properly certified and registered employee of said governmental agency; or
4. The application is made to drainage ditches with no water flow which are not used for any other purpose besides drainage.

(d) Applications for approval of an aquatic application must be made on forms supplied by the department at least 21 days prior to the proposed application date.

1. Any information requested on the form must be submitted.
2. The department may request any additional information which it deems necessary to evaluate the application.

3. The department may require the submission of a report addressing the effectiveness of the treatment and any environmental effects as a condition for approval.

4. The applicant must immediately notify the department of any proposed changes in the application and receive approval for such changes prior to the application.

(e) Failure to submit any requested information or the falsification of any information may result in the denial or revocation of an aquatic application approval; the aforementioned shall not constitute the only reasons for the denial or revocation of an approval.

(f) A fee may be charged for each permit.

(g) The department may exempt any person from the formal application provisions of (d) above if the department determines that such person has already satisfied the requirements necessary to obtain a permit.

(h) The department will respond to any application for approval of an aquatic pesticide application within 21 days after the department receives the information deemed necessary to evaluate the application.

7:30-10.4 Storage and pesticides

(a) Restricted use pesticides and containers contaminated by residues of restricted use pesticides shall, when unattended, be stored in a secure, locked enclosure. Such an enclosure shall bear prominently displayed warnings in English and any other language or languages as may be designated by the department.

(b) Any person who stores any pesticide must maintain a list of the pesticides stored or likely to be stored during the calendar year and must notify the local fire department of the location of the storage area; provided that the provisions of (b) of this section shall not apply to individuals who are storing pesticides for their own personal use on their private residence or persons who are storing pesticides for less than seven calendar days at loading or application sites in connection with their use.

1. The list must be updated annually.

2. The list must be kept at a location which is separate from the actual storage site.

7:30-10.5 Containers and containers labeling

(a) No person shall store, transport, or otherwise possess any pesticide if part or all of its registered label or labeling is missing, obscured, altered, unreadable or otherwise damaged beyond use or recognition. The provisions of this subsection shall not apply to pesticides in service containers, pesticides in the process or being mixed or applied, pesticides in the process of manufacturing or formulating, or pesticides in the possession of public officials of this State or Federal government while engaged in the performance of their official duties in administering State or Federal pesticide laws or rules and regulations.

(b) No person shall store, transport, or otherwise possess any pesticide in any service container or any rodent control bait box which is not locked or secured against tampering, or which is not in an inaccessible area, unless the service container or bait box has, attached to it, either a copy of the registered label that represents the pesticide contained therein or a readable label securely attached with the following information:

1. Brand or trade name (from the product label);
2. EPA Registration Number (from concentrate product label);
3. Name and percentage of active ingredients in the service container or bait box.
4. Appropriate signal word; i.e. Poison, Danger, Warning, Caution (from concentrate product label).

(c) No person shall place or keep any pesticide in any container commonly used for food, drink, or household products.

## 7:30-10.6 Pesticide use and/or application

(a) No person shall use or apply a pesticide in a manner inconsistent with its Federal or State registered label or labeling or restrictions as provided for in these regulations.

(b) No person shall transport, handle, store, mix or load any pesticide or pesticide container in a manner that causes or may tend to cause unreasonable adverse effects on man, property, or the environment.

(c) No person shall apply pesticides in a manner that either causes or may tend to cause unreasonable damage to non-target sites, unreasonable harm or injury to persons or property, or unreasonable adverse effects on the environment.

(d) No person shall directly apply any pesticide to a non-target site.

(e) No person shall make any application of a pesticide unless he takes all reasonable precautions, both prior to and during the application, to insure that individuals are not exposed to the pesticide.

(f) No person shall make an application of a pesticide to a target site in such a manner or under such conditions that drift which is avoidable through reasonable precautions infringes on a non-target site.

(g) No person shall clean or rinse containers or application equipment which holds or has held a pesticide in a manner that either causes or may tend to cause unreasonable adverse effects on man, property, or the environment.

(h) No person shall add water to any pesticide handling, storage, or application equipment via a hose, pump, or other equipment unless such hose, pump, or other equipment is fitted with an effective valve or device to prevent backflow of pesticides or liquids containing pesticides into water supply systems, streams, lakes, other sources of water or other areas; except that such backflow devices or valves are not required when the hose, pump, or other equipment is not allowed to contact or fall below the level of the liquid in the handling, storage, or application equipment to which water is being added and no other possible means of establishing a back-siphon or backflow exists.

(i) No person shall mix or apply or use a pesticide unless a readable copy of the registered label for the pesticide which is being mixed or applied is available at the application or mixing site.

(j) No person shall apply or use pesticides on a field or any other area used for agricultural purposes when persons other than those involved in the application or evaluation of the applied pesticide are in the area to which the pesticide is being applied; unless such persons have appropriate protective clothing and/or equipment.

## 7:30-10.7 Disposal

(a) No person shall dispose of pesticides, pesticide containers, or equipment that holds or has held a pesticide in a manner that causes or may tend to cause unreasonable adverse effects on man, property, or the environment.

(b) No person shall dispose of pesticides, pesticide containers, or equipment that holds or has held a pesticide in a manner that is in violation of rules and regulations of the Federal government or the State of New Jersey Office of Solid Waste Administration.

## 7:30-10.8 Pesticide application and safety equipment

(a) No person shall apply a pesticide unless the application equipment is properly maintained.

(b) No person shall apply a pesticide unless the application equipment is properly calibrated.

(c) All persons having employees who use, apply, transport, or otherwise handle any pesticide shall make available to such employees any necessary or appropriate safety equipment in good working order and shall train such employees in the proper operation of such safety equipment.

## 7:30-10.9 Notification—community or area wide applications

(a) No person shall apply any pesticide on a community or area-

wide basis unless prior notification of the proposed application has been given to persons residing in the proposed target site and within 200 feet of the outer limits of the proposed target site.

1. The notification can be made personally, by the person involved or by any person he designates to represent him, or through advertisement in at least two newspapers having the greatest likelihood of informing the public within the area of application.

2. The notification must be given at least 24 hours prior to the proposed application.

3. The notification must contain at least:

i. The time and date of the proposed application;

ii. The location of the application;

iii. The name, address, and registration number of the applicator business or the responsible pesticide applicator associated with the application;

iv. The brand name, EPA product registration number, and active ingredients of the pesticide to be used; and

v. Alternate application dates should be initially proposed application be postponed; provided that the alternate application dates shall not include more than five individual dates nor extend for period greater than 14 days after the initially proposed application date.

4. Any person who does not make an application on the original or alternate application dates must re-notify any affected person by using the procedures delineated in (a) of this section.

(b) The provisions of this section shall apply to any pesticide application which is made for the purpose of producing an agricultural commodity.

## 7:30-10.10 Notification—ornamental applications

(a) No person shall perform an outdoor ornamental pest control application utilizing hydraulic spraying equipment operating at a rate greater than 300 psi and 10 gpm, airblast sprayers, or aerial application equipment unless he has first:

1. Ascertained which residents, if any, having a property line with 100 feet of the target site desire notification.

2. Notified those persons as to the time and place of application, the active ingredient of the pesticide to be applied, and any precautions pertinent to the application which appear on the label for that pesticide; and

3. Allowed those persons a reasonable amount of time prior to the application to take any actions necessary to avoid exposure to the pesticide applied.

(b) The provisions of this section shall not apply to any application of pesticides made in an area where a local ordinance approved by the department provides for an alternate system of notification in cases of outdoor ornamental applications, providing the person applying the pesticide has obtained from the person required by the ordinance to give notification a written statement asserting that required notifications have been made.

(c) The provisions of this section shall not apply to any person required to supply advance notification pursuant to the provisions of N.J.A.C. 7:30-10.9.

## 7:30-10.11 Notification: apiarists

(a) No person shall make an outdoor application of a pesticide product which has information on its label or labeling noting that the product is toxic to bees unless such person first notifies, at least 24 hours prior to the application, each apiarist who:

1. Desires notification;

2. Maintains an apiary which is located within one-half mile of the target site; and

3. Has been registered with either the Department of Agriculture or the New Jersey Beekeepers Association for at least 15 days prior to the date of application.

(b) The notification may be given to the apiarist directly or, in the case of any apiarist registered with the New Jersey Beekeepers Association, through the local designated agent of the association; provided that that agent has agreed to make the required notification

## PROPOSALS

and has himself been given notification at least 72 hours prior to the intended application.

(c) The notification must include the following information:

1. The intended date of the application;
2. The approximate time of application;
3. The brand name of the pesticide to be applied;
4. The active ingredient of the pesticide to be applied;
5. The location of the land on which the application is to be made;

and

6. The name and certified pesticide applicator registration number of the responsible pesticide applicator.

(d) If the application date is changed so that the application will not occur on the intended date specified in the original notification of application but will be conducted during the next consecutive day, notification must be given to the individual apiarist as soon as reasonably possible but not later than 10:00 P.M. the night prior to the new application date.

(e) The department may alter the interval of time needed for notification if any person can demonstrate to the satisfaction of the department that an emergency situation has occurred and an immediate application is required to control a sudden and unexpected pest infestation and that time does not reasonably allow the giving of an advance 24-hour notice; provided, however, that notice of emergency applications shall be given to the apiarist himself as soon as reasonably possible before or after the application.

(f) If the owner or operator of an apiary does not choose to move, cover, or otherwise protect the apiary, the application may be made without delay; provided that such application complies with the pesticide labeling and any provisions of the Act or any rules and regulations promulgated thereunder.

(g) The provisions of this section shall not apply to any person using a general use pesticide on an aggregate area less than three acres on property which is owned or rented by him; provided that the application is not made with hydraulic spraying equipment operating at a rate greater than 300 psi and 10gpm, airblast sprayers, or aerial equipment.

(h) Any person required to notify apiarists pursuant to the provisions of this section shall not be responsible for notifying any apiarist who cannot be notified because:

1. The State of New Jersey Department of Agriculture and the New Jersey Beekeepers Association have failed to provide information deemed necessary by the department for such notification; or
2. The New Jersey Beekeepers Association has failed to or been unable to notify any apiarist after agreeing to do so.

(a)

## DIVISION OF ENVIRONMENTAL QUALITY

### Office of Pesticide Control

#### Rule Pre-Proposal: Guidelines for the Adoption of Pesticide Control Ordinances, Rules or Regulations by a State Municipality, County or Board of Health.

**Public Hearing:** August 19, 20 and 23, 1982

TAKE NOTICE that Robert E. Hughey, Commissioner of the Department of Environmental Protection, pursuant to his authority to regulate the authority of the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.), has authority to review and approve pesticide ordinances, rules or regulations of State municipalities,

## ENVIRONMENTAL PROTECTION

counties or boards of health pursuant to N.J.S.A. 13:1F-13 and his rulemaking authority pursuant to N.J.S.A. 13:1F-5 will conduct preliminary hearings with respect to the initiation of subsequent rulemaking proceedings covering the standards which the department will apply in the review and approval of all local pesticide control ordinances submitted to it for review pursuant to N.J.S.A. 13:1F-13.

**Interested persons** may submit in writing, data, views or arguments relevant to this proposal on or before August 23, 1982 to:

Raymond Ferrarin, Acting Chief  
Office of Pesticide Control  
Division of Environmental Quality  
CN 027  
Labor and Industry Building, Room 1108  
Trenton, New Jersey 08625

**Interested persons** may present comments, statements or arguments at the public informational hearings at the following locations and at the following times:

August 19, 1982: Morris County College, Auditorium  
Center Grove Road  
Randolph Township, Morris County  
2:00 P.M. to 9:00 P.M.

August 20, 1982: Rider College, Student Center Theatre  
2083 Lawrenceville Road (Route 206)  
Trenton, Mercer County  
2:00 P.M. to 9:00 P.M.

August 23, 1982: Vineland Municipal Building  
Council Chambers  
7th and Wood Streets  
Vineland, Cumberland County  
2:00 P.M. to 9:00 P.M.

Hearings may be held on such other dates and at such other locations as may be deemed necessary by the Commissioner.

This is a notice of pre-proposal for a rule (see N.J.A.C. 1:30-3.2). Any rule concerning the subject of this pre-proposal must still comply with the rulemaking provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Office of Administrative Law's Rule for Agency Rulemaking, N.J.A.C. 1:30.

This pre-proposal is known as PPR 1982-6.

A set of standards which will be the basis for discussion are as follows:

#### 1. DEFINITIONS

The following words and terms, when used in an ordinance, shall have the following meanings:

"Act" means the Pesticide Control Act of 1971 (N.J.S.A. 13:1F-1 et seq.) as amended.

"Agricultural commodity" means any plant or part thereof, or animal, or animal product, produced by a person (including farmers, ranchers, vineyardists, plant propagators, Christmas tree growers, aquaculturists, floriculturists, orchardists, foresters, or other comparable persons) primarily for sale, consumption, propagation, or other use by man or animals.

"Certified and registered responsible pesticide applicator" means any responsible pesticide applicator who is certified and registered pursuant to the provisions of either N.J.A.C. 7:30-6 (Commercial Pesticides Applicators) or N.J.A.C. 7:30-8 (Private Pesticide Applicators).

"Commercial pesticide applicator" means any person (whether or not he is a private pesticide applicator with respect to some uses) who uses or supervises the use of any pesticide for any purpose or on any property other than as provided by the definition of "private pesticide applicator".

"Commercial pesticide operator" means any person who applies

pesticides by equipment other than aerial under the direct supervision of a responsible commercial pesticide applicator.

"Community or areawide" means any pesticide application performed on aggregated areas greater than three acres of land which is part of a pest control program administered by a governmental agency or which is contracted for or performed by one person who has control over the use of the land to which the pesticide is applied.

"Ornamental" means trees, shrubs, and other planting in and around habitations generally, but not necessarily located in urban and suburban areas, including residences, parks, streets, retail outlets, industrial and institutional buildings.

"Person" means and shall include corporations, companies, associations, societies, firms, partnerships, and joint stock companies as well as individuals, and shall also include all political subdivisions of this State or any agencies or instrumentalities thereof.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator.

"Pesticide applicator business" means for the purposes of this subchapter any person who either wholly or in part holds himself out for hire to apply pesticides in the State of New Jersey.

"Private pesticide applicator" means any person who uses or supervises the use of any pesticide for purposes of producing any agricultural commodity on property owned or rented by him or his employer or, if applied without compensation other than trading of personal services between producers of agricultural commodities, on the property of another person.

"Proper enforcement personnel" means any official designated by the municipality whose duties are to enforce the rules and regulations promulgated under the ordinance.

"Responsible pesticide applicator" means any individual who is accountable for the use of a pesticide by himself or any person under his direct supervision.

"Restricted use pesticide" means any pesticide or pesticide use so classified under the provisions of N.J.A.C. 7:30-2, or so classified by the Administrator of the United States Environmental Protection Agency.

"State regulations" means pesticide rules and regulations promulgated under the Act.

"Target site" means the specific location, thing or organism including but not limited to any crop, commodity, vehicle, article, object, surface, organism (including man), delineated field or area, or structure or a part thereof, that is intended to be treated by a pesticide so that any pest(s) therein or thereon are controlled, killed or detrimentally affected. This term does not include any similar site which was not a part of the original agreement between the contracting parties even if such site is included on the labeling of the pesticide.

## 2. COMMERCIAL PESTICIDE OPERATOR

(a) No person shall engage in the activities of a commercial pesticide operator without having satisfied the applicable requirements established by the New Jersey Department of Environmental Protection and having obtained a valid pesticide operator registration issued by that department.

(b) Each commercial pesticide operator shall at all times have in his/her possession the valid registration card and shall produce it upon request by proper enforcement personnel.

## 3. COMMERCIAL PESTICIDE APPLICATOR

(a) No person shall engage in the activities of a commercial pesticide applicator without having satisfied the applicable

requirements established by the New Jersey Department of Environmental Protection and having obtained a valid commercial pesticide applicator registration issued by that department.

(b) Each commercial pesticide applicator shall at all times have in his/her possession the valid registration card and shall produce it upon request by proper enforcement personnel.

(c) All commercial pesticide applicators must keep records of each application of pesticides in accordance with provisions of State regulations. Such records shall be made available to all proper enforcement personnel.

## 4. PESTICIDE APPLICATOR BUSINESS

(a) No pesticide applicator business shall operate in (municipality) without first meeting the provisions of State regulations. The business regulation number shall be made available upon request of proper enforcement personnel.

(b) The pesticide applicator business must keep records of each application of pesticides in accordance with provisions of State regulations. Such records shall be made available to all proper enforcement personnel.

## 5. PRIVATE PESTICIDE APPLICATOR

(a) No person shall engage in the activities of a private pesticide applicator without having satisfied the applicable requirements established by the New Jersey Department of Environmental Protection and having obtained a valid private pesticide applicator registration issued by that department.

(b) The valid registration card shall be made available within 24 hours of the request of proper enforcement personnel.

(c) All private pesticide applicators must keep records of each application of pesticides in accordance with provisions of State regulations. Such records shall be made available to all proper enforcement personnel.

## 6. STORAGE OF PESTICIDES

No person shall store restricted use pesticides without first meeting the applicable provisions of State regulations.

## 7. PESTICIDE EQUIPMENT

No person shall add water to pesticide handling, storage, or application equipment via a hose, pump or other equipment unless such equipment is fitted with an effective valve or device to prevent backflow of pesticides into water supply systems, streams, lakes, or other sources of water or other areas.

## 8. SAFETY EQUIPMENT

All persons having employees who use, apply, transport or otherwise handle any pesticide shall make available to such employees any necessary and appropriate safety equipment in good working order and shall train such employees in the proper operation of such safety equipment.

## 9. NOTIFICATION – COMMUNITY OR AREAWIDE APPLICATIONS

(a) No person shall apply any pesticide on a community or areawide basis unless a prior notification of the proposed application has been given to persons residing in the target site and within 200 feet of the outer limits of the proposed target site.

1. The notification may be made personally by the person involved or any person he designates to represent him or through advertisement in at least two newspapers having the greatest likelihood of informing the public within the area of application.

2. The notification must be given at least 24 hours prior to the proposed application.

3. The notification must contain at least:

- i. The time and date of the proposed application;
- ii. The location of the application;
- iii. The name, address, and registration number of the applicator business or the responsible pesticide applicator associated with the application;

iv. The brand name, active ingredient, and EPA product registration number of the pesticide to be used; and

v. Alternate application dates should the initially proposed application be postponed; provided that the alternate application dates shall not include more than five individual dates nor extend for a period of time which is more than 14 days after the initially proposed application date.

4. Any person who does not make an application on the original or alternate application dates must re-notify any affected person by using the procedures delineated in (a) of this section.

(b) The provisions of this section shall not apply to any pesticide applications which are made for the purposes of producing any agricultural commodity.

**10. NOTIFICATION: ORNAMENTAL APPLICATIONS**

(a) No person shall allow an outdoor ornamental pest control application utilizing hydraulic spraying equipment operating at a rate greater than 300 psi and 10 gpm, airblast sprayers, or aerial application equipment to be performed on property owned or controlled by him unless he has first:

1. Ascertained which residents, if any, having a property line within 200 feet of the target site desire notification and are entitled to notification pursuant to (c) below; and

2. Notified those persons at least 24 hours prior to the application as to: the date, approximate time, and place of application; the name and registration number of the applicator responsible for the application; the active ingredient of the pesticide to be applied along with any precautions pertinent to the application which appear on the label for that pesticide.

(b) Any person required to provide notification according to (a) above shall be responsible for providing proof that the appropriate notification(s) have been given should the municipality request such verification. Proof of notification may include receipt of certified mailing, whether accepted or refused by the resident desiring notification, although such receipt is not a requirement if other means of proof are available.

(c) To be entitled to notification of outdoor ornamental applications as outlined in this ordinance, a person shall register annually with the town clerk. Such person must be registered for 15 days before being entitled to notification.

(d) The town clerk shall make the list of names and addresses of persons desiring notification available upon request.

(e) No commercial pesticide applicator or commercial pesticide operator shall perform an outdoor ornamental pest control application utilizing hydraulic spraying equipment operating at a rate greater than 300 psi and 10 gpm, airblast sprayers or aerial application equipment unless first provided the property owner or person controlling the use of the land with a written statement outlining that person's responsibilities as delineated in (a) above, and the details of the intended application which are required to be relayed, pursuant to (a)2 above, to persons desiring notification. The commercial pesticide applicator or operator shall retain a copy of this statement which has been signed by the property owner or person controlling the use of the land for a period of two years following the application.

(f) If the application date is changed so that the application will not occur on the intended date specified in the original notification of application but will be conducted during the next consecutive day, a new notification must be given to parties originally notified as soon as reasonably possible but not later than 10:00 P.M. of the night prior to the new application date.

(g) Any person may allow an outdoor ornamental pest control application without allowing for the 24 hour notification period required in (a) above providing:

1. The property owner or person controlling the use of the land has signed the written statement as provided in (e) above which shall be retained in the responsible pesticide applicator's possession; and

2. The property owner or person controlling the use of the land

or any person designated to act on his behalf has personally notified and obtained the consent of all persons desiring notification and allowed them any reasonable amount of time prior to the application to take necessary actions which would normally be taken to avoid exposure to the application.

(h) The commercial pesticide applicator or commercial pesticide operator is not responsible or liable for any actions resulting from the failure of the contracting party to fulfill his obligations as delineated in this section of:

1. The commercial pesticide applicator or operator has complied with the provisions of (e) above in accurately notifying and providing information to the property owner or person controlling the use of the land; and

2. The commercial pesticide applicator or operator allows all persons desiring notification the time to take necessary actions as per (g)2 above.

(i) The provisions of this section shall not apply to any person required to supply any advance notification pursuant to the provisions of section 9 of this ordinance.

(j) After a proper notification has been given, the application may be made without delay, provided that such application complies with the pesticide labeling and any provisions of the ordinance or of the Act or any rules or regulations promulgated thereunder.

**11. NOTIFICATION: APIARISTS**

(a) No person shall make an outdoor application of a pesticide product which has information on its label or labeling noting that the product is toxic to bees unless such person first notifies, at least 36 hours prior to the application, each apiarist who:

1. Desires notification;

2. Maintains an apiary which is located within one-half mile of the target site; and

3. Has been registered with either the Department of Agriculture or the New Jersey Beekeepers Association for at least 15 days prior to the date of application.

(b) The notification may be given to the apiarist directly or, in the case of any apiarist registered with the New Jersey Beekeepers Association, through the local designated agent of the association; provided that that agent has agreed to make the required notification and has himself been given notification at least 72 hours prior to the intended application.

(c) The notification must include the following information:

1. Intended date of the application;

2. Approximate time of application;

3. Brand name of the pesticide to be applied;

4. Active ingredient of the pesticide to be applied;

5. Location of the land on which the application is to be made; and

6. Name and registration number of the applicator responsible for the application.

(d) If the application date is changed so that the application will not occur on the intended date specified in the original notification of application but will be conducted during the next consecutive day, notification must be given to the individual apiarist as soon as reasonably possible but not later than 10:00 p.m. the night prior to the new application date.

(e) The municipality may alter the interval of time needed for notification if the Department of Environmental Protection, Department of Agriculture, or the Rutgers Extension Service indicate that an emergency situation has occurred and an immediate application is required to control a sudden and unexpected pest infestation but time does not reasonably allow the giving of an advance 24-hour notice; provided, however, that notice of emergency applications shall be given to the apiarist himself as soon as reasonably possible before or after the application.

(f) If the owner or operator of an apiary does not choose to move, cover, or otherwise protect the apiary, the application may be made without delay; provided that such application complies with the pesticide labeling and any provisions of the ordinance or the Act or any rules and regulations promulgated thereunder.

(g) The provisions of this section shall not apply to any person using a general use pesticide on an aggregate area less than three acres on property which is owned or rented by him; provided the application is not made with hydraulic equipment operating at a rate greater than 300 psi and 10gpm, airblast sprayers, or aerial equipment.

(h) Any person required to notify apiarists pursuant to this section shall not be responsible for notifying any apiarist who cannot be notified:

1. Because of the Department of Agriculture and the New Jersey Beekeepers Association have failed to provide information deemed necessary by the department for such notification; or
2. Because the New Jersey Beekeepers Association has failed to or been unable to notify the apiarist after agreeing to do so.

12. VIOLATION OF THE ORDINANCE

Any person violating any provision of this ordinance shall be subject to appropriate enforcement actions as determined by the municipality. A copy of the report of such enforcement actions, once complete, will be forwarded to the New Jersey Bureau of Pesticide Control.

13. FINE SCHEDULE

Penalties levied under the provisions of this ordinance shall be limited to the following MAXIMUM fine for each offense:

Section	1st Offense	2nd Offense	3rd and Subsequent Offenses
1	Not Applicable N/A	N/A	N/A
2(a)	\$25	\$50	\$200
(b)	\$25	\$25	\$ 25
3(a)	\$50	\$100	\$500
(b)	\$25	\$25	\$ 25
(c)	\$25	\$50	\$100
4(a)	\$50	\$100	\$250
(b)	\$25	\$50	\$100
5(a)	\$25	\$50	\$100
(b)	\$25	\$25	\$ 25
(c)	\$25	\$50	\$100
6	\$50	\$100	\$500
7	\$50	\$200	\$500
8	\$50	\$200	\$500
9(a)	\$50	\$250	\$500
(b)	N/A	N/A	N/A
10(a)	\$25	\$50	\$ 50
(b)	\$10	\$25	\$ 50
(c)	N/A	N/A	N/A
(d)	N/A	N/A	N/A
(e)	\$50	\$100	\$250
(f)	\$25	\$50	\$ 50
(g)	\$25	\$50	\$ 50
(h)	N/A	N/A	N/A
(i)	N/A	N/A	N/A
(j)	N/A	N/A	N/A
11(a)	\$50	\$100	\$250
(b)	N/A	N/A	N/A
(c)	\$25	\$50	\$100
(d)	\$50	\$100	\$250
(e)	N/A	N/A	N/A
(f)	N/A	N/A	N/A
(g)	N/A	N/A	N/A
(h)	N/A	N/A	N/A

The municipality shall refer any person committing a fourth offense of a section of the ordinance to the New Jersey Bureau of Pesticide Control for appropriate enforcement action.

HEALTH

(a)

DIVISION OF HEALTH FACILITIES EVALUATION

Residential and Inpatient Drug Treatment Facilities Standards for Licensure

Proposed Readoption: N.J.A.C. 8:42-2

Authorized By: Shirley A. Mayer, M.D., M.P.H.,  
Commissioner, Department of Health (with Approval of Health Care Administration Board).  
Authority: N.J.S.A. 26:2H-1 et seq. (N.J.S.A. 26:2H-5).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Dr. Solomon Goldberg, Director  
Licensing, Certification and Standards  
Division of Health Facilities Evaluation  
N.J. Department of Health  
CN 367  
Trenton, New Jersey 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The readoption becomes effective upon acceptance for filing by the Office of Administrative Law.

This proposal is known as PRN 1982-288.

The agency proposal follows:

Summary

The current text of N.J.A.C. 8:42-2 is scheduled to expire on November 9, 1982, pursuant to Executive Order No. 66 (1978). The proposed readoption for one year of N.J.A.C. 8:42-2 will allow the Standards for Licensure of Residential and Inpatient Drug Treatment Facilities to remain in effect from November 9, 1982, to November 9, 1983. This will provide additional time for the thorough evaluation of the standards by concerned persons and facilities and for revision of the standards. **The proposed readoption does not include any changes in the current text.**

Social Impact

There is no social impact since the proposed readoption does not constitute a change in the licensure standards for residential and inpatient drug treatment facilities.

Economic Impact

There is no economic impact since the proposed readoption does not constitute a change in the licensure standards for residential and inpatient drug treatment facilities.

Full text of the rules proposed for readoption appear in the New Jersey Administrative Code. Copies of the rules can be obtained from:

Dr. Solomon Goldberg, Director  
Licensing, Certification and Standards  
Division of Health Facilities Evaluation  
N.J. Department of Health  
CN 367  
Trenton, N.J. 08625



(a)

**DIVISION OF PUBLIC WELFARE**

**Public Assistance Manual  
Legally Responsible Relatives (LRRs)**

**Proposed Amendment: N.J.A.C. 10:81-3.35**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director  
Division of Public Welfare  
CN 716  
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-300.

The agency proposal follows:

**Summary**

This proposal merely updates and brings into conformity a reference which has been superseded by N.J.S.A. 44:1-140 which established up to 18 years of age as the legal requirement for support of poor persons by relatives.

**Social Impact**

Because the county welfare agencies have, of necessity, been following the law directly, this change will make no difference in the approach to legally responsible relatives or in behavior toward those relatives. Hence, any social impact was the result of the change in statute, not of this regulation adjustment.

**Economic Impact**

Because the county welfare agencies have, of necessity, been following the law directly, this change will make no difference in the amount of support sought or the amount collected. Hence, any economic impact was the result of the change in statute, not of this regulation adjustment.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:81-3.35 Legally responsible relatives (LRRs)

(a) (No change.)  
(b) The county welfare agency director is authorized under specified circumstances to apply to the appropriate court for a support order. In cases where a court order appears to be the only means of insuring consistent and actual support, the applicant/recipient may elect to receive from the county welfare board the grant for which he/she is eligible and request the county welfare board to collect the support payments (see N.J.A.C. 10:81-3.36). The applicant must be fully informed of the provisions and their implications:

1. The following chart identifies relatives who are recognized as legally responsible under AFDC and Medical Assistance (MA) programs:

**LEGALLY RESPONSIBLE  
RELATIVE**

**PROGRAM  
AFDC MA**

Spouse	x	x
Child under age 55	x	
Parent of a child under [21] 18 or of a child over age 18 who is not an AFDC parent or parent-person	x	x
[Parent under age 55 of child 21 or over (c)-(g) (No change.)	x]	

(b)

**DIVISION OF PUBLIC WELFARE**

**Assistance Standards Handbook  
Relatives as a Resource**

**Proposed Amendments: N.J.A.C. 10:82-3.8**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director  
Division of Public Welfare  
CN 716  
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-299.

The agency proposal follows:

**Summary**

This proposal merely updates and brings into conformity a reference which has been superseded by N.J.S.A. 44:1-140 which established up to 18 years of age as the legal requirement for support of poor persons by relatives.

**Social Impact**

Because the county welfare agencies have, of necessity, been following the law directly, this change will make no difference in the approach to legally responsible relatives or in behavior toward those relatives. Hence, any social impact was the result of the change in statute, not of this regulation adjustment.

**Economic Impact**

Because the county welfare agencies have, of necessity, been following the law directly, this change will make no difference in the amount of support sought or the amount collected. Hence, any economic impact was the result of the change in statute, not of this regulation adjustment.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:82-3.8 Relatives as a resource

(a) The following table indicates the legally responsible relatives

(LRRs) in each program to whom the policies and standards in this section apply:

Legally responsible relative	Program	
	AFDC	MA
Spouse	x	x
Child under age 55	x	
Any parent of a child under [21] 18 or of a child over age 18 who is not an AFDC parent or parent-person	x	x
[Parent under age 55 of child 21 or over (c)-(g) (No change.)	x]	

**(a)**

**DIVISION OF PUBLIC WELFARE**

**General Assistance Manual  
Single Persons Under Age 18**

**Proposed Amendment: N.J.A.C. 10:85-3.1**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:8-111(d).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director  
Division of Public Welfare  
CN 716  
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-302.

The agency proposal follows:

**Summary**

This proposal amends the area of the General Assistance Manual which refers to the Aid to Families with Dependent Children (AFDC) program in order to conform with AFDC changes resultant of the Federal Omnibus Reconciliation Act.

**Social Impact**

There is no social impact associated with this amendment since its sole intent is to update information relevant to the AFDC program for referral purposes by the General Assistance Director.

**Economic Impact**

No change in dollar flow will occur as a result of the amendments; thus, there is no economic impact.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

- 10:85-3.1 Persons eligible for General Assistance.  
(a)-(d) (No change.)  
(e) Rules concerning eligibility of young people are as follows:

1. Single persons under age 18: Assistance is provided through the AFDC program for needy families with children under age 18 [(in AFDC-C and F segments, under 21 if the child is attending school)] **(or in certain situations under age 19 if the child is attending secondary school/vocational training)**. Therefore, when an unmarried individual under age 18 applies for [g]General [a]Assistance, the MWD shall make every effort to locate the family and refer it and the child to the appropriate county welfare agency.

- 2.-3. (No change.)  
(f) (No change.)

**(b)**

**DIVISION OF PUBLIC WELFARE**

**General Assistance Manual  
Cuban/Haitian Entrant Program; Refugee  
Resettlement Program**

**Proposed Amendment: N.J.A.C. 10:85-8.2**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:8-111(d).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director  
Division of Public Welfare  
CN 716  
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-301.

The agency proposal follows:

**Summary**

These proposals amend the General Assistance Manual in areas which identify and refer to the eligibility of various refugee groups for Federally funded assistance programs.

**Social Impact**

Theses amendments will have no social impact since their sole intent is to update information relevant to federally funded refugee assistance programs for referral purposes by the General Assistance Director.

**Economic Impact**

Since these changes are only informational in nature, there will be no economic impact.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

- 10:85-8.2 Referral to county welfare agency  
(a)-(b) (No change.)  
(c) **County welfare assistance programs:** Programs administered by the county welfare agency include the following:  
1.-4. (No change.)  
5. Cuban [Refugee Assistance]/**Haitian Entrant Program:** This

Federal program offers cash benefits and medical care to eligible families who have recently immigrated to the United States from Cuba or Haiti.

i. Eligibility requirements: Eligibility requirements [for this program are described in detail in Appendix A of the Public Assistance Manual] are available from the county welfare agency.

6. [Indochinese]Refugee Resettlement Program: This Federal program offers cash benefits and medical care to eligible families who have recently come to the United States from [Vietnam, Cambodia and Laos] countries such as, but not limited to, Vietnam.

i. Eligibility requirements: Eligibility requirements [for this program] are available from the [Division of Public Welfare] county welfare agency.

(a)

DIVISION OF PUBLIC WELFARE

Medicaid Only Manual
Payment of Burial and Funeral Expenses

Proposed Amendment: N.J.A.C. 10:94-7.5

Authorized By: George J. Albanese, Commissioner, Department of Human Services. Authority: N.J.S.A. 44:7-87.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

G. Thomas Riti, Director
Division of Public Welfare
CN 716
Trenton, New Jersey 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-303.

The agency proposal follows:

Summary

This proposal deletes reference to procedures to be followed in authorizing payment of burial and funeral expenses, pending issuance of the Special Payments Handbook for the Aged, Blind and Disabled. Inasmuch as the handbook has been issued, the reference is obsolete.

Social Impact

There is no social impact associated with the proposal since it merely deletes an obsolete reference.

Economic Impact

There will be no economic impact since the proposal is non-economic in nature.

Full text of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

10:94-7.5 Payment of burial and funeral expenses

The county welfare board is directed, under certain situations, to provide payments for burial and funeral expenses on behalf of

Supplemental Security Income (SSI) and adult "Medicaid Only" recipients, as well as former Old Age Assistance, Disability Assistance and Assistance for the Blind recipients. The procedure authorizing these payments is in [Chapter 300, Payment of Burial and Funeral Expenses, in the Handbook - Special Payments for the Aged, Blind and Disabled. (Until that document is available, refer to authorization contained in Circular Letter No. 73-12-1, issued by the Division of Public Welfare on 12/4/73)] N.J.A.C. 10:100-3.3 through 3.9 (Special Payments Handbook; Aged, Blind and Disabled).

(b)

DIVISION OF YOUTH AND FAMILY SERVICES

Child Care
Manual of Standards for Child Care Centers

Proposed Amendments: N.J.A.C. 10:122-4.1, 4.3, 4.6 and 4.7

Proposed New Rules: N.J.A.C. 10:122-4.4 and 4.5

Authorized By: George J. Albanese, Commissioner, Department of Human Services. Authority: N.J.S.A. 18A:70-1 through 9.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Richard Crane, Chief
Bureau of Licensing
Division of Youth and Family Services
One South Montgomery Street
CN 717
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-304.

The agency proposal follows:

Summary

This proposal supersedes the proposal known as PRN 1982-85, and published in the March 1, 1982 Register as 14 N.J.R. 223(a).

The proposed amendments to the State child care center licensing regulations strengthen and improve the staff qualification requirements for the positions of head teacher and group teacher in a licensed center, while, at the same time, provide additional options by which a center may meet these requirements. In addition, the proposed changes require for the first time the use of full-time head teachers or group teachers for certain program types and sizes of centers and significantly restrict the use of consulting (less than full-time) head teachers. The amendments also prescribe specific duties and visitation requirements for consulting head teachers.

Under the existing regulations, there are two options available for meeting the head teacher qualification requirements for centers with a pre-school program and three options available for meeting the head teacher qualification requirements for centers with drop-in or night care programs. The proposed amendments provide additional

options for meeting the head teacher qualification requirements for centers with pre-school, drop-in, or night care programs by: (1) allowing for conditional approval of a head teacher candidate under certain conditions, provided that the candidate meets the qualification requirements fully within six months; and (2) recognizing in Montessori centers two official Montessori credentials.

Under the existing regulations, there are two options available for meeting the group teacher qualification requirements for centers with a pre-school program and three options available for meeting the group teacher requirements for centers with drop-in or night care programs. The proposed amendments provide additional alternatives for meeting the group teacher qualification requirements for centers with pre-school, drop-in or night care programs by: (1) allowing for conditional approval of a group teacher candidate under certain conditions, provided that the candidate meets the qualification requirements fully within six months; and (2) recognizing the Child Development Associate (CDA) credential.

Under the existing regulations, all centers, regardless of program type or size (number of children served), may utilize a consulting (less than full-time) head teacher. The proposed amendments greatly strengthen the existing regulations by: (1) requiring all centers with a special needs program serving from 6 to 180 children to utilize a full-time head teacher and all centers with a special needs program serving more than 180 children to utilize two full-time head teachers; (2) requiring all centers with pre-school, drop-in or night care programs serving more than 60 children to utilize a full-time head teacher and all centers with pre-school, drop-in or night care programs serving more than 180 children to utilize two full-time head teachers; (3) requiring all new and existing centers with pre-school, drop-in or night care programs serving from 31 to 60 children to utilize a full-time head teacher. However, existing centers of this size that were using a consulting (less than full-time) head teacher as of January 1, 1982 could use either (a) a consulting (less than full-time) head teacher and a full-time group teacher, or (b) a consulting (less than full-time) head teacher and a full-time staff member who must meet certain educational or experience requirements. This option would be allowed only until July 1, 1985, at which point such centers would have to utilize a full-time head teacher; (4) requiring all new and existing centers with pre-school, drop-in or night care programs serving from 16 to 30 children to utilize a full-time head teacher or a consulting (less than full-time) head teacher and a full-time group teacher. However, existing centers of this size that were using a consulting (less than full-time) head teacher as of January 1, 1982 could use a consulting (less than full-time) head teacher and a full-time staff member who must meet certain educational or experience requirements. This option would be allowed only until July 1, 1985, at which point such centers would have to utilize a full-time head teacher or a consulting (less than full-time) head teacher and a full-time group teacher; and (5) permitting centers with pre-school, drop-in or night care programs serving from 6 to 15 children to meet the head teacher requirements by using either a full-time head teacher, a full-time group teacher or a consulting (less than full-time) head teacher.

In addition, the proposed amendments strengthen considerably the responsibilities and visitation requirements governing consulting (less than full-time) head teachers by: (1) requiring a consulting head teacher to visit and observe the center at least twice a month, review program plans, schedules and curricula, discuss the program with center staff, and devote at least one of the two required monthly visits to staff training. (At present, consulting head teachers are not required to visit the center at all and there are no requirements governing the consulting head teacher's obligations and duties while at the center); and (2) requiring those centers permitted to utilize a consulting head teacher to document and record their visits. (At present, no such requirement exists).

Finally, the proposed amendments: (1) promote opportunities for center staff training and development; (2) recommend the use of a

bilingual staff member in a center where 50 percent or more of the children have limited English proficiency; and (3) recommend that centers of all program types serving more than 30 children should utilize a full-time group teacher for every 30 children beyond the first 30 children.

The proposed amendments will become operative on January 1, 1983 in order to allow child care center sponsors a reasonable period of time to familiarize themselves with these new rules and to take the necessary steps to come into compliance with them.

#### Social Impact

The proposed amendments will have a positive social impact on the children attending some 1,500 child care centers required to be licensed in accordance with N.J.S.A. 18A: 70-1 to 9 by strengthening the staff qualification requirements for head teacher and group teacher and, at the same time, expanding the number of options available to child care center staff for meeting the requirements under the licensing regulations.

#### Economic Impact

In preparing these revisions to the rules, the Division's Bureau of Licensing conducted a careful assessment of the potential impact of the changes on child care centers subject to licensure. That assessment revealed that the proposed amendments should have no economic impact on the majority of child care centers and, at most, a minimal economic impact on some child care centers. Since the revised regulations offer an increased number of options for achieving conformity with staff qualification requirements of the licensing regulations and include a "grandfather clause" allowing certain existing centers a two-year period of time to meet the revised standards, the vast majority of child care centers now licensed by the Division will be able to comply with the proposed revisions without having to hire additional staff or having to replace existing staff. A small number of centers (primarily those serving more than 60 children) may need to take additional steps to meet the revised staff qualification requirements; however, these centers, because of their large enrollments and higher revenues, are expected to have the necessary financial resources to achieve compliance without suffering economic hardship.

To reassess the economic impact of these amendments on child care centers subject to licensure, the Bureau of Licensing will initiate in September, 1985 a review of all child care center staffing requirements to determine whether any changes or adjustments are appropriate at that time. This review, to be conducted in consultation with representatives of licensed child care centers and other interested parties, will extend to staff qualification requirements, as well as to the number of credentialed staff in relation to the numbers and ages of children served.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

### SUBCHAPTER 4. STAFF REQUIREMENTS

#### 10:122-4.1 [Basic information] **General requirements for staff**

(a) Every center shall have a director who is responsible for the actual operation and management of the center. The director may also serve as the head teacher, providing she/he possesses the qualifications for that position as listed in N.J.A.C. 10:122-4.3(a). The director shall be qualified by demonstrated professional knowledge, training and experience to fulfill the responsibilities and duties of the position and shall:

1. Set up and supervise the program; and

2. Supervise and approve the selection, training and evaluation of staff, and delegate responsibility, as necessary, to appropriate qualified staff members.

(b) Every center shall have a head teacher, as prescribed in section 3(a) of this subchapter, who shall be responsible for developing and

implementing the center's educational, child development and activities program and for supervising the implementation of the program.

(c) A person who teaches under the supervision of head teacher shall be a group teacher, as prescribed in section 3(b) of this subchapter.

(d) A person who assists the head teacher and/or group teacher in teaching, supervising, and/or caring for children in a group program shall be an assistant, as prescribed in section 3(c) of this subchapter.]

[(e)](a) [The director and e]Every staff member shall:  
1.-5. (No change.)

[(f)] (b) A staff member's failure to comply with the ["above-noted"] requirements **as specified in (a) above** and/or any evidence demonstrating a staff member's unfitness or unsuitability to fulfill the responsibilities and duties or his/her position or to serve or deal with children in an appropriate manner shall constitute grounds for removal of such staff member from his/her position, termination from the job, and suspension or revocation of the center's license, or all of the above. Evidence of conviction [from] **for** crimes of violence, anti-social behavior, moral turpitude and/or child abuse/neglect/ exploitation shall be among those actions suggesting evidence of a staff member's unfitness and unsuitability to serve in a staff position in a center.

[(g)] (c) The Bureau shall make every effort to insure that the director meets the [above criteria] **requirements as specified in (a) and (b) above** and the director[, in turn,] shall be responsible for insuring that all staff members of the center [likewise] meet the [above-noted criteria] **requirements as specified in (a) and (b) above**. The director's failure to do so shall constitute grounds for his/her termination from the center or revocation of the center's license or both.

10:122-4.3 [Staff qualifications] **Education and experience requirements for staff**

[(a) The head teacher shall possess, as a minimum, the qualifications listed below for the appropriate program category:

1. Pre-school program:
  - i. The head teacher shall:
    - (1) Hold a New Jersey nursery school certificate;
    - (2) Have had at least two years teaching experience in an approved nursery school as a teacher; or
  - ii. The head teacher shall:
    - (1) Hold a New Jersey Teacher's Certificate with a nursery school endorsement, based on six semester hour credits or specialized nursery school training as specified in the rule;
    - (2) Have had at least two years teaching experience in an approved nursery school (under a qualified nursery school teacher).
2. Drop-in and night care programs:
  - i. The head teacher shall:
    - (1) Meet the pre-school program head teacher qualifications as stated in paragraph 1 of this subsection; or
    - (2) Possess a bachelor's degree in early childhood education, elementary education, psychology, social work, nursing or any other field related to child growth and development, and have had at least two years of teaching experience in a group program for pre-school age children.
  3. Special needs program:
    - i. The head teacher shall:
      - (1) Possess a New Jersey Teacher of the Handicapped Certificate, as specified by the Department of Education's rules with regard to this credential, and have had at least two years of teaching experience in a group program for pre-school age children; or
      - (2) Possess a bachelor's degree in special education and have had at least two years of teaching experience in a group program for pre-school age children; or
      - (3) Possess a New Jersey Nursery School Teacher's Certificate and have had at least two years of teaching experience in a group program for pre-school age children with special needs.

(b) A group teacher shall possess, as a minimum, the qualifications listed below for the appropriate program category:

1. Pre-school program:
    - i. A group teacher shall:
      - (1) Have had two full years of college work;
      - (2) Have had 15 semester hours of college work in the areas of nursery school curriculum and child development;
      - (3) Have had one year teaching experience as an assistant or as a student teacher in an approved nursery school; or
    - ii. A group teacher shall:
      - (1) Have had 15 semester hours of college work in early childhood education, including child development and curriculum, and be enrolled in a college program;
      - (2) Have had two years experience as an assistant in an approved nursery school (under a qualified nursery school teacher).
  2. Drop-in and night care programs:
    - i. A group teacher shall:
      - (1) Meet the pre-school program group teacher qualifications as stated in (b)1 above; or
    - ii. A group teacher shall:
      - (1) Have had two full years of college work;
      - (2) Have had 15 semester hours of college work in the areas of early childhood education, elementary education, psychology, social work, nursing or any other field related to child growth and development;
      - (3) Have had at least one year of teaching experience as an assistant or as a student teacher in a group program for pre-school age children; or
    - iii. A group teacher shall:
      - (1) Have had 15 semester hours of college work in early childhood education, elementary education, psychology, social work, nursing or any other field related to child growth and development, and be enrolled in a college program;
      - (2) Have had two years experience as an assistant in a group program for pre-school age children.
  3. Special needs program:
    - i. A group teacher shall:
      - (1) Have had two full years of college work;
      - (2) Have had 15 semester hours of college work in the area of special education;
      - (3) Have had one year of teaching experience as an assistant or as a student teacher in a group program for pre-school age children; or
    - ii. A group teacher shall:
      - (1) Have had 15 semester hours of college work in special education, and be enrolled in a college program;
      - (2) Have had two years of teaching experience as an assistant in a group program for pre-school age children; or
    - iii. A group teacher shall:
      - (1) Have had two full years of college work;
      - (2) Have had 15 semester hours of college work in the areas of nursery school curriculum and child development;
      - (3) Have had one year of teaching experience as an assistant or as a student teacher in a group program for pre-school age children with special needs; or
    - iv. A group teacher shall:
      - (1) Have had 15 semester hours of college work in early childhood education, including child development and curriculum, and be enrolled in a college program;
      - (2) Have had two years of experience as an assistant in a group program for children with special needs.
- (c) An assistant for any of the program categories shall as a minimum:
1. Have a high school or secondary school diploma;
  2. Have a high school graduate equivalency diploma (GED);
  3. Be a high school student enrolled in a work-study program approved by a board of education;
  4. Be a parent.]
- (a) **Education and experience requirement for the director**

shall include the following.

1. The director shall be responsible for the actual operation and management of the center and shall:

- i. Set up and supervise the program; and
- ii. Supervise and approve the selection, training and evaluation of staff, and delegate responsibility, as necessary, to appropriate qualified staff members.

2. The director shall be qualified by demonstrated knowledge, training and experience to fulfill the responsibilities and duties of the position.

3. The director may also serve as the head teacher, providing s/he possesses the qualifications for that position as specified in N.J.A.C. 10:122-4.3(b) i, ii and iii.

(b) Education and experience requirements for the head teacher shall include the following:

- 1. The head teacher shall be responsible for:
  - i. Developing and implementing the center's educational, child development and activities program; and
  - ii. Supervising the implementation of the program.

2. The head teacher shall possess the qualifications as specified in i, ii and iii below for the appropriate program category.

i. Pre-school program: The head teacher shall:

(1) Possess a New Jersey Instructional Certificate for Teacher of Nursery School and have two years of teaching experience in a group program for pre-school age children; or

(2) Possess a New Jersey Instructional Certificate with the Teacher of Nursery School Endorsement and have two years of teaching experience in a group program for pre-school age children; or

(3) For conditional approval, submit to the Bureau documentation of enrollment in an undergraduate program or in courses approved by the New Jersey Department of Education leading to the required New Jersey Instructional Certificate for Teacher of Nursery School or New Jersey Instructional Certificate with the Teacher of Nursery School Endorsement and have two years of teaching experience in a group program for pre-school age children. This conditional approval shall be valid for a maximum of six months, at which time the individual must submit to the Bureau a copy of a New Jersey Instructional Certificate for Teacher of Nursery School or a New Jersey Instructional Certificate with the Teacher of Nursery School Endorsement in order to continue serving as head teacher; or

(4) For Montessori child centers, possess a Montessori Diploma (AMI-USA) or a Montessori Pre-primary Credential (AMS) and have two year of teaching experience in a group program for pre-school age children.

ii. Drop-in and night care programs: The head teacher shall:

(1) Possess the pre-school program head teacher qualifications as specified in (b)2i above; or

(2) Possess a bachelor's degree in early childhood education, psychology, social work, nursing or any other field related to child growth and development, and have two years of teaching experience in a group program for pre-school age children; or

(3) For conditional approval, submit to the Bureau documentation of enrollment in courses necessary to complete the requirements for one of the degrees as specified in (b)2ii (2) above and have two years of teaching experience in a group program for pre-school age children. This conditional approval shall be valid for a maximum of six months, at which time the individual must submit to the Bureau a copy of a bachelor's degree in one of the fields of study as specified in (b)2ii (2) above in order to continue serving as head teacher.

iii. Special needs program: The head teacher shall:

(1) Possess a New Jersey Teacher of the Handicapped Certificate and have two years of teaching experience in a group program for pre-school age children; or

(2) Possess a bachelor's degree in special education and have two years of teaching experience in a group program for pre-

school age children; or

(3) Possess a New Jersey Instructional Certificate for Teacher of Nursery School or a New Jersey Instructional Certificate with the Teacher of Nursery School Endorsement and have two years of teaching experience in a group program for pre-school age children with special needs.

(c) Education and experience requirements for the consulting head teacher shall include the following:

1. The consulting head teacher serving pre-school, drop-in and/or night care programs on a less than full-time basis shall be responsible for developing and implementing the center's educational, child development and activities program and for supervising the implementation of the program.

2. The consulting head teacher shall:
 

- i. Possess the head teacher qualifications as specified in (b)2i(1), (2), (4) and (b)2ii(2) above; and
- ii. Make two on-site visits to the center during each month the program is operating, one of which shall be for the purpose of staff training; observe the center's program; review all written program plans, schedules and curricula and discuss the center's overall operation with the center's staff. The center shall keep a written record of such visits.

(d) Education and experience requirements for the group teacher shall include the following:

1. Under the supervision of a director or head teacher, a group teacher shall be responsible for teaching, supervising and/or caring for children.

2. A group teacher shall possess the qualifications as specified in (d)2i, ii and iii below for the appropriate program category.

i. Pre-school program: A group teacher shall:

(1) Have completed two full years of college work, including 15 college credits in early childhood education and/or child development and have one year of teaching experience in a group program for pre-school age children, which may include student teaching; or

(2) Have 15 college credits in early childhood education and/or child development and have two years of teaching experience in a group program for pre-school age children, which may include student teaching; or

(3) For conditional approval, submit to the Bureau documentation of 12 college credits in early childhood education and/or child development and documentation of enrollment in an additional three-credit college course in these subject areas and have two years of teaching experience in a group program for pre-school age children, which may include student teaching. This conditional approval shall be valid for a maximum of six months, at which time the center must submit to the Bureau documentation showing that the individual has acquired the three additional credits; or

(4) Possess a Child Development Associate Credential (CDA) and have one year of teaching experience in a group program for pre-school age children, which may include student teaching.

ii. Drop-in and night care programs: A group teacher shall:

(1) Possess the pre-school program group teacher qualifications as specified in (d)2i above; or

(2) Have completed two full years of college work, including 15 college credits in elementary education, psychology, social work, nursing or any other field related to early childhood education and/or child development and have one year of teaching experience in a group program for pre-school age children, which may include student teaching; or

(3) Have 15 college credits in elementary education, psychology, social work, nursing or any other field related to early childhood education and/or child development and have two years of teaching experience in a group program for pre-school age children, which may include student teaching; or

(4) For conditional approval, submit to the Bureau documentation of 12 college credits in one of the subject areas

as specified in (d)2ii(2) or (3) above and documentation of enrollment in an additional three-credit college course in the above noted subject areas and have two years of teaching experience in a group program for pre-school age children, which may include student teaching. This conditional approval shall be valid for a maximum of six months, at which time the center must submit to the Bureau documentation showing that the individual has acquired the three additional credits.

iii. Special needs program: A group teacher shall:

(1) Have completed two full years of college work, including 15 college credits in special education and have one year of teaching experience in a group program for pre-school age children, which may include student teaching; or

(2) Have 15 college credits in special education and have two years of teaching experience in a group program for pre-school age children, which may include student teaching; or

(3) Have completed two full years of college work, including 15 college credits in early childhood education and/or child development and have one year of teaching experience in a group program for pre-school age children with special needs, which may include student teaching; or

(4) Have 15 college credits in early childhood education and/or child development and have two years of teaching experience in a group program for pre-school age children with special needs, which may include student teaching.

(e) Education and experience requirements for the assistant shall include the following:

1. Under the supervision of the director, head teacher and/or group teacher, the assistant shall be responsible for assisting in teaching, supervising and/or caring for children.

2. For any program, category, the assistant shall:

i. Have a high school or secondary school diploma; or

ii. Have a high school graduate equivalency diploma (GED); or

iii. Be a high school student enrolled in a work-study program approved by a board of education; or

iv. Be a parent.

#### 10:122-4.4 Types of staff

(a) Every center shall have a director.

(b) Centers with pre-school, drop-in and/or night care programs serving from 6 to 15 children shall have:

1. A full-time head teacher; or

2. A full-time group teacher; or

3. A consulting head teacher.

(c) Centers with pre-school drop-in and/or night care programs serving from 16 to 30 children shall have:

1. A full-time head teacher; or

2. A full-time group teacher and a consulting head teacher.

(d) Centers with pre-school, drop-in and/or night care programs serving from 31 to 180 children shall have a full-time head teacher.

(e) Centers with pre-school drop-in and/or night care programs serving more than 180 children shall have two full-time head teachers.

(f) Centers with a special needs program serving from 6 to 180 children shall have one full-time head teacher.

(g) Centers with a special needs program serving more than 180 children shall have two full-time head teachers.

(h) Centers serving more than 30 children should also utilize a full-time group teacher for every 30 children beyond the first 30 children served.

(i) In a center where 50 percent or more of the children have limited English proficiency, a bilingual staff member should be utilized.

#### 10:122-4.5 Exceptions

(a) Centers with pre-school drop-in and/or night care programs serving from 16 to 30 children that were utilizing a consulting head teacher as of January 1, 1982 shall:

1. Be permitted to continue utilizing a consulting head teacher and a full-time staff member who possesses:

i. Two years of teaching experience in a group program for pre-school age children and six college credits in early childhood education and/or child development (The college credits should be acquired in teaching methods courses.); or

ii. Three years of teaching experience in a group program for pre-school age children (The staff member should be enrolled in courses leading to six college credits in early childhood education and/or child development and the college credits should be acquired in teaching methods courses.); and

2. Be permitted to utilize a consulting head teacher and a full-time staff member as specified in (a)1 above until July 1, 1985, at which time the center shall utilize a full-time head teacher or a consulting head teacher and a full-time group teacher.

(h) Centers with pre-school, drop-in and/or night care programs serving from 31 to 60 children that were utilizing a consulting head teacher as of January 1, 1982 shall:

1. Be permitted to continue utilizing a consulting head teacher and a full-time group teacher or a consulting head teacher and a full-time staff member who possesses the staff qualifications requirements as specified in (a)1 above; and

2. Be permitted to utilize a consulting head teacher and a full-time group teacher or a consulting head teacher and a full-time staff member as specified in (b)1 above until July 1, 1985, at which time the center shall utilize a full-time head teacher.

#### 10:122-[4.4] 4.6 Staff/child ratios

(a) (No change.)

(b) [In centers serving over thirty (30) children, a qualified head teacher shall be on the premises full time. (effective July 1, 1981)] When the head teacher is off the premises temporarily, for reasons such as illness, field trips, vacations and attending meetings, s/he shall be responsible for insuring that the program continues to function adequately in his/her absence.

[(c) In centers serving thirty (30) or fewer children and having a qualified head teacher on the premises less than full time, a qualified group teacher shall be on the premises full time. (effective July 1, 1981)]

Renumber (d)-(i) as (c)-(h) (No change in text.)

#### 10:122-[4.5] 4.7 Staff training and development

(a) Child care center directors shall [encourage and, wherever feasible,] **promote and** enable staff members to pursue educational [and] training opportunities related to their positions and/or responsibilities in the center, including courses, college credit courses, lectures, Child Development Associate (CDA) training, seminars and institutes in fields [relevant to the center's program and the child served and for the intellectual development of the staff.] that include, but are not limited to, child growth and development, curriculum planning, dynamics of group behavior, health care, life/safety practices, individual needs of young children and special needs of handicapped children.

(b) (No change.)

## ENERGY

(a)

### THE COMMISSIONER

#### Energy Conservation Measures Financing Methodology For Computing Energy Cost Savings In Shared-Savings Contracts

#### Proposed New Rule: N.J.A.C. 14A:12-1

Authorized By: Leonard S. Coleman, Jr., Commissioner, Department of Energy.

Authority: P.L. 1981, c.551, N.J.S.A. 52:27F-11g and 52:27F-11q.  
 Docket No.: 001-82-08

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Linda M. Scuorzo, Esq.  
 Office of Regulatory and  
 Governmental Affairs  
 New Jersey Department of Energy  
 101 Commerce Street  
 Newark, New Jersey 07102

The Department of Energy thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-292.

The agency proposal follows:

**Summary**

The regulations provide entities subject to the Local Public Contracts Law, N.J.S.A. 40A:11-15, as amended by P.L. 1981, c. 551, with the option to obtain energy conserving equipment and services on shared-savings and guaranteed-savings bases through contracts of greater than one year in duration.

In a shared-savings arrangement, an energy service firm ("firm") purchases, installs and services energy conserving renovations at no capital cost to the user. In return, the user agrees to share with the firm a percentage of whatever energy cost savings result. In a guaranteed-savings arrangement, the firm likewise provides energy conserving renovations to the user. However, the firm warrants that the user will achieve a specific level of energy savings due to the energy conserving renovations.

As a precondition to concluding shared-savings and guaranteed-savings contracts, the regulations require a firm to collect certain data necessary for the accurate determination of a user's anticipated energy savings and energy cost (dollar) savings. Collection of the data is accomplished through a preliminary or summary energy audit of the user's premises. By virtue of the summary energy audit, the firm is apprised of the size and type of buildings involved, the nature of the energy consuming equipment, the patterns and types of fuel use, and other factors that may influence energy consumption. On the basis of the summary energy audit, the firm is required to determine the type of energy conserving renovations which are needed and to calculate the energy savings, BTU savings and energy cost savings that such renovations will generate for the user. The user and the firm may conduct a complete energy audit in the pre-contract phase as a substitute for the summary energy audit if they so agree. Either the user or the firm may terminate the arrangement in the pre-contract phase for any reason at no penalty or risk.

Upon conclusion of the summary energy audit, the firm furnishes a written summary energy audit report (or complete energy audit report if a complete energy audit was performed) to the user. In the event that the user finds the report to be satisfactory, the user may accept same in writing and thereafter conclude a shared-savings or guaranteed-savings contract with the firm.

The regulations also control certain aspects of the shared-savings and guaranteed-savings contracts. All such contracts must be in writing and are limited to a maximum of 10 years in duration. The regulations prohibit a firm from requiring any payment prior to the time when energy savings occur. They also require all payments to be consistent with the amount of energy savings realized. In the contract, the firm must agree to conduct a complete energy audit in the event that it has not done so prior to concluding the contract and to furnish a complete energy audit report to the user. Should

the complete energy audit report project energy savings or energy cost savings which are less than or describe proposed energy conserving renovations which are different from those in the summary energy audit report, the user may terminate the contract. In the event that the user terminates the contract for these reasons, the complete energy audit report and certain other materials become the property of the user. The firm is also permitted to terminate the contract at the end of the complete energy audit by relinquishing the complete energy audit report and certain other data. Additionally, the firm must agree to inform the user on a monthly basis of energy consumption, energy savings, BTU savings and energy cost savings occasioned by the energy conserving renovations. The firm is obliged to familiarize the user's personnel with the operation of the renovations and service the energy conserving renovations promptly in the event of breakdown. The regulations state that the user is to be given the option to purchase the energy conserving renovations for a specified price or fair market value at any time during the contract period; if the option is not exercised the firm must remove or make provisions for the removal of the energy conserving renovations at the end of the term. In addition, the contract must address certain situations, specified in the regulations, which may affect the energy conserving renovations, or the energy cost savings anticipated therefrom.

Technical assistance regarding shared-savings and guaranteed-savings plans governed by these regulations will be available from the Department of Energy.

**Social Impact**

The regulations represent an attempt to standardize the essential aspects of shared-savings and guaranteed-savings plans, to establish guidelines regarding the furnishing of energy conserving renovations in this manner, and to familiarize potential users with the mechanics of such arrangements. It is expected that the regulations will facilitate the use of such plans, make the installation of energy conserving renovations more attractive to users, and augment energy conservation efforts within the State.

**Economic Impact**

Energy conserving renovations formerly available to affected entities only through outright purchase are now obtainable through shared-savings and guaranteed-savings plans. Such arrangements are advantageous because they require no capital investment by the user. The cost of the energy conserving renovations is paid from the reduction in the user's expenses which are brought about by the energy conserving renovations. Thus, entities which have capped or otherwise limited budgets, such as municipalities and counties, may be able to take advantage of energy conservation opportunities that were previously unattainable.

Full text of the proposal follows.

CHAPTER 12  
 ENERGY CONSERVATION MEASURES  
 FINANCING

SUBCHAPTER 1. METHODOLOGY FOR COMPUTING  
 ENERGY COST SAVINGS

14A:12-1.1 Scope

This subchapter shall apply to all contracts for the performance of work or services or the furnishing of materials or supplies for the purpose of conserving energy in buildings owned or operations conducted by those entities subject to the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-15, as amended by P.L. 1981, c. 551, the entire price of which contracts is established as a percentage of the resulting energy cost savings.

14A:12-1.2 Purpose

This subchapter fulfills the requirements of section 15(12) of P.L.

1981, c. 551, by establishing a methodology for computing the energy cost savings associated with contracts for the furnishing of energy conserving renovations on a shared-savings or guaranteed-savings basis.

#### 14A:12-1.3 Definitions

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

"Annualized price" means the average price of fuel to the user during the base period.

"Base period" means the preceding calendar year, preceding fiscal year or preceding 12-month period selected as the standard for measurement of energy consumption and energy savings due to energy conserving renovations.

"Complete energy audit" means an energy audit conducted in accordance with the requirements of N.J.A.C. 14A:12-1.5(a)3, whether performed in the pre-contract or contract phase.

"Current cost" means the most recent delivered price of fuel to the user for the period of claimed savings.

"Degree days" means an index for measurement of differences in energy usage due solely to differences in weather conditions and equals the daily difference between 65 degrees F and the outdoor mean daily temperature.

"Department" means the New Jersey Department of Energy.

"Energy audit" means and includes both a summary energy audit and a complete energy audit.

"Energy audit report" means and includes both a summary energy audit report and a complete energy audit report.

"Energy conserving renovation" means any equipment, services, work, materials or supplies, or combination thereof furnished by a firm and agreed upon by the user, for the purpose of conserving energy in buildings owned or operations conducted by a user.

"Energy cost savings" means energy savings converted into dollar savings.

"Energy savings" means the amount in energy units (e.g., BTUs, kilowatts) of energy saved by an energy conserving renovation.

"Firm" means a vendor engaged in the business of furnishing energy conserving renovations to users through a shared-savings or guaranteed-savings program, and includes all representatives, agents, assignees, and other persons or entities performing activities for or acting on behalf of the vendor.

"Guaranteed-savings" means a program in which a firm guarantees a user a predetermined reduction in energy costs and warrants that the energy costs of the user plus all costs of the energy conserving renovations provided by the firm will be less than the user's normal energy costs minus the cost reductions provided for in the program.

"Shared-savings" means a program in which the sole source of payment for energy conserving renovations provided by a firm is a predetermined percentage of the energy cost savings of the user resulting from the energy conserving renovations.

"User" means a municipality, county or other entity subject to the provisions of N.J.S.A. 40A:11-15, as amended by P.L. 1981, c. 551, entering into a shared-savings or guaranteed-savings contract with a firm.

#### 14A:12-1.4 Pre-contract phase

(a) Prior to entering into any contract pursuant to 14A:12-1.5 for the furnishing of energy conserving renovations, the following requirements shall be fulfilled:

1. Summary energy audit and report: A firm shall conduct a summary energy audit and shall furnish the user with a summary energy audit report; provided, however, that upon agreement between the user and the firm, the firm may conduct a complete energy audit and provide a complete energy audit report which meets the requirements of N.J.A.C. 14A:12-1.5(a)3 in lieu of the requisite summary energy audit and summary energy audit report. The summary energy audit report shall contain but not be limited to the following:

i. A description of the building(s) audited, including but not limited to level of occupancy, schedule of operating hours, and size in square feet;

ii. An inventory and description of the building components and equipment affecting energy consumption;

iii. Base period energy consumption data. The information shall be presented as follows:

(1) Factors influencing base period energy consumption (e.g., degree days, building operating schedules, equipment installation or removal, building renovations) shall be identified and the effect of each factor shall be discussed individually; and

(2) Consumption data shall be:

(A) Reported separately for each component type (e.g., for electricity, fuel oil; natural gas); and

(B) Stated in energy units, BTUs and dollars;

iv. A description of the proposed energy conserving renovations;

v. The projected impact of the proposed energy conserving renovations on base period energy consumption and energy costs; and

vi. The projected energy savings, BTU savings and energy cost savings which will be generated by the proposed energy conserving renovations;

2. Evaluation: Upon receipt of an energy audit report made pursuant to (a)1 above the user shall review the energy audit report and determine whether same is satisfactory, accurate and in compliance with the requirements of (a)1 above; and

3. Decision: The following alternatives shall be available:

i. Acceptance: The user may accept the energy audit report, in the event that the user deems same to be satisfactory, accurate and in compliance with the requirements of (a)1 above if a summary energy audit report was furnished, or N.J.A.C. 14A:12-1.5(a)3 if a complete energy audit report was furnished. The firm and the user may thereafter conclude a contract for energy conserving renovations pursuant to N.J.A.C. 14A:12-1.5; and

ii. Termination: Either the firm or the user may decline to conclude a contract pursuant to N.J.A.C. 14A:12-1.5 at no risk or penalty.

#### 14A:12-1.5 Contract phase

(a) All contracts and modifications thereof for the furnishing of energy conserving renovations shall meet the minimum requirements stated below. The firm and user may agree to any additional terms or conditions which do not limit, contradict or abrogate the said minimum requirements. The contracts and modifications thereof shall:

1. Be reduced to writing;

2. State the term or duration, which shall not exceed 10 years;

3. Require the firm to conduct a complete energy audit and to furnish the user with a complete energy audit report; provided, however, that a firm which has conducted a satisfactory complete energy audit in the pre-contract phase, pursuant to N.J.A.C. 14A:12-1.4(a) need not conduct another complete energy audit at this stage. The complete energy audit report shall include but not be limited to the following:

i. A description of the building(s) audited, including but not limited to information concerning level of occupancy, schedule of operating hours, and size in square feet;

ii. An inventory and description of the building components and equipment affecting energy consumption;

iii. Base period consumption data. The information shall be presented as follows:

(1) Factors influencing base period energy consumption (e.g., degree days, building operating schedules, equipment installation or removal, building renovations) shall be identified. The effect of each factor shall be both quantified and discussed individually; and

(2) Consumption data shall be:

(A) Reported separately for each component type (e.g., for electricity, fuel oil, natural gas); and

(B) Stated in energy units, BTUs and dollars;

iv. A precise description of the proposed energy conserving

renovations, including but not limited to equipment specifications, required modifications to or alteration of the building structure, engineering drawings, installation procedures and schedules, and estimated equipment and installation costs, as appropriate to the particular case;

v. The projected impact of each major energy conserving renovation and of the total program of energy conserving renovations on base period energy consumption and energy costs; and

vi. The projected energy savings, BTU savings and energy cost savings which will be generated by the proposed energy conserving renovations;

4. In instances where a summary energy audit has been performed in the pre-contract phase, specifically incorporate and adopt the energy savings, BTU savings, and energy cost savings projected in the summary energy audit to result from the proposed energy conserving renovations. The savings projected in the N.J.A.C. 14A:12-1.4(a)1 summary energy audit shall constitute the minimum savings which the firm shall promise to the user, unless the minimum savings is modified pursuant to (a)5 below;

5. In instances where a summary energy audit has been performed in the pre-contract phase pursuant to N.J.A.C. 14A:12-1.4(a), specifically provide the following options to be exercised after the firm has conducted a complete energy audit and furnished a complete energy audit report to the user pursuant to (a)3 above. No energy conserving renovations shall be furnished by the firm until the user has accepted in accordance with (a)5i or (a)5ii below:

i. Acceptance: The user may accept the complete energy audit report, by certifying in writing that the complete energy audit report is satisfactory, accurate and in compliance with the requirements of (a)3 above;

ii. Adjustment: The user may accept the complete energy audit report, by certifying in writing that the complete energy audit report is satisfactory, accurate and in compliance with (a)3 above, after the firm and the user have eliminated, reconciled, adjusted or otherwise resolved the differences between the complete energy audit report and the summary energy audit report which the user considers material. In the event that the said differences have not been eliminated, reconciled, adjusted or otherwise resolved, the user may terminate pursuant to (a)5iii(1) or (a)5iii(2) below. Differences between the summary energy audit report and the complete energy audit report regarding the following shall be resolved according to the requirements set forth below:

(1) In the event that the complete energy audit report projects energy savings, BTU savings, or energy cost savings which are less than, or describes proposed energy conserving renovations which are different from those contained in the summary energy audit report, the firm shall specifically inform the user of same and of the reasons and causes for the difference. The user, at the user's sole discretion may agree to accept the lower savings or the different energy conserving renovations, or may agree to accept a compromise regarding same. Failure to accept shall constitute termination pursuant to (a)5iii(1) below; or

iii. Termination: The following shall constitute grounds for and means of termination after the complete energy audit has been concluded:

(1) The user has determined that reasons stated in (a)5(1) exist and that satisfactory adjustment pursuant to (a)5ii has not occurred. Upon termination pursuant to this provision the complete energy audit report shall become the property of the user. The firm shall not charge a fee, assess a penalty, nor place any conditions on relinquishing the complete energy audit report to the user;

(2) The user has determined that reasons other than those stated in (a)5(1) exist and that satisfactory adjustment pursuant to (a)5ii has not occurred. The firm may charge a reasonable, predetermined fee for termination pursuant to this provision in the event that the contract so provides. The contract shall indicate whether the complete energy audit report shall become the property of the firm or of the user; or

(3) The firm considers termination appropriate. Upon termination pursuant to this provision the firm shall relinquish all rights to the complete energy audit report and to any conclusions, engineering drawings, specifications and other data relating to the complete energy audit. The complete energy audit report, conclusions, drawings, specifications and other data relating to the energy audit reports shall become the property of the user. The firm shall not charge a fee, assess a penalty, nor place any conditions on relinquishing the complete energy audit report, conclusions, engineering drawings, specifications and other data relating to the complete energy audit to the user;

6. State a specific method of accounting for energy savings due to energy conserving renovations:

i. The firm shall employ, alone or in combination, as appropriate, the following:

(1) Individual metering: The effect of each energy conserving renovation on energy savings shall be determined, where feasible, by individually metering each energy conserving renovation;

(2) Calculating energy savings: In the event that (a)6i(1) of this section is not feasible the effect of each energy conserving renovation on energy savings shall be determined by calculating the amount of energy savings attributable to each energy conserving renovation. Calculations shall be based upon billings from utility or other energy suppliers, readings from energy meters, and/or measurements of energy storage facilities;

(3) Normalization: All energy savings produced by energy conserving renovations which are affected by degree day changes shall be normalized using the following: degree day method<sup>†</sup>; modified degree day method<sup>†</sup>; bin method<sup>†</sup>.

7. Require energy savings determined in (a)6 above to be converted to BTU savings using the conversion factors described in ASHRAE Systems Volume, Section IV, Chapter 47 (1980);

8. Require energy savings determined in (a)6 above to be converted to energy cost savings as follows:

i. Energy cost savings shall be equal to energy savings adjusted by an energy cost factor. The energy cost factor may include but shall not be limited to:

- (1) Current cost; or
- (2) Annualized price.

ii. The calculations of energy cost savings shall be stated and explained to the user.

9. Contain a provision including or excluding the cost of metering in the cost of the energy conserving renovations, in the event that metering is used in the audit phase;

10. Contain a provision incorporating changes in such factors as demand charges, power factors, time-of-day usage, delivery schedules, as appropriate, in the calculation of energy savings, BTU savings, and energy cost savings, in the event that fuel or utility billing is not based on energy usage;

11. Contain a provision including or excluding fuel adjustment clauses, in the event that the current cost method specified in (a)8i(1) above is used in the energy audit report to convert energy savings into energy cost savings;

12. Specify the extent to which the firm may have access to and control over the operation of equipment and facilities of the user;

13. Require the firm to familiarize personnel of the user with the operation and functions of the energy conserving renovations;

14. Identify and provide a method of adjustment to account for variations in conditions or situations which may affect energy consumption and energy savings (e.g., activities affecting energy conservation undertaken by the user independent of the firm and not caused by the energy conserving renovations, changes in building use or operating schedules, installation or removal of equipment, additions to or alteration of building structure). Appropriate adjustments may be made to base period or current energy consumption data to reflect such conditions or situations;

15. Define acceptable limits for variations in installed equipment performance, operating conditions and health, safety and comfort levels, and require the firm to maintain operations within said

limits;

16. Require the firm to provide, at no cost to the user, maintenance, repair and replacement, and emergency services with respect to the energy conserving renovations or portions thereof, in the event that the firm retains ownership of or control over the energy conserving renovations. The firm shall agree to service all problems regarding maintenance, repair and replacement, and emergency services within 24 hours of notification by the user so as to eliminate any interruption in the operation of the user's facilities or essential equipment or any adverse effect on health, safety and comfort;

17. State that payment for energy savings generated by the energy conserving renovations shall be required of the user only in the following circumstances and that no other payment shall be required:

i. The energy savings have actually occurred. No payment shall be required of the user until the energy conserving renovations have generated energy savings for the user; and

ii. The payment required is consistent with the energy savings generated. No payment shall be required of the user which is disproportionate to the energy savings generated by the energy conserving renovations;

18. Contain indemnification, insurance or other provisions regarding payment or reimbursement for injury to persons, or damage or loss of property, as the parties deem appropriate;

19. Specify that the firm shall furnish monthly summaries of energy consumption, energy savings, BTU savings and energy cost savings to the user. Calculations shall be made in accordance with (a)6, (a)7, and (a)8 above;

20. State the grounds for termination of the contract by the user or the firm prior to the conclusion of the term. The following grounds shall be specifically included:

i. Termination after complete energy audit: The user and the firm shall be permitted to terminate the contract in accordance with the provisions of (a)5iii above, after the complete energy audit has been concluded; and

ii. Termination by buyout: The user shall be permitted to terminate the contract at the user's election at any time during the term of the contract by purchasing the energy conserving renovations for a specified price or, if no price is stated, fair market value;

21. Require the firm to remove or dispose of the energy conserving renovations at the conclusion of the contract term unless the user exercises an option to purchase, pursuant to (a)20ii above, or the user and firm have agreed to another manner of disposition of the energy conserving renovations; and

22. Specify the manner in which disputes are to be resolved.

†Explained in ASHRAE Systems Volume, Section IV, Chapter 43 (1980). Copies may be obtained from the American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc., 1791 Tullie Circle, N.E., Atlanta, Georgia 30329.

#### 14A:12-1.6 Technical assistance

The Department shall be available to provide technical assistance to users in connection with matters included in this subchapter.

## TRANSPORTATION

(a)

### TRANSPORTATION OPERATIONS

#### Speed Limits for State Highways Route US 130 including parts of Route I-295, Route US 30 and Route US 206

#### Proposed Amendments: N.J.A.C. 16:28-1.69

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 39:4-98.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-280.

The agency proposal follows:

#### Summary

This proposal will establish speed limits along Route US 130 in Westville Borough, Gloucester County and delete the 25 mph school speed zone. Appropriate signs will be erected to advise the motoring public.

#### Social Impact

This amendment will delete the 25 mph school speed zone, and enhance public opinion of the State in the deletion of rules or regulations no longer required.

#### Economic Impact

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28-1.69 Route US 130 including parts of the Route I-295,  
Route US 30 and Route US 206

(a) The rate of speed designated for State highway Route US 130 including parts of Route I-295, Route US 30 and Route US 206 described in this section [shall be and hereby] are established and adopted as the maximum legal rate of speed for both directions of traffic:

1. (No change.)

2. Gloucester County:

i. (No change.)

ii. West Deptford and Westville Borough:

(1)-(2) (No change.)

(3) Zone 9: 40 mph [from] **between** Route 45 [to] **and** the

Brooklawn Borough Line (Gloucester Co. - Camden Co. Line): (milepost 25.05 to 25.45). [except during recess or while children are going to or leaving school during opening or closing hours. (Milepost 25.05 to 25.45).]  
3.-6. (No change.)

(a)

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Route 4**

**Proposed Amendment: N.J.A.C. 16:28A-1.4**

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 39:4-138.1  
and 39:4-199.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-289.

The agency proposal follows:

**Summary**

This proposal will establish "no parking" zones along Route 4 in the Borough of Elmwood Park, Bergen County, at established bus stops. Appropriate signs will be erected to advise the motoring public.

**Social Impact**

This amendment will restrict parking along the areas designated, enhance safety in Bergen County and provide for the safe off/on loading of passengers along established bus stops.

**Economic Impact**

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

16:28A-1.4 Route 4

(a) (No change.)

(b) The certain parts of State highway Route 4 described in (b) of this section shall be designated and established as "no parking" zones where parking is prohibited at all times. 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 and taxi stands.

1.-4. (No change.)

5.-8. (Proposed at 14 N.J.R. 637(a).)

**9. Along the eastbound (southerly) side in Borough of Elmwood Park, Bergen County:**

**i. Far side bus stops:**

(1) Elmwood Court (100 feet);

(2) Boulevard (100 feet).

**ii. Near side bus stops:**

(1) Elizabeth Avenue (105 feet);

(2) East 54th Street (190 feet).

**10. Along the westbound (northerly) side in the Borough of Elmwood Park, Bergen County:**

**i. Near side bus stops:**

(1) Iozia Terrace (105 feet);

(2) Rosedale Avenue (105 feet);

(3) Sterling Street (105 feet).

**ii. Far side bus stop:**

(1) Orange Avenue (105 feet).

**11. All bus stops are to be the length specified, measured from the curb line of the intersecting street, or the prolongation of the curb line of the street which intersects.**

(b)

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Route US 30 and Rising Sun Square Road**

**Proposed Amendments: N.J.A.C. 16:28A-1.21**

**Proposed New Rule: N.J.A.C. 16:28A-1.95**

Authorized By: John P. Sheridan, Jr. Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 1A-6, 39:4-138.1 and 39:4-139.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-281.

The agency proposal follows:

**Summary**

This proposal will establish "no parking" zones along Route US 30 in Atlantic City, Atlantic County and Rising Sun Square Road in Bordentown Township, Burlington County. Appropriate signs will be erected to advise the motoring public.

**Social Impact**

This amendment and new rule will restrict parking along the Routes in the City, Township and Counties indicated for the efficient flow of traffic and the enhancement of the safety and well-being of the populace.

**Economic Impact**

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

Full text of the proposal follows (additions indicated in boldface thus).

16:28A-1.21 Route US 30

(a) The certain parts of State highway Route US 30 described in (a) of this section shall be 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.-2. (No change.)

3.-4. (Proposed at 14 N.J.R. 554(b).)

**5. No stopping or standing in Atlantic City, Atlantic County:**

**i. Along both sides:**

**(1) North Service Road between Grammercy Drive and East Riverside Drive.**

16:28A-1.95 Rising Sun Square Road

(a) The certain parts of State highway jurisdiction described in (a) of this section shall be 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 in Bordentown Township, Burlington County:**

**i. Along both sides:**

**(1) Rising Sun Square Road from the westerly curblineline of Old York Road to a point 4000 feet westerly therefrom.**

**(a)**

**TRANSPORTATION OPERATIONS**

**Turns**

**Route 31**

**Proposed New Rule: N.J.A.C. 16:31-1.18**

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 39:4-183.6.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
Trenton, New Jersey 08625

The Department of Transportation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-290.

The agency proposal follows:

**Summary**

This proposal will establish turning movement restrictions along Route 31 in Clinton Township, Hunterdon County. Appropriate signs will be erected advising the motoring public.

**Social Impact**

This amendment will restrict left turn movements in the area designated, reduce traffic accidents and enhance the safety and well-being of the motoring public as well as pedestrians.

**Economic Impact**

The Department will incur direct and indirect costs for its workforce and the placement of signs. Costs are dependent upon mileage, personnel and equipment requirements.

Full text of the proposal follows.

16:31-1.18 Route 31

(a) Turning movements of traffic on the certain parts of State highway Route 31 described below are regulated as follows:

1. No left turn north on Route 31 to west into North Hunterdon Regional High School driveway in Clinton Township, Hunterdon County.

**TREASURY-TAXATION**

**(b)**

**DIVISION OF TAXATION**

**Corporation Business Tax  
Optional Short Tax Table**

**Proposed Amendment: N.J.A.C. 18:7-3.5**

Authorized By: Sidney Glaser, Director, Division of Taxation.

Authority: N.J.S.A. 54:10A-27.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Jack Silverstein  
Chief Tax Counselor  
Division of Taxation  
West State and Willow Streets  
Trenton, New Jersey 08646

The Division of Taxation thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-298.

The agency proposal follows:

**Summary**

Chapter 55, Laws of 1982, effective June 30, 1982, eliminated the corporate short tax table from N.J.S.A. 54:10A-5(f) but gave the Director of Taxation the authority to promulgate a tax table based on net worth. The Director has decided to retain the same table that is presently found in N.J.A.C. 18:7-3.5. The proposed amendment clarifies that the current table will be retained until it expires on March 31, 1983 at which time new tables will be added.

**Social Impact**

The proposed amendments will provide substantial reductions in the Corporate Business Tax. Small taxpayers may be able to use the short tax table which is a convenience for the public and preserves State revenue.

**Economic Impact**

The proposal permits small taxpayers to use the optional short tax table as before; however, with the phasing out of the net worth tax more economic benefits for taxpayers will be realized.

## PROPOSALS

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

18:7-3.5 Computation of tax by short tax table

(a) (No change.)  
(b) Tax liability under this provision [of the Law] may be computed by reference to the following table:

(No change in the table.)

(c) **This optional short tax table shall expire with respect to taxpayers whose accounting or privilege periods begin on or after April 1, 1983. New tables will be added in the future to reflect changes in the reduced net worth tax rates.**

## OTHER AGENCIES

(a)

### GARDEN STATE PARKWAY

#### Speed Limits

#### Proposed Amendment: N.J.A.C. 19:8-1.2

Authorized By: New Jersey Highway Authority, F. Joseph Carragher, Executive Director.  
Authority: N.J.S.A. 27:12B-5(j).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

F. Joseph Carragher, Executive Director  
New Jersey Highway Authority  
Garden State Parkway  
Woodbridge, New Jersey 07095

The New Jersey Highway Authority thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-287.

The agency proposal follows:

#### Summary

This amendment reduces the speed limit between Interchange 143 and Interchange 145 pursuant to an engineering study recommending same.

#### Social Impact

This amendment will reduce the speed limit along the portion of the Parkway described above and will enhance the safety of the motoring public.

#### Economic Impact

The New Jersey Highway Authority will incur direct and indirect costs for the placement of signs by its work forces.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

19:8-1.2 Speed Limits

Unless otherwise posted or when conditions make such maximum legal rate of speed unsafe, the maximum legal rate of speed at which any motor vehicle may be operated on the Parkway in both directions of traffic shall be [fifty-five (] 55[)] miles per hour for its entire length, except as follows:

## OTHER AGENCIES

- 1.-2. (No change.)
3. Fifty (50) miles per hour between the Union Toll Plaza and [the Essex Toll Plaza] **Interchange 143.**
  - i. **Forty-five (45) miles per hour between Interchange 143 and Interchange 145.**
  5. **Fifty (50) miles per hour between Interchange 145 and the Essex Toll Plaza.**

(b)

## CASINO CONTROL COMMISSION

### Casino Service Industries Standards for Qualification

#### Proposed Amendment: N.J.A.C. 19:43-1.3

Authorized By: Casino Control Commission, Theron G. Schmidt, Executive Secretary.  
Authority: N.J.S.A. 5:12-69.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Richard P. Franz  
License Division  
Casino Control Commission  
Tennessee Avenue and the Boardwalk  
Atlantic City, New Jersey 08401

The Casino Control Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-295.

The agency proposal follows:

#### Summary

This proposal supersedes the proposal known as PRN 1982-75, and published in the February 16, 1982 Register at 14 N.J.R. 202(b). This proposal would allow certain publicly traded corporations which have been directed by the Casino Control Commission to file a Casino Service Industry license application to request permission from the Commission to file a modified form of such application. The Commission could grant such permission if it felt that it was not inimical to the policies of the Casino Control Act and if the enterprise involved demonstrated to the Commission's satisfaction that it met certain criteria concerning earnings, distribution of shares and assets.

Under the proposed amendments, should such permission be granted by the Commission, the enterprise would be required to submit filings, which it would have already prepared for the Securities and Exchange Commission, in lieu of the standard Business Entity Disclosure Form. It is anticipated that those Securities and Exchange Commission filings would provide the Commission with more information on larger corporations than is currently obtained by the Business Entity Disclosure Form while making it easier for those publicly traded corporations to file for a Casino Service Industry license.

#### Social Impact

It is anticipated that this proposed new rule would not have any significant social impact other than making it easier for certain publicly traded corporations to apply for a casino service industry license.

**Economic Impact**

This proposed new rule would provide a beneficial economic impact on publicly traded corporations which apply for a Casino Service Industry license. If approved by the Commission, an applicant will be permitted to submit filings similar to those filed with the SEC rather than the standard Business Entity Disclosure Form which will result in decreased application costs.

**Full text** of the proposal follows (additions indicated in boldface thus).

19:43-1.3 Standards for qualifications

(a)-(c) (No change.)

**(d) Any enterprise directed to file an application for a casino service industry license pursuant to Section 92(c) and (d) of the Act may request permission from the Commission to submit a modified form of such application. The Commission, in its discretion, may permit such modification if the enterprise can demonstrate to the Commission's satisfaction that securities issued by it are listed, or are approved for listing upon notice of issuance, on the New York Stock Exchange or the American Stock Exchange.**

**(e) Any modifications of a casino service industry license application permitted pursuant to this section may be in any form deemed appropriate by the Commission except that every such application shall include the following:**

**1. The appropriate Personal History Disclosure Forms for all those individuals required to so file by the Commission in consultation with the Division of Gaming Enforcement; and**

**2. Copies of all filings required by the Securities and Exchange Commission including all 10K's, 10Q's, 8K's, proxy statements and quarterly reports issued by the applicant during the two immediately preceding fiscal years; and**

**3. Properly executed Consents to Inspections, Searches and Seizures; Waivers of Liability for Disclosures of Information and Consents to Examination of Accounts and Records in forms as prescribed by the Commission; and**

**4. Payment of the appropriate casino service industry license fee; and**

**5. Any other information or documentation required at any time by the Commission or the Division of Gaming Enforcement.**

**(a)**

**CASINO CONTROL COMMISSION**

**Gaming Equipment**

**Gaming chips; value and non-value; physical characteristics**

**Receipt of gaming chips or plaques from manufacturer or distributor; inventory, storage and destruction of chips and plaques**

**Proposed Amendments: N.J.A.C. 19:46-1.1 and 1.6**

Authorized By: Casino Control Commission, Theron G.

Schmidt, Executive Secretary.

Authority: N.J.S.A. 5:12-63(c).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael A. Santaniello  
Deputy Director - Operations  
Division of Financial  
Evaluation and Control  
Casino Control Commission  
3131 Princeton Pike Office Park  
Building No. 5, CN 208  
Trenton, New Jersey 08625

The Casino Control Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-294.

The agency proposal follows:

**Summary**

The proposed amendments to N.J.A.C. 19:46-1.1 will provide authority for utilizing gaming chips in denominations of \$1,000 and \$5,000. These new denominations will provide casinos the opportunity to use higher valued chips if they decide to do so. The amendments also define the physical characteristics of the new gaming chips in denominations of \$1,000 and \$5,000. Reference to gaming chips in denominations of \$0.25, \$0.50, is being deleted because casinos use \$0.25 and \$0.50 coins rather than chips. Reference to \$10.00 and \$50.00 chips is also being deleted because the casinos have chosen not to use these denominations.

The proposed amendment to N.J.A.C. 19:46-1.6 would further define the accounting over gaming chips and plaques.

**Social Impact**

The social impact of these amendments to the rules will result from the public's use of high denomination gaming chips which were previously prohibited by the regulations.

**Economic Impact**

Casino operators will not endure any economic impact unless they decide to purchase and use the higher denominated chips. No economic burden will result for patrons.

Minimal economic impact may be felt by casino operators due to the additional control needed to account for gaming chips and plaques on a daily basis as required by N.J.A.C. 19:46-1.6.

**Full text** of the proposal follows (additions indicated in boldface thus; deletions indicated in brackets [thus]).

19:46-1.1 Gaming chips; value and non-value; physical characteristics

(a) (No change.)

(b) Value chips may be issued by a casino licensee in denominations of [\$0.25, \$0.50,] \$1.00, \$2.50, \$5.00, [\$10.00,] \$20.00, \$25.00, [\$50.00,] \$100.00, [and] \$500.00[.], **\$1,000, and \$5,000.** It, however, shall be within the discretion of the casino licensee to determine which of these denominations will be utilized in his casino and what amount of each denomination will be necessary for the conduct of gaming operations in the casino.

(c) Each denomination of value chip shall have a different primary color from every other denomination of value chip. As of January 1, 1979, the primary color to be utilized by each casino licensee for each denomination of value chip shall be:

[1. \$0.25 - "Gray" which shall mean that color classified as N 5/ on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

Value	V-	N 5.5/	to	V-	N4.5/
Chroma	5R	5/0.5	to	5B	5/0.5
	5Y	5/0.5	to	5P	5/0.5
	5G	5/0.5			

2. \$0.50 - "Blue" which shall mean that color classified as 2.5PB 4/10 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	Upper Limits	Lower Limits
Hue	H + 5PB 4/10	H- 10B 4/10
Value	V + 2.5PB 4.5/10	V- 2.5PB 3.5/10
Chroma	C + None	C- 2.5PB4/9]

(a)

**CASINO CONTROL COMMISSION**

**Gaming Equipment  
Dice; Receipt, Storage, Inspections and  
Removal from Use Cards; Receipt, Storage,  
Inspections and Removal from Use**

**Proposed Amendments: N.J.A.C. 19:46-1.16  
and 1.18**

Authorized By: Casino Control Commission, Theron G. Schmidt, Executive Secretary.  
Authority: N.J.S.A. 5:12-63(c).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before September 1, 1982. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael A. Santaniello  
Deputy Director - Operations  
Division of Financial  
Evaluation and Control  
Casino Control Commission  
3131 Princeton Pike Office Park  
Building No. 5, CN 208  
Trenton, New Jersey 08625

The Casino Control Commission thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). The adoption becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1982-296.

The agency proposal follows:

**Summary**

In general, the proposed amendments increase the controls over the use of cards and dice in the casino through various alternative procedures.

The proposed amendments to N.J.A.C. 19:46-1.16 would allow a casino the flexibility of distributing dice less often than once each shift. In addition, the dice would be allowed to be used for the entire day rather than changed after each shift.

The proposed amendments to N.J.A.C. 19:46-1.18 would allow a casino the flexibility of distributing and changing cards less often than once each shift.

The proposed amendments to both regulations would require that an inventory of dice and cards be established and maintained. They also would offer a casino alternative procedures concerning dice and card storage, distribution, collection, inspection and destruction.

**Social Impact**

These amendments would redefine some of the duties of casino personnel with respect to the distribution and handling of cards and dice. Gambling patrons will benefit because less distribution of cards and dice will prevent delay in gaming operations which facilitates more game time.

**Economic Impact**

The proposed flexibility for the distribution and changing of cards and dice will have a definite positive economic impact on the casinos. Additional hands per hour and resultant profit should be realized because cards and dice no longer have to be changed after each shift. In addition, the ability to inspect a sample of the cards

[3.]1. (No change in text.)  
[4.] 2. \$2.50 - "Pink" which shall mean that color classified as 2.5R 6/10 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	Upper Limits	Lower Limits
Hue	H + 3.75R 6/10	H- 1.25R 6/10
Value	V + 2.5R 6.75/10	V- 2.5R 5.75/10
Chroma	C 2.5R 6/12	C- 2.5R 6/8

[5.]3. (No change in text.)  
[6.] \$10.00 - "Brown" which shall mean that color classified as 2.5YR 3.5/6 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	Upper Limits	Lower Limits
Hue	H + 5YR 3.5/6	H- 10R 3.5/6
Value	V + 2.5YR 4/6	V- 2.5YR 3/6
Chroma	C + 2.5YR 3.5/7	C 2.5YR 3.5/4.5]

[7.]4. (No change in text.)  
[8.]5. (No change in text.)  
[9.] \$50.00 - "Orange" which shall mean that color classified as 2.5YR 6/14 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	Upper Limits	Lower Limits
Hue	H + 3.75YR 6/14	H- 1.25 YR 6/14
Value	V + 2.5YR 6.5/14	V- 2.5YR 5.5/14
Chroma	C + 2.5YR 6/16	C- 2.5YR 6/12]

[10.]6. (No change in text.)  
[11.]7. (No change in text.)  
8. \$1,000 - "Fire Orange" which shall mean that color classified as 8.9R 5.9/18.5 on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

	Upper Limits	Lower Limits
Hue	H + .15YR 5.9/18.5	H- 7.65R 5.9/18.5
Value	V + 8.9R 6.4/18.5	V- 8.9R 5.4/18.5
Chroma	C + 8.9R 5.9/20.5	C- 8.9R 5.9/16.5

9. \$5,000 - "Gray" which shall mean that color classified as N 5/ on the Munsell System of Color Coding which shall be reproduced to within the following tolerances:

Value	V + N 5.5/	to	V- N 4.5/
Chroma	5R 5/0.5		5B 5/0.5
	5Y 5/0.5		5P 5/0.5
	5G 5/0.5		

[12.]10. (No change in text.)  
(d)-(k) (No change.)

19:46-1.6 Receipt of gaming chips or plaques from manufacturer or distributor; inventory, storage and destruction of chips and plaques

- (a)-(c) (No change.)
- (f) Each casino licensee shall, on a daily basis, compute and record the unredeemed liability for each denomination of chips and plaques, and shall cause to be made, at least on a monthly basis, an inventory of chips and plaques in circulation and in reserve and shall cause the result of such inventory to be recorded in the chip inventory ledger.
- (g)-(h) (No change.)

used each day should also provide cost savings to the casinos in terms of man hours.

Some negative economic impact may be felt by casino operators who will have to establish and maintain an inventory system, however, this should be minimal as many casinos have already implemented such systems.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

19:46-1.16 Dice; receipt, storage, inspections and removal from use.

(a) When dice for use in the casino are received from the manufacturer or distributor thereof, they shall immediately following their receipt be inspected by a member of the security department [or] **and** a casino supervisor to assure that the seals on each [set] **box** are intact, unbroken and free from tampering. [Sets] **Boxes** that do not satisfy these criteria shall be inspected at this time to assure that the dice conform to commission standards and are completely in a condition to assure fair play. [Sets] **Boxes** satisfying these criteria, together with [sets] **boxes** having unbroken, intact and untampered seals shall then be placed for storage in a locked cabinet or storage area. [which] **The cabinet or primary storage area shall be located in the cashier[']s' cage or in another secure place in or immediately adjacent to the casino, the location and physical characteristics of which shall be approved by the [Chairman or his designee] commission or its authorized designee. The secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the commission or its authorized designee.**

(b) [Keys to the cabinet shall be in the control of the cashier's cage.] **The cabinet or storage areas shall have two separate locks. The security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key.** Access to the cabinet or storage areas shall be limited to the assistant shift manager and those persons above him in the organizational hierarchy of the casino.

(c) [A member of the security department shall before each shift open the cabinet at the request of a shift manager or someone above him and shall provide that individual with the requested sets of dice for that shift.] **Immediately prior to the commencement of gaming each day and at such other times as may be necessary, the assistant shift manager or person above him, in the presence of a security officer, shall open the cabinet or primary storage area and shall remove the appropriate number of sets of dice for that day.**

(d) **Unless otherwise approved by the commission or its authorized designee, all dice shall be inspected and distributed to the gaming tables in accordance with either of the following alternatives:**

**1. Alternative No. 1: Distribution to and inspection at tables:**

[(d)] i. The assistant shift manager or person above him and the security officer who [has received] **removed the dice from the cabinet or primary storage area shall distribute sufficient sets directly to [the boxman at] a craps supervisor in each craps [table.] pit or place them in a locked compartment in the pit stand, keys to which shall be in the possession of the pit boss or those persons above him in the organizational hierarchy;**

[(e)] ii. At the time of receipt, [the] **a boxman at each craps table shall, in the presence of the dealer, inspect the dice given to him with a micrometer, balancing caliper, steel set square and magnet, which instruments shall be kept in a compartment at each craps table or pit stand, to assure that the dice conform to commission standards and are otherwise in a condition to assure fair play[.];**

[(f)] iii. (No change in text.)

iv. **The pit boss shall place extra sets of dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, keys to which shall be in the possession of the pit boss or those persons above him in the organizational**

**hierarchy. No dice taken from this reserve shall be used for actual gaming until and unless inspected in accordance with (d)lii above; or**

**2. Alternative No. 2: Inspection in storage area and distribution to tables:**

i. **A casino supervisor, in the presence of another casino supervisor, one of whom shall be an assistant shift manager, and a security officer, shall inspect sets of dice with a micrometer, balancing caliper, steel set square and magnet to assure that the dice conform to commission standards and are otherwise in a condition to assure fair play. These instruments shall be maintained in the cabinet or primary storage area;**

ii. **After each set of at least five dice are inspected and found to conform to commission standards, they shall be placed in a sealed envelope or container. The envelope or container and the method to seal the envelope or container shall be designed or constructed so that any tampering shall be evident. The envelope or container and seal shall be approved by the commission or its authorized designee;**

iii. **A label that identifies the date of the inspection and contains the signatures of those responsible for the inspection together with the security officer present at the time shall be attached to each envelope or container;**

iv. **At the beginning of each day and at such other times as may be necessary, an assistant shift manager and a security officer shall distribute the envelopes or containers to a craps supervisor in each craps pit or place them in a locked compartment in the pit stand, keys to which shall be in the possession of the pit boss or those persons above him in the organizational hierarchy;**

v. **A boxman, at each craps table, after assuring the seal and envelopes or containers are intact and free from tampering, shall open the sealed envelope or container, in the presence of the dealer, and place the dice in a cup on the table for use in gaming. While dice are at the table, they shall never be left unattended. When the envelope or container or the seal is damaged, broken or tampered with, the dice shall be reinspected by the boxman, in the presence of a dealer, prior to being used for gaming activity;**

vi. **The pit boss shall place extra sets of dice for dice reserve in the pit stand. Dice in the pit stand shall be placed in a locked compartment, keys to which shall be in possession of the pit boss or those persons above him in the organizational hierarchy;**

vii. **At no time shall the casino supervisors who inspected the dice act in a supervisory capacity with respect to the table at which these dice are being used; and**

viii. **A micrometer, balancing caliper, steel set square and magnet shall also be maintained in a locked compartment in each craps pit stand.**

(e) **The casino licensee shall remove any dice at any time of the day if there is any indication of tampering, flaws or other defects that might affect the integrity or fairness of the game, or at the request of an authorized representative of the commission or division.**

[(g)] (f) **At the end of each [shift] day, a casino supervisor other than the one who originally inspected the dice, shall reinspect each die for evidence of tampering. Such evidence discovered at this time or at any other time shall [immediately] be reported to an agent of the commission [or] and division[.], with such die retained for their inspection.] by the completion of an approved three-part Dice Discrepancy Report. Such dice shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the boxman and floorman or pit boss. A casino supervisor or security officer responsible for delivering the dice to an agent of the commission shall also sign the label. The Commission Inspector receiving the dice shall sign the original, duplicate and triplicate copy of the Dice Discrepancy Report and retain the original at the**

**Commission Booth.** The duplicate copy shall be delivered to the division's office located within the casino hotel facility. The triplicate copy shall be returned to the pit and shall be maintained in a secure place within the pit until a security officer collects it at the end of each day. All other [die] dice at this time shall be put into [an] envelopes or containers. [for that table with the table number listed thereon and the envelope signed by the employees of the table.] A label shall be attached to each envelope or container which shall identify the table number, date and time and shall be signed by the boxman and floorman or pit boss. The envelope or container shall be appropriately sealed. [with tape and transported to the security office for any further inspection as may be required by the casino licensee and for destruction or cancellation in accordance with these regulations.]

(g) At the end of each day, a security officer shall collect and sign all envelopes or containers of used dice and collect all triplicate copies of Dice Discrepancy Reports, if any, and shall transport them to the security department.

(h) At the end of each day, a security officer shall collect all extra dice in dice reserve. All sealed envelopes or containers shall be returned to the cabinet or primary storage area. All envelopes or containers with broken seals shall be returned to the security department for cancellation or destruction.

(i) The casino licensee shall submit to the commission or its authorized designee for approval, procedures for:

1. A dice inventory system which shall include, at a minimum, the recordation of the following:

- i. The balance of dice on hand;
- ii. The dice removed from storage;
- iii. The dice returned to storage or received from the manufacturer;
- iv. The date of the transaction; and
- v. The signatures of the individuals involved.

2. A daily reconciliation of the dice distributed and the dice destroyed and cancelled and/or returned to the storage room; and

3. A physical inventory of the dice at least once every three months. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of dice on hand required in (i)1 above.

[h] (j) All dice, other than those retained for commission or division inspection, shall immediately after use be either destroyed or cancelled. Cancellation shall occur by drilling a circular hole of at least one fourth inch in diameter through the center of each die. Destruction shall occur by shredding. The destruction and cancellation of dice shall take place in a secure place, the location and physical characteristics of which shall be approved by the commission or its authorized designee.

19:46-1.18 Cards; receipt, storage, inspections and removal from use

(a) When decks of cards are received for use in the casino from the manufacturer or distributor thereof, they shall be placed for storage in a locked cabinet or storage area by at least two individuals, one of whom shall be from the casino department and the other from the security department. The[se] cabinet[s] or primary storage area shall be located in the cashier[']s' cage or in another secure place in or immediately adjacent to the casino, the location and physical characteristics of which shall be approved by the commission or its authorized designee. Any secondary storage areas shall be located in secure areas, the location and physical characteristics of which shall be approved by the commission or its authorized designee.

(b) [Keys to the cabinet shall be in control of the cashier's cage, the chief security officer or his designee.] The cabinet or storage areas shall have two separate locks. The security department shall maintain one key and the casino department or cashiers' cage shall maintain the other key. Access to the cabinet or storage areas shall be limited to the assistant shift manager and

those persons above him in the organizational hierarchy of the casino.

(c) [Before each shift,] Immediately prior to the commencement of gaming each day and at such other times as may be necessary, the assistant shift manager or person above him, in the presence of a security officer, shall open the cabinet or primary storage area and shall remove the appropriate number of decks of cards for that [shift] day.

(d) The assistant shift manager or persons above him shall distribute sufficient decks to the casino supervisor [floorman] or dealer at each table, and the pit boss shall place extra decks for [a shift] card reserve in the pit stand. Cards in the pit stand shall be placed in a locked compartment, keys to which shall be in possession of the pit boss or those persons above him in the organizational hierarchy.

(e) (No change in text.)

(f) Card inspection at the gaming table shall require each pack to be used to be sorted into sequence and into suit to assure that all cards are in the deck. The dealer shall also check the back of each card to assure that it is not flawed, scratched or marked in any way. If, after checking the cards, the dealer finds that certain cards are damaged or improper, a [security officer or] casino supervisor shall bring to him cards in substitution from the [shift] card reserve in the pit stand. The damaged or improper cards shall be placed in a sealed envelope or container, identified by table number, date, time and shall be signed by the dealer and [receiving security officer or] casino supervisor. [The security officer or casino supervisor shall retain it for delivery to the security department at the end of the shift, together with envelopes for cards damaged during the shift and cards used to play out the shift.] The casino supervisor shall maintain the envelopes or containers in a secure place within the pit until a security officer collects them at the end of the day.

(g) Cards damaged during the course of play shall be replaced by the dealer who shall request a [security officer or] casino supervisor to bring him cards in substitution from the pit stand. The damaged cards shall be placed in a sealed envelope, identified by table number, date, [and] time[,] and shall be signed by the dealer and [security officer or] casino supervisor. [The security officer or casino supervisor shall retain it for delivery to the security department at the end of the shift.] The casino supervisor shall maintain the envelopes or containers in a secure place within the pit until a security officer collects them at the end of the day.

(h) At the end of each [shift] day and at such other times as may be necessary, the [pitboss or floorman] casino supervisor shall collect all cards used to play out the [shift] day. These cards shall be placed in a sealed envelope or container. A label shall be attached to each envelope or container which shall identify [, identified with] the table number, date, time and shall be signed by the dealer [, pitboss or floorman] and [receiving security officer who shall return the envelope to the security department] casino supervisor. The casino supervisor shall maintain the envelopes or containers in a secure place within the pit until a security officer collects them at the end of the day.

(i) The casino licensee shall remove any cards at any time of the day if there is any indication of tampering, flaws, scratches, marks or other defects that might affect the integrity or fairness of the game, or at the request of an authorized representative of the commission or division.

(j) At the end of each day, a security officer shall collect and sign all envelopes or containers with damaged or removed cards and cards used during the day, and shall return the envelopes to the security department.

(k) At the end of each day, a security officer shall collect all extra decks in card reserve. All sealed decks shall be returned to the cabinet or primary storage area. All decks with broken seals shall be returned to the security department for cancellation or destruction.

[(i)] (l) When [an] the envelopes or containers of used cards

[used to finish a shift] are returned to the security department, [at that time] they shall be inspected for tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play. [Such evidence shall immediately be reported to an agent of the commission or division, with all cards in the envelope retained for their inspection. Once released, these cards shall be destroyed or cancelled. Where cards in an envelope are inspected and found to be without any indication of tampering, marks, alterations or anything that might indicate unfair play, those cards shall immediately be destroyed or cancelled.]

1. The casino licensee shall cause to be inspected either:

i. All decks used during the day; or

ii. A sample of decks selected at random or in accordance with an approved stratification plan provided that the procedures for selecting the sample size and for assuring a proper selection of the sample is submitted to and approved by the commission or its authorized designee;

2. The casino licensee shall also inspect:

i. Any cards which the commission or division requests the casino licensee to remove for the purpose of inspection; and

ii. Any cards the casino licensee removed for indications of tampering;

3. The procedures for inspecting all decks required to be inspected under this subsection shall, at a minimum, include:

i. The sorting of cards sequentially by suit;

ii. The inspection of the backs with an infra red filter; and

iii. The inspection of the sides of the cards for crimps, bends, cuts and shaving;

4. The individuals performing said inspection shall complete a work order form which shall detail the procedures performed and a listing of the tables from which the cards were removed. The individual shall sign the form upon completion of the stated inspection procedures;

5. The casino licensee shall submit the training procedures, for those employees performing the inspection, which shall be approved by the commission or its authorized designee;

6. Evidence of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play shall be reported to an agent of the commission and division by completion of an approved three-part Card Discrepancy Report. The report shall accompany the cards when delivered to the agent of the commission. The cards shall be retained for further inspection by the commission. The Commission Inspector receiving the cards shall sign the original, duplicate and triplicate copy of the Card Discrepancy Report and retain the original at the Commission Booth. The duplicate copy shall be delivered to the division's office located within the casino hotel facility. The triplicate copy shall be retained by the casino licensee.

(m) The casino licensee shall submit to the commission or its authorized designee for approval, procedures for:

1. A card inventory system which shall include, at a minimum, the recordation of the following:

i. The balance of cards on hand by color;

ii. The cards removed from storage by color;

iii. The cards returned to storage or received from the manufacturer by color;

iv. The date of the transaction; and

v. The signatures of the individuals involved;

2. A daily reconciliation of the cards distributed and the cards destroyed and cancelled and/or returned to the storage room;

3. A physical inventory of the cards at least once every three months. This inventory shall be performed by an individual with no incompatible functions and shall be verified to the balance of cards on hand required in (m)1 above.

(n) Where cards in an envelope or container are inspected and found to be without any indication of tampering, marks, alterations, missing or additional cards or anything that might indicate unfair play, those cards shall immediately be destroyed

or cancelled. Once released by the commission and division, the cards submitted as evidence shall immediately be destroyed or cancelled.

1. Destruction of cards shall be by shredding;

[(j)] 2. (No change in text.)

3. The destruction and cancellation of cards shall take place in a secure place, the location and physical characteristics of which shall be approved by the commission or its authorized designee.

(a)

## CASINO CONTROL COMMISSION

### Cards; Number of Decks; Value of Cards

#### Notice of Correction: N.J.A.C. 19:47-2.2

An error appeared in the June 7, 1982 issue of the New Jersey Register at 14 N.J.R. 566. Subsection (c) was to have appeared as new material and should have been shown in boldface thus;

19:47-2.2 Cards; number of decks; value of cards

(a)-(b) (No change.)

(c) If a double shoe is utilized, blackjack shall be played with at least two decks of cards that shall be dealt from separate sides of the dealing shoe. The cards dealt from each side of the shoe shall have backs of the same color and design as all other cards being dealt from that side of the shoe. The backs of the cards being dealt from one side of the shoe, however, shall be of a different color than the backs being dealt from the other side. In addition to the cards used, a separate yellow or green cutting card shall be used in each side of the shoe.

# RULE ADOPTIONS

## AGRICULTURE

### (a)

#### DIVISION OF ANIMAL HEALTH

##### Brucellosis Control and Eradication Swine Brucellosis

**Adopted New Rules: N.J.A.C. 2:2-2.17, 2.18  
and 2:3-3.7**

**Adopted Amendments: N.J.A.C. 2:2-2.1,  
2.6, 2.10, 2.13, 2.14 and 2.15**

Proposed: June 7, 1982 at 14 N.J.R. 487(b).  
Adopted: July 15, 1982 by Arthur R. Brown, Jr., Secretary,  
Department of Agriculture.  
Filed: July 16, 1982 as R.1982 d.237, **without change**.

Authority: N.J.S.A. 4:5-93.22.

Effective Date: August 2, 1982.

### (b)

#### DIVISION OF ANIMAL HEALTH

##### Brucellosis Control and Eradication Vaccination of Female Bovine Animals

**Adopted Amendments: N.J.A.C. 2:2-2.3**

Proposed: June 7, 1982 at 14 N.J.R. 487(a).  
Adopted: July 15, 1982 by Arthur R. Brown, Jr., Secretary,  
Department of Agriculture.  
Filed: July 16, 1982 as R.1982 d.234, **without change**.

Authority: N.J.S.A. 4:5-93.22.

Effective Date: August 2, 1982.

### (c)

#### DIVISION OF ANIMAL HEALTH

##### Livestock and Poultry Importations Livestock for Exhibition

**Adopted New Rule: N.J.A.C. 2:3-6.2**

Proposed: June 7, 1982 at 14 N.J.R. 489(a).  
Adopted: July 15, 1982 by Arthur R. Brown, Jr., Secretary,  
Department of Agriculture.

Filed: July 16, 1982 as R.1982 d.235, **without change**.

Authority: N.J.S.A. 4:5-54 through 75 and 4:5-93.21.

Effective Date: August 2, 1982.

### (d)

#### DIVISION OF DAIRY INDUSTRY

##### Producers

##### Dairy Farmers Notice to Dealers of Intent to Discontinue Sales of Milk

**Adopted Amendment: N.J.A.C. 2:50-1.1**

Proposed: June 7, 1982 at 14 N.J.R. 489(b).  
Adopted: July 15, 1982 by Woodson W. Moffett, Jr.,  
Director, Division of Dairy Industry.  
Filed: July 19, 1982 as R.1982 d.238, **without change**.

Authority: N.J.S.A. 4:12A-20.

Effective Date: August 2, 1982.

### (e)

#### DIVISION OF REGULATORY SERVICES

##### Commercial Fertilizers and Soil Conditioners Update Commercial Values

**Adopted Amendment: N.J.A.C. 2:69-1.11**

Proposed: May 3, 1982 at 14 N.J.R. 402(a).  
Adopted: July 15, 1982 by Arthur R. Brown, Jr., Secretary,  
Department of Agriculture.  
Filed: July 16, 1982 as R.1982 d.236, **without change**.

Authority: N.J.S.A. 4:9-15.26.

Effective Date: August 2, 1982.

**BANKING****(a)****DIVISION OF BANKING****Restrictions on Real Property Transactions  
Definition of Executive Officer****Adopted Amendment: N.J.A.C. 3:1-10.1**

Proposed: June 7, 1982 at 14 N.J.R. 490(a).  
 Adopted: July 15, 1982 by Michael M. Horn,  
 Commissioner, Department of Banking.  
 Filed: July 19, 1982 as R.1982 d.242, **without change**.

Authority: N.J.S.A. 17:1-8.1 and 17:9A-311B.

Effective Date: August 2, 1982.

**(b)****DIVISION OF BANKING****Restrictions on Loans Involving Affiliated  
Persons  
Definition of Executive Officer****Adopted Amendment: N.J.A.C. 3:1-11**

Proposed: June 7, 1982 at 14 N.J.R. 490(b).  
 Adopted: July 15, 1982 by Michael M. Horn,  
 Commissioner, Department of Banking.  
 Filed: July 19, 1982 as R.1982 d.243, **without change**.

Authority: N.J.S.A. 17:1-8.1.

Effective Date: August 2, 1982.

**(c)****DIVISION OF BANKING****Definition of Executive Officer  
Participating in Major Policy-Making  
Functions****Adopted Amendments: N.J.A.C. 3:6-3**

Proposed: June 7, 1982 at 14 N.J.R. 491(a).  
 Adopted: July 15, 1982 by Michael M. Horn,  
 Commissioner, Department of Banking.  
 Filed: July 19, 1982 as R.1982 d.244, **without change**.

Authority: N.J.S.A. 17:9A-71(B).

Effective Date: August 2, 1982.

**(d)****DIVISION OF BANKING****Statement of Interest  
Definition of Executive Officer****Adopted Amendment: N.J.A.C. 3:7-5, 5.1,  
5.2, 5.3, 5.4 and 5.5**

Proposed: June 7, 1982 at 14 N.J.R. 492(a).  
 Adopted: July 15, 1982 by Michael M. Horn,  
 Commissioner, Department of Banking.  
 Filed: July 19, 1982 as R.1982 d.245, **without change**.

Authority: N.J.S.A. 17:9A-256, 17:9A-260 and 17:9A-311.

Effective Date: August 2, 1982.

**COMMUNITY AFFAIRS****(e)****DIVISION OF HOUSING****Uniform Construction Code  
Manufactured Housing****Adopted Amendment: N.J.A.C. 5:23-4.10A**

Proposed: June 7, 1982 at 14 N.J.R. 496(a).  
 Adopted: July 13, 1982 by John P. Renna, Commissioner,  
 Department of Community Affairs.  
 Filed: July 14, 1982 as R.1982 d.232, **without change**.

Authority: N.J.S.A. 52:27D-124 and 52:27D-124f.

Effective Date: August 2, 1982.

Note: As a result of the recent recodification of N.J.A.C. 5:23, 5:23-4.10A is now 5:23-4.25A.

**ENVIRONMENTAL PROTECTION****(f)****DIVISION OF WATER RESOURCES****Water Supply Allocation  
Fee Schedule for Water Supply Allocation  
Permits****Adopted New Rule: N.J.A.C. 7:19-3**

Proposed: May 17, 1982 at 14 N.J.R. 459(a).  
 Adopted: July 16, 1982 by Robert E. Hughey,

Commissioner, Department of Environmental Protection.  
Filed: July 19, 1982 as R.1982 d.239, **but with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 58:1A-11.

Effective Date: August 2, 1982.  
DEP Docket No.: 009-82-04.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 7:19-3.2 Purpose

The purpose of this subchapter is to establish fees for the water allocation permit program set forth in N.J.A.C. 7:19-1 and 2 based upon and not to exceed the estimated cost of processing, monitoring, administering and enforcing water supply allocation permits. The fee schedule shall be annually reviewed with respect to any changes in the costs of processing, monitoring, administering and enforcing water supply allocation permits. **\*Please note that the expenses of public hearings to be charged to applicants by the Department pursuant to N.J.A.C. 7:19-2.9 shall not be included in the calculations of the fee schedule set forth in this subchapter.\***

#### 7:19-3.3 Definitions

"Dewatering" means the **\*[abstraction]\* \*diversion\*** of water on a temporary basis from wells or excavations **\*in order to facilitate construction\***.

#### 7:19-3.7 Failure to submit the annual permit fee payment in a timely manner

(a) Failure to pay the annual permit fee by **\*[August 1]\* \*September 1\*** of each year **\*or 30 days after the fee payment became due\*** shall be considered a voluntary termination and surrender of the permit by the permittee, unless the Department has granted the permittee a written extension of the time to pay the fee **\*[prior to the August 1 due date]\***.

(b) (No change from proposal.)

#### 7:19-3.8 Fees

(a) (No change from proposal.)

(b) **\*Except for dewatering permits, each\* \* [Each]\*** applicant for a permit not previously subject to fees, **\*pursuant to this subchapter\***, including but not limited to privileges previously allowed pursuant to lawful legislative or administrative action, shall pay the appropriate fee prior to issuance of the permit plus:

1.-4. (No change from proposal.)

(c)-(f) (No change from proposal.)

(g) For the purpose of assessing fees under this subchapter the following shall apply:

1. (No change from proposal.)

2. For a water system supplying **\*or servicing\*** a single municipality only, all surface water **\*[sources]\* \*diversions\*** may be treated as a single permit **\*,\* \* [and]\*** all groundwater diversions **\*may be treated\*** as a single permit **\*[.]\* \*and all dewatering diversions may be treated as a single permit.\***

3. For systems supplying **\*or servicing\*** more than a single municipality, each group of surface water diversions **\*,\* \* [and]\*** each group of groundwater diversions **\*and each group of dewatering diversions\*** which either lie within a single municipality; or lie within a square of **\*[one]\* \*two\* \* [mile]\* \* miles\*** on each side will be treated as a single permit.

4.-5. (No change from proposal.)

**\*6. In the case of dewatering permits, the permittee shall pay the appropriate fee prior to the initiation of construction as set**

**forth under the conditions of the permit. The actual payment of the fee by the permittee shall signal the beginning of the term of the permit.\***

## (a)

### GREEN ACRES PROGRAM

#### State Recreation and Conservation Land Acquisition and Recreation Opportunities Development Fund Program

#### Adopted Amendment: N.J.A.C. 7:36-3.1

Proposed: May 17, 1982 at 14 N.J.R. 461(a).

Adopted: July 12, 1982 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: July 14, 1982 as R.1982 d.231, **without change**.

Authority: N.J.S.A. 13:8A-7, -25 and -41.

Effective Date: August 2, 1982.

## HEALTH

## (b)

### CONSUMER HEALTH SERVICES

#### Shellfish Depuration of Soft Shell Clams (Mya Arenaria)

#### Adopted Amendments: N.J.A.C. 8:13-2.1, 2.3, 2.4, 2.7, 2.8, 2.9, 2.11, 2.13 and 2.14 Adopted New Rule: N.J.A.C. 8:13-2.15

Proposed: May 3, 1982 at 14 N.J.R. 415(a).

Adopted: July 15, 1982 by Shirley A. Mayer, M.D., M.P.H., Commissioner, Department of Health.

Filed: July 19, 1982 as R.1982 d.241, **with substantive changes** not requiring additional public notice and comment.

Authority: N.J.S.A. 24:2-1.

Effective Date: August 2, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

#### 8:13-2.7 Transportation of clams

(a)-(b) (No change from proposal.)

(c) Only "U.S. Standard" **\*[bushels]\* \*bushel baskets\*** shall be used in the harvesting, transportation and receiving of clams at the depuration plant. All reasonable measures shall be taken to assure that **\*[bushels]\* \*bushel baskets\*** of clams received at the plant are filled to capacity.

(d) (No change from proposal.)

8:13-2.9 Plant equipment  
 (a)-(c) (No change from proposal.)  
 (d) Storage facilities shall provide for physical separation of the depurated from non-depurated clams and they shall be stored separately at all times.  
 1. (No change from proposal.)  
 i.-ii. (No change from proposal.)  
 \* [iii. The combining of two consecutive days harvests shall be restricted to bad weather conditions which prevent the operator from obtaining a full harvest. The routine combining of two consecutive days harvest is prohibited unless written approval is received from the Department. ]\*  
 2. (No change from proposal.)  
 (e)-(f) (No change from proposal.)

8:13-2.11 Cleaning and sanitizing treatment of equipment  
 (a) Adequate facilities shall be provided for the proper washing, cleaning and sanitizing treatment of equipment, utensils and building. All equipment and utensils utilized in the depuration plant shall be maintained in a clean condition. All clams and seawater contact surfaces shall be cleaned and sanitized after each usage and by the frequencies listed as follows:  
 1. (No change from proposal.)  
 2. The process tank sea water distribution piping network shall be cleaned and sanitized \*[after each process.]\* **\*at least once a week. If static organic material has accumulated at the end of a process the piping system shall be cleaned prior to the start of a new process.\***  
 3.-5. (No change from proposal.)

The following drug products and their manufacturers, noticed in the original proposal, **were not adopted** but are **still pending**:

Beclomethasone dipropionate aerosol inhalant	Glaxo
Butalbital/APC cap.	Cord
Chloramphenicol, 250 mg. cap.	Zenith
Chlorthalidone tab., 25, 50 mg.	Abbott
Chlorzoxazone/acetaminophen tab.	Chelsea
Erythromycin ethyl/succinate for oral suspension, 200 mg/5 ml	Barr
Erythromycin ethyl/succinate oral suspensin 400 mg/5 ml	NPC
Erythromycin E.C. tab 250 mg.	Abbott
Hydrochlorthiazide and reserpine tab. 25 mg/0.125 mg. and 50 mg/.125 mg.	Premo
Hydroxyzine HCL, theophylline, ephedrine sulfate tab.	Bolar
Isosorbide dinitrate oral tab. 20 mg., 30 mg.	Chelsea
Metronidazole tab. 250 mg.	Zenith
Spiroolactone tab. 25 mg.	Bolar, Zenith
Spiroolactone 25 mg., Hydrochlorthiazide 25 mg.	Danbury, Zenith
Sulfisoxazole tab. 500 mg.	Premo
Tolbutamide tab. 500 mg.	P-D, Zenith
Trifluoperazine HCL tab. 1,2,5,10 mg.	Cord

OFFICE OF ADMINISTRATIVE LAW NOTE: See the June 21, 1982 Register at 14 N.J.R. 655(b) for a related notice of adoption.

(a)

DRUG UTILIZATION REVIEW COUNCIL

Interchangeable Drug Products

Adopted Amendment: N.J.A.C. 8:71

Proposed: April 19, 1982 at 14 N.J.R. 369(a).  
 Adopted: July 15, 1982 by Drug Utilization Review Council, Robert G. Kowalski, Chairman  
 Filed: July 19, 1982 as R.1982 d.240, with a portion of the proposal not adopted but still pending and a portion of the proposal not adopted.

Authority: N.J.S.A. 24:6E-6g.

Effective Date: August 2, 1982.

The following proposed drugs with their acceptable manufacturers were **adopted**:

Acetaminophen/codeine tabs. 60 mg.	P-D
Acetaminophen/codeine, tabs. 30, 60 mg.	KV
A.P.C./codeine, 15 mg.	Zenith
Cyclandelate caps., 200, 400 mg.	Zenith
Diphenoxylate/atropine tabs.	P-D, Zenith
Dihydroergotoxine mesylate S/L tabs. 0.5, 1.0 mg.	Zenith
Folic Acid tab. 1 mg	Zenith
Hydrocortisone, neomycin, polymixin B Sulfate otic solution	Drummer
Iodochlorhydroxyquin 3%, hydrocortisone 1% cream	Thames
Nitrofurazone soluble dressing, 0.2%	Thames
Theophylline and guaifenesin liquid	Bay

The following drug product and its manufacturer, noticed in the original proposal, **was not adopted**:  
 Tolbutamide tab. 500 mg. P-D, Zenith

HUMAN SERVICES

(b)

DIVISION OF PUBLIC WELFARE

Public Assistance Manual  
Veterans' Funeral Expenses

Adopted Amendment: N.J.A.C. 10:81-7.26

Proposed: April 19, 1982 at 14 N.J.R. 374(a).  
 Adopted: July 7, 1982 by George J. Albanese, Commissioner, Department of Human Services.  
 Filed: July 9, 1982 as R.1982 d.228, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: August 2, 1982.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

10:81-7.26 Payment of claims  
 (a)-(f) (No change from proposal.)  
 (g) Veteran's benefits are as follows:  
 1. (No change from proposal.)  
 2. Amount of benefit:  
 i. Generally, payment toward a veteran's [burial] **funeral expenses will not exceed [\$250.] \$300.00. This payment is only available for a veteran who at the time of death was receiving or was eligible to receive a Veteran's Administration (VA) pension or a service related disability compensation.** [In addition, a]An amount not exceeding \$150.00 may be paid for any

veteran, as a plot or interment allowance when the veteran is not buried in a national cemetery. A higher burial \*[allowance]\* \* **allowance\*** is available if the death was service-connected.

- ii. (No change from proposal.)
- 3. (No change from proposal.)

(a)

DIVISION OF PUBLIC WELFARE

Assistance Standards Handbook  
Amendments Required by the Federal  
Omnibus Reconciliation Act of 1981

Notice of Correction: N.J.A.C. 10:82-3.13  
(13 N.J.R. 763(a), Emergency Adoption;  
14 N.J.R. 102(d), Readoption)

TAKE NOTICE THAT an error appears in the notice of the adopted emergency new rule and concurrent proposal at 13 N.J.R. 763(a). Due to a printing error, a portion of the rule was omitted from the notice and should have appeared as follows:

(Additions to proposal and adoption indicated in boldface (thus)).

10:82-3.13 Deeming of sponsor's income and resources to a sponsored alien

(a) the income and resources of an alien's sponsor shall be deemed to be **unearned income and resources of an alien applicant or recipient** for three years following the alien's entry into the United States. For purposes of this section, a sponsor is an individual (not an organization) who executed an affidavit of support or similar agreement on behalf of an alien (who is not the sponsor's child) as a condition of the alien's entry into the United States. No income or resources shall be deemed from a sponsor who is receiving AFDC or SSI.

- (b)-(f) (No change.)

(b)

DIVISION OF PUBLIC WELFARE

Ruling 11  
Tuition Aid

Adopted Amendment: N.J.A.C. 10:109-1.4

Proposed: April 19, 1982 at 14 N.J.R. 375(b).  
Adopted: July 7, 1982 by George J. Albanese,  
Commissioner, Department of Human Services.  
Filed: July 9, 1982 as R.1982 d.227, **with technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 44:7-6 and 44:10-3.

Effective Date: August 2, 1982.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

10:109-1.4 Components of the staff development and training program

- (a)-(b) (No change from proposal.)
- (c) (No change from proposal.)

1. (No change from proposal.)

2. Employees receiving tuition aid must be permanent full-time employees who have completed at least one year of **continuous satisfactory service** [on or before] **immediately \*[proceeding]\* \*preceding\*** the beginning date of the course(s) for which reimbursement is requested.

3.-5. (No change from proposal.)

- (d) (No change from proposal.)

LABOR

(c)

DIVISION OF WORKPLACE STANDARDS

Explosives  
Improving Safety for the Public and  
Property

Adopted Amendments: N.J.A.C. 12:190  
Adopted Repeal: N.J.A.C. 12:191, 12:192  
and 12:193

Proposed: August 6, 1981 at 13 N.J.R. 517(b).  
Adopted: July 12, 1982 by Roger A. Bodman,  
Commissioner, Department of Labor.  
Filed: July 13, 1982 as R.1982 d.229.

Authority: N.J.S.A. 21-1A-131.

Effective Date: August 2, 1982.  
Operative Date: October 15, 1982.

The adopted amendments and repeal were proposed on August 6, 1981 at 13 N.J.R. 517(b). However, since the proposal was voluminous the full text was not published but was made available for inspection and review at the Department of Labor. As a result of a public hearing and substantial oral and written comments, several changes to the proposal were made. However, since the proposal and the changes to the proposal at adoption are, again, voluminous, full text of the adopted changes are not published but may be inspected at:

Department of Labor  
Room 1103  
Labor and Industry Building  
John Fitch Plaza  
Trenton, New Jersey 08625

or

Office of Administrative Law  
Administrative filings  
88 East State Street  
Trenton, New Jersey 08625

Although the full text of the changes upon adoption are not published, they still comply with N.J.A.C. 1:30-3.5, Rules for Agency Rulemaking. The Department of Labor notes that these changes do not subject any additional persons to the proposed rule and do not make the rule more burdensome to comply with. Changes made were for the following reasons: clarification in language or grammatical correction; revision of Federal rules; reporting to and reorganization of the Department of Labor;

response to public hearing comment or other written comment; and update material referred to by reference.

Effective Date: August 2, 1982.

**TRANSPORTATION**

**(d)**

**(a)**

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Route 10**

**Adopted Amendment: N.J.A.C. 16:28A-1.8**

Proposed: May 17, 1982 at 14 N.J.R. 464(b).  
Adopted: June 30, 1982 by David W. Gwynn, Chief  
Engineer, Transportation Operations and Local Aid.  
Filed: July 7, 1982 as R.1982 d.223, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1, 39:4-139 and 39:4-199.

Effective Date: August 2, 1982.

**(b)**

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Route US 9W**

**Adopted Amendment: N.J.A.C. 16:28A-1.61**

Proposed: May 17, 1982 at 14 N.J.R. 465(a).  
Adopted: June 30, 1982 by David W. Gwynn, Chief  
Engineer, Transportation Operations and Local Aid.  
Filed: July 7, 1982 as R.1982 d.224, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1, 39:4-139 and 39:4-199.

Effective Date: August 2, 1982.

**(c)**

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Route 15**

**Adopted New Rule: N.J.A.C. 16:28A-1.65**

Proposed: May 17, 1982 at 14 N.J.R. 466(a).  
Adopted: June 30, 1982 by David W. Gwynn, Chief  
Engineer, Transportation Operations and Local Aid.  
Filed: July 7, 1982 as R.1982 d.226, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-138.1, 39:4-139.

**TRANSPORTATION OPERATIONS**

**Turns  
Route 73**

**Adopted New Rule: N.J.A.C. 16:31-1.17**

Proposed: May 17, 1982 at 14 N.J.R. 466(b).  
Adopted: June 30, 1982 by David W. Gwynn, Chief  
Engineer, Transportation Operations and Local Aid.  
Filed: July 7, 1982 as R.1982 d.225, **without change**.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-183.6

Effective Date: August 2, 1982.

**OTHER AGENCIES**

**(e)**

**CASINO CONTROL COMMISSION**

**Rules of the Games  
Craps**

**Adopted Amendment: N.J.A.C. 19:47-1.6**

Proposed: April 19, 1982 at 14 N.J.R. 382(a).  
Adopted: July 6, 1982 by New Jersey Casino Control  
Commission, Theron G. Schmidt, Executive  
Secretary.  
Filed: July 14, 1982 as R.1982 d.230, **without change**.

Authority: N.J.S.A. 5:12-63(c) and 5:12-70(f).

Effective Date: August 2, 1982.

# MISCELLANEOUS NOTICES

## ADMINISTRATIVE LAW

(a)

### OFFICE OF ADMINISTRATIVE LAW

#### Notice to Our Readers

Beginning with the September 7, 1982 Register, the agency's reasons for any changes to a proposed rule made upon adoption of the rule will appear as part of the notice of changes and adoption. A summary by the agency of comments received with respect to the proposal and of its responses to those comments will also appear with the notice of adoption.

The publication of this material is in compliance with N.J.S.A. 52:14B-4(a)(4), as implemented by N.J.A.C. 1:30-4.1(a)5 and 6.

## ENVIRONMENTAL PROTECTION

(b)

### THE COMMISSIONER

#### State Certifications of Draft NPDES Permits

#### Public Notice

Robert E. Hughey, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of State law.

The Department publishes public notice of certifications in the DEP Bulletin. Copies of the Bulletin may be obtained by calling (609) 292-3178 or writing to the Documents Distribution Center, P.O. Box 1390, Trenton, New Jersey 08625.

## LAW AND PUBLIC SAFETY

(c)

### DIVISION OF MOTOR VEHICLES

#### Bulk Commodities Application

#### Public Notice

Take notice that Clifford W. Snedeker, Director, Division of Motor Vehicles pursuant to the authority of N.J.S.A. c.39:5-E.11, hereby lists the names and addresses of applicants who have filed an application for a common carrier's certificate of public convenience and necessity and/or contract carrier permit to engage in the business of transporting bulk commodities in intrastate commerce.

COMMON CARRIER (NON-GRANDFATHER)  
Danchris, Inc.  
Ridgedale Avenue  
Morristown, NJ 07960

Any or all the above applications may be inspected in full by interested parties at the office of the Division of Motor Vehicles, Bureau of Motor Carriers, 25 S. Montgomery Street, Trenton, New Jersey 08666, on business days between 9:00 A.M. and 4:00 P.M.

Protests in writing and verified under oath may be presented by interested parties to the Director of Motor Vehicles within 20 days following the publication date of an application.

## OTHER AGENCIES

(d)

### CASINO CONTROL COMMISSION

#### Petition for Rulemaking Permitting Assistant Games Managers to Assist in Removing and Distributing Cards

Petition: Boardwalk Regency Corporation

Authority: N.J.S.A. 52:14B-4(f) and N.J.A.C. 1:30-3.6

Take notice that on May 20, 1982, the Casino Control Commission received a petition for rulemaking pursuant to N.J.S.A. 52:14B-4(f) from the Boardwalk Regency Corporation. Pursuant to N.J.A.C. 1:30-3.6, the Casino Control Commission has filed a notice of petition for rulemaking with regard to petitioner's request.

Boardwalk Regency Corporation has requested that N.J.A.C. 19:46-1.18(b), (c) and (d) be amended so that assistant games managers and those persons above him in the organizational hierarchy of the casino would be permitted to assist in the removal and distribution of cards. Petitioner maintains that there are too few people eligible under the present rules to insure the presence of a

few people eligible under the present rules to insure the presence of a person authorized to remove and distribute cards in the event that the shift manager is unavailable or an unforeseen emergency arises. Petitioner further maintains that these amendments would not present any risk to the integrity of the operation of its table games and would enable management to perform more efficiently.

This is a notice of petition for a rule (see N.J.A.C. 1:30-3.6). Any rule concerning the subject of this notice of petition for a rule must still comply with the rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(a)

## CASINO CONTROL COMMISSION

### Petition for Rulemaking Casino Gaming Tournaments

Petitioners: Resorts International Hotel, Inc. and IGP-East, Inc.

Authority: N.J.S.A. 52:14B-4(f) and N.J.A.C. 1:30-3.6.

**Take notice** that on June 16, 1982, the Casino Control Commission received a joint petition for rulemaking pursuant to N.J.S.A. 52:14B-4(f) from Resorts International Hotel and IGP-East. Pursuant to N.J.A.C. 1:30-3.6, the Casino Control Commission has filed a notice of petition for rulemaking with regard to petitioners' request.

Gaming tournaments are variations or composites of authorized casino games. Petitioners desire to hold, organize and promote gaming tournaments beyond the six month experimental period which ends December 1, 1982. Petitioners have requested approval of tournament gaming as an authorized game pursuant to N.J.S.A. 5:12-5 and for the promulgation of rules concerning gaming tournaments. Petitioners maintain that gaming tournaments have in the past demonstrated that they are suitable for casino use and should be adopted as an authorized game subject to rules established by the Commission.

This is a notice of petition for a rule (see N.J.A.C. 1:30-3.6). Any rule concerning the subject of this notice of petition for a rule must still comply with the rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(b)

## CASINO CONTROL COMMISSION

### Petition for Rulemaking Amendments to Procedures Concerning Linked Progressive Jackpots

Petitioner: Marina Associates

Authority: N.J.S.A. 52:14B-4(f) and N.J.A.C. 1:30-3.6.

**Take notice** that on June 8, 1982, the Casino Control Commission received a petition for rulemaking pursuant to N.J.S.A. 52:14B-4(f) from Marina Associates. Pursuant to N.J.A.C. 1:30-3.6, the Casino Control Commission has filed a notice of petition for rulemaking with regard to petitioner's request.

Marina Associates has requested that jackpot payout procedures for linked progressive slot machines be revised so as to eliminate

the requirement that winning progressive jackpots be paid before progressive meters can be reset. Petitioner maintains that the current procedure whereby the payout meter for a progressive slot machine cannot be reset until a winning patron has actually been paid results in a substantial loss of game time, patron dissatisfaction and decreased slot machine revenues and taxes. Petitioner has also proposed verification procedures as part of an internal controls system.

This is a notice of petition for a rule (see N.J.A.C. 1:30-3.6). Any rule concerning the subject of this notice of petition for a rule must still comply with the rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(c)

## CASINO CONTROL COMMISSION

### Petition for Rulemaking Prohibiting Pre-Recorded Music

Petitioner: Atlantic City Musician's Association

Authority: N.J.S.A. 52:14B-4(f) and N.J.A.C. 1:30-3.6

**Take notice** that on June 30, 1982, the Casino Control Commission received a petition for rulemaking pursuant to N.J.S.A. 52:14B-4(f) from the Atlantic City Musician's Association, Local No. 661-708, (A.C.M.A.). Pursuant to N.J.A.C. 1:30-3.6, the Casino Control Commission has filed a notice of petition for a rule with regard to the A.C.M.A. request.

The problem for which the A.C.M.A. seeks redress concerns the use of pre-recorded music which petitioner contends is a serious ongoing practice within Atlantic City hotel casinos which constitutes the unlawful piracy of music. Petitioner objects to the use of any pre-recorded music, whether it be a reproduction of A.C.M.A. arranged and performed music or as an accompaniment to a live action performance, and alleges that its effect is to displace gainful employment of A.C.M.A. members and significantly deteriorates the quality of entertainment in Atlantic City. Petitioner, therefore, has petitioned the Casino Control Commission to adopt a rule which would prohibit the use of pre-recorded music in Atlantic City hotel casinos.

**Interested persons** may submit written comments regarding this petition on or before July 26, 1982. These submissions should be addressed to:

Scott Silver  
Assistant Counsel  
Casino Control Commission  
Tennessee Avenue and the Boardwalk  
Atlantic City, New Jersey 08401

Those persons who submit written comments shall be permitted to offer oral comments when this petition is considered by the Commission at a regularly scheduled public meeting.

This is a notice of petition for a rule (see N.J.A.C. 1:30-3.6). Any rule concerning the subject of this notice of petition for a rule must still comply with the rulemaking requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

# LATE NOTICES

## OTHER AGENCIES

### (a)

#### CASINO CONTROL COMMISSION

##### General Provisions Construction and Amendments

##### Adopted Amendment: N.J.A.C. 19:40-1.3

Proposed: June 7, 1982 at 14 N.J.R. 558(b).  
Adopted: July 21, 1982 by Casino Control Commission,  
Theron G. Schmidt, Executive Secretary.  
Filed: July 22, 1982 as R.1982 d.254, **without change.**

Authority: N.J.S.A. 5:12-63(c) and N.J.S.A. 5:12-5.

Effective Date: August 2, 1982.  
Operative Date: September 15, 1982.

### (b)

#### CASINO CONTROL COMMISSION

##### Rules of the Games Blackjack

##### Adopted Amendments: Group D- N.J.A.C. 19:47-2.1, 2.2, 2.3(1), 2.4, 2.5, 2.6, 2.15, 2.20; Group A - 19:47-2.3 (identified as Alternative No. A-1) and 19:47-5.7 (identified as Alternative No. A-1)

Proposed: June 7, 1982 at 14 N.J.R. 559(b).  
Adopted: July 21, 1982 by Casino Control Commission,  
Theron G. Schmidt, Executive Secretary.  
Filed: July 21, 1982 as R.1982 d.255, **with substantive  
changes** not requiring additional public notice and  
comment, and with action on part of the proposal **still  
pending.**

Authority: N.J.S.A. 5:12-63(c), and N.J.S.A. 5:12-70(f).

Effective Date: August 2, 1982.  
Operative Date: September 15, 1982.

**Full text** of the changes between proposal and adoption follows  
(additions to proposal shown in boldface with asterisks **\*thus\***;  
deletions from proposal shown in brackets with asterisks **\*[thus]\***).

19:47-2.3 Wagers  
Group A: (a)-(i) (No change from proposal.)  
Group D: **\*[(j) Wagers made by a patron entering the game at any  
time other than a round immediately following a shuffle may be**

limited by a casino licensee to an amount not greater than the posted  
table minimum, until such time as a reshuffle occurs.

(k) Any player who, after placing a wager on a given round of  
play, declines to place a wager on any subsequent round of play may  
be precluded by the casino licensee from placing any further wagers  
until a reshuffle occurs. ]\*

Group A (Alternative No. A-1):

(j) **Unless permitted by the casino licensee, no person who has  
not made a wager on the first round of play may enter the game  
on a subsequent round of play prior to a reshuffle of the cards  
occurring. Any person permitted by the casino licensee to enter  
the game after the first round of cards is dealt from the dealing  
shoe may be required by the casino licensee to only wager the  
minimum limit posted at the table until the cards are reshuffled  
and a new shoe is commenced.**

(k) **Any player who, after placing a wager on a given round  
of play, declines to place a wager on any subsequent round of  
play may be precluded by the casino licensee from placing any  
further wagers until that shoe of cards is completed and a new  
shoe is commenced.**

Group D: (1) (No change from proposal.)

19:47-2.5 Shuffle and cut of the cards

(a)-(f) (No change from proposal.)

(g) A reshuffle of the cards in the shoe shall [only] take place after  
the cutting card is reached in the shoe as provided for in N.J.A.C.  
19:47-2.6[(j)](k) except that:

1. [a] **\*[A new dealer at the table shall have the discretion to  
reshuffle the cards in the shoe prior to continuing play, provided,  
however, that a new dealer shall not be assigned to a table for the  
purpose of circumventing this rule by allowing a reshuffle to  
occur[.];\* \*The casino licensee may determine after each round  
of play that the cards should be reshuffled;\***

2. (No change from proposal.)

**Casino Control Commission Note:** Action on the following rule  
proposals is still pending.

May 17, 1982, 14 N.J.R. at 467(a)

19:47-2.1, 2.16, 2.17, 2.18 and 2.19

All of Alternatives I, II, III and IV

May 17, 1982, 14 N.J.R. at 649(a)

19:47-2.5 Shuffle and cut of the cards

June 7, 1982, 14 N.J.R. at 559(b)

#### Group A

19:47-2.3 Wagers

Alternative Nos. A-2, A-3, A-4

19:47-2.5 Shuffle and cut of the cards

Alternative Nos. A-1, A-2

19:47-2.10 Doubles Down

Alternative Nos. A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9,  
A-10, A-11

19:47-2.11 Splitting pairs

19:47-2.12 Drawing of additional cards by players and dealers

19:47-2.20 Continuous shuffling shoe or device

19:47-2.21 Rules at different minimum limit tables

19:47-5.7 Minimum and maximum wagers

Alternative No. A-2

19:46-1.19 Dealing shoes

#### Group B

All of Group B

#### Group C

All of Group C

#### Group E

All of Group E

#### Group F

All of Group F

# INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code. Rules which are being promulgated in this Register, and which appear in the *Table of Rules* in this issue, do not appear in this index.

The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption.

An N.J.A.C. citation which includes a **section** number, such as 1:30-1.1, means that only that section has been modified. An N.J.A.C. citation which includes a **subchapter** number, such as 5:23-3, but no section designation, or which includes only title and **chapter**, such as 1:30, means that there have been extensive changes involving all or most sections of that subchapter or chapter.

At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings  
CN 301  
Trenton, New Jersey 08625

**To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with July 5, 1979.**

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
<b>ADMINISTRATIVE LAW—TITLE 1</b>				
1:1-1.1	Applicability of OAL rules	13 N.J.R. 60(a)	R. 1981 d. 118	13 N.J.R. 254(a)
1:1-1.1	Uncontested cases	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-1.5	Nature of a contested case	13 N.J.R. 2(a)	R. 1981 d. 116	13 N.J.R. 254(b)
1:1-3.5	Attorneys obstruction	13 N.J.R. 254(c)	R. 1981 d. 443	13 N.J.R. 842(a)
1:1-3.7	Appearances and representation in contested cases	13 N.J.R. 2(b)	R. 1981 d. 442	13 N.J.R. 842(b)
1:1-3.8	Agency litigation staff and final decisions	14 N.J.R. 4(a)	R. 1982 d. 150	14 N.J.R. 471(a)
1:1-3.10	Interpreters	13 N.J.R. 3(a)	R. 1981 d. 441	13 N.J.R. 842(c)
1:1-9.1	Relief motions	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-9.7, 11.2, 11.3	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-11.5	Time for discovery	13 N.J.R. 470(a)	R. 1981 d. 444	13 N.J.R. 842(d)
1:1-12.3	Standards for intervention in administrative hearings	13 N.J.R. 61(a)	R. 1981 d. 119	13 N.J.R. 255(a)
1:1-12.4	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-12.6	Participation	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-14.1	Motions to consolidate	12 N.J.R. 626(b)	R. 1981 d. 120	13 N.J.R. 255(b)
1:1-14.1, 14.2	Motions to consolidate	13 N.J.R. 4(a)	R. 1981 d. 117	13 N.J.R. 255(c)
1:1-14.3, 15.2	Finality of procedural decisions	13 N.J.R. 3(b)	R. 1981 d. 55	13 N.J.R. 114(a)
1:1-16.3	Record inventories	14 N.J.R. 2(a)	R. 1982 d. 87	14 N.J.R. 335(a)
1:1-17.1, 17.2	Settlement by consent; withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 335(b)
1:1-17.2	Correction: Withdrawal of cases	14 N.J.R. 4(b)	R. 1982 d. 86	14 N.J.R. 383(a)
1:30	Rules of agency rulemaking	Emergency	R. 1981 d. 83	13 N.J.R. 171(a)
1:30-1.2	Correction: Agency rulemaking	13 N.J.R. 171(a)	R. 1981 d. 83	13 N.J.R. 255(d)
(Title 1, Transmittal 1 dated July 17, 1980)				
<b>AGRICULTURE—TITLE 2</b>				
2:2-2.2	Official calthood brucella vaccination	13 N.J.R. 114(b)	R. 1981 d. 173	13 N.J.R. 318(a)
2:2-2.3	Vaccination of female bovines	13 N.J.R. 256(a)	R. 1981 d. 288	13 N.J.R. 471(a)
2:2-2.16	Slaughtering of market cattle and goats	13 N.J.R. 5(a)	R. 1981 d. 40	13 N.J.R. 115(b)
2:3-2.3, 2.4	Brucellosis and tuberculosis tests for cattle	13 N.J.R. 4(b)	R. 1981 d. 39	13 N.J.R. 115(a)
2:3-4.1	Movement of livestock	13 N.J.R. 5(b)	R. 1981 d. 41	13 N.J.R. 115(c)
2:5-1	Repeal hog cholera quarantines	13 N.J.R. 5(c)	R. 1981 d. 42	13 N.J.R. 115(d)
2:22-2	Mediterranean fruit fly control	13 N.J.R. 550(a)	R. 1981 d. 508	14 N.J.R. 101(a)
2:48-5.1	Use of coupons in milk promotion	13 N.J.R. 181(b)	R. 1981 d. 166	13 N.J.R. 318(b)
2:54-1.1	Milk marketing order	13 N.J.R. 551(a)	R. 1981 d. 416	13 N.J.R. 753(a)
2:54-1.1, 2.1	Milk Marketing Order 57-3 and Order 63-1	13 N.J.R. 798(a)	R. 1981 d. 512	14 N.J.R. 101(b)
2:69-1.6	Slow-release nitrogen products	14 N.J.R. 258(a)	R. 1982 d. 159	14 N.J.R. 471(b)
2:69-1.11	Commercial values of primary plant nutrients	13 N.J.R. 114(c)	R. 1981 d. 172	13 N.J.R. 318(c)
2:71-2.28, 2.29, 2.31	Farm products inspection and grading fees	14 N.J.R. 66(a)	R. 1982 d. 75	14 N.J.R. 277(a)
(Title 2, Transmittal 18 dated January 14, 1981)				
<b>BANKING—TITLE 3</b>				
3:1-1.1	Interest rates	Emergency	R. 1981 d. 429	13 N.J.R. 753(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
3:1-1.1	Readoption: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d.511	14 N.J.R. 101(c)
3:1-1.1	Correction: Interest rates on mortgages	13 N.J.R. 753(b)	R. 1981 d.511	14 N.J.R. 205(a)
3:1-2	Procedural rules	13 N.J.R. 182(a)	R. 1981 d.258	13 N.J.R. 382(b)
3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d.213	14 N.J.R. 755(a)
3:2-2.1-2.3	Plain language in consumer contracts	13 N.J.R. 184(a)	R. 1981 d.259	13 N.J.R. 383(a)
3:6-1.1	Savings bank parity rule	13 N.J.R. 383(b)	R. 1981 d.352	13 N.J.R. 551(b)
3:6-7, -9	Class II and Small Business Loans	14 N.J.R. 182(a)	R. 1982 d.126	14 N.J.R. 383(b)
3:6-12.1	Commercial bank parity	13 N.J.R. 383(c)	R. 1981 d.351	13 N.J.R. 552(a)
3:8-3, -4	Nonmember commercial bank reserves	14 N.J.R. 183(a)	R. 1982 d.125	14 N.J.R. 383(c)
3:11-2.1	Commercial bank lending: Approved subsidiaries	13 N.J.R. 799(a)	R. 1981 d.516	14 N.J.R. 101(d)
3:11-10.1, 10.2	Savings banks participation in credit card operations	13 N.J.R. 61(b)	R. 1981 d.91	13 N.J.R. 185(b)
3:17-4.4,-7	Small loan licensees	13 N.J.R. 115(e)	R. 1981 d.257	13 N.J.R. 384(a)
3:17-7.1, 7.3	Permits to small loan licensees	13 N.J.R. 471(b)	R. 1981 d.430	13 N.J.R. 754(a)
3:19-2	Energy rules on home repair financing	Emergency	R. 1981 d.29	13 N.J.R. 116(a)
3:21-2	State chartered credit unions	13 N.J.R. 522(b)	R. 1981 d.414	13 N.J.R. 754(b)
3:23	License fees for credit sales and loan businesses	Emergency	R. 1982 d.76	14 N.J.R. 277(b)
3:23	Readopted: License fees for credit and lending	14 N.J.R. 277(b)	R. 1982 d.158	14 N.J.R. 471(c)
3:26-4.1	Parity with federally-chartered savings and loan	13 N.J.R. 634(a)	R. 1981 d.506	14 N.J.R. 40(a)
3:27-6	Repealed: Variable rate mortgage rules	13 N.J.R. 715(a)	R. 1981 d.507	14 N.J.R. 40(b)
3:30-2.1	Reserve requirements	13 N.J.R. 61(c)	R. 1981 d.90	13 N.J.R. 185(a)
3:38-1	Licensing of mortgage bankers and brokers	Emergency	R. 1981 d.165	14 N.J.R. 571(a)
3:38-1.1	Mortgage bankers and brokers license fees	13 N.J.R. 256(c)	R. 1981 d.260	13 N.J.R. 384(b)

**(Title 3, Transmittal 17 dated January 14, 1981)**

**CIVIL SERVICE-TITLE 4**

4:1	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)
4:1-1.10	Petitions from interested persons	13 N.J.R. 384(c)	R. 1981 d.413	13 N.J.R. 754(c)
4:1-2.1	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d.233	13 N.J.R. 385(a)
4:1-5.17	Determining back pay awards	13 N.J.R. 715(b)	R. 1982 d.35	14 N.J.R. 205(b)
4:1-6.5, 6.5A	Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d.152	14 N.J.R. 471(d)
4:1-8.6	Promotional examinations	13 N.J.R. 6(b)	R. 1981 d.92	13 N.J.R. 186(c)
4:1-8.8A	Residency standards	13 N.J.R. 552(c)	R. 1981 d.501	14 N.J.R. 40(c)
4:1-8.11	Time and place of examinations	13 N.J.R. 554(a)	R. 1981 d.461	13 N.J.R. 885(c)
4:1-8.11	Cancellation of examinations	13 N.J.R. 716(a)	R. 1981 d.500	14 N.J.R. 40(d)
4:1-8.21	Make-up examinations and test security	14 N.J.R. 259(a)	R. 1982 d.178	14 N.J.R. 573(a)
4:1-8.22, 8.23	Handicapped testing	Emergency	R. 1981 d.401	13 N.J.R. 754(d)
4:1-8.22, 8.23	Readoption: Handicapped testing	13 N.J.R. 754(d)	R. 1981 d.499	14 N.J.R. 41(a)
4:1-12.8	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d.107	14 N.J.R. 335(c)
4:1-12.15	Extension of certification list	13 N.J.R. 117(a)	R. 1981 d.127	13 N.J.R. 257(a)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:1-16.7	Suspension, fines and demotions	13 N.J.R. 63(b)	R. 1981 d.107	13 N.J.R. 257(b)
4:1-16.13	Reemployment and retirees	14 N.J.R. 260(a)	R. 1982 d.179	14 N.J.R. 573(b)
4:1-16.15	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d.153	14 N.J.R. 472(a)
4:1-20.2, 20.3	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d.233	13 N.J.R. 385(a)
4:1-20.3	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d.485	13 N.J.R. 943(a)
4:1-20.4	Inspection of evaluations	13 N.J.R. 556(a)	R. 1981 d.459	13 N.J.R. 885(b)
4:1-20.8	Employee Advisory Service	13 N.J.R. 63(a)	R. 1981 d.233	13 N.J.R. 385(a)
4:1-24.2	Pre-layoff actions (proposed as 4:1-16.1A)	13 N.J.R. 862(a)	R. 1982 d.88	14 N.J.R. 335(d)
4:2	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)
4:2-6.4	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d.152	14 N.J.R. 471(d)
4:2-7.1	Repealed: See 4:1-5.17	13 N.J.R. 715(b)	R. 1982 d.35	14 N.J.R. 205(b)
4:2-7.1A, 7.2-7.7 7.9	Compensation plans; anniversary dates	14 N.J.R. 68(a)	R. 1982 d.91	14 N.J.R. 336(a)
4:2-12.4	Certification of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d.107	14 N.J.R. 335(c)
4:2-16.3	Repealed: Job Bank program	14 N.J.R. 117(b)	R. 1982 d.108	14 N.J.R. 336(b)
4:2-16.7	Benefit information to next of kin	14 N.J.R. 117(a)	R. 1982 d.153	14 N.J.R. 472(a)
4:2-20.2	Performance evaluations	13 N.J.R. 555(a)	R. 1981 d.485	13 N.J.R. 943(a)
4:2-20.11	Employee Advisory Service	13 N.J.R. 386(d)	R. 1981 d.504	14 N.J.R. 41(b)
4:3	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)
4:3-6.6	Repealed: Classifications and appeals	14 N.J.R. 5(a)	R. 1982 d.152	14 N.J.R. 471(d)
4:3-8.12	Residency standards	13 N.J.R. 552(c)	R. 1981 d.501	14 N.J.R. 40(c)
4:3-12.5	Certifications of veterans and nonveterans	14 N.J.R. 114(a)	R. 1982 d.107	14 N.J.R. 335(c)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:4, 5, 6	CSPM into Title 4	13 N.J.R. 556(b)	R. 1981 d.458	13 N.J.R. 885(a)

**(Title 4, Transmittal 15 dated November 10, 1980)**

**COMMUNITY AFFAIRS-TITLE 5**

5:10	Maintenance of hotels and multiple dwellings	13 N.J.R. 383(d)	R. 1981 d.95	13 N.J.R. 189(d)
5:10-1.3, 2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d.363	13 N.J.R. 704(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:10-19.11	Maintenance of hotels and multiple dwellings	13 N.J.R. 384(a)	R.1980 d.500	13 N.J.R. 7(c)
5:10-19.11	Fire protection	Emergency	R.1980 d.536	13 N.J.R. 7(f)
5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R.1981 d.363	13 N.J.R. 704(a)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R.1982 d.71	14 N.J.R. 278(a)
5:11-7.1-7.5	Eviction and relocation	13 N.J.R. 67(b)	R.1981 d.69	13 N.J.R. 189(b)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R.1981 d.183	13 N.J.R. 332(a)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R.1981 d.180	13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R.1981 d.424	13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R.1982 d.139	14 N.J.R. 426(a)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R.1981 d.425	13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R.1982 d.78	14 N.J.R. 278(b)
5:23	Uniform Construction Code	11 N.J.R. 607(a)	R.1980 d.508	13 N.J.R. 7(d)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R.1981 d.134	13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R.1981 d.133	13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R.1981 d.462	13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R.1981 d.182	13 N.J.R. 333(b)
5:23-2.7	UCC: Certificate of occupancy	13 N.J.R. 7(b)	R.1981 d.45	13 N.J.R. 123(a)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R.1981 d.132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R.1981 d.133	13 N.J.R. 258(c)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R.1981 d.132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R.1981 d.133	13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code	Emergency	R.1980 d.537	13 N.J.R. 8(a)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R.1981 d.454	13 N.J.R. 886(a)
5:23-3.3	Uniform Construction Code: Casino hotels	13 N.J.R. 561(b)	R.1981 d.455	13 N.J.R. 886(b)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R.1982 d.23	14 N.J.R. 142(b)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R.1981 d.133	13 N.J.R. 258(c)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R.1982 d.220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R.1982 d.42	14 N.J.R. 233(a)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R.1982 d.220	14 N.J.R. 755(b)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R.1981 d.134	13 N.J.R. 258(b)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R.1981 d.462	13 N.J.R. 885(d)
5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R.1981 d.463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R.1982 d.10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R.1982 d.56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R.1982 d.8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R.1982 d.10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R.1982 d.8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R.1981 d.134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R.1981 d.131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R.1981 d.131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R.1981 d.354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R.1982 d.9	14 N.J.R. 144(a)
5:25	New Home Warranty and Builders' Registration	12 N.J.R. 631(a)	R.1980 d.522	13 N.J.R. 7(e)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R.1982 d.55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R.1982 d.22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R.1981 d.181	13 N.J.R. 333(d)
5:26	Planned real estate development full disclosure	13 N.J.R. 70(b)	R.1981 d.70	13 N.J.R. 189(c)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R.1981 d.130	13 N.J.R. 259(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R.1981 d.365	13 N.J.R. 704(b)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R.1981 d.359	13 N.J.R. 704(c)
5:27-1.6, 3.2	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R.1981 d.435	13 N.J.R. 842(e)
5:27-5.2, 5.8	Rooming and boarding houses	Emergency	R.1980 d.546	13 N.J.R. 71(a)
5:28	State Housing Code (1980)	13 N.J.R. 70(a)	R.1981 d.68	13 N.J.R. 189(a)
5:29	Petitions for rules	13 N.J.R. 259(b)	R.1981 d.242	13 N.J.R. 395(a)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R.1981 d.381	13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R.1982 d.186	14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R.1981 d.216	13 N.J.R. 395(b)
5:30-4.4	Capital budgets and improvement programs	12 N.J.R. 568(b)	R.1981 d.3	13 N.J.R. 73(b)
5:30-9.1	Financial administration	12 N.J.R. 633(a)	R.1981 d.2	13 N.J.R. 73(a)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R.1981 d.122	13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R.1981 d.121	13 N.J.R. 260(b)
5:37	Municipal and County Employees Deferred Compensation	Emergency	R.1980 d.456	12 N.J.R. 633(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:37	Deferred compensation program	Emergency	R. 1980 d.557	13 N.J.R. 71(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R. 1981 d.356	13 N.J.R. 563(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R. 1981 d.255	13 N.J.R. 397(a)

**(Title 5, Transmittal 15 dated September 18, 1980)**

**EDUCATION-TITLE 6**

6:11-3.3	Teacher certification fees	13 N.J.R. 8(b)	R. 1981 d.82	13 N.J.R. 191(a)
6:11-3.7	Revocation of teaching certificate	14 N.J.R. 73(a)	R. 1982 d.122	14 N.J.R. 383(d)
6:11-3.18	Teacher education and academic credentials	12 N.J.R. 452(e)	R. 1981 d.22	13 N.J.R. 123(b)
6:20-2.3	Budget and cost distribution records	13 N.J.R. 333(e)	R. 1981 d.353	13 N.J.R. 563(b)
6:20-2.3	Program-oriented budgeting format	14 N.J.R. 309(a)	R. 1982 d.194	14 N.J.R. 654(b)
6:21-10.4	Private auto use for pupil transportation	13 N.J.R. 914(a)	R. 1982 d.121	14 N.J.R. 384(a)
6:22-1.14, 1.19	Inspection fees for school facilities	14 N.J.R. 74(a)	R. 1982 d.119	14 N.J.R. 384(b)
6:24-1.3	Format of petition for controversies and disputes	13 N.J.R. 190(a)	R. 1981 d.265	13 N.J.R. 397(b)
6:24-1.3	Correction: Petition format	13 N.J.R. 190(a)	R. 1981 d.265	13 N.J.R. 481(a)
6:29-4.2	Tuberculosis testing	13 N.J.R. 914(b)	R. 1982 d.120	14 N.J.R. 385(a)
6:29-8.1, 8.2	Hearing screening of pupils	14 N.J.R. 108(a)	R. 1982 d.195	14 N.J.R. 654(c)
6:30	Adult diploma requirements	13 N.J.R. 721(a)	R. 1982 d.39	14 N.J.R. 205(c)
6:44-6,-7	Recodified as 6:30	13 N.J.R. 721(a)	R. 1982 d.39	14 N.J.R. 205(c)
6:46-1.1	"Technical education" in local area districts	14 N.J.R. 9(b)	R. 1982 d.118	14 N.J.R. 385(b)
6:46-1.1-1.5	Local area vocational school districts	13 N.J.R. 635(b)	R. 1981 d.495	14 N.J.R. 41(c)
6:66	Archives and history records management	13 N.J.R. 190(b)	R. 1981 d.202	13 N.J.R. 397(c)

**(Title 6, Transmittal 17 dated November 10, 1980)**

**ENVIRONMENTAL PROTECTION-TITLE 7**

7:1-3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1-4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1A	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R. 1982 d.167	14 N.J.R. 573(c)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R. 1981 d.187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R. 1981 d.473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R. 1981 d.48	13 N.J.R. 128(b)
7:1D	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:1G	Pinelands Comprehensive Management Plan	12 N.J.R. 309(a)	R. 1980 d.370	12 N.J.R. 575(c)
7:1G	Drought crisis	Emergency	R. 1981 d.93	13 N.J.R. 195(c)
7:1G	Water rationing plan	Emergency	R. 1981 d.203	13 N.J.R. 397(d)
7:1G-3.1	Drought crisis	Emergency	R. 1981 d.147	13 N.J.R. 334(c)
7:1G-3.3	Drought emergency	Emergency	R. 1981 d.105	13 N.J.R. 204(a)
7:1G-3.7, 3.8	Rules of Drought Coordinator	Emergency	R. 1981 d.222	13 N.J.R. 399(a)
7:1G-3.8	Water rationing plan	Emergency	R. 1981 d.266	13 N.J.R. 400(a)
7:1G-4.1	Use of fresh water for horticulture	Emergency	R. 1981 d.159	13 N.J.R. 335(a)
7:1G-5.4-5.7	Drought crisis	Emergency	R. 1981 d.147	13 N.J.R. 334(c)
7:1G-5.8	Landlord/tenant: Excess use charges	Emergency	R. 1981 d.217	13 N.J.R. 400(b)
7:1H	County environmental health services	11 N.J.R. 616(a)	R. 1980 d.362	12 N.J.R. 514(a)
7:2-11.22	Swimming River Natural Area map	12 N.J.R. 505(d)	R. 1981 d.4	13 N.J.R. 91(a)
7:7	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:7-2	Waterfront and coastal resource development	12 N.J.R. 252(a)	R. 1980 d.375	12 N.J.R. 576(a)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R. 1981 d.355	13 N.J.R. 564(b)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R. 1981 d.267	13 N.J.R. 401(b)
7:7E	Waterfront and coastal resource development	12 N.J.R. 252(a)	R. 1980 d.375	12 N.J.R. 576(a)
7:7E	Coastal resource and development policies	13 N.J.R. 76(a)	R. 1981 d.186	13 N.J.R. 338(a)
7:7E-3.10, 3.30, 3.33, 3.37, 4.10, 4.11, 5.5	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d.114	14 N.J.R. 385(c)
7:7E-7.2	Affordable housing and coastal development	13 N.J.R. 864(a)	R. 1982 d.31	14 N.J.R. 206(a)
7:7E-8.7, 8.16, 8.17	Coastal resources and development policies	13 N.J.R. 565(a)	R. 1982 d.114	14 N.J.R. 385(c)
7:8	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:9-3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R. 1981 d.80	13 N.J.R. 194(b)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R. 1981 d.224	13 N.J.R. 402(a)
7:9-15	Grants for restoring publicly owned freshwater lakes	12 N.J.R. 310(a)	R. 1980 d.374	12 N.J.R. 575(e)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:12-1.1, 1.3,	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d.182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d.431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d.190	13 N.J.R. 339(b)
7:13-1.11	Flood plain delineation along Mullica River	12 N.J.R. 69(a)	R. 1981 d.8	13 N.J.R. 91(c)
7:13-1.11	Flood plain delineation along Cedar Creek	12 N.J.R. 70(a)	R. 1981 d.9	13 N.J.R. 91(d)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:13-1.11	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d.88	13 N.J.R. 194(d)
7:13-1.11	Flood plain delineation of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d.89	13 N.J.R. 194(e)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d.144	13 N.J.R. 339(c)
7:13-1.11	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d.145	13 N.J.R. 340(a)
7:13-1.11	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d.154	14 N.J.R. 472(b)
7:13-1.11	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d.155	14 N.J.R. 473(a)
7:13-1.11	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d.156	14 N.J.R. 473(b)
7:13-1.11	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d.157	14 N.J.R. 473(c)
7:13-1.11	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d.209	14 N.J.R. 755(c)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14-1.4	New definition of "treatment works"	12 N.J.R. 311(b)	R. 1980 d.424	12 N.J.R. 642(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d.82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d.373	13 N.J.R. 705(a)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d.214	13 N.J.R. 403(a)
7:15	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d.56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d.279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d.488	14 N.J.R. 42(a)
7:21	Water policy and supply council	Organizational	R. 1981 d.366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d.456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d.223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d.104	13 N.J.R. 195(b)
7:25-1.7	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d.513	14 N.J.R. 102(a)
7:25-4.8	Potentially dangerous species	12 N.J.R. 390(a)	R. 1980 d.448	12 N.J.R. 643(b)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d.253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d.212	14 N.J.R. 755(d)
7:25-6	1981 Fish Code	12 N.J.R. 457(a)	R. 1980 d.400	12 N.J.R. 577(a)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d.470	13 N.J.R. 887(a)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25-7.3	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-7.4	Repeal rules prohibiting oyster dredging	Emergency	R. 1980 d.369	12 N.J.R. 575(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d.199	13 N.J.R. 403(d)
7:25-7.13	Crab dredging	12 N.J.R. 457(b)	R. 1980 d.396	12 N.J.R. 576(e)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d.200	13 N.J.R. 404(a)
7:25-9.2	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d.362	13 N.J.R. 706(a)
7:25-9.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d.256	13 N.J.R. 404(c)
7:25-10	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:25-12.1	Preservation of clam resource	12 N.J.R. 641(a)	R. 1980 d.521	13 N.J.R. 11(b)
7:25-12.1	Sea clam harvesting (emergency adoption)	Emergency	R. 1981 d.448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 643(a)	R. 1981 d.486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d.80	14 N.J.R. 288(a)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d.299	13 N.J.R. 546(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d.169	14 N.J.R. 578(a)
7:25-14.9	Penalties for shellfish law violations	12 N.J.R. 456(a)	R. 1980 d.395	12 N.J.R. 576(d)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d.117	14 N.J.R. 387(a)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d.469	13 N.J.R. 887(b)
7:25-18	Marine fisheries	12 N.J.R. 312(a)	R. 1980 d.394	12 N.J.R. 576(c)
7:25-19.1	Atlantic Coast harvest season	12 N.J.R. 312(b)	R. 1980 d.373	12 N.J.R. 575(d)
7:25-20.1	List of nongame wildlife species of New Jersey	12 N.J.R. 390(b)	R. 1980 d.390	12 N.J.R. 576(b)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d.198	13 N.J.R. 405(a)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d.94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d.188	13 N.J.R. 340(c)
7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d.197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d.148	14 N.J.R. 426(b)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:26-1.8	Haadous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:26-3.2,4.7	Solid waste collection and haulage	Procedural	R. 1981 d.49	13 N.J.R. 129(a)
7:26-5.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d.433	12 N.J.R. 643(a)
7:26-7, -8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-11	Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d.184	13 N.J.R. 340(d)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d. 370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:3-15)	13 N.J.R. 865(a)	R. 1982 d. 32	14 N.J.R. 206(b)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R. 1981 d. 135	13 N.J.R. 264(a)
7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R. 1981 d. 185	13 N.J.R. 341(a)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R. 1982 d. 3	14 N.J.R. 145(b)
7:27A-1.4	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R. 1981 d. 464	13 N.J.R. 887(c)
7:29B	Noise measurement	13 N.J.R. 127(b)	R. 1982 d. 81	14 N.J.R. 339(a)
7:36-2.2, 3.2, 5.5, 6.4	Green Acres Program	12 N.J.R. 512(a)	R. 1981 d. 7	13 N.J.R. 91(b)
7:38	Wild and scenic rivers	12 N.J.R. 458(a)	R. 1980 d. 401	12 N.J.R. 577(b)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R. 1982 d. 2	14 N.J.R. 147(a)
7:50	Repeal of various rules	12 N.J.R. 454(b)	R. 1980 d. 433	12 N.J.R. 643(a)
7:50	Pinelands Comprehensive Management Plan	12 N.J.R. 513(b)	R. 1981 d. 13	13 N.J.R. 91(e)
7:50	Pinelands management	13 N.J.R. 569(a)	R. 1982 d. 131	14 N.J.R. 388(a)

(Title 7, Transmittal 15 dated July 17, 1980)

### HEALTH-TITLE 8

8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R. 1982 d. 123	14 N.J.R. 389(a)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R. 1980 d. 539	13 N.J.R. 13(f)
8:22-1	State Sanitary Code—Campgrounds	13 N.J.R. 130(a)	R. 1981 d. 161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R. 1980 d. 499	13 N.J.R. 13(c)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 756(a)
8:31-27	Megavoltage radiation (recodified as 8:33I)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d. 528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d. 284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d. 325	13 N.J.R. 571(c)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d. 25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	13 N.J.R. 410(a)	R. 1981 d. 404	13 N.J.R. 756(c)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d. 455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d. 494	14 N.J.R. 45(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d. 290	13 N.J.R. 486(c)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d. 453	12 N.J.R. 645(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d. 10	13 N.J.R. 92(a)
8:31B-5.1, 5.2, 5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d. 27	14 N.J.R. 147(b)
8:31B-6.1-6:5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d. 296	13 N.J.R. 487(b)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d. 26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d. 24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d. 25	14 N.J.R. 147(e)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d. 143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d. 472	13 N.J.R. 944(a)
8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d. 180	14 N.J.R. 578(b)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-Foreword	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:39-1	Foreword: Amend operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.1	Long term care standards	13 N.J.R. 268(a)	R. 1981 d. 285	13 N.J.R. 495(a)
8:39-1.1, 1.16-1.21	Long-term care facilities: Licensure standards	14 N.J.R. 193(a)	R. 1982 d. 146	14 N.J.R. 427(a)
8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d. 236	13 N.J.R. 411(a)
8:43-2.13	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d. 529	13 N.J.R. 13(e)
8:43-3.3, 3.20, 3.22	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d. 297	13 N.J.R. 495(b)
8:43-3.22	Residential health care: Fire protection	13 N.J.R. 495(c)	R. 1981 d. 402	13 N.J.R. 756(d)
8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R. 1982 d. 145	14 N.J.R. 427(b)
8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d. 297	13 N.J.R. 495(b)
8:43-6.9	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d. 529	13 N.J.R. 13(e)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
8:43A-3.1	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:45-1.3	Licensure of clinical laboratories	13 N.J.R. 653(a)	R. 1981 d. 493	14 N.J.R. 45(b)
8:57-1.1-1.18	Reportable disease rules	12 N.J.R. 577(e)	R. 1980 d. 498	13 N.J.R. 13(b)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	13 N.J.R. 738(a)	R. 1981 d. 502	14 N.J.R. 45(c)
8:65-7.8	CDS prescription filling requirements	13 N.J.R. 130(b)	R. 1981 d. 452	13 N.J.R. 845(a)
8:65-7.10	CDS: Prescriptions in LTCF's	13 N.J.R. 130(c)	R. 1981 d. 453	13 N.J.R. 845(b)
8:65-7.14, 7.18	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-8.7	Controlled dangerous substances	13 N.J.R. 131(a)	R. 1981 d. 238	13 N.J.R. 411(b)
8:65-10.1, 10.2	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:65-10.1, 10.3, 10.4	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d. 124	14 N.J.R. 389(b)
8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R. 1981 d. 50	13 N.J.R. 132(b)
8:71	Interchangeable drug products	12 N.J.R. 465(a)	R. 1980 d. 454	12 N.J.R. 645(b)
8:71	Interchangeable drug products	12 N.J.R. 516(b)	R. 1981 d. 25	13 N.J.R. 131(b)
8:71	Interchangeable drug products	12 N.J.R. 465(b)	R. 1981 d. 26	13 N.J.R. 131(c)
8:71	Interchangeable drug products	Emergency	R. 1981 d. 27	13 N.J.R. 132(a)
8:71	Interchangeable drug products	12 N.J.R. 644(b)	R. 1981 d. 81	13 N.J.R. 217(d)
8:71	Interchangeable drug product list	13 N.J.R. 269(a)	R. 1981 d. 364	13 N.J.R. 706(c)
8:71	Interchangeable drug list	12 N.J.R. 644(b)	R. 1981 d. 405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	13 N.J.R. 354(a)	R. 1981 d. 403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	13 N.J.R. 654(a)	R. 1981 d. 503	14 N.J.R. 102(b)
8:71	Generic drug list additions	13 N.J.R. 217(c)	R. 1982 d. 58	14 N.J.R. 235(a)
8:71	Amitriptyline addition	14 N.J.R. 22(b)	R. 1982 d. 106	14 N.J.R. 342(a)
8:71	Generic drug list additions	14 N.J.R. 22(a)	R. 1982 d. 115	14 N.J.R. 389(c)
8:71	Additions to generic drug list	14 N.J.R. 22(a)	R. 1982 d. 197	14 N.J.R. 655(b)

(Title 8, Transmittal 14 dated September 18, 1980)

#### HIGHER EDUCATION—TITLE 9

9:1-1.1	Definition of "college"	12 N.J.R. 518(e)	R. 1980 d. 524	13 N.J.R. 14(a)
9:1-4.6	Post-master's level programs	13 N.J.R. 411(c)	R. 1981 d. 392	13 N.J.R. 757(c)
9:1-6.1, 6.4	Petitions from out-of-state institutions	14 N.J.R. 372(a)	R. 1982 d. 219	14 N.J.R. 756(a)
9:2-1.1, 1.2	Admission and degree standards for State colleges	12 N.J.R. 645(d)	R. 1981 d. 19	13 N.J.R. 133(a)
9:2-2.8	"Visiting specialist" title at State colleges	12 N.J.R. 519(a)	R. 1980 d. 525	13 N.J.R. 14(b)
9:2-2.12	Faculty promotion at four-year colleges	14 N.J.R. 121(b)	R. 1982 d. 130	14 N.J.R. 390(a)
9:2-3	State college reduction in force policies	12 N.J.R. 407(d)	R. 1981 d. 38	13 N.J.R. 133(b)
9:2-4.1	Eligibility for Alternate Benefit Program	14 N.J.R. 261(a)	R. 1982 d. 128	14 N.J.R. 390(b)
9:2-8.1-8.10	Admission and degree standards for State colleges	12 N.J.R. 645(d)	R. 1981 d. 19	13 N.J.R. 133(a)
9:2-9.9	Correction to Code: Contracts for professional staff (nonfaculty)			13 N.J.R. 132(c)
9:2-11.7	Veteran's Tuition Credit Program	13 N.J.R. 572(a)	R. 1981 d. 449	13 N.J.R. 845(c)
9:2-12.1-12.4	Teacher preparation (proposed as 9:1-7.1-7.4)	14 N.J.R. 24(a)	R. 1982 d. 99	14 N.J.R. 342(b)
9:3-1.3	Correction to Code: Program approval			13 N.J.R. 132(c)
9:3-2.14	Criteria; merit award recipients: Now cited as 9:2-9.11			13 N.J.R. 132(c)
9:4-1.2	Establishment of a community college	13 N.J.R. 495(d)	R. 1981 d. 391	13 N.J.R. 758(a)
9:4-1.4, 1.5, 1.12, 2.4, 2.13, -3	Accounting standards for county colleges	14 N.J.R. 26(b)	R. 1982 d. 100	14 N.J.R. 343(a)
9:4-3.1, 3.10	County college annual audit	14 N.J.R. 318(a)	R. 1982 d. 218	14 N.J.R. 757(a)
9:4-3.57	County college work load data	13 N.J.R. 218(a)	R. 1981 d. 215	13 N.J.R. 412(a)
9:4-3.61	State aid to county colleges	13 N.J.R. 271(a)	R. 1981 d. 271	13 N.J.R. 496(a)
9:5-1.1, 1.2, 1.3, 1.4	Resident/non-resident tuition charges	12 N.J.R. 408(a)	R. 1980 d. 428	12 N.J.R. 661(a)
9:7-2	Student assistance	13 N.J.R. 218(b)	R. 1981 d. 232	13 N.J.R. 412(b)
9:7-2.12	Tuition Aid Grant and Garden State Scholar Programs	12 N.J.R. 117(c)	R. 1980 d. 461	12 N.J.R. 661(b)
9:7-3.1	Tuition Aid Grant Program	13 N.J.R. 572(b)	R. 1981 d. 415	13 N.J.R. 758(b)
9:7-3.1	Tuition Aid: 1982-83 Award Table	14 N.J.R. 122(a)	R. 1982 d. 129	14 N.J.R. 390(c)
9:7-4.4,-6	Graduate fellowships	12 N.J.R. 273(e)	R. 1980 d. 462	12 N.J.R. 694(d)
9:7-4.6	Academic eligibility for undergraduate grants	12 N.J.R. 658(a)	R. 1981 d. 99	13 N.J.R. 220(b)
9:7-5	Public Tuition Benefits Program	14 N.J.R. 28(a)	R. 1982 d. 127	14 N.J.R. 390(d)
9:9-1.3	Guaranteed student loan program	13 N.J.R. 355(a)	R. 1981 d. 275	13 N.J.R. 496(b)
9:11-1.8, 1.9	EOF guidelines and program support regulations	12 N.J.R. 658(b)	R. 1981 d. 100	13 N.J.R. 220(c)
9:11-1.13, 1.22	Student refunds and repayment	12 N.J.R. 519(b)	R. 1980 d. 523	13 N.J.R. 13(g)
9:12-1	EOF guidelines and program support regulations	12 N.J.R. 658(b)	R. 1981 d. 100	13 N.J.R. 220(c)
9:16-1.3-1.5	Physician-dentist loan redemption program	12 N.J.R. 579(c)	R. 1981 d. 60	13 N.J.R. 220(a)

(Title 9, Transmittal 15 dated September 18, 1980)

#### HUMAN SERVICES—TITLE 10

10:38	Interim Assistance Procedures Manual	13 N.J.R. 220(d)	R. 1981 d. 225	13 N.J.R. 412(c)
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N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:49-1.2	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.3	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.5	Amend recipient controls	12 N.J.R. 274(a)	R. 1980 d.549	13 N.J.R. 100(c)
10:49-1.5	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:49-1.7	Utilization of insurance benefits	12 N.J.R. 187(c)	R. 1981 d.123	13 N.J.R. 272(a)
10:49-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:49-1.13, 1.14	Providers using management agencies	13 N.J.R. 272(b)	R. 1981 d.246	13 N.J.R. 412(d)
10:49-1.17	Suspension of provider from Medicaid program	12 N.J.R. 581(a)	R. 1980 d.501	13 N.J.R. 17(a)
10:49-1.17	Suspended providers	13 N.J.R. 222(a)	R. 1981 d.315	13 N.J.R. 574(c)
10:49-1.17	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.26	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:49-1.27	Final audits	13 N.J.R. 133(c)	R. 1981 d.114	13 N.J.R. 273(a)
10:49-5.3, 5.4	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-5.6	Recipient fair hearings	12 N.J.R. 581(b)	R. 1980 d.512	13 N.J.R. 17(f)
10:49-6.5	Medicaid: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:49-6.8	Compromising claims	12 N.J.R. 582(a)	R. 1980 d.502	13 N.J.R. 17(b)
10:50	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:50-2.7	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:51	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:51-1.13, 1.14	Emergency amend "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1.17	Legend drug dispensing fee	13 N.J.R. 575(c)	R. 1981 d.411	13 N.J.R. 758(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1(App.B,D)	Pharmaceutical Services Manual	13 N.J.R. 134(a)	R. 1981 d.124	13 N.J.R. 274(a)
10:51-1(App.B,D)	Non-legend drugs and legend services	13 N.J.R. 739(a)	R. 1981 d.505	14 N.J.R. 46(a)
10:51-1(App.E)	Pharmacy Manual: Protein replacements	14 N.J.R. 418(b)	R. 1982 d.211	14 N.J.R. 757(b)
10:51-2	Pharmacy Manual billing procedures	13 N.J.R. 274(b)	R. 1981 d.247	13 N.J.R. 415(a)
10:51-3	Pharmaceutical services in LTC facilities	13 N.J.R. 415(b)	R. 1981 d.344	13 N.J.R. 577(a)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	13 N.J.R. 577(b)	R. 1981 d.465	13 N.J.R. 887(d)
10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d.101	13 N.J.R. 228(c)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248	13 N.J.R. 415(c)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211	13 N.J.R. 418(c)
10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475	13 N.J.R. 946(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d. 73	14 N.J.R. 278(c)
10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d. 219	13 N.J.R. 430(b)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d. 113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d. 300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d. 300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d. 250	13 N.J.R. 418(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:59-1.7, 1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d. 510	13 N.J.R. 17(d)
10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d. 376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d. 510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d. 328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d. 510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d. 510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:60-1, 2.1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d. 199	14 N.J.R. 656(a)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d. 250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d. 110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d. 342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d. 250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d. 280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d. 210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d. 219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d. 110	14 N.J.R. 391(a)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d. 72	14 N.J.R. 279(a)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d. 219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d. 33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d. 345	13 N.J.R. 579(d)
10:63-1.19	LTCISM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d. 62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d. 23	13 N.J.R. 146(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d. 87	13 N.J.R. 227(a)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d. 326	13 N.J.R. 579(e)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d. 375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d. 74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d. 318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d. 331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d. 19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d. 250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d. 313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d. 112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d. 212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d. 19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d. 84	14 N.J.R. 343(b)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d. 374	13 N.J.R. 706(d)
10:67-2.5, 2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d. 305	13 N.J.R. 578(b)
10:68-2.5, 2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d. 249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d. 250	13 N.J.R. 418(a)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R. 1982 d. 198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R. 1981 d. 332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d. 147	14 N.J.R. 427(c)
10:81	PAM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d. 397	13 N.J.R. 759(a)
10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R. 1981 d. 518	14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R. 1982 d. 151	14 N.J.R. 473(d)
10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R. 1981 d. 28	13 N.J.R. 146(b)
10:81-7.1	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d. 262	13 N.J.R. 432(b)
10:81-7.22	AFDC: Funeral or burial payments for children	13 N.J.R. 580(d)	R. 1981 d. 447	13 N.J.R. 845(d)
10:81-7.26, 8.4	PAM: RSDI lump sum benefits	13 N.J.R. 925(a)	R. 1982 d. 90	14 N.J.R. 344(a)

N.J.A.C.  
CITATION

PROPOSAL NOTICE DOCUMENT  
(N.J.R. CITATION) CITATION  
ADOPTION NOTICE  
(N.J.R. CITATION)

10:82	ASH: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.396	13 N.J.R. 763(a)
10:82	ASH: Readopted Federal requirements	13 N.J.R. 763(a)	R. 1981 d.519	14 N.J.R. 102(d)
10:82-2.9	Correction: Stepparent's income in AFDC-C	13 N.J.R. 763(a)	R. 1981 d.519	14 N.J.R. 281(a)
10:82-2.14	ASH: Established monthly earnings	13 N.J.R. 16(a)	R. 1981 d.47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d.262	13 N.J.R. 432(b)
10:82-3.2	ASH: HUD community development block grant	13 N.J.R. 96(a)	R. 1981 d.96	13 N.J.R. 227(b)
10:82-3.2,4.5	Exempt resources and disregard of earned income	13 N.J.R. 224(b)	R. 1981 d.282	13 N.J.R. 499(a)
10:82-4.9	ASH: Foster care rates	14 N.J.R. 374(b)	R. 1982 d.208	14 N.J.R. 709(c)
10:82-4.15	Irregular and nonrecurring income in AFDC	13 N.J.R. 224(c)	R. 1981 d.287	13 N.J.R. 499(b)
10:82-5.3	ASH: Day care rates	13 N.J.R. 134(c)	R. 1981 d.243	13 N.J.R. 432(c)
10:82-5.3	ASH: Care for unwed mothers	13 N.J.R. 134(c)	R. 1982 d.43	14 N.J.R. 235(c)
10:82-5.10	ASH: Emergency assistance	12 N.J.R. 584(a)	R. 1980 d.552	13 N.J.R. 101(a)
10:82-5.10	ASH: Emergency house furnishings allowance	14 N.J.R. 375(a)	R. 1982 d.207	14 N.J.R. 709(d)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d.61	14 N.J.R. 281(b)
10:85-2.2	GAM: Temporary director of municipal welfare	12 N.J.R. 584(b)	R. 1980 d.505	13 N.J.R. 17(c)
10:85-2.2	GAM: Local assistance board	13 N.J.R. 96(b)	R. 1981 d.98	13 N.J.R. 228(b)
10:85-3.1	GAM: Common living quarters	13 N.J.R. 927(a)	R. 1982 d.102	14 N.J.R. 344(b)
10:85-3.1, 3.2	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R. 1981 d.160	13 N.J.R. 363(b)
10:85-3.2	General Assistance application process	12 N.J.R. 584(c)	R. 1980 d.514	13 N.J.R. 18(a)
10:85-3.2	GAM: Clarification of "unemployable"	13 N.J.R. 927(b)	R. 1982 d.103	14 N.J.R. 344(c)
10:85-3.2	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d.104	14 N.J.R. 344(d)
10:85-3.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d.547	13 N.J.R. 100(a)
10:85-3.3	GAM: Financial eligibility	12 N.J.R. 16(b)	R. 1981 d.46	13 N.J.R. 147(a)
10:85-3.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-3.3	GAM: Boarding rate for residential care	13 N.J.R. 879(a)	R. 1982 d.53	14 N.J.R. 235(d)
10:85-3.3	GAM: Hospital shelter time	13 N.J.R. 930(a)	R. 1982 d.98	14 N.J.R. 345(a)
10:85-3.3	GAM: Cash Contributions	14 N.J.R. 270(a)	R. 1982 d.185	14 N.J.R. 659(b)
10:85-3.4	GAM: Income and alien sponsorship	14 N.J.R. 122(b)	R. 1982 d.134	14 N.J.R. 428(a)
10:85-4.6	GAM: Emergency grants	12 N.J.R. 585(a)	R. 1980 d.538	13 N.J.R. 18(d)
10:85-4.6	GAM: Emergency grants	14 N.J.R. 124(a)	R. 1982 d.135	14 N.J.R. 428(b)
10:85-5.2	GAM: Diagnostic-Related Group payments	12 N.J.R. 585(b)	R. 1980 d.515	13 N.J.R. 18(b)
10:85-5.2	GAM-Payments for inpatients hospital care	13 N.J.R. 433(b)	R. 1981 d.394	13 N.J.R. 768(a)
10:85-5.3	Submission of Form GA-18	12 N.J.R. 586(a)	R. 1980 d.531	13 N.J.R. 18(c)
10:85-5.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d.547	13 N.J.R. 100(a)
10:85-5.3	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-5.4	GAM: Procedure for payments of medical bills	13 N.J.R. 499(c)	R. 1981 d.417	13 N.J.R. 768(b)
10:85-6.5	GAM: Repayment by SSI recipients	12 N.J.R. 586(b)	R. 1980 d.551	13 N.J.R. 100(d)
10:85-6.6	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-7.2	GAM: Receipt of assistance	12 N.J.R. 535(b)	R. 1981 d.53	13 N.J.R. 147(d)
10:85-7.3	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d.61	14 N.J.R. 281(b)
10:85-8.2	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d.263	13 N.J.R. 433(a)
10:85-8.3	GAM: Prospective SSI recipients	13 N.J.R. 145(a)	R. 1981 d.160	13 N.J.R. 363(b)
10:85-10.3, 10.6, 10.8	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d.104	14 N.J.R. 344(d)
10:87	Emergency amend Food Stamp Manual	Emergency	R. 1981 d.64	13 N.J.R. 226(b)
10:87	Student participation in Food Stamps	13 N.J.R. 96(c)	R. 1981 d.97	13 N.J.R. 228(a)
10:87	Food Stamp Manual	13 N.J.R. 364(a)	R. 1981 d.316	13 N.J.R. 581(a)
10:87	FSM: Federal Omnibus Reconciliation Act of 1981	Emergency	R. 1981 d.398	13 N.J.R. 769(a)
10:87	FSM: Readopted Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517	14 N.J.R. 103(a)
10:87	Correction: FSM-Federal requirements	13 N.J.R. 769(a)	R. 1981 d.517	14 N.J.R. 208(b)
10:87-12.1, 12.2	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:87-12.1, 12.3, 12.4, 12.6	FSM: Mandated Federal adjustments	Emergency	R. 1982 d.217	14 N.J.R. 757(d)
10:87-12.3	Food Stamp Program maximum net income levels	13 N.J.R. 500(a)	R. 1981 d.400	13 N.J.R. 772(a)
10:87-12.3, 12.4	Emergency adoption: Food Stamp income levels	Emergency	R. 1981 d.278	13 N.J.R. 500(a)
10:87-12.4	Emergency amend Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:89	Home energy assistance (emergency adoption)	Emergency	R. 1981 d.466	13 N.J.R. 888(a)
10:89	Readopted Home Energy Assistance rules	13 N.J.R. 888(a)	R. 1982 d.62	14 N.J.R. 281(c)
10:89-3.6	Emergency rule on Home Energy Assistance	Emergency	R. 1980 d.548	13 N.J.R. 100(b)
10:94-4,-5	Medicaid Only: Income and resource eligibility	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1981 d.276	13 N.J.R. 501(a)
10:94-5.4, 5.5, 5.6	Readopt Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385	13 N.J.R. 773(a)
10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385	13 N.J.R. 846(a)
10:94-5.4, 5.5, 5.6	Medicaid Only computation amounts	Emergency	R. 1982 d.216	14 N.J.R. 758(a)
10:94-8	Medicaid Only	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:100-1.23	Emergency amend SSI payment levels	Emergency	R. 1981 d.277	13 N.J.R. 502(a)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R. 1981 d.386	13 N.J.R. 773(b)
10:100-1.23	SSI payment levels	Emergency	R. 1982 d.215	14 N.J.R. 760(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R. 1981 d.445	13 N.J.R. 846(b)
10:109-3.2, 3.4	Ruling 11—Sick leave and leave without pay	13 N.J.R. 515(a)	R. 1981 d.395	13 N.J.R. 774(a)
10:109—App. I,II	Ruling 11: Salary increases for CWA employees	13 N.J.R. 741(a)	R. 1981 d.498	14 N.J.R. 46(b)
10:121-5.1	Medical information form	12 N.J.R. 703(c)	R. 1981 d.63	13 N.J.R. 226(a)
10:121A	Adoption agency practices	13 N.J.R. 99(a)	R. 1981 d.298	13 N.J.R. 516(a)
10:122-4.2, 7.1-7.7	Standards for child care centers	14 N.J.R. 82(a)	R. 1982 d.136	14 N.J.R. 428(c)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423	13 N.J.R. 774(b)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d.423	14 N.J.R. 287(a)
10:124	Children's shelter facilities and homes	14 N.J.R. 125(a)	R. 1982 d.222	14 N.J.R. 761(a)
10:130	Shelters for victims of domestic violence	14 N.J.R. 197(a)	R. 1982 d.138	14 N.J.R. 429(a)
10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R. 1982 d.222	14 N.J.R. 761(a)
10:132	Court actions and proceedings	13 N.J.R. 595(b)	R. 1981 d.434	13 N.J.R. 846(c)
<b>(Title 10, Transmittal 15 dated November 10, 1980)</b>				
<b>CORRECTIONS—TITLE 10A</b>				
10A:31-4	County jails emergency rule	Emergency	R. 1981 d.270	13 N.J.R. 467(a)
10A:31-4	Readopt remission of time from sentence	13 N.J.R. 434(b)	R. 1981 d.358	13 N.J.R. 596(a)
10A:31-5	State enforcement in adult county facilities	14 N.J.R. 227(a)	R. 1982 d.149	14 N.J.R. 474(a)
10A:71	Parole Board rules	13 N.J.R. 436(a)	R. 1981 d.322	13 N.J.R. 597(a)
10A:71-3.3	Parole Board rules	12 N.J.R. 664(e)	R. 1980 d.554	13 N.J.R. 101(c)
10A:71-3.19	Parole Board rules	13 N.J.R. 228(c)	R. 1981 d.179	13 N.J.R. 364(c)
10A:71-6.9	Discharge from parole supervision	13 N.J.R. 440(a)	R. 1981 d.324	13 N.J.R. 598(a)
10A:71-7.7	Notice for preliminary hearings	13 N.J.R. 101(b)	R. 1981 d.106	13 N.J.R. 302(a)
<b>(Title 10A, Transmittal 6 dated November 10, 1980)</b>				
<b>INSURANCE—TITLE 11</b>				
11:1-13	Sale of auto club service contracts	13 N.J.R. 879(b)	R. 1982 d.177	14 N.J.R. 579(a)
11:2-1.6	Independent testing service	13 N.J.R. 364(d)	R. 1981 d.433	13 N.J.R. 846(d)
11:2-17	Unfair claims-settlement practices	12 N.J.R. 600(f)	R. 1981 d.407	13 N.J.R. 774(c)
11:2-17	Correction: Operative date for settlement practices	13 N.J.R. 774(c)	R. 1981 d.407	13 N.J.R. 894(a)
11:4-2	Replacement of existing life insurance	13 N.J.R. 18(e)	R. 1982 d.16	14 N.J.R. 158(d)
11:4-11.5, 11.6	Life insurance solicitation	13 N.J.R. 36(a)	R. 1982 d.17	14 N.J.R. 159(a)
11:5-1.2,1.3	Real Estate Commission rules	13 N.J.R. 306(a)	R. 1981 d.261	13 N.J.R. 440(c)
11:5-1.8, 1.14	Real Estate Commission Rules	13 N.J.R. 302(b)	R. 1982 d.101	14 N.J.R. 345(b)
11:5-1.33-1.35	Real Estate Commission rules	13 N.J.R. 306(a)	R. 1981 d.261	13 N.J.R. 440(c)
11:5-1.36	Real Estate Guaranty Fund	13 N.J.R. 306(a)	R. 1981 d.252	13 N.J.R. 441(a)
11:12	Legal insurance	13 N.J.R. 609(a)	R. 1981 d.422	13 N.J.R. 776(a)
<b>(Title 11, Transmittal 16 dated January 14, 1981)</b>				
<b>LABOR AND INDUSTRY—TITLE 12</b>				
12:15-1.3	Maximum weekly benefit rates	13 N.J.R. 602(b)	R. 1981 d.419	13 N.J.R. 777(a)
12:15-1.3	Correction: Operative date	13 N.J.R. 602(b)	R. 1981 d.419	13 N.J.R. 894(b)
12:15-1.4	Taxable wage base for unemployment compensation	13 N.J.R. 602(c)	R. 1981 d.421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	13 N.J.R. 602(c)	R. 1981 d.421	13 N.J.R. 894(b)
12:15-1.5	Unemployment compensation contribution rates	13 N.J.R. 603(a)	R. 1981 d.418	13 N.J.R. 777(c)
12:51	Vocational rehabilitation facilities	13 N.J.R. 230(a)	R. 1981 d.289	13 N.J.R. 517(a)
12:57	Wage orders for minors	13 N.J.R. 307(a)	R. 1981 d.226	13 N.J.R. 441(c)
12:235-1.5	Workers' compensation benefit rates	13 N.J.R. 604(a)	R. 1981 d.420	13 N.J.R. 777(d)
<b>(Title 12, Transmittal 14 dated January 14, 1981)</b>				
<b>LAW AND PUBLIC SAFETY—TITLE 13</b>				
13:2-7.10	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.1, 24.4	ABC rules	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 777(e)
13:2-24.4	Correction: ABC debt regulation	13 N.J.R. 604(b)	R. 1981 d.432	13 N.J.R. 846(e)
13:2-24.4	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-38.1,39.3	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:2-41	Amend various regulations	13 N.J.R. 37(b)	R. 1981 d.71	13 N.J.R. 238(b)
13:19-5.1	Convulsive seizures	12 N.J.R. 606(a)	R. 1981 d.18	13 N.J.R. 150(b)
13:19-6	Repealed: Delaware motor vehicle reciprocity rule	14 N.J.R. 87(a)	R. 1982 d.94	14 N.J.R. 346(a)
13:20-25.2	Approval of safety glazing material	12 N.J.R. 606(b)	R. 1981 d.15	13 N.J.R. 149(d)
13:20-33.53	Motorcycle handlebars and grips	12 N.J.R. 606(c)	R. 1981 d.16	13 N.J.R. 149(e)
13:20-33.72	Repeal handhold devices	12 N.J.R. 607(a)	R. 1981 d.17	13 N.J.R. 150(a)
13:20-36	Special National Guard plates	12 N.J.R. 427(a)	R. 1981 d.31	13 N.J.R. 150(e)
13:21-3	Repeal rules on dealer's temporary certificates	12 N.J.R. 607(b)	R. 1981 d.14	13 N.J.R. 149(c)
13:21-7.2	Student permits	12 N.J.R. 490(a)	R. 1981 d.66	13 N.J.R. 237(d)
13:21-8.17	Waiver of driving test	12 N.J.R. 666(f)	R. 1981 d.65	13 N.J.R. 237(c)
13:21-8.18	Repealed: Nonresident driver legend	14 N.J.R. 88(a)	R. 1982 d.95	14 N.J.R. 346(b)
13:26-1.2, 3.11	Transportation of bulk commodities	12 N.J.R. 724(f)	R. 1981 d.61	13 N.J.R. 237(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
13:27-6	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:28-1.3	Toilet facilities in beauty shops	13 N.J.R. 102(b)	R. 1981 d.109	13 N.J.R. 308(a)
13:28-2.10, 2.14-2.16	Credit for Saturday beauty classes	13 N.J.R. 931(a)	R. 1982 d.70	14 N.J.R. 283(a)
13:28-2.24	Beauty schools: "Seniors" and clinical work	13 N.J.R. 930(b)	R. 1982 d.69	14 N.J.R. 283(b)
13:29-2.2	Examination for registered municipal accountant	13 N.J.R. 39(a)	R. 1981 d.67	13 N.J.R. 238(a)
13:30-2.5, 2.10-2.17	Dental hygienists and assistants	13 N.J.R. 231(b)	R. 1981 d.264	13 N.J.R. 442(a)
13:30-2.18	Application fees for dental hygienists	13 N.J.R. 518(b)	R. 1981 d.378	13 N.J.R. 707(c)
13:30-8.12	Dental insurance forms and professional misconduct	13 N.J.R. 102(c)	R. 1981 d.175	13 N.J.R. 366(a)
13:31-1.3	Examinations	13 N.J.R. 664(a)	R. 1981 d.491	13 N.J.R. 946(c)
13:31-1.8	Inspections of electrical work	13 N.J.R. 607(b)	R. 1982 d.92	14 N.J.R. 346(c)
13:31-2.1	Repeal: Uniform penalty letter (electrical)	13 N.J.R. 442(b)	R. 1981 d.372	13 N.J.R. 707(d)
13:33-1.41	Fee schedules	12 N.J.R. 546(a)	R. 1981 d.148	13 N.J.R. 366(b)
13:35-1.5	Military service in lieu of internship (podiatry)	13 N.J.R. 366(c)	R. 1981 d.346	13 N.J.R. 608(a)
13:35-2.7	Military service in lieu of internship	13 N.J.R. 367(a)	R. 1981 d.348	13 N.J.R. 608(b)
13:35-6.2	Guidelines for externship programs	13 N.J.R. 148(a)	R. 1981 d.149	13 N.J.R. 367(b)
13:35-6.5	Responsibility for pronouncement of death	14 N.J.R. 90(a)	R. 1982 d.214	14 N.J.R. 767(a)
13:35-6.19, 6.20	Excessive fees for professional services	13 N.J.R. 232(b)	R. 1981 d.237	13 N.J.R. 443(a)
13:35-9.3	Emergency amend certified nurse/midwife	Emergency	R. 1981 d.21	13 N.J.R. 150(c)
13:35-9.3(c)	Operative date on certified nurse/midwife standards	Emergency	R. 1981 d.24	13 N.J.R. 150(d)
13:36-1.6	Mortuary board fees	13 N.J.R. 367(c)	R. 1982 d.105	14 N.J.R. 346(d)
13:36-5.12	Advertising of funeral services	13 N.J.R. 368(a)	R. 1981 d.349	13 N.J.R. 609(a)
13:36-9.1	Uniform penalty letter	13 N.J.R. 452(c)	R. 1981 d.347	13 N.J.R. 609(b)
13:37-1.26	Board of Nursing rule	13 N.J.R. 149(a)	R. 1981 d.174	13 N.J.R. 370(a)
13:38-1.9, 1.10	Optometric advertising	13 N.J.R. 233	R. 1981 d.295	13 N.J.R. 519(a)
13:39-9.12	Outdated or sample drugs	13 N.J.R. 235(a)	R. 1981 d.350	13 N.J.R. 609(c)
13:39-9.17	Advertising and sale of prescription drugs	13 N.J.R. 445(a)	R. 1981 d.377	13 N.J.R. 708(a)
13:40-6.1	Engineer and surveyor test fees	13 N.J.R. 446(a)	R. 1982 d.142	14 N.J.R. 429(c)
13:40-7	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:41-4	Division of responsibility in site planning	13 N.J.R. 231(a)	R. 1981 d.320	13 N.J.R. 607(a)
13:44-2.1	Veterinary prescriptions	13 N.J.R. 519(b)	R. 1981 d.451	13 N.J.R. 847(a)
13:44-2.12	Patient records	13 N.J.R. 520(a)	R. 1981 d.450	13 N.J.R. 847(b)
13:44-3.1	Repeal: Uniform penalty letter (veterinary)	13 N.J.R. 371(a)	R. 1981 d.371	13 N.J.R. 708(b)
13:44B	Compensation for State board members	13 N.J.R. 932(a)	R. 1982 d.144	14 N.J.R. 429(d)
13:45A-15.1-15.4	Posting of retail refund policies	13 N.J.R. 665(a)	R. 1982 d.29	14 N.J.R. 160(a)
13:45A-17	Sale of advertising in quasi-official journals	13 N.J.R. 235(b)	R. 1981 d.294	13 N.J.R. 520(b)
13:45A-18.1	Fee for consumer contract review	14 N.J.R. 464(a)	R. 1982 d.221	14 N.J.R. 767(b)
13:47C-5	Repealed: Rules on precious metal sales	13 N.J.R. 818(a)	R. 1982 d.96	14 N.J.R. 346(e)
13:47C-6	Bonding of transient buyers	13 N.J.R. 891(a)	R. 1982 d.93	14 N.J.R. 346(f)
13:51	Certification for chemical breath testing	14 N.J.R. 376(a)	R. 1982 d.187	14 N.J.R. 660(a)
13:70	Thoroughbred racing rules	14 N.J.R. 91(a)	R. 1982 d.183	14 N.J.R. 661(a)
13:70-6.16	Racing: Eligibility of maidens	13 N.J.R. 520(c)	R. 1981 d.489	13 N.J.R. 946(d)
13:70-29.48	Emergency amend daily double pool	Emergency	R. 1981 d.32	13 N.J.R. 150(f)
13:70-29.48	Racing: Entries and daily double	13 N.J.R. 521(a)	R. 1981 d.490	13 N.J.R. 947(a)
13:71	Harness racing regulation	13 N.J.R. 820(a)	R. 1982 d.109	14 N.J.R. 347(a)
13:75-1.7	Violent crimes funeral compensation	13 N.J.R. 743(a)	R. 1982 d.37	14 N.J.R. 208(c)

(Title 13, Transmittal 17 dated January 14, 1981)

#### PUBLIC UTILITIES—TITLE 14

14:11-2.2	Auto bus specifications	13 N.J.R. 834(a)	R. 1982 d.30	14 N.J.R. 160(b)
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(Title 14, Transmittal 15 dated January 14, 1981)

#### ENERGY—TITLE 14A

14A:2-5	State set-aside for energy emergency	13 N.J.R. 609(d)	R. 1981 d.492	14 N.J.R. 46(c)
14A:3-4.4	Thermal efficiency in new and renovated buildings			
14A:3-5	Seven-day, day-night thermostats in public buildings	13 N.J.R. 680(a)	R. 1981 d.468	13 N.J.R. 895(a)
14A:3-15	Recycling of municipal solid waste (joint adoption, see 7:26-15)	13 N.J.R. 865(a)	R. 1982 d.32	14 N.J.R. 206(b)
14A:11-4	Reporting of energy information (retail dealers)	13 N.J.R. 151(a)	R. 1981 d.379	13 N.J.R. 708(c)
14A:11-5	Reporting of energy information (retail merchants)	13 N.J.R. 152(a)	R. 1981 d.380	13 N.J.R. 708(d)
14A:13	Energy Conservation Bond Program	13 N.J.R. 43(a)	R. 1981 d.390	13 N.J.R. 778(a)
14A:21-14.3	Home Energy Savings Program	13 N.J.R. 238(c)	R. 1981 d.254	13 N.J.R. 450(a)

(Title 14A, Transmittal 7 dated January 14, 1981)

#### STATE—TITLE 15

(Title 15, Transmittal 12 dated July 17, 1980)

#### PUBLIC ADVOCATE—TITLE 15A

(Title 15A, Transmittal 1 dated March 20, 1978)

**TRANSPORTATION--TITLE 16**

16:19	Repeal Traffic Operations Program	12 N.J.R. 552(b)	R. 1980 d.415	12 N.J.R. 675(c)
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a)	R. 1982 d.68	14 N.J.R. 284(a)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R. 1981 d.164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R. 1981 d.165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route I-80	13 N.J.R. 153(b)	R. 1981 d.150	13 N.J.R. 372(c)
16:28-1.3	Restricted parking and speed zones on State highways	12 N.J.R. 613(a)	R. 1980 d.475	12 N.J.R. 727(d)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 239(a)	R. 1981 d.152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-195	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 155(a)	R. 1981 d.196	13 N.J.R. 451(a)
16:28-1.18	Speed zones along Routes 34 and US 202	13 N.J.R. 105(c)	R. 1981 d.74	13 N.J.R. 243(c)
16:28-1.23	Emergency amend speed limit on Route 18	Emergency	R. 1981 d.34	13 N.J.R. 158(b)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R. 1981 d.484	13 N.J.R. 947(d)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R. 1982 d.11	14 N.J.R. 160(c)
16:28-1.49	Emergency amend speed zone along Route 35	Emergency	R. 1981 d.59	13 N.J.R. 243(a)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R. 1981 d.333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.67	Speed zones along Route 34 and US 202	13 N.J.R. 105(c)	R. 1981 d.74	13 N.J.R. 243(c)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.72	Speed limits on US 206 and 130 in Bordentown	14 N.J.R. 324(a)	R. 1982 d.168	14 N.J.R. 580(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R. 1981 d.334	13 N.J.R. 613(a)
16:28A-1.2	Restricted parking on US Routes 1 and 9	12 N.J.R. 552(c)	R. 1980 d.413	12 N.J.R. 675(a)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R. 1981 d.195	13 N.J.R. 452(b)
16:28A-1.4	Emergency amend restricted parking along Route 4	Emergency	R. 1981 d.35	13 N.J.R. 159(a)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R. 1981 d.383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R. 1981 d.483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R. 1982 d.203	14 N.J.R. 710(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 105(d)	R. 1981 d.76	13 N.J.R. 243(f)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 106(a)	R. 1981 d.77	13 N.J.R. 244(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d.195	13 N.J.R. 453(a)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R. 1981 d.335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R. 1981 d.487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R. 1982 d.116	14 N.J.R. 391(b)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d.45	14 N.J.R. 236(b)
16:28A-1.9	Parking on Rt. 17 in Mahwah	Emergency	R. 1982 d.132	14 N.J.R. 429(e)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R. 1982 d.201	14 N.J.R. 710(b)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R. 1982 d.116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R. 1981 d.336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R. 1981 d.192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R. 1981 d.337	13 N.J.R. 613(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R. 1981 d.338	13 N.J.R. 613(e)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R. 1981 d.312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d.46	14 N.J.R. 236(c)
16:28A-1.19	Parking on State highways	12 N.J.R. 613(a)	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d.153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d.156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d.193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d.111	14 N.J.R. 391(c)
16:28A-1.22	Restricted parking on State highways	12 N.J.R. 613(a)	R. 1980 d.475	12 N.J.R. 727(d)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d.151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d.154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d.12	14 N.J.R. 161(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d.482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d.155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d.60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d.173	14 N.J.R. 580(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R. 1981 d.191	13 N.J.R. 453(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R. 1982 d.203	14 N.J.R. 710(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R. 1981 d.481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d.44	14 N.J.R. 236(a)
16:28A-1.29	Restricted parking on State highways	12 N.J.R. 613(a)	R. 1980 d.475	12 N.J.R. 727(d)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R. 1981 d. 480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.33	Emerg. amend restricted parking on Route 47	Emergency	R. 1980 d. 414	12 N.J.R. 675(b)
16:28A-1.33	Restricted parking on State highways	12 N.J.R. 613(a)	R. 1980 d. 475	12 N.J.R. 727(d)
16:28A-1.34	Restricted parking on State highways	12 N.J.R. 613(a)	R. 1980 d. 475	12 N.J.R. 727(d)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R. 1981 d. 194	13 N.J.R. 455(c)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 105(d)	R. 1981 d. 76	13 N.J.R. 243(f)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R. 1981 d. 339	13 N.J.R. 614(a)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R. 1982 d. 174	14 N.J.R. 580(d)
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R. 1981 d. 384	13 N.J.R. 779(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R. 1982 d. 47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	12 N.J.R. 613(a)	R. 1980 d. 475	12 N.J.R. 727(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.55	Restricted parking along Routes 15, 18 and US 202	13 N.J.R. 106(b)	R. 1981 d. 75	13 N.J.R. 243(e)
16:28A-1.57	Restricted parking along US 206	13 N.J.R. 106(a)	R. 1981 d. 77	13 N.J.R. 244(a)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R. 1982 d. 112	14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R. 1981 d. 382	13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R. 1982 d. 202	14 N.J.R. 710(c)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.65, 1.66	Restricted parking along Routes 15, 18, and US 202	13 N.J.R. 106(b)	R. 1981 d. 75	13 N.J.R. 243(e)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R. 1982 d. 113	14 N.J.R. 391(e)
16:29-1.22	No passing zones	13 N.J.R. 107(a)	R. 1981 d. 78	13 N.J.R. 244(b)
16:29-1.23	No passing zones on Route 179	13 N.J.R. 107(b)	R. 1981 d. 79	13 N.J.R. 244(c)
16:30-3.4	US 9 bus and HOV lane in Middlesex County	Emergency	R. 1982 d. 200	14 N.J.R. 661(b)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R. 1981 d. 323	14 N.J.R. 614(b)
16:30-3.6	Repeal HOV lanes on Parkway	Emergency	R. 1982 d. 196	14 N.J.R. 662(a)
16:30-7.2	Limited access prohibition along US 9 and Route 444	13 N.J.R. 108(a)	R. 1981 d. 73	13 N.J.R. 243(d)
16:30-8	No trespassing zones	12 N.J.R. 727(c)	R. 1981 d. 36	13 N.J.R. 159(b)
16:31-1.4, 1.7	Turns along various State highways	12 N.J.R. 553(a)	R. 1980 d. 412	12 N.J.R. 674(a)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R. 1981 d. 340	13 N.J.R. 614(c)
16:31-1.15	Turns along various State highways	12 N.J.R. 553(a)	R. 1980 d. 412	12 N.J.R. 674(a)
16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R. 1981 d. 460	13 N.J.R. 895(b)
16:31A	Prohibited right turns on red signals	12 N.J.R. 673(a)	R. 1980 d. 518	13 N.J.R. 44(c)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R. 1982 d. 48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R. 1982 d. 49	14 N.J.R. 237(a)
16:31A-1.67	Route I-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R. 1982 d. 50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R. 1982 d. 51	14 N.J.R. 237(c)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R. 1981 d. 497	14 N.J.R. 46(d)
16:41-16	Use or occupancy of State-owned railroad property	13 N.J.R. 108(b)	R. 1981 d. 103	13 N.J.R. 244(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R. 1981 d. 496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R. 1982 d. 40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R. 1982 d. 40	14 N.J.R. 209(a)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R. 1982 d. 30	14 N.J.R. 160(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R. 1981 d. 141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R. 1982 d. 175	14 N.J.R. 580(e)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R. 1981 d. 341	13 N.J.R. 616(b)
16:65-1.1	Definition of "prequalification committee"	13 N.J.R. 108(c)	R. 1981 d. 72	13 N.J.R. 243(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R. 1981 d. 399	13 N.J.R. 779(c)
16:71	Recodified from 16:41-16	13 N.J.R. 108(b)	R. 1981 d. 103	13 N.J.R. 244(d)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R. 1981 d. 176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R. 1982 d. 40	14 N.J.R. 209(a)

(Title 16, Transmittal 14 dated September 18, 1980)

#### TREASURY-GENERAL-TITLE 17

17:1-1.1	Administration and receipt of checks	13 N.J.R. 616(c)	R. 1981 d. 427	13 N.J.R. 779(d)
17:1-1.3	Pension reporting	12 N.J.R. 351(a)	R. 1980 d. 301	12 N.J.R. 497(c)
17:1-1.15	Administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-1.15	Credit unions and direct deposit agreements	13 N.J.R. 883(a)	R. 1982 d. 20	14 N.J.R. 161(b)
17:1-1.24	Pensioners' Health Plan: Coverage and termination	14 N.J.R. 35(b)	R. 1982 d. 59	14 N.J.R. 237(d)
17:1-2.2	Alternate Benefit Program	13 N.J.R. 308(b)	R. 1981 d. 239	13 N.J.R. 458(a)
17:1-2.6	Amend administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-2.18	Alternate Benefit Program	13 N.J.R. 309(a)	R. 1981 d. 240	13 N.J.R. 458(b)
17:1-2.34	Alternate Benefit Program	13 N.J.R. 244(e)	R. 1981 d. 213	13 N.J.R. 458(c)
17:1-2.35	Alternate Benefit Program	13 N.J.R. 309(b)	R. 1981 d. 241	13 N.J.R. 458(d)
17:1-4.2	Administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-4.11	Purchase terms and employee liability	13 N.J.R. 459(a)	R. 1981 d. 343	13 N.J.R. 617(a)
17:1-4.22	Availability of medical records	13 N.J.R. 110(a)	R. 1981 d. 86	13 N.J.R. 247(d)
17:1-4.32	Administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-4.33	Leaves of absence for maternity	13 N.J.R. 617(b)	R. 1981 d. 428	13 N.J.R. 779(e)
17:1-7.3	Administrative fees and investment earnings	13 N.J.R. 374(e)	R. 1981 d. 291	13 N.J.R. 525(a)
17:1-8.1	Repeal responsibility of director for Social Security	12 N.J.R. 727(e)	R. 1981 d. 1	13 N.J.R. 111(c)
17:1-8.3	Emergency rule on Social Security referendum	Emergency	R. 1980 d. 467	12 N.J.R. 728(b)
17:1-8.13, 8.14	Administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance for covered dependents	12 N.J.R. 614(a)	R. 1980 d. 487	12 N.J.R. 729(a)
17:2-2.1, 2.3	Public Employees' Retirement System: Enrollment	12 N.J.R. 554(b)	R. 1981 d. 58	13 N.J.R. 247(b)
17:1-8.13, 8.14	Administration	13 N.J.R. 109(a)	R. 1981 d. 85	13 N.J.R. 247(c)
17:1-11.9	Repeal dental insurance for covered dependents	12 N.J.R. 614(a)	R. 1980 d. 487	12 N.J.R. 729(a)
17:2-2.1, 2.3	Public Employees' Retirement System: Enrollment	12 N.J.R. 554(b)	R. 1981 d. 58	13 N.J.R. 247(b)
17:2-5.1, 6.2	PERS-retirement and purchases	13 N.J.R. 244(f)	R. 1981 d. 274	13 N.J.R. 525(b)
17:2-6.4	PERS loan repayments	13 N.J.R. 375(a)	R. 1981 d. 303	13 N.J.R. 618(a)
17:2-6.6	PERS revisions	13 N.J.R. 244(f)	R. 1981 d. 274	13 N.J.R. 525(b)
17:2-6.26	PERS: Critical disability claims	13 N.J.R. 748(a)	R. 1981 d. 515	14 N.J.R. 105(a)
17:3-1.4	Teachers' pension member-trustee election	12 N.J.R. 435(b)	R. 1980 d. 405	12 N.J.R. 678(a)
17:3-4.1	Creditable salary	12 N.J.R. 675(d)	R. 1981 d. 30	13 N.J.R. 162(a)
17:3-5	Teachers' Pension: Purchase and eligible service	13 N.J.R. 618(b)	R. 1981 d. 510	14 N.J.R. 105(b)
17:3-6.4	Loan repayments to teachers' fund	13 N.J.R. 748(b)	R. 1982 d. 14	14 N.J.R. 161(c)
17:3-6.6	Teachers' Pension: Retirement credit	13 N.J.R. 159(c)	R. 1981 d. 140	13 N.J.R. 376(a)
17:3-6.15	Teachers' Pension: Compulsory retirement	13 N.J.R. 620(a)	R. 1981 d. 509	14 N.J.R. 105(c)
17:3-6.25	Teacher's fund: Critical disability claims	13 N.J.R. 749(a)	R. 1982 d. 15	14 N.J.R. 161(d)
17:4-1.1	Police and firemen's pension board meetings	13 N.J.R. 938(a)	R. 1982 d. 64	14 N.J.R. 284(c)
17:4-2.6	Enrollment dates	12 N.J.R. 728(a)	R. 1981 d. 57	13 N.J.R. 247(a)
17:4-3.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1981 d. 292	13 N.J.R. 525(c)
17:4-5	Police and firemen's purchases and eligible service	13 N.J.R. 682(a)	R. 1982 d. 4	14 N.J.R. 161(e)
17:4-5.1, 6.2, 6.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d. 292	13 N.J.R. 525(c)
17:4-6.13	Police and firemen's critical disability claims	13 N.J.R. 684(a)	R. 1982 d. 5	14 N.J.R. 162(a)
17:4-6.14	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d. 292	13 N.J.R. 525(c)
17:5	Administration, insurance and death benefits, purchases, retirement and transfers	13 N.J.R. 459(b)	R. 1981 d. 361	13 N.J.R. 708(e)
17:5-2.5	State Police pension coverage and unpaid leaves	13 N.J.R. 938(b)	R. 1982 d. 65	14 N.J.R. 284(d)
17:5-4.1, 4.2, 4.3	State Police pension purchases and eligible service	13 N.J.R. 939(a)	R. 1982 d. 66	14 N.J.R. 284(e)
17:5-5.2, 5.6, 5.12	Effective dates, retirement credits, disability retirants	13 N.J.R. 461(a)	R. 1981 d. 360	13 N.J.R. 708(f)
17:5-5.15	State Police: Critical disability claims	13 N.J.R. 939(a)	R. 1982 d. 67	14 N.J.R. 285(a)
17:6-3.2, 3.6	Police-Firemen's Pension Fund	13 N.J.R. 245(a)	R. 1981 d. 201	13 N.J.R. 462(a)
17:7-3.2	Prison Officers' Pension Fund	13 N.J.R. 245(b)	R. 1981 d. 302	13 N.J.R. 620(b)
17:7-3.10	Prison officers' fund: Disability claims	13 N.J.R. 750(a)	R. 1982 d. 89	14 N.J.R. 347(c)
17:8-1.6	Variable benefit account and withdrawals	12 N.J.R. 675(e)	R. 1980 d. 530	13 N.J.R. 47(b)
17:8-2.10, 2.11	Repeal Supplemental Annuity reports and remittances	12 N.J.R. 496(e)	R. 1980 d. 419	12 N.J.R. 678(b)
17:8-3.3	Variable benefit account and withdrawals	12 N.J.R. 675(e)	R. 1980 d. 530	13 N.J.R. 47(b)
17:9-2.16	Policy provisions for State Health Benefits Program	13 N.J.R. 110(b)	R. 1981 d. 138	13 N.J.R. 376(b)
17:9-5.8	Medicare refunds	13 N.J.R. 110(c)	R. 1981 d. 139	13 N.J.R. 376(c)
17:10-5.3	Judicial Retirement System	13 N.J.R. 331(a)	R. 1981 d. 244	13 N.J.R. 462(b)
17:16-5.5	Classification of funds: Temporary reserve group	13 N.J.R. 620(c)	R. 1982 d. 188	14 N.J.R. 663(a)
17:16-11.3, 12.2, 12.3	Investment rules	13 N.J.R. 526(b)	R. 1982 d. 192	14 N.J.R. 663(b)
17:16-27.1	Collateralized Certificates of deposit	13 N.J.R. 528(a)	R. 1982 d. 191	14 N.J.R. 663(c)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
17:16-28.3, 28.4, 29.3	Investment rules	13 N.J.R. 526(b)	R.1982 d.192	14 N.J.R. 663(b)
17:16-31.9, 40.1	Administrative expenses; collateralized securities	13 N.J.R. 528(a)	R.1982 d.191	14 N.J.R. 663(c)
17:16-41	Cash Management Fund	Procedural	R.1980 d.443	12 N.J.R. 679(a)
17:16-42.2, 42.4	Covered call options: Expanded trading	13 N.J.R. 750(b)	R.1982 d.193	14 N.J.R. 663(d)
17:16-42.3	Investment rules	13 N.J.R. 526(b)	R.1982 d.192	14 N.J.R. 663(b)
17:20-5.10	Emergency amend agent's compensation	Emergency	R.1980 d.460	12 N.J.R. 681(a)
17:21-8.1	Emergency amend unclaimed prize money	Emergency	R.1980 d.459	12 N.J.R. 680(b)
17:21-11	Emergency rules on 10th Anniversary instant lottery	Emergency	R.1981 d.111	13 N.J.R. 112(a)
17:21-11	Emergency adoption: Baseball instant lottery	Emergency	R.1981 d.136	13 N.J.R. 312(a)
17:21-11	Readopt "Baseball" instant lottery game	13 N.J.R. 312(a)	R.1981 d.269	13 N.J.R. 529(a)
17:21-11	"Super Bingo" lottery	13 N.J.R. 376(d)	R.1981 d.286	13 N.J.R. 529(b)
17:21-11	Emergency Adoption: "Super Bingo" lottery	Emergency	R.1981 d.171	13 N.J.R. 376(d)
17:21-12.1, 13.1	Emergency amend Pick-It and Pick-4 Lotteries	Emergency	R.1980 d.458	12 N.J.R. 680(a)
17:21-15	Emergency amend Pick-6 (Lotto) lottery	Emergency	R.1980 d.496	12 N.J.R. 730(a)
17:21-16	Emergency rules on Jersey Jackpot Lottery	Emergency	R.1980 d.507	13 N.J.R. 45(a)
17:26-2	Spill compensation tax and Federal Superfund	14 N.J.R. 36(b)	R.1982 d.79	14 N.J.R. 285(b)

**(Title 17, Transmittal 15 dated September 18, 1980)**

**TREASURY-TAXATION-TITLE 18**

18:3-1.2, 2.1	New Jersey wines	13 N.J.R. 839(a)	R.1982 d.181	14 N.J.R. 664(a)
18:7-1.15	Investment company defined	13 N.J.R. 684(b)	R.1982 d.34	14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	13 N.J.R. 688(a)	R.1982 d.6	14 N.J.R. 105(d)
18:7-11.12	Emergency extension for filing corporate return	Emergency	R.1981 d.163	13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	13 N.J.R. 688(a)	R.1982 d.6	14 N.J.R. 105(d)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	14 N.J.R. 72(b)	R.1982 d.78	14 N.J.R. 278(b)
18:12-7.12	Emergency adoption: Extension of time to file homestead rebate claim	Emergency	R.1981 d.474	13 N.J.R. 948(b)
18:12-7.12	Readopted: Homestead rebate filing extension	13 N.J.R. 948(b)	R.1982 d.41	14 N.J.R. 212(a)
18:12-9	Mobile homes tax moratorium (local property)	13 N.J.R. 162(b)	R.1981 d.207	13 N.J.R. 462(c)
18:12A-1.6	Appeals to county tax boards	14 N.J.R. 231(a)	R.1982 d.176	14 N.J.R. 580(b)
18:12A-1.12	Local property tax	13 N.J.R. 621(a)	R.1981 d.478	13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	13 N.J.R. 44(d)	R.1981 d.44	13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	13 N.J.R. 462(d)	R.1981 d.426	13 N.J.R. 779(f)
18:18-3.6	Distributors and gas jobbers bond ceiling	14 N.J.R. 202(a)	R.1982 d.140	14 N.J.R. 430(a)
18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	13 N.J.R. 855(a)	R.1982 d.77	14 N.J.R. 285(c)
18:24-2.3	Sales and Use Tax Act	13 N.J.R. 163(a)	R.1981 d.209	13 N.J.R. 465(a)
18:24-2.15	Sales tax recordkeeping standards	13 N.J.R. 751(a)	R.1982 d.36	14 N.J.R. 212(b)
18:24-5.7	Capital improvement installations and sales tax	14 N.J.R. 140(b)	R.1982 d.141	14 N.J.R. 430(b)
18:24-7.19	Sales and Use Tax Act	13 N.J.R. 163(b)	R.1981 d.206	13 N.J.R. 465(b)
18:24-12.4	Sales Tax exemptions	13 N.J.R. 111(a)	R.1981 d.210	13 N.J.R. 465(c)
18:24-24.2	Underground gas tanks as real property	13 N.J.R. 883(b)	R.1982 d.85	14 N.J.R. 348(a)
18:24-27.1, 27.2	Sales and Use Tax Act	13 N.J.R. 164(a)	R.1981 d.208	13 N.J.R. 465(d)
18:24-28	Taxation of purchase or use of race horses	13 N.J.R. 622(a)	R.1981 d.436	13 N.J.R. 847(c)
18:26-2.12, 5.9, 5.17, 5.19, 6.16, 6.17, 8.6, 8.12	Transfer Inheritance Tax	13 N.J.R. 623(a)	R.1981 d.477	13 N.J.R. 948(d)
18:35-1.15	Exclusions from taxable gross income	14 N.J.R. 271(a)	R.1982 d.164	14 N.J.R. 581(a)
18:35-2	Debt liability and tax refunds and rebates	13 N.J.R. 940(a)	R.1982 d.161	14 N.J.R. 474(b)

**(Title 18, Transmittal 16 dated January 14, 1981)**

**TITLE 19 SUBTITLES A-L-OTHER AGENCIES (Except Casino Control Commission)**

19:1-5	Home improvement loan program	13 N.J.R. 312(b)	R.1981 d.268	13 N.J.R. 529(c)
19:4-3.2	Meadowlands zoning exemptions	14 N.J.R. 231(b)	R.1982 d.163	14 N.J.R. 581(b)
19:4-4.142	Variances and appeals	13 N.J.R. 529(d)	R.1981 d.446	13 N.J.R. 847(d)
19:4-5.17	Meadowlands variances	13 N.J.R. 694(a)	R.1982 d.1	14 N.J.R. 162(b)
19:4-6.25	Variances and appeals	13 N.J.R. 529(d)	R.1981 d.446	13 N.J.R. 847(d)
19:4-6.26	Meadowlands variances	13 N.J.R. 694(a)	R.1982 d.1	14 N.J.R. 162(b)
19:4-6.28	District zoning; change in zoning map	13 N.J.R. 624(a)	R.1981 d.467	13 N.J.R. 895(c)
19:8-1.9	Autobus length allowable on Parkway	14 N.J.R. 333(a)	R.1982 d.116	14 N.J.R. 581(c)
19:8-2.11	Garden State Arts Center	13 N.J.R. 247(e)	R.1981 d.169	13 N.J.R. 378(a)
19:8-2.12	Emergency service	13 N.J.R. 165(b)	R.1981 d.115	13 N.J.R. 315(a)
19:8-3.1	Tolls on Garden State Parkway	13 N.J.R. 248(a)	R.1981 d.170	13 N.J.R. 378(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
19:8-7.3	State Police motor vehicle accident reports	13 N.J.R. 531(a)	R. 1981 d.387	13 N.J.R. 780(a)
19:9-1.9	Out-of-service school buses	13 N.J.R. 751(b)	R. 1981 d.520	14 N.J.R. 106(a)
19:9-3.1	Towing rates	13 N.J.R. 49(b)	R. 1981 d.37	13 N.J.R. 165(c)
19:12	PERC: Negotiations and impasse procedures	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:16	Firemen and Police: Negotiations	Organizational	R. 1981 d.357	13 N.J.R. 625(a)
19:25-8	Financial disclosure by legislative agents	13 N.J.R. 695(a)	R. 1981 d.471	13 N.J.R. 895(d)
19:25-8	Interpretive statement on disclosure	13 N.J.R. 695(a)	R. 1981 d.471	14 N.J.R. 392(a)
19:25-15	Public Financing of General Election for Governor	13 N.J.R. 49(a)	R. 1981 d.54	13 N.J.R. 248(b)
19:30-2.1-2.3	Economic Development Authority fees	13 N.J.R. 248(c)	R. 1981 d.245	13 N.J.R. 465(e)
19:30-4.2	Targeting of authority assistance	13 N.J.R. 625(b)	R. 1981 d.457	13 N.J.R. 898(a)
19:30-4.4	EDA: Targeting of Authority assistance	13 N.J.R. 165(d)	R. 1981 d.168	13 N.J.R. 378(c)
19:30-5	Debarment of applicants and contractors	12 N.J.R. 356(a)	R. 1981 d.167	13 N.J.R. 378(d)

(Title 19, Transmittal 16 dated January 14, 1981)

**TITLE 19 SUBTITLE K-CASINO CONTROL COMMISSION**

19:41-4.3	Employee residency qualifications	14 N.J.R. 37(a)	R. 1982 d.63	14 N.J.R. 285(d)
19:41-7.14	Personal History Disclosure Form 2A	14 N.J.R. 380(b)	R. 1982 d.190	14 N.J.R. 664(b)
19:41-9.1, 9.4	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-9.12, 9.13, 9.14, 9.16	Fixed fees and employee licensing	14 N.J.R. 38(a)	R. 1982 d.57	14 N.J.R. 237(e)
19:41-9.15	Hotel employee registration fee	14 N.J.R. 232(a)	R. 1982 d.162	14 N.J.R. 581(d)
19:41-9.19	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:41-11.1, 11.2, 11.3	Casino licensee agreements	13 N.J.R. 626(a)	R. 1981 d.439	13 N.J.R. 847(e)
19:41-12.5	Casino assessments	13 N.J.R. 531(b)	R. 1981 d.367	13 N.J.R. 709(a)
19:43-1.1, 1.2	Casino licensing requirements	13 N.J.R. 627(a)	R. 1981 d.440	13 N.J.R. 848(a)
19:43-1.8	Casino service industry licenses	12 N.J.R. 447(a)	R. 1981 d.273	13 N.J.R. 534(a)
19:44-17.10	Gaming school exterior advertising	13 N.J.R. 841(a)	R. 1982 d.21	14 N.J.R. 162(c)
19:45	Accounting and internal controls	13 N.J.R. 534(b)	R. 1981 d.437	13 N.J.R. 848(b)
19:45-1.3, 1.7	Correction: Annual audit	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 628(a)
19:45-1.3, 1.8, 1.24, 1.44	Casino accounting and internal controls	13 N.J.R. 47(c)	R. 1981 d.272	13 N.J.R. 541(a)
19:45-1.3, 1.24	Internal control; patrons' cash deposits	14 N.J.R. 381(a)	R. 1982 d.189	14 N.J.R. 664(c)
19:45-1.12	Internal and gaming controls	13 N.J.R. 534(b)	R. 1982 d.206	14 N.J.R. 710(d)
19:45-1.15, 1.34	Gaming control	13 N.J.R. 534(b)	R. 1982 d.171	14 N.J.R. 582(a)
19:45-1.46	Patron coupon redemption programs	14 N.J.R. 203(a)	R. 1982 d.170	14 N.J.R. 582(b)
19:46-1.3	Gaming chips	13 N.J.R. 534(b)	R. 1981 d.408	13 N.J.R. 780(b)
19:46-1.11, 1.26	Craps table and slot machine rules	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-1.2, 1.4	Craps wagering	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-2.6, 2.8	Emergency Blackjack surrender revisions	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.6, 2.8	Readopt Blackjack wagering changes	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-2.12	Blackjack play	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-2.13	Emergency Blackjack wagering	Emergency	R. 1981 d.301	13 N.J.R. 629(a)
19:47-2.13	Readopt Blackjack wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:47-5.2	Roulette payout odds	13 N.J.R. 534(b)	R. 1981 d.388	13 N.J.R. 780(c)
19:47-5.7	Minimum and maximum wagering	13 N.J.R. 534(b)	R. 1981 d.368	13 N.J.R. 709(b)
19:50-1.6	Alcoholic beverage control	13 N.J.R. 541(b)	R. 1981 d.438	13 N.J.R. 849(a)
19:51-1.1-1.4	Advertising	13 N.J.R. 542(a)	R. 1981 d.409	13 N.J.R. 780(d)
19:52-1.3	Nightly entertainment	13 N.J.R. 543(a)	R. 1981 d.369	13 N.J.R. 709(c)

(Title 19 Subtitle K, Transmittal 3 dated January 14, 1981)

# CONTENTS

(Continued From Front Cover)

Standardization of executive officer classification .....	834(c)
Statement of interest: Officers defined .....	834(d)
<b>COMMUNITY AFFAIRS</b>	
Manufactured homes standards .....	834(e)
<b>ENVIRONMENTAL PROTECTION</b>	
Water diversion fees for non-growing use .....	834(f)
Water diversion fees for non-growing use .....	834(f)
Green Acres reimbursement .....	835(a)
<b>HEALTH</b>	
Soft-shell clam depuration .....	835(b)
Additions to generic drug list .....	836(a)
<b>HUMAN SERVICES</b>	
PAM: Veterans' funeral expenses .....	836(b)
Correction: Federal requirement for ASH .....	837(a)
Ruling 11: Tuition Aid .....	837(b)
<b>LABOR</b>	
Safety standards for explosives .....	837(c)
<b>TRANSPORTATION</b>	
Parking and bus stops on Route 10 .....	838(a)
Bus stops and parking on US 9W .....	838(b)
Parking on Route 15 .....	838(c)
Left turns on Route 73, Winslow Twp. ....	838(d)
<b>OTHER AGENCIES</b>	
<b>CASINO CONTROL COMMISSION</b>	
"Double odds" option in craps .....	838(e)
<b>MISCELLANEOUS NOTICES</b>	
<b>ADMINISTRATIVE LAW</b>	
OAL Notice to Our Readers .....	839(a)
<b>ENVIRONMENTAL PROTECTION</b>	
Certification of draft NPDES permits .....	839(b)
<b>LAW AND PUBLIC SAFETY</b>	
Common carrier applicants .....	839(c)
<b>OTHER AGENCIES</b>	
<b>CASINO CONTROL COMMISSION</b>	
Petition for rulemaking: Removal and distribution of cards .....	839(d)
Petition for rulemaking: Gaming tournaments .....	840(a)
Petition for rulemaking: Linked progressive jackpots .....	840(b)
Petition for rulemaking: Prohibition of pre-recorded music .....	840(c)
<b>LATE FILINGS</b>	
<b>OTHER AGENCIES</b>	
<b>CASINO CONTROL COMMISSION</b>	
Conflicting terms and conditions .....	841(a)
Blackjack play and wagering .....	841(b)
<b>INDEX OF ADOPTED RULES .....</b>	<b>842</b>

## Filing Deadlines

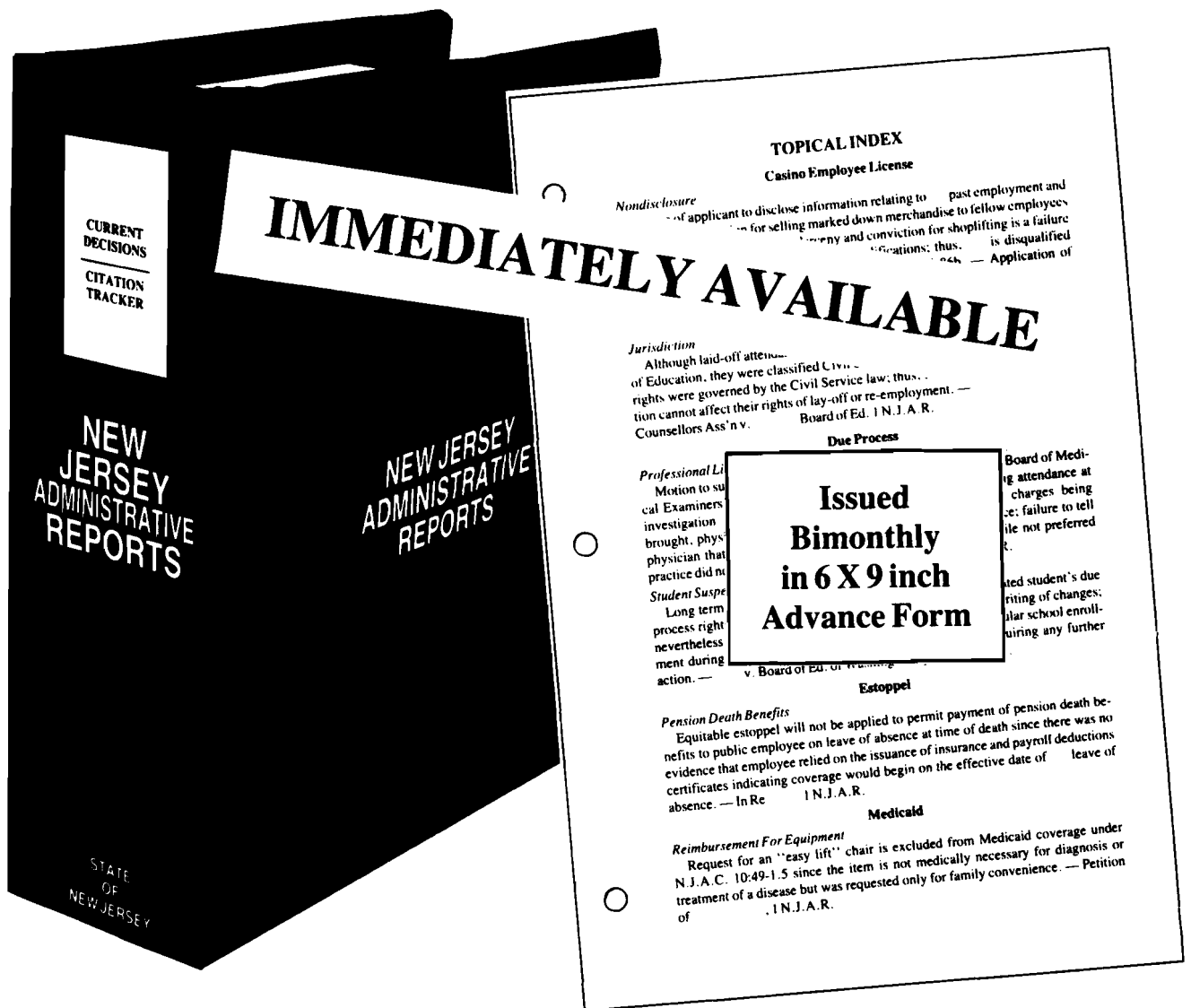
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