

NEW JERSEY REGISTER



The State's Official Rules Publication

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VOLUME 7 • NUMBER 12

Dec. 4, 1975 • Indexed 7 N.J.R. 537-580

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(a)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Proposed Rules on Deposit On Milk Cases

Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq., proposes to adopt new rules concerning deposits on milk cases.

Full text of the proposed rules follows:

SUBCHAPTER 6. DEPOSIT ON MILK CASES

2:52-6.1 Definitions

The words "milk dealer", "processor", "subdealer", "store" and "consumer" as used herein shall have the same meaning as in N.J.S.A. 4:12A-1.

"Milk case" means the wood, metal or plastic container essential for transporting or delivering cartons, bottles, jugs or other packages of milk and milk products from the milk processing plant to stores or consumers.

2:52-6.2 Identification of milk cases

For the purposes of this regulation, each milk case used by milk dealers, processors or subdealers for the transporting of milk and milk products to stores and consumers within the State of New Jersey shall have the name or other business identification of the person who is the owner clearly printed, embossed, inscribed or otherwise marked on each such milk case.

2:52-6.3 Deposit

(a) Each milk dealer or subdealer delivering milk to stores within the State of New Jersey shall charge and receive a deposit of not less than \$0.50 for each milk case which remains in the possession of the store receiving the milk or milk products.

(b) Each processor, or milk dealer selling milk to another processor, milk dealer or subdealer shall charge and receive a deposit of not less than \$0.50 for each milk case delivered to or furnished to such customer.

(c) The deposit provided herein shall be retained by the supplying processor, dealer or subdealer so long as the milk case or its replacement remains with or in the possession of the other processor, dealer, subdealer or store. Upon return of the milk case or its replacement the deposit shall be refunded to the person who paid the deposit.

(d) The payment of the deposit shall not be deemed to transfer ownership of the case to the person paying such deposit.

2:52-6.4 Records and availability

Each milk processor, dealer, subdealer and store shall maintain complete and accurate records and accounts of the charges, collection and refunds of the deposit on milk cases, and all such records and accounts shall be readily available at all reasonable hours for examination by the Director, Division of Dairy Industry or his agents.

Interested persons may present statements or arguments, in writing, orally in person, or by telephone, relevant to the proposed action on or before December 24, 1975, to:

Woodson W. Moffett Jr., Director
Division of Dairy Industry
Department of Agriculture
P.O. Box 1999
Trenton, N.J. 08625
Telephone: (609) 292-5646

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

Woodson W. Moffett Jr., Director
Division of Dairy Industry
Department of Agriculture

(b)

AGRICULTURE

DIVISION OF REGULATORY SERVICES

Proposed Revisions for Potato Labeling

The New Jersey State Board of Agriculture, pursuant to authority of N.J.S.A. 4:10-38, proposes to revise its rule on invoices and/or manifests regarding the potato labeling law.

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

3:71-5.5 Invoices and/or manifests (bills of lading)

[(a) All persons selling, offering for sale or transporting for sale in this State potatoes coming under the provisions of this Act shall furnish the buyer an invoice and/or manifest covering each sale of such potatoes where the quantity exceeds 500 pounds.

(b) Each invoice shall indicate the number of containers of each grade in the sale and/or the number of containers of "Unclassified" or "Cull" potatoes in the sale.]

All persons selling, offering for sale or transporting for sale in this State potatoes in open or closed packages for

NEW JERSEY REGISTER

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

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processing or repacking purposes shall furnish the buyer an invoice and/or manifest covering each sale of such potatoes stating that the potatoes are for processing or repacking. Any lot of potatoes not accompanied by such document shall be considered as coming under the provisions of this Act.

Interested persons may present statements or arguments, in writing, relevant to the proposed action on or before December 24, 1975, to:

Delmar K. Myers
 Director, Division of Regulatory Services
 Department of Agriculture
 P.O. Box 1888
 Trenton, N.J. 08625

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

Phillip Alampi
 Secretary of Agriculture
 Secretary, Board of Agriculture

(a)

AGRICULTURE

THE SECRETARY

Notice of Results of 1975 Sweet Potato Referendum

Take notice that, the Department of Agriculture has issued the following Notice of the results of the 1975 Sweet Potato Referendum.

Full text of the Notice follows:

Based on the 1975 referendum of 100 per cent of membership of producers of sweet potatoes in this State as required by N.J.S.A. 54:47E-17, provided for the continuation of the sweet potato promotion program.

The specific results of the referendum completed and calculated on November 1, 1975 are:

1975 SWEET POTATO REFERENDUM		
	Votes - Per Cent	Acreage - Per Cent
Yes	84 - 90.32	1,508 - 90.30
No	9 - 9.68	162 - 9.70
Total Affected	93 - 100.00	1,670 - 100.00

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

(b)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Revisions to Minimum Milk Prices

On November 7, 1975, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the

Administrative Procedure Act, adopted revisions to minimum milk prices to be effective December 1, 1975.

The revisions replace the current text of N.J.A.C. 2:49-1.1(b).

Full text of the adopted revisions follows:

2:49-1.1(b) Effective December 1, 1975, minimum milk prices under Order 69-1 will be 39 cents per quart, 73 cents per half-gallon and \$1.40 per gallon. This amendment shall be effective from and after December 1, 1975.

An order adopting these revisions was filed November 12, 1975, as R.1975 d.340 (Exempt, Procedure Rule) to become effective on December 1, 1975.

Thomas F. Kistner, Director
 Division of Administrative Procedure
 Department of State

(c)

BANKING

DIVISION OF BANKING

Revisions on Required Reserve

On October 29, 1975, Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-48 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to the rule concerning required reserves to be maintained by banks not members of the Federal Reserve System.

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

3:8-3.1 Required reserve

(a) Each bank of this State not a member of the Federal Reserve System shall maintain as its required reserve for time deposits:

1. Three per cent of its savings deposits and its time deposits, open accounts that constitute deposits of individuals, such as Christmas club accounts and vacation club accounts, that are made under written contracts providing that no withdrawal shall be made until a certain number of periodic deposits have been made during a period of not less than three months; plus

2. Three per cent of the first \$5,000,000 of all other time deposits with an initial maturity of less than 180 days and six per cent on all such accounts in excess of \$5,000,000; plus

3. Three per cent of all other time deposits with an initial maturity of 180 days or more [;], but less than four years; plus

4. One per cent of all other time deposits with an initial maturity of four years or more;

(b) Provided that no nonmember bank shall maintain as its required reserve less than three per cent of its total time deposits.

[4] (c) Each bank of this State not a member of the Federal Reserve System shall maintain as its required reserve for immediate liabilities:

1. Seven and one-half per cent of its immediate liabilities if its aggregate immediate liabilities are \$2 million or less; \$150,000 plus ten per cent of its immediate liabilities in excess of \$2 million if its aggregate immediate liabilities are in excess of \$2 million but less than \$10 million; \$950,000 plus 12 per cent of its immediate liabilities in excess of \$10 million if its aggregate immediate liabilities are in excess of \$10 million but less than \$100 million; \$11,750,000

plus 13 per cent of its immediate liabilities in excess of \$100 million if its aggregate immediate liabilities are in excess of \$100 million but less than \$400 million; or \$50,750,000 plus 16½ per cent of its immediate liabilities in excess of \$400 million.

An order adopting these revisions was filed October 29, 1975, as R. 1975 a. 325 (Exempt, Emergency Rule) to become effective November 1, 1975.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

COMMUNITY AFFAIRS

LOCAL FINANCE BOARD

Rule on Contracts and Expenditures

On October 23, 1975, the Local Finance Board in the Department of Community Affairs, pursuant to authority of N.J.S.A. 52:27BB-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule concerning contracts and expenditures.

Full text of the adopted rule follows:

5:30-1.10 Contracts; expenditures

(a) Before the governing body of any local unit shall consider or pass any resolution authorizing the entering into of any contract calling for the expenditure of public funds, it shall first ascertain that there are available sufficient legally appropriated funds for that purpose.

(b) The chief financial officer or the local financial officer charged with the responsibility of maintaining the financial records of the local unit shall certify in writing to the governing body the availability or lack thereof of adequate funds for each contract which is pending approval by the governing body. Said certification shall designate specifically the line item appropriation(s) of the official budget adopted pursuant to the local budget law to which the contract will be properly charged in accordance with the comptroller function, taking care that the same funds shall not be certified as available for more than one pending contract.

(c) No resolution or ordinance authorizing the entering into of any contract pursuant to N.J.S.A. 40A:11 or any other law for the expenditure of public funds to a vendor, contractor or other entrepreneur shall be enacted unless it shall recite that such a certificate showing availability of funds has been provided. The resolution or ordinance shall specify the exact line item appropriation(s) or ordinance which shall be charged.

(d) The certification of availability of funds shall be attached to the original copy of the resolution or ordinance and kept in the files of the municipal clerk or clerk of the board of chosen freeholders.

(e) Before certifying to the legality of any such resolution or ordinance, the municipal or county attorney shall satisfy himself that the proper certificate of availability has been provided showing funds to be available.

(f) Any person knowingly failing to discharge the responsibilities enumerated above shall be subject to the misdemeanor penalties prescribed by N.J.S.A. 52:27BB-52 in addition to such other sanctions as may pertain.

(g) Governing bodies should endeavor to see that adequate procedures, such as encumbrance systems, either formal or informal, exist so as to avoid violation of N.J.S.A.

40A:4-57 with respect to contracts or purchases made other than by resolution or ordinance.

An order adopting this rule was filed October 23, 1975, as R. 1975 d.322 (Exempt, Emergency Rule) to become effective January 1, 1976.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Rules for Tax Abatement On Added Assessments

On October 29, 1975, David S. Davies, Director of the Division of Housing and Urban Renewal in the Department of Community Affairs, pursuant to authority of P.L. 1975 c. 104 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 5:22-1.1 et seq., concerning tax abatement on added assessments substantially as proposed in the Notice published October 9, 1975, at 7 N.J.R. 457 (a), but with subsequent substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

Full text of only the Sections involved by the substantive changes follows:

5:22-1.2 Board of Property Tax Abatement Appeals; membership

(a) There is hereby established a Board of Property Tax Abatement Appeals within the Department for the purposes of hearing matters arising out of P.L. 1975, c. 104, Section 3.

(b) The Board shall consist of three members of the Department to be appointed by the Commissioner as follows:

1. An Assistant Commissioner or Division Director acting as chairman; and
2. Two members of the Department who shall not be either an Assistant Commissioner or Division Director.

5:22-1.4 Rules and procedures

(a) General rules include the following:

1. The Board shall schedule hearings within 30 days of the receipt of a completed application thereof, and shall submit its recommendation within 15 days of such hearing to the Commissioner.

2. The Board may stay its proceedings if it determines that the county planning board from which the appeal is taken is still legitimately considering the matter. Such stay may be undertaken by the Board on its own initiative or upon the request of the county planning board. The Board shall notify the municipality of such stay and the reasons therefor.

(b) Decisions of the Board shall be by a vote of the majority. All members shall be present during the proceedings of the Board and for the purpose of voting.

(c) Hearings of the Board shall be conducted by the chairman and shall be informal to the extent possible. The Board shall not be bound by strict rules of evidence or procedure, and may from time to time develop further rules for its internal governance.

(d) The Board is empowered to call witnesses, assemble data on its own initiative or require that parties to the appeal provide such data, and carry out such other and further discovery procedures as will enable it to perform its functions under P.L. 1975, c. 104.

(e) Decisions of the Board shall be in writing prepared by the chairman. The text of the decision shall fully explain the Board's position. Any dissenting opinion may be attached.

(f) The Commissioner may adopt, modify or reject the decision of the Board and may, where appropriate, return the case to the Board for further consideration and review. Unless returning the case for further consideration and review, the Commissioner shall act upon the Board's recommendation within 15 days of receipt thereof.

(g) Decisions of the Board as adopted or modified by the Commissioner shall be forwarded to the mayor of the petitioning municipality and to the chief officer of the county planning board.

5:22-1.7 Procedures upon allowance of exemption

(a) The following procedures shall apply upon allowance of exemption:

1. Every application for exemption of one or more improvements, which qualify, shall be approved and allowed by the assessor, but in no case may the exemption exceed the maximum of \$4,000 per dwelling unit.

2. Claim for the exemption, once filed on the prescribed form and allowed by the assessor, shall continue in force for a period of five years following January 1 of the year in which the exemption was allowed.

3. The law requires that the granting of any exemption pursuant to P.L. 1975, c. 104 shall be recorded and made a permanent part of the official tax record (See: Section 7). Accordingly, the assessor shall designate the exemption by the symbol "H" under "Specific Exemptions" on the real property tax list and reflect it in column "7" on the said list.

4. The law provides that in applying the exemption the assessor may regard the improvements ". . . as not increasing the value of such property for a period of five years notwithstanding that the value of the dwelling to which such improvements are made is increased thereby . . .". Accordingly, the provisions of N.J.S.A. 54:4-63.1 to 63.11, the Added and Omitted Assessment Laws, shall not apply to the allowable increase in the amount of assessed valuation in the year in which the improvements qualify for the exemption.

5. The law provides that every application for exemption of one or more improvements which qualify as improvements shall be approved and allowed by the assessor. Where application for exemption is made, however, with respect to improvement or improvements which do not qualify, the assessor should notify claimant of the disallowance of the claim in writing upon form H.I.E.-2 within 20 days after disallowance and properly note thereon the specific reasons for the disallowance.

An order adopting these rules was filed and became effective on October 30, 1975, as R.1975 d.327.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Rules on Evaluation Of Nontenured Teaching Staff

The State Board of Education, pursuant to authority of N.J.S.A. 18A:27-3.1 et seq., proposes to adopt new rules concerning the evaluation of nontenured teaching staff.

Full text of the proposed new rules follows:

6:3-1.19 Supervision of instruction; observation and evaluation of nontenured teaching staff members

(a) For the purpose of this Section, the term "observation" shall be construed to mean a visitation to a classroom by a member of the administrative and supervisory staff of the local school district, who holds an appropriate certificate for the supervision of instruction, for the purpose of observing a nontenured teaching staff member's performance of the instructional process:

1. Such an observation shall be conducted for a minimum duration of one class period in a secondary school and, in an elementary school, for the duration of one complete subject lesson.

(b) The term "evaluation" shall be construed to mean a written evaluation prepared by the administrative/supervisory staff member who visits the classroom for the purpose of observing a teaching staff member's performance of the instructional process.

(c) Each local board of education shall adopt a policy for the supervision of instruction, setting forth procedures for the observation and evaluation of nontenured teaching staff members. Such policies shall be distributed to each teaching staff member at the beginning of his/her employment.

(d) Each observation shall be followed, within a reasonable period of time, but in no instance more than ten days, by a conference between the officer who has made the observation and written evaluation and the nontenured teaching staff member. Both parties to such a conference will sign the written evaluation report and retain a copy for his/her records. The nontenured teaching staff member shall have the right to submit his or her written disclaimer of such evaluation within ten days following the conference, and such disclaimer shall be attached to each party's copy of the evaluation report.

(e) The purposes of this procedure for the observation and evaluation of nontenured teaching staff members shall be to identify deficiencies, extend assistance for the correction of such deficiencies, improve professional competence, provide a minimal basis for recommendations regarding reemployment and improve the quality of instruction received by the pupils served by the public schools.

(f) Each policy for the supervision of instruction may include, in addition to those observations and evaluations hereinbefore described, a written evaluation of the nontenured teaching staff member's total performance as an employee of the local board of education, which shall not be limited to classroom performance of the instructional process. Such evaluation(s) shall be in addition to those required by N.J.S.A. 18A:27-3.1 et seq.

6:3-1.20 Procedure for appearance of nontenured teaching staff member before a local board of education upon receipt of notice of non-reemployment

(a) Whenever a nontenured teaching staff member has requested in writing and has received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.3, he/she may request in writing an informal appearance before the local board of education. Such written request must be submitted to the board within ten calendar days of receipt of the board's statement of reasons.

(b) Such an informal appearance shall be scheduled within 30 calendar days from receipt of the board's statement of reasons.

(c) Under the circumstances described herein, a nontenured teaching staff member's appearance before the

board shall not be an adversary proceeding. The purpose of such an appearance shall be to permit the staff member to convince the members of the board to offer reemployment.

(d) Each local board shall exercise discretion in determining a reasonable length of time of the proceeding, depending upon the specific circumstances in each instance.

(e) Each local board shall provide adequate written notice to the employee regarding the date and time of the informal appearance.

(f) The nontenured teaching staff member may be represented by counsel or one individual of his/her own choosing.

(g) The staff member may present witnesses on his/her behalf. Such witnesses need not present testimony under oath and shall not be cross-examined by the board. Witnesses shall be called into the meeting to address the board one at a time and shall be excused from the meeting after making their statements.

(h) The proceeding of an informal appearance before the local board as described herein shall be conducted in private in every instance, and no exceptions to such a private proceeding shall be permitted.

(i) Within three days following the informal appearance, the board shall notify the affected teaching staff member, in writing, of its final determination. Such notification may be delegated by the board to its superintendent or board secretary.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Ms. Lorraine Colavita
Administrative Practice Officer
State Department of Education
225 West State St.
Trenton, N.J. 08625

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

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Revision of Rule On Certification Appeals

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to delete in its entirety the current text of N.J.A.C. 6:11-3.31 concerning certification appeals and reserving that Section for future use.

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

6:11-3.31 [Appeals] (Reserved)

[(a) The Commissioner is authorized to appoint a certification appeals committee consisting of seven persons, at least five of whom shall hold professional positions in the field of education. The Secretary of the State Board of Examiners shall serve as Secretary of the committee without vote.

(b) On the recommendation of the certification appeals committee, the State Board of Examiners is authorized to issue certificates to applicants who possess an unusual

background of education and experience deemed to be the equivalent of, or superior to, the regular requirements.

(c) General operating procedures for the certification appeals committee are as follows:

1. The Committee members will be chosen to provide a variety of professional backgrounds and roles. Occasionally, if appeals are made by persons from specialized fields not represented on the Committee, it may be desirable to invite an "expert witness" to serve as consultant in the review of the particular case. In such instances, the president of the professional association in the particular field, such as the School Psychologist Association or the Vocational Teachers Association, would normally be asked to suggest a person who would be invited to serve as consultant.

2. To provide a degree of continuity, members would be asked to serve two-year overlapping terms.

3. The frequency of meetings would be determined by the volume of appeals received. Normally, meetings will be held not later than two weeks prior to meetings of the State Board of Examiners, to allow time for the preparation of the recommendations to be presented for approval of the Board.

4. Appeals will typically be referred to the Committee by an employing superintendent of schools or administrative principal through the office of the county superintendent of schools. Prior to the Committee meetings the Secretary will advise with the referring superintendent and the applicant regarding the accumulating of the types of evidence needed by the Committee. Occasionally appeals may be made directly by applicants, and such cases will be handled in similar fashion.

5. Members of the Committee will serve without pay, but will be reimbursed for expenses incurred in connection with attendance at meetings.

6. The applicant produces all the evidence that he can accumulate to support his appeal. This evidence will vary in content and amount from case to case, and may include:

i. Evidence of outstanding teaching experience or other successful leadership to children and youth;

ii. Recommendations from superintendents, employers, other professionals with intimate knowledge of the person's work and competence;

iii. Descriptions of the nature and extent of collegiate or non-collegiate training programs successfully completed by the applicant in his field of competence;

iv. Statements from authorized officials of appropriate occupations, professional, or learned societies indicating evidence of outstanding performance. Occasionally, a group of the applicant's peers in his particular area of competence may be asked to visit with the applicant and evaluate his credentials, background, or performance;

v. Other evidence is also appropriate, such as statements made by authorities in the field to be taught, and magazine, newspaper, and other printed materials referring to the applicant's abilities;

vi. In addition to the items mentioned above, it shall be the privilege of the candidate to submit whatever types of evidence he wishes in supporting his appeal.

7. The certification review committee may recommend to the State Board of Examiners the issuance of a regular certificate, or a provisional certificate, with suggestions regarding the additional preparation that should be required before a regular certificate is issued to the applicant. When a regular certificate is issued, it will be for a period of two years until the person has demonstrated his competency and justified the exception made in his case.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Ms. Lorraine Colavita
Administrative Practice Officer
State Department of Education
225 West State St.
Trenton, N.J. 08625

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

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Rules on Thorough and Efficient System of Free Public Schools

Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, and the State Board of Education, pursuant to N.J.S.A. 18A as supplemented and amended by Chapter 212, Laws of 1975, republishes below the proposed new rules concerning the thorough and efficient system of free public schools.

Full text of the proposed rules follows:

CHAPTER 8. THOROUGH AND EFFICIENT SYSTEM OF FREE PUBLIC SCHOOLS

FOREWORD

The following rules and regulations define the standards and procedures of evaluation, approval process and enforcement of a thorough and efficient system of free public schools in accordance with the New Jersey Constitution. These rules and regulations shall be reviewed and modified as appropriate at least once every five years.

The goal of a thorough and efficient system of free public schools shall be to provide all children in New Jersey, regardless of socio-economic status or geographic location, the educational opportunity which will prepare them to function politically, economically and socially in a democratic society.

This system of free public schools shall operate under the State Board of Education and district boards of education pursuant to law and regulation.

Authority

N.J.S.A. 18A as supplemented and amended by Chapter 212, Laws of 1975.

SUBCHAPTER 1. DEFINITIONS

6:8-1.1 Words and phrases defined

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

"Administrative order" means a written directive ordering specific corrective action by a district which has shown insufficient educational progress within a reasonable period of time in meeting goals and standards.

"Approved" means the official classification by the State Board of Education certifying that the school and district complies with the legal requirements and prescribed standards, pursuant to law and regulation.

"Articulation" means continuity, consistency and interdependence in the curricular offerings of the successive divisions of the school system.

"Classification" means a process through which districts and schools are designated as approved, conditionally approved or unapproved, pursuant to law and regulation.

"Conditionally approved" means that a school or district with specific deficiencies is granted a prescribed period of time in which to plan and implement remediation, pursuant to law and regulation.

"Conditionally approved" means that a school or district with specific deficiencies is granted a prescribed period of time in which to plan and implement remediation, pursuant to law and regulation.

"Evaluation" means procedures used to determine the value and success of programs, projects, techniques and materials in relation to pupil achievement; the act of making judgments based upon the data gathered.

"Goals" means a written statement of educational aspirations for learner achievement and of the educational process stated in general terms.

"Needs assessment" means a written analysis of the current status of an educational system in terms of achieving its goals.

"Objective" means a written statement of the intended outcome of a specific educational process.

"Self-evaluation procedure" means a comprehensive process which enables participants working together to define and set goals, to appraise progress through needs assessment, to analyze problems and to plan for and to implement a program for improvement.

"Standards" means the process and stated levels of proficiency used in determining the extent to which goals and objectives are being met.

"Teaching staff members" means all teachers, principals, assistant principals, vice principals, superintendents, assistant superintendents, school nurses and such other employees as are in positions which require them to hold appropriate certificates issued by the board of examiners, serving in any school district or under any board of education.

"Unapproved" means that a school or district has failed to show sufficient progress toward goals, objectives and standards.

SUBCHAPTER 2. STANDARDS

6:8-2.1 Educational process plan

(a) Each district shall develop, implement and evaluate a continuous educational process plan, approved annually by the district board of education, after consultation with the chief school administrator, with the following components for each school:

1. Goals:

i. Written goals which are based on district needs, and are not in conflict with State goals, as hereinafter set forth in subparagraph iii., shall be developed and serve as the basis for the educational program for each school. Goals shall be developed following consultation with teaching staff members (as defined in these regulations), pupils, parents of pupils and residents of the district, under the direction of the chief school administrator.

ii. District and school goals shall be reviewed and updated at least once every five years. In accordance with c. 231, L. 1975, each board shall give public notice of the proposed goals or revisions thereof and shall provide opportunity for comment at a public meeting.

iii. Outcome and process goals which are consistent with the resolution adopted by the State Board of Education on April 12, 1972, as the result of the "Our Schools" project, are as follows:

(1) Outcome goals: The public schools in New Jersey shall help every pupil in the State:

(A) To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively.

(B) To acquire a stock of basic information concerning the principles of the physical, biological and social sciences, the historical record of human achievements and failures, and current social issues.

(C) To become an effective and responsible contributor to the decision-making processes of the political and other institutions of the community, State, country and world.

(D) To acquire the knowledge, skills and understanding that permit him/her to play a satisfying and responsible role as both producer and consumer.

(E) To acquire job entry level skills and, also, to acquire knowledge necessary for further education.

(F) To acquire the ability to form satisfying and responsible relationships with a wide range of other people, including but not limited to those with social and cultural characteristics different from his/her own.

(G) To acquire the capacities for playing satisfying and responsible roles in family life.

(H) To acquire the knowledge, habits and attitudes that promote personal and public health, both physical and mental.

(I) To acquire the ability and the desire to express himself/herself creatively in one or more of the arts, and to appreciate the esthetic expressions of other people.

(J) To acquire an understanding of ethical principles and values and the ability to apply them to his/her own life.

(K) To develop an understanding of his/her own worth, abilities, potentialities and limitations.

(L) To learn to enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

(2) Process goals: The public schools in New Jersey shall provide:

(A) Instruction which bears a meaningful relationship to the present or future needs and/or interests of pupils.

(B) Significant opportunities, consistent with the age of the pupil, for helping to determine the nature of the educational experiences of the pupil.

(C) Specialized and individualized kinds of educational experiences to meet the needs of each pupil.

(D) Opportunities for teaching staff members and pupils to make recommendations concerning the operation of the schools.

(E) Comprehensive guidance facilities and services for each pupil.

(F) An environment in which harmful competition is minimized.

(G) Resources for education, used with maximum efficiency.

(H) Teaching staff members of high quality.

(I) Diverse forms of constructive cooperation with parents and community groups.

2. District and school objectives: Written district and school objectives, based upon district and school goals, shall be developed within the district for the educational program.

3. Needs assessment: Procedures shall be developed and implemented to assist teaching staff members, as defined in these regulations, in identifying the status of the physical, intellectual, social and emotional development of each pupil. Procedures shall include but not be limited to teacher observation, parental interview, formal and informal

evaluation techniques, cumulative pupil records, local and State testing results, medical examination and other assessment techniques. These procedures shall be used to identify the special abilities and interests of each pupil as well as problems which may affect learning.

4. Instructional program: The teaching staff members shall implement the goals, objectives and standards through instructional activities based upon the assessment of individual pupil needs. Instruction shall include but not be limited to the following:

i. A school environment which strives to foster positive feelings by pupils toward self and others.

ii. Creative use of various instructional methods, materials and equipment.

iii. Opportunities for pupils to participate in the study of individual, school and community problems.

iv. Active involvement of pupils in directed and self-selected activities.

v. School and classroom organization and pupil assignment based upon individual pupil needs.

vi. Effective use of personnel, resources and facilities of the school and community.

5. Evaluation: An evaluation design shall be developed and implemented to provide for the continuous and comprehensive review of the progress of each pupil toward the district and school goals and program objectives. The evaluation shall be conducted by teaching staff members, as defined in these regulations, in cooperation with parents and pupils under the direction of the chief school administrator. The results of the evaluation program of the district shall be reported annually by the chief school administrator to the board of education at a public meeting.

6. Pupil proficiency:

i. The district board of education shall establish reasonable minimum levels of pupil proficiency in the basic communication and computational skills which the teaching staff members, as defined in these regulations, shall implement in instructional programs.

ii. The following provisions are required:

(1) Assessment procedures conducted in each school for each pupil upon entrance into the educational system and annually thereafter, in order to develop educational programs responsive to individual needs.

(2) Continuing compensatory education programs to assist pupils below the minimum levels of pupil proficiency established by the district board of educational in attaining and maintaining achievement in the basic areas of communication and computational skills.

(3) A plan that maintains communications between the teaching staff members and the parents or guardians of pupils participating in compensatory programs.

(4) Evaluation procedures which measure pupil achievement related to compensatory program objectives.

(5) Evaluation of the effectiveness of compensatory programs in relation to pupil progress.

iii. As part of the annual district and school classification process, the State Department of Education shall monitor the district board of education's standards of pupil proficiency and the rate of pupil growth in achievement with particular attention to compensatory programs for the basic communication and computational skills.

iv. The Department of Education shall conduct studies and evaluate findings biannually after the effective date of this Chapter in order to report evidence of progress toward the attainment of pupil proficiency as established by the district board of education.

7. Board policies for promotion and graduation.

There shall be adopted annually:

i. A policy for pupil promotion, reasonably related to district goals, objectives and pupil proficiency.

ii. A policy for high school graduation, pursuant to law and regulation, which shall be reasonably related to the achievement of district goals, objectives and pupil proficiency.

8. Reporting: The district board of education shall adopt a policy for reporting pupil progress to parents or guardians. Consideration should be given to the use of a variety of plans such as parent-teacher conferences, report cards, pupil progress charts and other formal and informal methods.

6:8-2.2 Educational program

(a) The educational program (curriculum) for each district and school shall be adopted annually by each district board of education in consultation with the chief school administrator and shall:

1. Be consistent with written goals, objectives and identified pupil needs.
2. Be developed in consultation with teaching staff members, as defined in these regulations.
3. Include a policy for all activities, services and co-curricular programs for which the district or school is responsible.
4. Develop individual talents and interests and serve diverse learning styles to motivate pupil achievement.
5. At all levels, provide instruction in the various subject areas to emphasize the interdisciplinary nature of knowledge and the interrelatedness of learning.
6. Provide for continuous learning through an effective articulation between and among the district(s) and school(s).
7. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection or both to support the educational programs.
8. Provide all pupils a program of guidance and counseling to assist in career and academic planning.
9. Provide a continuum of educational programs and services for all handicapped children, pursuant to law and regulation.
10. Provide bilingual programs for pupils whose dominant language is not English, pursuant to law and regulation.
11. Provide compensatory education for pupils, pursuant to law and regulation.
12. Provide all pupils equal educational opportunity, pursuant to law and regulation.
13. Provide career awareness and vocational education programs, pursuant to law and regulation.
14. Provide educational opportunities for exceptionally gifted and talented pupils.

6:8-2.3 Staff in-service improvement programs

When needed, staff in-service improvement programs for the district or school(s), developed in cooperation with the chief administrator and teaching staff members as defined in these regulations, shall be planned to meet the priorities identified by the school's self-evaluation and classification process.

6:8-2.4 Instructional materials and equipment

(a) The district board of education shall provide instructional and evaluation materials including texts, books, references, tests, library print and nonprint materials, equipment and other materials to meet a wide range of abilities and interests of pupils.

(b) The district board of education shall adopt an instructional materials and equipment policy which includes procedures for effective consultation with teaching staff members in the selection and utilization of such materials and equipment.

6:8-2.5 School and community relations

(a) The district board of education shall provide a process by which parents and community representatives will be afforded awareness or training opportunities regarding the State regulations, local school policies and annual plans for the development of a thorough and efficient system of free public schools.

(b) Teaching staff members shall identify, in cooperation with the chief school administrator, community resources, services and needs in planning for continuous educational improvement.

6:8-2.6 Staffing

(a) Teaching staff members, as defined in these regulations, shall be employed by the district board of education based upon the specific instructional needs of pupils of the district and each school within the district. The district board of education shall adopt a plan providing certified personnel as needed to implement a thorough and efficient system of free public schools, which may include all or any of the following: adult, continuing and community education teachers, art teachers, health teachers, instructional media specialists (librarians), instrumental music teachers, vocal music teachers, foreign language teachers, nurses, physical education teachers, reading specialists, school counselors, speech correctionists, educational supervisors, teachers of handicapped, vocational education specialists and other personnel.

(b) The district shall employ for its professional teaching staff members only persons certified under the rules and regulations of the State Board of Education, pursuant to law and regulation.

(c) Rules on the principal are:

1. Each school shall be assigned the services of a full-time nonteaching principal to be responsible for administration and supervision of the school.
2. A district board of education, upon advice of the chief school administrator, may request from the Commissioner an exception to the provisions of 1 of this subsection.
3. Assistants to principals and to principals assigned as chief school administrators shall be provided as required by the school enrollment, complexity and program.

(d) All district boards of education shall provide the services of child study team personnel (school psychologists, school social workers and learning disabilities teacher-consultants), in numbers sufficient to insure implementation of pertinent law and regulation.

(e) All district boards of education shall maintain a list of available, certified substitute teachers, pursuant to regulation. Substitute teachers shall be provided orientation and training to meet pupil needs within the school district.

(f) Sufficient supportive services shall be provided, including but not limited to, secretarial and clerical, janitorial, buildings and grounds maintenance, cafeteria, pupil transportation and the like.

(g) Aides

Aides may be employed, and shall be approved and assigned, pursuant to law and regulation.

6:8-2.7 School buildings and sites

(a) New school buildings shall be planned to house a maximum number of pupils as follows:

1. Elementary school — 600 pupils;
2. Middle school — 850 pupils;
3. Junior high school — 1,100 pupils;
4. High school — 1,600 pupils.

(b) Existing schools and annexes housing pupils in excess of the above maximum enrollments should be organized, administered and adequately staffed to achieve the district and school goals.

(c) The Commissioner of Education, with the approval of the State Board of Education, may for good and sufficient reason permit a district to construct a new facility planned to accommodate a larger number of pupils than specified in subsection (a) of this Section.

(d) Each school building and site shall provide suitable accommodations to carry out the educational program of the school, including provision for the handicapped, pursuant to law and regulation.

(e) The district board of education shall adopt a policy and implement a plan which shall ensure that all school buildings shall be safe, clean, attractive and in good repair.

6:8-2.8 Budget review

(a) Each district board of education shall submit to the office of the county superintendent a copy of its proposed budget for the next school year. The office of the county superintendent shall review each item of appropriation within the current expense and capital outlay budgets and shall determine the adequacy of the budgets with regard to the annual reports submitted by such district board. The following material shall be submitted with the proposed budget:

1. Number of teaching staff members, as defined in these regulations, and all other employees for current year and requested budget year.

2. Line item budget report or other authorized budget format.

3. A statement of the district's educational needs, based on its previous annual classification report.

4. A proposed budget for each school within the district.

5. A comprehensive audit of the expenditures of the previous school year, pursuant to law and regulation.

(b) The office of the county superintendent shall review and approve the budget prior to its advertisement. If changes in the proposed budget are recommended by the office of the county superintendent after review, or required pursuant to law and regulation, the office of the county superintendent shall consult with the chief school administrator and district board of education.

(c) Failure of the district board to provide sufficient budgetary allocations, based upon the recommendations of the office of the county superintendent, may, at the discretion of the Commissioner, result in the issuance of a show cause order why the corrective action hereinafter set forth in Subchapter 4 should not be utilized.

SUBCHAPTER 3. PROCESS FOR APPROVAL OF PUBLIC SCHOOLS AND DISTRICTS

6:8-3.1 Process for approval

(a) The Commissioner shall conduct a uniform, State-wide system of approval to ensure that each school district and each school within the district is classified according to standards prescribed by law and regulation.

(b) The classification process shall be composed of:

1. A comprehensive self-evaluation program pursuant to N.J.A.C. 6:8-3.2, in which each district and each school within the district participates within a five year cycle; and

2. An annual classification program pursuant to N.J.A.C. 6:8-3.3, to ensure that each school district and each school within the district is maintaining the educational process, program and fiscal standards for classification required by law and regulation.

6:8-3.2 Comprehensive self-evaluation program

(a) Elements of this program, pursuant to Subchapter 2, Standards, shall include within a five-year cycle:

1. Determination of district and school goals, objectives and pupil proficiency levels; and

2. Completion of a comprehensive self-evaluation program that shall:

i. Measure pupil achievement;

ii. Identify pupil needs;

iii. Set priorities for pupil needs;

iv. Analyze district resource allocation;

v. Evaluate the educational process;

vi. Evaluate the educational program;

vii. Culminate in a written plan for improvement with appropriate consideration for annual progress in low achievement areas as defined by goals, objectives and standards established by the district board of education and identified through district and State assessment programs.

3. Visitation by a team designated by the Commissioner to analyze the comprehensive self-evaluation completed by each school district and each school within the district.

4. Classification, pursuant to N.J.A.C. 6:8-3.4.

6:8-3.3 Annual classification program

(a) This program, pursuant to Subchapter 2, Standards, shall include:

1. Monitoring and analysis of each school district and school within the district by persons designated by the Commissioner to conduct annual school and district classification programs;

2. Submission of information describing progress and plans for improvement by each school district and each school within the district to the office of the county superintendent prior to July 1. This information, collected and submitted annually on forms provided by the department of education, shall include but not be limited to:

i. Demographic data related to each school;

ii. Results of district and school assessment programs of pupil achievement in basic skill areas;

iii. Number of and reasons for school dropouts;

iv. Evidence of the effectiveness by each district and each school in achieving applicable State, district and school goals and objectives;

v. Plans for school improvement during the ensuing year, including plans or programs for professional improvement, innovative educational programs, or any additional courses to be offered for diploma credit;

vi. Information on the fiscal operation of each district, including the budget of each school;

3. Classification, pursuant to N.J.A.C. 6:8-3.4.

6:8-3.4 Classification

(a) Based upon the comprehensive self-evaluation program and the annual classification program, the office of the county superintendent shall determine whether each school district and each school has met the requirements, pursuant to law and regulation.

(b) Upon review of this determination, the Commissioner shall submit recommendations to the State Board of Education for classification of each district and school as approved, conditionally approved or unapproved.

6:8-3.5 Notification of classification

(a) Classification of a district or school shall become effective on the date of final action by the State Board.

(b) The Commissioner, with the approval of the State Board, shall notify the chief school administrator and district board of education in writing by September 30 annually of their district and school classifications.

(c) The classification of every school and school district shall be reported to the public by the district board of education, and a classified list shall be maintained by the office of the county superintendent.

(d) A copy of the approved educational process plan and program, budget and policies of the local board of education shall be available for public review in each district and each school administrative office.

6:8-3.6 Remedial plan for conditionally approved or unapproved districts or schools

(a) The Commissioner shall direct the chief school administrator and board of education responsible for a district or for a school within the district classified as conditionally approved or unapproved to prepare and submit for approval a remedial plan.

(b) Upon approval of a remedial plan, the Commissioner shall assure its implementation in a timely and effective manner.

(c) If the Commissioner finds that the remedial plan submitted by the district board of education is insufficient or if a plan approved by the commissioner is not implemented in a timely or sufficient manner, the district board of education shall be ordered by the Commissioner to show cause why corrective action should not be taken, pursuant to N.J.A.C. 6:8-4.1 et seq.

SUBCHAPTER 4. ENFORCEMENT PROCEDURE

6:8-4.1 Revocation

Approval may be revoked, pursuant to N.J.A.C. 6:8-4.2 and 4.3, if standards are not maintained or if the school or district fails to show sufficient progress toward its objectives and standards developed, pursuant to N.J.A.C. 6:8-2.1 et seq.

6:8-4.2 Corrective action

(a) If the Commissioner of Education, after a plenary hearing determines that it is necessary to take corrective action, the Commissioner has the power to:

1. Order necessary budgetary changes within the school district; or
2. To order in-service training programs for teaching staff and other personnel, or both.

(b) If the Commissioner determines that such corrective actions are insufficient, the Commissioner shall recommend to the State Board that it take appropriate action.

6:8-4.3 State Board action

The State Board of Education, on determining that the school or school district is not providing a thorough and efficient system of free public schools as defined in law and regulation, shall issue an administrative order specifying a remedial plan to the district board of education. This plan may include budgetary changes or other measures the State Board determines to be appropriate. Nothing therein shall limit the right of any party to appeal the administrative order to the Superior Court, pursuant to law.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Ms. Lorraine Colavita
Administrative Practice Officer
State Department of Education
225 West State Street
Trenton, N.J. 08625

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

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Rules on Certification for Executive Superintendent And Assistant Executive Superintendent

On November 5, 1975, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:17A-1.11 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules concerning the certification for Executive Superintendent and certain Assistant Executive Superintendents, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 459(b).

Such rules may be cited as N.J.A.C. 6:11-10.12 through 6:11-10.14.

An order adopting these rules was filed and became effective on November 17, 1975, as R.1975 d.343.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Revisions in Condemnation of Certain Shellfish Beds

On November 14, 1975, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., 24:2-1, 24:14-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 7:12-1.3(a) 5.ii., known within the Department of Environmental Protection as Docket No. DEP 051-75-09, concerning the condemnation of certain shellfish beds, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 463(a).

An order adopting these revisions was filed and became effective on November 14, 1975, as R.1975 d.341.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Revisions on the Control and Prohibition of Open Burning

On October 29, 1975, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 7:27-2.1 et seq., known within the Department of Environmental Protection as Docket Number DEP 042-75-05, concerning the control and prohibition of open burning substantially as proposed in the Notice published June 5, 1975, but with subsequent substantive

changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

These substantive changes are discussed in the Evaluation of Comments Section of the Report of the Public Hearing on this action issued by the Department of Environmental Protection and is available along with copies of the full text of these rules from:

Bureau of Air Pollution Control
Department of Environmental Protection
P.O. Box 2807
Trenton, N.J. 08625

An order adopting these revised rules was filed October 29, 1975, as R.1975 d.326 to become effective on December 29, 1975.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION THE COMMISSIONER

Procedural Rules Concerning 90-Day Construction Permits

On November 18, 1975, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of P.L. 1975, c.232, 13:1D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted procedural rules to implement P.L. 1975, c.232, concerning the application for construction permits.

Such rules are known within the Department of Environmental Protection as Docket No. DEP 054-75-11.

Full text of the adopted rules follows:

CHAPTER 1C 90-DAY CONSTRUCTION PERMITS

SUBCHAPTER 1. GENERAL PROVISIONS

7:1C-1.1 Purpose

These rules and regulations implement P.L. 1975 Chapter 232 to secure timely decisions by the Department of Environmental Protection on construction permit applications as defined therein, to assure adequate public notice of procedures thereunder, to continue effective administration of the substantive provisions of other laws, and to revise certain procedures involving the Water Policy and Supply Council and the Natural Resource Council. These regulations do not supersede or preempt specific rules and regulations establishing procedures for the individual construction permit programs administered by appropriate agencies within the Department, unless the context so requires or specific provisions so prescribe.

7:1C-1.2 Definitions

Unless the context clearly indicates otherwise, the following terms shall have the following meanings:

"Act" means P.L. 1975 Chapter 232.

"Applicant" means any person requesting a construction permit who has submitted an application to the Department.

"Application" means DEP Application form CP-1 and the appropriate agency supplements.

"Appropriate agency" means:

1. The Division of Marine Services for:

i. Approval of plans for the development of any waterfront upon any tidal or navigable waterway pursuant to N.J.S.A. 12:5-3 (riparian permit);

ii. Permits for a regulated activity under the "Wetlands Act of 1970", P.L. 1970, c. 272 (N.J.S.A. 13:9A-1 et seq.); and

iii. Permits issued pursuant to the "Coastal Area Facility Review Act", P.L. 1973, c. 185 (N.J.S.A. 13:19-1 et seq.).

2. The Division of Water Resources for:

i. Stream encroachment permits under N.J.S.A. 58:1-26; and

ii. Permits for sanitary sewer facilities under N.J.S.A. 58:11-10.

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

"Construction cost" means the estimated cost of the actual construction for which a construction permit is requested.

"Construction permit" means:

1. Approval of plans for the development of any waterfront upon any tidal or navigable waterway pursuant to N.J.S.A. 12:5-3;

2. A permit for a regulated activity pursuant to "The Wetlands Act of 1970", P.L. 1970, c. 272 (N.J.S.A. 13:9A-1 et seq.);

3. A permit issued pursuant to the "Coastal Area Facility Review Act", (CAFRA) P.L. 1973, c. 185 (N.J.S.A. 13:19-1 et seq.);

4. Approval of a structure within the natural and ordinary highwater mark of any stream pursuant to N.J.S.A. 58:1-26;

5. Approval of plans and specifications for the construction changes, improvements, extensions or alterations to any sewer system pursuant to N.J.S.A. 58:11-10.

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

"DEP weekly bulletin" means a weekly official publication of the Department of Environmental Protection.

"Energy facility permit" means any approval of or permit for an electric generating facility or for a petroleum processing or storage facility, including a liquified natural gas facility, with a storage capacity of over 50,000 barrels.

"Excavation" means the removal or recovery by any means whatsoever of minerals, mineral substances or organic substances, from the water, land surface or beneath the land surface, whether exposed or submerged. Normal agricultural activities shall not be considered to be excavation.

"Fill" means sand, gravel, earth or other select materials of equal quality placed or deposited so as to form an embankment or raise the elevation of the land surface.

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

"Structure" means any assembly of materials above or below the surface of land or water, including but not limited to buildings, fences, dams, piling, breakwaters, fills, levees, bulkheads, dikes, jetties, embankments, causeways, culverts, pipes, pipelines, roads, railroads, bridges and the facilities of any utility or governmental agency. Trees or other vegetation shall not be considered to be structures.

7:1C-1.3 Preapplication procedure and requirements

(a) As a means of expediting permit review, potential applicants are encouraged to request an optional pre-application conference with the appropriate agency. At the voluntary preapplication conference a potential applicant may present a conceptual description of the proposed project, discuss his proposed project informally with the appropriate agency and obtain guidance on the permit process; however, the conference is not a forum for preliminary approval or rejection of a proposed project.

(b) Prior to submitting an application to the Department,

the applicant shall notify at least the following local agencies of intent to file an application by mailing them a completed DEP form CP-1 (*see Editor's Note) and shall obtain an acknowledgement of receipt of notification by certified mail, return receipt requested:

1. County clerk;
2. County environmental commission or council, if any;
3. Municipal clerk;
4. Municipal environmental commission, if any;
5. Municipal planning board;
6. Soil conservation district officer.

Note: The foregoing requirements may be postponed or modified by the appropriate agency in cases of emergency as the public interest dictates.

(c) Applicants for waterfront development (riparian) permits for minor maintenance and/or repair projects shall be exempted from the requirement of subsection (b) of this Section upon written request for such exemption where:

1. The proposed maintenance and/or repairs are confined to existing structures and/or facilities without any deviation from or enlargement of original approvals;
2. The existing structures and/or facilities shall have been previously authorized by permit; and
3. The present state of disrepair existed for less than two years from application date.

7:1C-1.4 Application for construction permit

(a) To apply for a permit, the applicant shall prepare and submit a formal application to the appropriate agency;

1. Format and contents of the application: The application shall consist of a completed and acknowledged DEP construction permit application form CP-1, the fee required by Section 5, of this Subchapter, and other materials of a format and content as specified by rules or otherwise for individual permit programs.

2. False or incorrect information: Any inaccurate material or falsification of information submitted shall be cause for rejection of the application at any time during the review procedure, or voiding a permit approved before the misinformation was discovered.

7:1C-1.5 Fees

(a) Fees shall be charged for the review of any application for a construction permit in accordance with the following schedule:

1. Waterfront development (N.J.S.A. 12:5-3) (riparian permits):

i. The fee shall be one half of one per cent of the construction cost, or a minimum of \$100.00.

ii. The fee for permits for minor maintenance, and/or repair or replacement of lawful existing structures shall be one half of one per cent of the construction cost or a minimum of \$25.00.

2. Wetlands permits (C. 13:9A-1 et seq.):

i. The fee for a Type A permit (N.J.S.A. 7:7A-3.2) shall be one half of one per cent of the construction costs, or a minimum of \$100.00.

ii. The fee for a Type B permit (N.J.A.C. 7:7A-4.2) shall be one half of one per cent of the construction costs, or a minimum of \$300.00.

3. CAFRA permits (C. 13:19-1):

i. The fee for residential facilities shall be \$500.00 plus \$10.00 per dwelling unit.

ii. The fee for nonresidential and mixed-use facilities shall be \$1,000.00 plus \$10.00 per acre to be developed.

4. Stream Encroachment (N.J.S.A. 58:1-26):

i. Type A project (stream encroachment): Minor projects within the channel and floodplain that do not adversely change the water carrying capacity of the floodway, do not increase erosion or sedimentation from the site and do not require channel modification or relocation.

(1) For Type A projects, the fee shall be \$50.00.

ii. Type B utilities (stream encroachment): Any utility to be constructed under or over a channel, or along and within the floodplain.

(1) For Type B utilities, the fee shall be \$100.00 for each crossing plus one dollar per foot for utilities constructed along a stream, or a minimum fee of \$100.00.

iii. Type B fills and excavation (stream encroachment): Any fill or excavation project within the channel or floodplain.

(1) For Type B fills and excavation projects, the fee shall be one dollar per cubic yard for all fill material and one dollar per cubic yard for all material to be excavated.

(2) Where cut and fill is involved, with no new material to be brought on site, only a single one dollar per cubic yard charge will be applied. A minimum fee of \$300.00 will be charged.

iv. Type B channel modification (stream encroachment): Any fill, excavation, relocation or other construction that will change the characteristics of a channel except for walls, bridges or culverts.

(1) For Type B channel modification projects, the fee shall be three dollars per foot of stream as measured along the centerline of stream.

v. Type B structures and other projects (stream encroachment): Any structure to be placed within or along the channel or floodplain except as covered under Type A or other Type B projects.

(1) For Type B structures and other projects, the fee shall be one half of one per cent of the construction cost up to \$1,000,000, plus one tenth of one per cent of the construction cost in excess of \$1,000,000. A minimum fee of \$100.00 shall be charged.

5. Sanitary sewer facility permits (N.J.S.A. 58:11-10): The fee shall be one half of one per cent of the construction costs up to \$100,000 plus one fourth of one per cent of the construction costs in excess of \$100,000. A minimum fee of \$100.00 shall be charged.

(b) Fees for extension of time for completion of an approved project are: Each extension of time requested must be accompanied with a \$25.00 nonrefundable fee. Each extension, if granted, will only be for a maximum period of one year. No permit will be extended beyond a total of five years from the original date of permit.

(c) Fees for modification in details are: Each request for an approval of a modification in detail of the approved project must be accompanied with a fee equal to 25 per cent of the total permit fee charged to that portion of the project to be modified.

(d) The Department may also charge additional fees to engage such essential expertise as may be necessary for the processing and review of large scale and complex projects. The applicant will be consulted before imposition of such fees.

(e) Where a public hearing is conducted, the costs thereof, including but not limited to, court reporter attendance fees, transcript costs, hearing officer fees, hearing room rental, shall be borne by the applicant unless otherwise determined by the Department for good cause shown.

(f) All fees shall be paid by check, made payable to the "Treasurer, State of N.J. - Environmental Services Fund" and shall accompany the application.

7:1C-1.6 DEP Weekly Bulletin

(a) The Department shall each week publish in the "DEP Weekly Bulletin" a status report of each application currently before it. This publication will be distributed free of charge to all municipalities, counties and other interested persons. Publication in the "DEP Weekly Bulletin" constitutes constructive notice to all interested persons.

(b) The application status report shall include, but is not limited to:

1. The applicant's name;
2. The agency project number;
3. The nature of the project;
4. The date of agency project number assignment;
5. The date of receipt of additional data;
6. Decision when made, and date thereof.

(c) Where the status has not changed from week to week, the Department may report it only once each month.

7:1C-1.7 Review of application

(a) Within a maximum of 20 working days of receipt of the application, the appropriate agency shall:

1. Accept the application for filing, assign an agency project number and proceed to review on the merits; or
2. Assign an agency project number, accept the application for filing but request in writing that the applicant submit within a specific period of time additional information to assist in its review. In such cases, the application will not be considered complete until all the additional information has been received and deemed acceptable for review; or,
3. Return the application without filing, explaining why it is unacceptable for review.

4. Following the assignment of the agency project number, the initial application status report will be published in the DEP Weekly Bulletin.

5. The Department shall consider written initial comments, from public agencies and other interested persons, received within five working days of the publication of the initial project status report in the DEP Weekly Bulletin.

(b) The appropriate agency shall hold the public hearing required by the "Coastal Area Facility Review Act", N.J.S.A. 13:19-1 et seq., and may schedule public hearings for other construction permit programs within the time limits prescribed by these regulations.

The foregoing subsections supersede the provisions of N.J.A.C. 7:7A-4.5 ("Application Examination"), 7:7A-4.6 ("Hearings"), and 7:7A-4.11 ("Notification of decision") insofar as they apply to construction permits covered by these regulations; specifically:

1. The time within which an application must be initially reviewed is reduced from 30 days to 20 days;
2. The requirement for a public hearing is abolished; and
3. The deadline for decision is reduced from 90 days after the hearing to the 90-day period prescribed by the Act.

7:1C-1.8 Decision on permit application

(a) The Department shall approve, condition or disapprove an application for a construction permit, other than a CAFRA permit, within 90 days after the application has been accepted for filing, except when additional information has been requested. In the latter case, the Department shall make a decision on the permit within 90 days after such additional information has been accepted.

(b) In the case of permit applications under N.J.S.A. 13:19-1 et seq., the Department shall act on the application within 60 days of the hearing held pursuant to N.J.S.A. 13:19-9, unless additional information was required at the hearing, in which case the Department shall act on the application within 90 days of receipt of the additional information.

(c) If the Department fails to act within this time period, the application shall be deemed to have been approved, to the extent that the application does not violate other statutes or regulations then in effect, and subject to any standard terms and conditions applicable to such permits. The Department shall promptly publish in the DEP Weekly Bulletin a notice that the application has been deemed approved.

(d) This time period may be extended for a 30-day period

by the mutual consent of the applicant and the appropriate agency, provided that the applicant or the appropriate agency request from the other such an extension at least 15 days prior to the expiration date for the approval, conditioning or disapproval of such an application.

(e) Rules on the effect of disapproval are:

1. A disapproval without prejudice is a disapproval of the application. However, a subsequent application by the same applicant for the same project on the same site may be submitted within one year of the date of disapproval without additional fees.

2. A disapproval with prejudice is a disapproval of the application.

(f) The provisions of this Section shall not apply to energy facility permits.

7:1C-1.9 Appeals

(a) An appeal from an action of the Division of Water Resources pursuant to N.J.S.A. 58:1-26 shall be to the Water Policy and Supply Council in accordance with the procedures of this Section.

(b) An appeal from an action of the Division of Marine Services pursuant to N.J.S.A. 12:5-3 shall be to the Natural Resource Council in accordance with the procedures of this Section.

(c) Any interested person who considers himself aggrieved by an action of either of the above-mentioned agencies shall within ten days of publication of notice of the decision in the DEP Weekly Bulletin request a hearing by addressing a written request for such hearing to the secretary of the Water Policy and Supply Council, P.O. Box 2809, Trenton, New Jersey 08625, or the secretary of the Natural Resource Council, P.O. Box 1889, Trenton, N.J. 08625.

(d) The written notice of request for hearing on appeal shall include:

1. The appropriate agency project number;
2. Details of how the decision aggrieves the appellant; and
3. Where the appeal is taken by someone other than the applicant, evidence that a copy of the written request for hearing an appeal has been mailed to the applicant.

(e) Where a timely appeal has been taken, the permit shall be stayed pending the decision of the appropriate appellate body.

7:1C-1.10 Other state statutes, rules and regulations

The powers, duties and functions vested in the Department under the provisions of the Act or these regulations shall not be construed to limit in any manner the powers, duties and functions vested therein under any other provisions of law, except as specifically set forth in these regulations.

7:1C-1.11 Severability

If any Section, subsection, provision, clause or portion of these regulations is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of these regulations shall not be affected thereby.

7:1C-1.12 Implementation of these rules and regulations

The rules and regulations set forth herein shall apply to all construction permit applications submitted to the Department on or after December 22, 1975.

*Editor's Note: In addition to the text above, Form CP-1, Application Form For Permit, was filed and adopted with these rules but is not reproduced herewith.

These procedural rules were adopted without prior notice or opportunity for public comment. These adopted rules may be revised or ratified, in light of written comments

that may be submitted by interested persons, within 90 days of the publication date of this Notice, to:

Sidney Ytkin
Director of Administration
Department of Environmental Protection
Post Office Box 1390
Trenton, New Jersey 08625

An order adopting these rules was filed November 18, 1975, as R.1975 d.347 (Exempt, Procedure Rule) to become effective on December 22, 1975.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION COASTAL AREA REVIEW BOARD

Rules Concerning Appeals Procedures

On November 13, 1975, the Coastal Area Review Board in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:19-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted rules governing procedures to be followed in appeals to the Board from a final decision of the Commissioner of Environmental Protection on an application for a permit by any person proposing to construct or cause to be constructed a facility in the coastal area, as defined in the Act.

Such rules are known within the Department of Environmental Protection as Docket No. DEP 053-75-11.

Full text of the adopted rules follows:

CHAPTER 7D. COASTAL AREA REVIEW BOARD

SUBCHAPTER 1. APPEALS PROCEDURES

7:7D-1.1 Function of the Board

The Board may affirm or reverse the decision of the Commissioner with respect to the applicability of any provision of the Act to a proposed use. It may modify any permit issued by the Commissioner, issue a permit denied by the Commissioner, or confirm the issuance of a permit. The decision of the Board on appeal shall be restricted to the declaration of public policy concerning the development of the coastal area, as enunciated in the Act.

7:7D-1.2 Chairman

The Commissioner of Environmental Protection shall be the chairman of the Board. The chairman, or any member of the Board, may convene the meetings of the Board.

7:7D-1.3 Notice of meetings of the Coastal Area Review Board

The secretary of the Board shall give written advance notice of at least 48 hours of the time, date, location and, to the extent known, the agenda of any meeting of the Board, and shall state whether formal action may be taken. Such notice shall be delivered to all newspapers and wire services maintaining an office at the State House, in Trenton. Such notice shall be filed with the clerks of the municipality and of the county in which the proposed facility is to be located. Two copies of such notice shall be delivered to the Secretary of State, one for posting and one for filing. The Secretary of the Board shall also notify parties to an appeal before the Board by mail of the date, time and place of such meetings.

7:7D-1.4 Minutes of meeting of the Board

The secretary of the Board shall keep minutes of all meetings, showing time and place, members present, subjects considered, actions taken and the vote of each member. The secretary shall promptly make such minutes available to the public.

7:7D-1.5 Request for review on appeal

(a) Any interested person, both an applicant and a non-applicant, aggrieved by the decision of the Commissioner may, within 21 days of the decision, appeal the decision to the Board. The review procedure shall begin with the filing of a formal and completed "Request for Review on Appeal" form, and provided by the secretary of the Board. A request shall be addressed to:

Secretary, Coastal Area Review Board
Department of Environmental Protection
State of New Jersey
Post Office Box 1390
Trenton, New Jersey 08625

(b) The request for review shall provide a detailed and complete statement of all relevant policy issues pertaining to the grounds for appeal from the decision. The request shall include all supporting documents, reports and exhibits which appellant desires to be considered by the Board. The request shall specify which procedure on appeal the appellant deems appropriate, pursuant to Section 6 of this Subchapter, and why such procedure is considered appropriate.

7:7D-1.6 Public notice of request for review on appeal

(a) The appellant shall deliver copies of request for review on appeal to:

1. The clerk of the county in which the proposed facility is to be located;
2. The clerk of the municipality in which the proposed facility is to be located; and
3. The applicant, if the appellant is a nonapplicant.

7:7D-1.7 Answer to request for review on appeal

Any interested person may answer a request for review on appeal. Such answer shall specify which procedure on appeal the interested person deems appropriate, pursuant to Section 6 of this Subchapter, and why such procedure is considered appropriate.

7:7D-1.8 Action on request for review on appeal

(a) Within 14 days of receipt of a request for review, the Board may, in its discretion:

1. Schedule a hearing before the Board pursuant to Section 10 of this Subchapter;
2. Decide the appeal in a summary manner, pursuant to Section 9 of this Subchapter; or
3. Decline to review the appeal for good cause.

7:7D-1.9 Request for stay of issuance of permit

Pending the decision on appeal by the Board and upon a typewritten request with stated reasons therefore, the Board may in its discretion, for good cause shown, stay the issuance of a permit upon such terms and conditions as it deems proper. The request for stay of issuance of permit shall be made by any interested person within 21 days of the decision of the Commissioner. The Board shall take action on the request for stay of issuance as soon as practicable.

7:7D-1.10 Examination of the record on appeal

The secretary shall retain on file, and have available for public scrutiny at the offices of the Department in Trenton during the course of normal business hours, copies of all information filed by any party to the appeal, pursuant to Section 3 of this Subchapter. Within five days of receipt of

a request for review on appeal, the Department shall file with the secretary one copy of the decision, the permit application, the environmental impact statement, the transcript of the proceedings below and any additional information relied upon by the Commissioner in reviewing the permit application. This information shall constitute the record on appeal.

7:7D-1.11 Procedure for summary review

(a) At any meeting, and after proper notice, the Board may in its discretion determine an appeal in a summary manner based upon statements in the request for review on appeal, filed pursuant to Section 3 of this Subchapter, and any information in the record on appeal. The Board may request further material from any party to the appeal within a specified time period.

(b) The decision of the Board shall be rendered as soon as practicable. The secretary shall promptly notify the parties to the appeal of the Board's decision.

7:7D-1.12 Filing statement prior to the hearing

Appellant and other parties to the appeal shall be afforded adequate time to prepare and file typewritten statements before the hearing. Beginning with the day of notification of acceptance of a request for review, the appellant shall have a maximum of 15 days to file a statement or brief with the secretary. The Department and the applicant, as appropriate, shall then have ten days to file a typewritten response to the appellant's statement with the secretary. The appellant shall then have five days to file a typewritten rebuttal with the secretary. All documents filed with the secretary pursuant to this Section shall be filed with sufficient copies for distribution by the secretary to all parties to the appeal and to the members of the Board. The time period in this Section may be modified in specific cases at the discretion of the Board.

7:7D-1.13 Conduct of hearing

(a) A certified shorthand reporter shall prepare a written transcript of the hearing.

(b) The parties shall be limited to presentations on matters of policy. Such presentations shall be confined to and rely upon the record on appeal as defined in Section 8 of this Subchapter.

(c) The presentations before the Board by all parties shall be limited to a total of one hour, or such period of time as the Board may otherwise provide.

7:7D-1.14 Cost of hearing

The applicant shall bear the cost of the hearing, including publication of public notices and the hearing transcript, unless the Board decides otherwise for good cause shown.

7:7D-1.15 Decision after hearing

The Board shall decide the appeal within 30 days of receipt of a hearing transcript. The secretary shall promptly notify the parties to the appeal of the Board's decision.

7:7D-1.16 Definitions

For the purposes of this procedure on appeal, unless the context clearly requires a different meaning, the following words shall mean:

"Act" means the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq.

"Applicant" means any person requesting a permit who has submitted application before the Department.

"Coastal Area Review Board" means an administrative appeals body created pursuant to N.J.S.A. 13:19-13, in but not of the Department of Environmental Protection, which consists of the Commissioners of Environmental Protection, Community Affairs, and Labor and Industry, or their designated representatives.

"Commissioner" means the Commissioner of the Department of Environmental Protection, or designated representative.

"Decision" means a final ruling of the Commissioner on an application for a permit.

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

An order adopting these rules was filed and became effective on November 18, 1975, as R.1975 d.345 (Exempt, Procedure Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

HEALTH

THE COMMISSIONER

Proposed Rule on Board of Examiners For Licensure of Persons For Public Health Positions

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-39, proposes to adopt a new rule concerning the establishment and operation of a board of examiners for the licensure of positions in public health.

Full text of the proposed rule follows:

8:7-1.4 Board of examiners for licensure of persons for public health positions

(a) There shall be established in the Health Department a board of examiners to be known as the Public Health Examining Board.

(b) The Board shall conduct examinations for the licensing of:

1. Health officer;
2. Sanitary inspector - first grade;
3. Sanitary inspector - second grade;
4. Food and drug inspector;
5. Milk inspector;
6. Veterinary meat inspector;
7. Meat inspector;
8. Public health laboratory technician;
9. Plumbing inspector - first grade; and
10. Plumbing inspector - second grade.

(c) The Board shall be composed of 12 members appointed by the Commissioner of Health whereby:

1. One of the members of the Board shall be either a Deputy Commissioner of Health or an Assistant Commissioner of Health and such individual shall serve as chairperson of the Board.

2. With the exception of the chairperson, a Board member shall be:

- i. Appointed for a term of two years; and
- ii. Permitted to serve for no more than six years.

3. Of the initial appointments to the Board, six members shall be appointed for a one-year term and thereafter all appointments shall be for terms of two years, except those appointments which shall be for the purpose of completing an unexpired term.

(d) The Board membership shall include:

1. Two health officers, whereby the initial appointments shall be for one one-year term and one two-year term;
2. One sanitary inspector of the first grade;
3. One veterinarian;
4. One laboratory representative;

5. One representative of the State Department of Civil Service;
6. One plumbing inspector of the first grade;
7. One comprehensive health planner;
8. Two consumers, whereby at least one shall be from a minority group;
9. One health professions educator; and
10. Either a Deputy Commissioner of Health, or an Assistant Commissioner of Health.

(e) At least one member of the Board shall be a woman.

(f) For purposes of continuity, at least two members of the present Board of Examiners shall be appointed to the Public Health Examining Board and such individuals shall not be eligible for reappointment.

(g) As vacancies occur when a Board member cannot complete his/her term, the Commissioner shall appoint a person representing a constituency similar to that of the person being replaced. The replacement appointment shall be for completion of the unexpired term.

(h) For the purpose of conducting its business meetings, seven members of the Board shall be required for a quorum and no actions shall be taken by the Board in the absence of a quorum.

(i) In the absence of the chairperson at a business meeting, the members of the Board shall elect a chairperson pro tem to direct the business of that meeting.

(j) Any action of the Board shall require a majority vote of members present and no proxy votes shall be permitted.

(k) Members of the Board shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(l) Members of the Board shall be appointed and shall assume their duties on or before April 1, 1976.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Dr. Watson E. Neiman
Deputy Commissioner of Health
Office of the Commissioner
State Department of Health
John Fitch Plaza
Trenton, N.J. 08625

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(a)

HEALTH

THE COMMISSIONER

Proposed Revisions to Manual Of Standards for Hospital Facilities

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-12 and with the approval of the Health Care Administration Board, proposes to revise a portion of N.J.A.C. 8:43B-10.2 in the Manual of Standards for Hospital Facilities.

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

8:43B-10.2(b) [Narcotics shall be stored under double lock and the key shall be kept on the person of the professional

registered nurse in charge or her delegated representative who must be a registered nurse.]

Narcotics shall be stored under double lock and the key shall be on the person of the professional nurse in charge or on the person of the charge nurse's delegated representative who shall meet the criteria as outlined in the Nurse Practice Act, N.J.S.A. 45:11-23 et seq. (see *)

8:43B-10.2(b)3. [A check inventory of the narcotic drugs retained on each nursing unit shall be made at the termination of each tour of duty. This record shall be signed by both the outgoing and the incoming professional nurse.]

A check inventory of the narcotic drugs retained on each nursing unit shall be made at the termination of each tour of duty. This record shall be signed by both the outgoing and incoming nurses who shall meet the criteria as outlined in the Nurse Practice Act, N.J.S.A. 45:11-23 et seq. (see *)

8:43B-10.2(c)4. [The key to the depressant and stimulant drug storage area of the nursing station shall be on the person of the professional nurse in charge or her delegated representative who must be a professional nurse.]

The key to the depressant and stimulant storage area at each nursing station shall be on the person of the professional nurse in charge or on the person of the charge nurse's delegated representative who shall meet the criteria as outlined in the Nurse Practice Act, N.J.S.A. 45:11-23 et seq. (see *)

8:43B-10.2(c)5. [A check inventory of stimulant and depressant drugs retained on each nursing unit shall be made at the termination of each tour of duty. This record shall be signed by both the outgoing and the incoming professional registered nurse.]

A check inventory of stimulant and depressant drugs retained on each nursing unit shall be made at the termination of each tour of duty. This record shall be signed by both the outgoing and incoming nurses who shall meet the criteria as outlined in the Nurse Practice Act, N.J.S.A. 45:11-23 et seq. (see *)

* Only the following nursing personnel are permitted to administer medications in the State of New Jersey under the direction of a licensed or otherwise legally authorized physician or dentist:

1. Licensed registered professional nurses;
2. Licensed practical nurses having undergone formal training in State-approved programs in the administration of medication;
3. Nurses with valid "permission to work" letters issued by the New Jersey Board of Nursing (N.J.A.C. 13:37-3.5; 13:37-4.6; 13:37-10.4; and 13:37-11.5). This would exclude the foreign exchange visitor nurses;
4. Graduate nurses from any domestically-accredited nursing school, pending the results of the first two consecutive licensing examinations immediately following the completion of their nursing program (N.J.A.C. 13:37-2.7 and 13:37-9.5); and
5. Student nurses in an approved school of nursing under the direct supervision of a registered nurse.

Note: Direct supervision means within immediate sight.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Wanda Schorn
Coordinator, Standards and Special Studies
State Department of Health
John Fitch Plaza
Trenton, N.J. 08625

The Department of Health, upon its own motion or at the

instance of any interested party, may thereafter adopt these revisions substantially as proposed without further notice.

Dr. Joanne E. Finley
Commissioner
Department of Health

(a)

HEALTH

THE COMMISSIONER

Proposed Rules for Parking Garages Owned And/or Sponsored by Health Care Facilities

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to adopt new rules concerning parking garages owned and/or sponsored by health care facilities.

Such rules, if adopted, will be included in Subtitle D of Title 8 in the New Jersey Administrative Code.

The proposed rules concern the following requirements for the design and construction of parking owned and/or sponsored by health care facilities will be:

1. Life Safety Code 101-NFPA (21st Ed. 1967) Chapter 15. GENERAL STORAGE OCCUPANCIES.
2. American National Standards Institute A117.1-1961 (R1971).
3. Chapter 221 Laws of 1975
4. Chapter 225 Laws of 1975

Copies of the full text of 18 pages of the proposed rules may be obtained from:

Joseph A. DiCara
Chief, Health Facilities Construction and Monitoring
State Department of Health
John Fitch Plaza
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to the Department of Health at the above address.

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(b)

HEALTH

THE COMMISSIONER

Proposed Rules for Design and Construction Of Interns, Residents and Nurses Housing Facilities

The State Department of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to adopt new rules concerning the design and construction of interns, residents and nurses housing facilities.

Such rules, if adopted, will be included in Subtitle D of Title 8 of the New Jersey Administrative Code.

The proposed rules concern the following requirements for the design and construction of interns, residents and nurses housing facilities and will be:

1. Life Safety Code 101-NFPA (21st Ed. 1967) Chapter 11. RESIDENTIAL OCCUPANCIES.
2. American National Standards Institute A117.1-1961 (R1971).
3. Chapter 225 Laws of 1975.

Copies of the full text of the 28 pages of these proposed rules may be obtained from:

Joseph A. DiCara
Chief, Health Facilities Construction and Monitoring
State Department of Health
John Fitch Plaza
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to the State Department of Health at the above address.

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(c)

HEALTH

THE COMMISSIONER

Proposed Rules for Doctors' Offices Owned and/or Sponsored By and Serving Health Care Facilities

The State Department of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to adopt new rules for doctors' offices owned and/or sponsored by and serving health care facilities.

Such rules, if adopted, will be included in Subtitle D of Title 8 of the New Jersey Administrative Code.

The proposed rules concern the following requirements for the design and construction of doctors' offices owned and/or sponsored by and serving health care facilities and will be:

1. Life Safety Code 101-NFPA (21st Ed. 1967) Chapter 13. OFFICE OCCUPANCIES.
2. American National Standards Institute A117.1-1961 (R1971).
3. Chapter 225 Laws of 1975.

Copies of the full text of 18 pages of these proposed rules may be obtained from:

Joseph A. DiCara
Chief, Health Facilities Construction and Monitoring
State Department of Health
John Fitch Plaza
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to the State Department of Health at the above address.

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(a)

HEALTH

THE COMMISSIONER

Proposed Deletion of Rule On Long-Term Care Units

Dr. Watson E. Neiman, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to delete the current text of N.J.A.C. 8:43B-13.3(d) concerning a portion of the guidelines for long-term care units in general acute hospitals.

Full text of the rule to be deleted follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

8:43B-13.3 (d) [Patients who require subacute, progressive, convalescent, nursing, self, rehabilitation or long-term care may occupy the long-term care unit.] (Reserved)

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Leonard D. Dileo
Chief, Health Resource Development
P.O. Box 1540
Trenton, N.J. 08625

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(b)

HEALTH

THE COMMISSIONER

Proposed Rule on Labeling Of Feminine Deodorant Sprays

The State Department of Health, pursuant to authority of N.J.S.A. 24:2-1, proposes to adopt a new rule concerning the labeling of feminine deodorant sprays.

Full text of the proposed rule follows:

8:21-1.24 Labeling of feminine deodorant sprays

(a) As used in this regulation the following terms shall have the following meanings:

"Feminine deodorant spray" means any spray deodorant product whose labeling represents or suggests that the product is for use in the female genital area or for use all over the body. "Label" means "label" as defined in N.J.S.A. 24:1-1j. "Labeling" means "labeling" as defined in N.J.S.A. 24:1-1k. "Person" shall mean an individual or firm, partnership, company, corporation, trustee, association or any public or private entity.

(b) Rules concerning the wording on the label follows:

1. The label of a feminine deodorant spray shall bear the following statement: **Caution**—For external use only. Spray at least eight inches from skin. Do not apply to broken, irritated or itching skin. Persistent, unusual odor or discharge may indicate conditions for which a physician

should be consulted. Discontinue use immediately if rash, irritation or discomfort develops.

2. The sentence "spray at least eight inches from skin" need not be included in the cautionary statement for products whose expelled contents do not contain a liquified gas propellant such as a halocarbon or hydrocarbon propellant.

(c) Use of the word "hygiene" or "hygienic" or a similar word or words renders any such product misbranded under N.J.S.A. 24:5-18.1a. The use of any word or words which represent or suggest that such products have a medical usefulness enders such products misbranded under N.J.S.A. 24:5-18.1a and illegal new drugs marketed in violation of N.J.S.A. 24:6A-1a.

(d) Rules concerning the effective dates of these rules follow:

1. All feminine deodorant sprays labeled after September 3, 1976, and all such products introduced into intrastate commerce after September 3, 1977, shall comply with this regulation.

2. No person shall distribute or sell, or have in his possession with intent to distribute or sell, any feminine deodorant sprays, after September 3, 1977, unless all labeling is in compliance with this rule.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Donald J. Foley
Chief, Drug Control
Drugs, Devices and Cosmetics
State Department of Health
1910 Princeton Avenue
Trenton, N.J. 08648

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

Dr. Joanne E. Finley
Commissioner
Department of Health

(c)

HEALTH

THE COMMISSIONER

Proposed Amendments in Buildings Standards

Dr. Watson E. Neiman, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq., proposes to amend N.J.A.C. 8:43B-3.1 concerning buildings standards.

Full text of the proposed new amendments follows:

8:43B-3.1 (d) Standards for design and construction for projects which have submitted preliminary plans prior to 9/27/74 shall conform to General Standards of Construction and Equipment for Hospital and Medical Facilities, revised February 1969, PHS Publication No. 930-A-7 and the New Jersey supplementary standards dated 1968.

(e) Standards for design and construction for projects which have submitted preliminary plans after 9/27/74 shall conform to Minimum Requirements of Construction and Equipment for Hospital and Medical Facilities, DHEW Publication No. HRA 74-4000, 1974.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Joseph A. Di Cara
Chief, Health Facilities Construction and Monitoring
State Department of Health
John Fitch Plaza
Trenton, N.J. 08625

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

Dr. Watson E. Neiman
Acting Commissioner
Department of Health

(a)

HEALTH

THE COMMISSIONER

Notice Concerning Procedures To Reclassify Licensed Long-Term Care Beds in General Acute Hospitals

Take notice that, the State Department of Health has issued the following Notice concerning procedures to be followed to reclassify licensed long-term care beds in general acute hospitals to a more appropriate level of care.

Full text of the Notice follows:

With the approval of the Health Care Administration Board, the following procedures will be followed in reclassifying long-term care beds located within general acute hospitals which can document that the unit or identifiable part of the unit has been providing a level of care different from that of long-term care for one year or more:

1) Licensed general acute hospitals presently having beds classified under the long-term care category will be advised to submit to the Department their request for the redesignation of long-term care beds to a service more appropriate to that which they are presently providing.

2) The request for reclassification should be accompanied by written documentation that the unit or identifiable part of the unit has for one year or more been providing a level of care different from that of long-term care.

3) Requests for the reclassification of beds will be forwarded to the appropriate areawide planning agency for their review and comment.

4) After taking into consideration the above, the Health Care Administration Board will amend the State Plan for Hospitals and Related Health Care Services in order to reflect the changes in the inventory.

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

(b)

HEALTH

CONSUMER HEALTH SERVICES

Amendment on Requirements Of Schedule II Prescriptions

On November 17, 1975, Dr. Watson E. Neiman, Acting

Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted an amendment, to be cited as N.J.A.C. 8:65-7.8(e), concerning the requirements of Schedule II prescriptions, as proposed in the Notice published June 5, 1975, at 7 N.J.R. 263(a).

An order adopting this amendment was filed and became effective on November 18, 1975, as R. 1975 d.349.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

HIGHER EDUCATION

HIGHER EDUCATION ASSISTANCE AUTHORITY

Proposed Revisions on Late Charges And Procedure for Filing Claims

The Higher Education Assistance Authority in the Department of Higher Education, pursuant to authority of N.J.S.A. 18A:62-1 et seq., proposes to revise its rules concerning late charges and the procedure for filing claims.

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

9:9-1.31 Late charges

[The maximum late charge permitted is \$0.50 a month when payments are made after the ten day grace period.]

The maximum late charge permitted is five per cent of the payment due or \$5.00, whichever is the lesser, when payments are made after the ten day grace period.

9:9-1.33(d) [Completion of claim forms.] Separate claims must be submitted on each loan accruing interest at different rates. It is permissible to combine more than one loan on one claim form as long as the interest rate is the same. Two sets of claim forms will be sent with both copies expected to be returned in completed form. The lender will be reimbursed for the total unpaid principal and interest due [.] , **not to exceed one year's interest following the expiration of the grace period.** A photostatic copy of the note must be forwarded with the claims. By law, the Authority may not reimburse the lender for late charges.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Higher Education Assistance Authority
Department of Higher Education
225 West State Street
Trenton, New Jersey 08625

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

Ralph A. Dungan
Chancellor
Department of Higher Education

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Rule on Elimination Of Certain Medicaid Program Services

Ann Klein, Commissioner of Institutions and Agencies, pursuant to the authority of N.J.S.A. 30:4D-1 et seq., proposes to revise the Medicaid program to eliminate services as listed below. These services are those listed under Federal regulations as optional services relative to Federal financial participation.

These revisions will eliminate these currently available medical services to eligible aged, blind and disabled persons as well as adult eligibles under the Aid to Families of Dependent Children and other assistance programs. In addition, some services for children will be eliminated.

This action to eliminate services is a consequent of insufficient funds available to the Medicaid program in this fiscal year.

Full text of the proposed rule follows:

10:49-1.29 Elimination of certain Medicaid program services

(a) The following services are hereby eliminated from the Medicaid program:

1. Podiatrist services—all ages;
2. Optometrist services—all except EPSDT related;
3. Chiropractors services—all ages;
4. Psychologists services—all ages;
5. Dental services—all except EPSDT related;
6. Physical therapy and related services—all ages except hearing services related to EPSDT;
7. Vision services—all except EPSDT related;
8. Medical supplies (except prosthetic devices)—all ages;
9. Christian Science Sanitoria care—all ages

Note: It is expected these eliminations will be effective January 1, 1976.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1975, to:

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

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Rule Concerning Medicaid Payments to Hospitals

Ann Klein, Commissioner of Institutions and Agencies, pursuant to the authority of N.J.S.A. 30:4D-1 et seq., proposes the following revision to the reimbursement policy of the Division of Medical Assistance and Health Services as related to hospital providers.

Full text of the proposed new rule follows:

10:49-1.28 Medical payments; hospitals

Effective January 1, 1976, payments made by the Division of Medical Assistance and Health Services to hospitals providing services to Medicaid recipients shall be established at a level sufficient to limit the FY 1975-1976 average per diem increase to 6.7 per cent over the appropriate base period.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 26, 1975, to:

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

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Rules on Winterization Of Client-Owned Homes

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to adopt new rules concerning the winterization of client-owned homes under the emergency assistance provisions in the Assistance Standards Handbook.

Full text of the proposed rules follows:

10:82-5.13 Winterization of client-owned homes

(a) Emergency assistance payments may be made for winterization of a home owned and occupied by a recipient of AFDC or AFWP through methods which stop infiltration of cold air into the home. Such methods are limited to insulation of the attic; caulking of windows, doors and

(Continued on page 30)

INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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

The index is current, covering all rules adopted through last month. It is adjusted in the month during which a mail-

ing of Code update pages is being made.

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

RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Adoption Notice (N.J.R. Citation)</u>
AGRICULTURE — TITLE 2			
2:2-2.3(a)2.	Revisions on vaccination of female bovine animals	R.1975 d.233	7 N.J.R. 399(a)
2:49-1.1 et seq.	Revised rules on minimum prices for milk	R.1975 d.232	7 N.J.R. 399(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.272	7 N.J.R. 454(a)
2:49-1.1(b)	Revised minimum milk price	R.1975 d.303	7 N.J.R. 494(c)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.340	7 N.J.R. 539(b)
BANKING — TITLE 3			
3:1-2.27	Officially recognized data sources	R.1975 d.155	7 N.J.R. 292(a)
3:1-7.1 et seq.	Miscellaneous fees	R.1975 d.120	7 N.J.R. 247(c)
3:1-8.1	Required information for loan applications	R.1975 d.146	7 N.J.R. 291(b)
3:7-4.1 et seq.	Rules on notice of maturity on long-term time deposits	R.1975 d.165	7 N.J.R. 292(b)
3:7-5.1 et seq.	Rules on statements of interest	R.1975 d.185	7 N.J.R. 293(c)
3:8-3.1	Revisions in required reserve	R.1975 d.325	7 N.J.R. 539(c)
3:11-2.1	Revisions on exclusion from liabilities of controlling corporation	R.1975 d.226	7 N.J.R. 400(b)
3:17-6.1 et seq.	Revisions to small loan law regulations	R.1975 d.147	7 N.J.R. 291(c)
3:19-1.6	License number	R.1975 d.148	7 N.J.R. 291(d)
3:27-5.3	Revisions on excludable loans	R.1975 d.249	7 N.J.R. 400(c)
3:30-1.3	Notice of maturity of fixed-term savings accounts	R.1975 d.169	7 N.J.R. 293(a)
3:30-1.3	Revised effective date of savings account rule	R.1975 d.265	7 N.J.R. 454(b)
3:40-1.1 et seq.	Rules of State Cemetery Board	R.1975 d.184	7 N.J.R. 293(b)
CIVIL SERVICE — TITLE 4			
4:1-17.24(k)	Unused sick leave payments to nonclassified employees	R.1975 d.218	7 N.J.R. 401(b)
COMMUNITY AFFAIRS — TITLE 5			
5:21-3.3 et seq.	Revisions in Uniform Standards Code of Mobile Homes	R.1975 d.166	7 N.J.R. 305(a)
5:22-1.1 et seq.	Rules on tax abatement on added assessments	R.1975 d.327	7 N.J.R. 540(b)
5:30-1.8	Emergency resolutions exceeding three per cent limitation	R.1975 d.168	7 N.J.R. 306(a)
5:30-1.9	Implementation of Housing and Community/Development Act	R.1975 d.287	7 N.J.R. 497(b)
5:30-1.10	Contracts; expenditures	R.1975 d.322	7 N.J.R. 540(a)
5:71-1.1 et seq.	Rules on county offices on aging	R.1975 d.192	7 N.J.R. 355(a)
5:80-2.1	Equity syndication, agency-financed limited-dividend housing projects	R.1975 d.258	7 N.J.R. 459(a)
EDUCATION — TITLE 6			
6:3-1.1	Amendment on acting administrators	R.1975 d.98	7 N.J.R. 203(a)
6:3-1.3	Delete in its entirety and mark Reserved	R.1975 d.124	7 N.J.R. 251(b)
6:3-2.1 et seq.	New rules on pupil records	R.1975 d.124	7 N.J.R. 251(b)
6:4-1.1 et seq.	Equality in educational programs	R.1975 d.137	7 N.J.R. 252(a)
6:8-1.1 et seq.	Repeal rules on nonpublic school secular education	R.1974 d.246	6 N.J.R. 390(b)
6:11-8.8	Certification in bilingual/bicultural education	R.1975 d.306	7 N.J.R. 498(d)
6:11-8.9	Certification in teaching English as a second language	R.1975 d.297	7 N.J.R. 498(c)
6:11-8.10	Certification for teaching psychology	R.1975 d.276	7 N.J.R. 460(b)
6:11-10.12 et seq.	Rules on certification for executive superintendent and assistant	R.1975 d.343	7 N.J.R. 547(a)
6:11-12.7	Revisions for professional librarians	R.1975 d.198	7 N.J.R. 359(a)
6:11-12.21	Educational media specialist	R.1975 d.123	7 N.J.R. 251(b)

6:11-12.22	Associate educational media specialist	R.1975 d.123	7 N.J.R. 251(b)
6:11-12.23	Policies governing issuance of certificates in educational media	R.1975 d.123	7 N.J.R. 251(b)
6:20-4.1 et seq.	Revisions to rules concerning determination of tuition formula	R.1974 d.241	6 N.J.R. 390(a)
6:20-4.1 et seq.	Revisions on nonpublic school tuition	R.1975 d.196	7 N.J.R. 358(b)
6:20-6.1 et seq.	Purchase and loan of textbooks	R.1974 d.240	6 N.J.R. 389(a)
6:21-1.4	Retirement of school buses	R.1974 d.176	6 N.J.R. 302(c)
6:21-2.2	Registration revisions	R.1975 d.5	7 N.J.R. 46(b)
6:21-2.6	Registration procedures	R.1975 d.5	7 N.J.R. 46(b)
6:21-6.31(f)	Stanchions and guardrails	R.1975 d.6	7 N.J.R. 46(c)
6:21-18.25(3)	Stanchions and handrails	R.1975 d.6	7 N.J.R. 46(c)
6:22-2.9	New rule on master plans	R.1975 d.197	7 N.J.R. 358(c)
6:22-5.1(d)	Revised general provisions	R.1975 d.7	7 N.J.R. 47(a)
6:22-9.1	Revisions on mechanical air supply	R.1975 d.7	7 N.J.R. 47(a)
6:28-1.9 et seq.	Revisions on special education	R.1975 d.253	7 N.J.R. 407(c)
6:31-1.1 et seq.	Rules on bilingual education	R.1975 d.296	7 N.J.R. 498(b)
6:37-1.1 et seq.	Educational centers of research and demonstration	R.1974 d.173	6 N.J.R. 301(e)
6:39-1.2 and 6:39-1.3	Revisions to educational assessment program	R.1975 d.122	7 N.J.R. 251(a)
6:39-1.3(e)	Rescind rule on evaluation and interpretation of data	R.1974 d.304	6 N.J.R. 470(b)
6:47-1.2(h)	Vocational-management services	R.1974 d.174	6 N.J.R. 301(c)
6:68-1.1 et seq.	Revised rules on State library aid	R.1975 d.275	7 N.J.R. 460(a)
6:68-4.1 et seq.	State library assistance programs	R.1974 d.175	6 N.J.R. 302(a)
6:79-1.1 et seq.	Revised policies for free and reduced-price meals and/or free milk	R.1975 d.161	7 N.J.R. 307(a)
6:79-1.8	Guidelines for free and reduced-price lunches	R.1974 d.198	6 N.J.R. 302(e)

ENVIRONMENTAL PROTECTION — TITLE 7

7:1C-1.1 et seq.	Rules on 90-day construction permits	R.1975 d.347	7 N.J.R. 548(a)
7:2-2.13	Revised charges at State parks	R.1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R.1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R.1975 d.134	7 N.J.R. 261(c)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R.1974 d.188	6 N.J.R. 306(a)
7:7A-1.1(a)15.	Extend Wetlands Order to parts of Cumberland County	R.1975 d.32	7 N.J.R. 103(a)
7:7A-1.1(a)16.	Extend wetlands order to parts of Atlantic County	R.1975 d.216	7 N.J.R. 413(b)
7:7D-1.1 et seq.	Appeals procedures; Coastal Area Review Board	R.1975 d.345	7 N.J.R. 551(a)
7:9-4.1 et seq.	Revise surface water quality standards	R.1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6iv.	Delete text on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment rules formerly cited 7:9-7.29 - .34	R.1974 d.310	6 N.J.R. 470(c)
7:9-13.1 et seq.	Rules on sewerage connection bans	R.1975 d.302	7 N.J.R. 499(e)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R.1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R.1974 d.363	7 N.J.R. 50(a)
7:12-1.1	Revised rules on shellfish beds	R.1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R.1974 d.336	7 N.J.R. 6(b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R.1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R.1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R.1975 d.27	7 N.J.R. 102(c)
7:12-1.3(a)5.ii.	Revisions condemning certain shellfish beds	R.1975 d.341	7 N.J.R. 547(b)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R.1975 d.105	7 N.J.R. 206(b)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R.1974 d.268	6 N.J.R. 394(b)
7:20-6.1	Criteria for floodway and flood hazard area delineation	R.1975 d.104	7 N.J.R. 207(a)
7:25-2.1 et seq.	Revisions for public shooting and fishing grounds	R.1975 d.292	7 N.J.R. 499(c)
7:25-2.14	Field trial activities	R.1975 d.291	7 N.J.R. 499(b)
7:25-2.15	Revisions on controlled hunting	R.1975 d.281	7 N.J.R. 464(b)
7:25-5.1 et seq.	1975-76 Game Code	R.1975 d.178	7 N.J.R. 310(c)
7:25-5.26	Special pheasant and quail stamp required	R.1975 d.277	7 N.J.R. 464(a)
7:25-5.27	Use of conibear traps	R.1975 d.290	7 N.J.R. 499(a)
7:25-6.1 et seq.	1975 Fish Code	R.1974 d.253	6 N.J.R. 394(a)
7:25-6.1 et seq.	1976 Fish Code	R.1975 d.301	7 N.J.R. 499(d)
7:25-7.10	Oyster seed beds for 1975 season	R.1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rules on mussels	R.1975 d.133	7 N.J.R. 261(b)
7:25-11.1	List of endangered species	R.1974 d.348	7 N.J.R. 6(c)
7:25-11.1	List of endangered species	R.1975 d.164	7 N.J.R. 311(a)
7:26-2.5 et seq.	Revisions in rules of Bureau of Solid Waste Management	R.1974 d.234	6 N.J.R. 343(c)

7:26-2.5	Amend effective date of rule	R.1975 d.190	7 N.J.R. 360(b)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R.1975 d.66	7 N.J.R. 149(b)
7:26-2.6(d)4	Revised effective date of solid waste rule	R.1975 d.271	7 N.J.R. 463(b)
7:26-4.1 et seq.	Revised fee schedule	R.1975 d.136	7 N.J.R. 259(a)
7:27-2.1 et seq.	Revised rules on control and prohibition of open burning	R.1975 d.326	7 N.J.R. 547(c)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R.1975 d.22	7 N.J.R. 102(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R.1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R.1975 d.136	7 N.J.R. 261(d)
7:27B-2.1 et seq.	Procedures for visual determination of emissions from sources	R.1975 d.76	7 N.J.R. 144(a)
7:27B-3.1 et seq.	Emissions of solid particle from combustion of fuel	R.1975 d.135	7 N.J.R. 261(d)
7:35-1.1 et seq.	Rules on tax exemption on real property of nonprofit corporations	R.1975 d.179	7 N.J.R. 310(b)

HEALTH — TITLE 8

8:2-1.1	Revisions on birth certificates	R.1975 d.194	7 N.J.R. 362(c)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R.1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R.1974 d.185	6 N.J.R. 310(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R.1974 d.204	6 N.J.R. 311(a)
8:21-4.1 et seq.	Delete text of Subchapter 4	R.1975 d.320	7 N.J.R. 503(b)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R.1974 d.361	7 N.J.R. 56(b)
8:21-5.1 et seq.	Revise acidified milk and fluid milk products rules	R.1975 d.320	7 N.J.R. 503(b)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R.1974 d.184	6 N.J.R. 310(a)
8:21-9.5	Revised wholesale licensing fees	R.1975 d.299	7 N.J.R. 501(a)
8:21-10.11	Delete entire text of Subchapter 5	R.1975 d.320	7 N.J.R. 508(b)
8:31-10.1	Licensing of drug-related facilities	R.1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R.1974 d.195	6 N.J.R. 310(e)
8:31-14.1 et seq.	1975 hospital rate review	R.1975 d.54	7 N.J.R. 152(b)
8:31-14.1	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)
8:31-16.1	Hospital long range plans	R.1975 d.201	7 N.J.R. 362(d)
8:31-14.9	Revisions on hospital rate review appeals board	R.1975 d.321	7 N.J.R. 503(c)
8:31-17.1 et seq.	Standard hospital accounting and rate evaluation system (SHARE)	R.1975 d.239	7 N.J.R. 415(b)
8:31-18.1 et seq.	Rules for experimental medical reporting systems	R.1975 d.271	7 N.J.R. 463(b)
		R.1975 d.245	7 N.J.R. 416(a)
8:31-19.1 et seq.	Methods of determining final 1974 hospital rates	R.1975 d.244	7 N.J.R. 414(b)
8:31-20.1 et seq.	1977 hospital rate review rules	R.1975 d.312	7 N.J.R. 501(b)
8:31-20.1 et seq.	Guidelines for 1976 hospital rate review program	R.1975 d.314	7 N.J.R. 502(b)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R.1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R.1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R.1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R.1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R.1974 d.318	6 N.J.R. 472(d)
8:31-21.1 et seq.	Guidelines for submission of certificate of need applications	R.1975 d.315	7 N.J.R. 503(a)
8:33-1.11	Continuation of mixing skilled nursing facilities levels A and B	R.1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R.1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R.1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R.1974 d.194	6 N.J.R. 310(d)
8:33-1.13	Scheduling and completing hearings for certificate of need applicants	R.1974 d.269	6 N.J.R. 397(d)
8:34-1.2	Define responsible administrative positions	R.1975 d.313	7 N.J.R. 502(a)
8:34-1.18(a)3	Delete part of rule on refusal of licenses	R.1975 d.193	7 N.J.R. 362(b)
8:35-1.1 et seq.	Revised criteria on mixed obstetric and gynecologic floors	R.1975 d.60	7 N.J.R. 164(c)
8:38-1.1 et seq.	Rules concerning HMOs	R.1974 d.320	6 N.J.R. 473(a)
8:40-4.1 et seq.	Interim regulations for abortion facilities with temporary license	R.1974 d.215	6 N.J.R. 345(c)
8:40-5.1	Reporting abortions performed in hospitals	R.1974 d.316	6 N.J.R. 472(b)
8:43-1.1 et seq.	Boarding home for sheltered care	R.1974 d.319	6 N.J.R. 472(e)
8:43B-1.1 et seq.	Interim rules on construction and licensure of various health facilities	R.1975 d.256	7 N.J.R. 416(b)
8:57-4.1 et seq.	Immunization of pupils in school	R.1975 d.121	7 N.J.R. 264(a)
8:64-3.1	Definition of soap	R.1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R.1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R.1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R.1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R.1975 d.55	7 N.J.R. 155(a)
8:65-7.8(e)	Amend rule on requirements of schedule II prescriptions	R.1975 d.349	7 N.J.R. 556(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R.1975 d.209	7 N.J.R. 363(a)
8:65-11.1 et seq.	Narcotic treatment program	R.1975 d.59	7 N.J.R. 164(c)

HIGHER EDUCATION — TITLE 9

9:2-2.27	Revise salary rate for adjunct faculty at State colleges	R.1975 d.257	7 N.J.R. 464(c)
9:9-4.1 et seq.	Policy governing direct public loans	R.1975 d.217	7 N.J.R. 416(c)
9:9-5.1 et seq.	Policy governing graduate insured loans	R.1975 d.217	7 N.J.R. 416(c)

INSTITUTIONS AND AGENCIES — TITLE 10

10:34-1.1 et seq.	Minimum standards for county correctional facilities	R.1975 d.300	7 N.J.R. 506(c)
10:35-1.1 et seq.	Revised standards	R.1975 d.108	7 N.J.R. 272(a)
10:35-7.4(b) et seq.	Revised standards	R.1974 d.273	6 N.J.R. 432(b)
10:35-18.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-19.12	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-28.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.3(b)	Revised fee schedules	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.5	Waiver of payment by court order	R.1974 d.356	7 N.J.R. 59(b)
10:35-63.1 et seq.	Inmate responsibility for personal property of substantial value	R.1974 d.273	6 N.J.R. 432(b)
10:35-64.1 et seq.	Inmate marriages	R.1974 d.273	6 N.J.R. 432(b)
10:35-65.1 et seq.	Volunteers in parole program	R.1974 d.356	7 N.J.R. 59(b)
10:35-66.1 et seq.	Probable cause hearing	R.1974 d.356	7 N.J.R. 59(b)
10:35-67.1 et seq.	Distribution of money and personal belongings of deceased inmates	R.1974 d.356	7 N.J.R. 59(b)
10:35-68.1 et seq.	Inmates' personal savings accounts	R.1974 d.356	7 N.J.R. 59(b)
10:35-69.1 et seq.	Revised rules on administrative segregation	R.1975 d.108	7 N.J.R. 328(a)
10:46-4.3	Application for admission; delinquent minor	R.1975 d.158	7 N.J.R. 328(b)
10:47-1.1 et seq.	Manual of standards for private mentally retarded institutions	R.1975 d.203	7 N.J.R. 364(a)
10:49-1.17	Claim submittal time limits	R.1975 d.151	7 N.J.R. 329(c)
10:49-1.17(c)	Amendment concerning noninstitutional providers	R.1975 d.150	7 N.J.R. 328(d)
10:49-1.25	Temporary fee reduction concerning Medicaid	R.1975 d.225	7 N.J.R. 421(a)
10:49-1.26	Reduction in reimbursement for laboratory services	R.1975 d.206	7 N.J.R. 365(a)
10:51-1.1 et seq.	Revisions to Pharmacy Manual	R.1975 d.182	7 N.J.R. 333(b)
10:51-1.2	Definition of eligible pharmacies in New Jersey	R.1974 d.297	6 N.J.R. 477(c)
10:51-1.8	Revised pharmaceutical services not eligible for payment	R.1975 d.317	7 N.J.R. 507(b)
10:51-1.10	Revisions concerning pharmacy providers	R.1974 d.312	6 N.J.R. 478(c)
10:51-1.10(d)	Revised dispensing fee	R.1975 d.223	7 N.J.R. 419(d)
10:51-1.10(g)	Revisions on legend drugs	R.1975 d.163	7 N.J.R. 329(b)
10:51-1.11(a)3	Revisions on institutional pharmacies	R.1975 d.156	7 N.J.R. 328(a)
10:52-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.206	7 N.J.R. 364(c)
10:52-1.1 et seq.	Revised portions of hospital manual	R.1974 d.201	6 N.J.R. 313(a)
10:52-1.1 et seq.	Revisions on physicians services	R.1975 d.229	7 N.J.R. 431(a)
10:52-1.2(a)18.	Revisions on hospital services	R.1974 d.296	6 N.J.R. 478(a)
10:52-1.4	Revisions in special provisions for general hospitals	R.1974 d.339	7 N.J.R. 8(a)
10:52-1.15	Reimbursement of third-party claims	R.1975 d.204	7 N.J.R. 364(b)
10:52-2.11	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:52-3.1 et seq.	Rules on teleprocessing	R.1975 d.230	7 N.J.R. 431(b)
10:53-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:54-1.1	Define office visits	R.1975 d.86	7 N.J.R. 226(d)
10:54-1.1 et seq.	Revisions to the Physicians Manual	R.1975 d.227	7 N.J.R. 430(a)
10:54-1.2(f)	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:54-1.13 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:54-1.19	Revisions concerning specialist recognition	R.1974 d.201	6 N.J.R. 313(a)
10:54-1.19	Revisions concerning specialists	R.1974 d.311	6 N.J.R. 478(b)
10:54-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:54-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:54-4.1 et seq.	Revised physicians fee schedule	R.1975 d.231	7 N.J.R. 431(c)
10:55-1.2	Revisions concerning eligible providers; prosthetic, orthotic manual	R.1974 d.187	6 N.J.R. 312(e)
10:56-1.16	Revisions on dental services	R.1975 d.262	7 N.J.R. 466(a)
10:56-1.48	Recovery of payments correctly made	R.1974 d.202	6 N.J.R. 313(b)
10:56-2.1(d)	Dental providers	R.1974 d.203	6 N.J.R. 313(c)
10:57-1.4	Revisions on noncovered services	R.1975 d.162	7 N.J.R. 329(a)
10:57-1.14 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:56-1.36 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:57-2.1 et seq.	Revisions on billing procedures	R.1974 d.222	6 N.J.R. 351(c)
10:59-1.7(a)6.	Revised prior authorization and medical supply services	R.1975 d.31	7 N.J.R. 105(b)
10:60-1.16	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:61-1.1 et seq.	Revised rules on independent laboratory services	R.1975 d.224	7 N.J.R. 420(a)
10:62-1.1 et seq.	Revisions to vision care manual	R.1974 d.181	6 N.J.R. 312(c)
10:62-2.2(a)2	Revisions on reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:62-2.3(j)	Curtailment of reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:63-1.10(a)5.	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:63-1.13	Plans of correction of deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:63-1.14	Skilled nursing and intermediate care services	R.1975 d.87	7 N.J.R. 227(a)
10:63-1.15	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:63-3.1 et seq.	1975 cost study and instructions long-term care facilities	R.1975 d.149	7 N.J.R. 328(c)
10:64-1.2 et seq.	Revisions to hearing aid manual	R.1975 d.14	7 N.J.R. 58(b)
10:65-1.2	Plans of correction for deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:66-1.3	Out-of-State clinics	R.1974 d.295	6 N.J.R. 477(b)

10:66-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:66-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:67-2.1 et seq.	Revised procedure for Administrative Code numbers	R.1974 d.245	6 N.J.R. 399(b)
10:81	Revise effective date to August 1, 1975	R.1975 d.208	7 N.J.R. 365(b)
Appendix D		R.1975 d.280	7 N.J.R. 467(a)
10:81-1.1 et seq.	New Public Assistance Manual	R.1975 d.29	7 N.J.R. 105(c)
10:81-3.3(i)	Revisions on noncontributory persons in a household	R.1975 d.64	7 N.J.R. 167(b)
10:81-6.13(a)	Revisions on fair hearings	R.1975 d.280	7 N.J.R. 467(a)
10:81-28.3	Recoupment of overpayments	R.1974 d.287	6 N.J.R. 435(b)
10:81-28.4	Periodic notice to client	R.1974 d.287	6 N.J.R. 435(b)
10:81	Rules on child support and paternity program	R.1975 d.180	7 N.J.R. 329(d)
Appendix D			
10:82-1.1 et seq.	Assistance Standards Handbook	R.1975 d.93	7 N.J.R. 227(b)
10:82-3.2	AFDC program	R.1974 d.205	6 N.J.R. 312(b)
10:82-10.1	Overpayments, underpayments	R.1974 d.287	6 N.J.R. 435(b)
10:82-11.14	Revisions concerning expenses of employment in AFDC	R.1974 d.285	6 N.J.R. 434(a)
10:82-11.16(d)	Revisions concerning disregard of earned income	R.1974 d.286	6 N.J.R. 435(a)
10:84-1.1 et seq.	Delete entire Chapter and mark it Reserved	R.1975 d.29	7 N.J.R. 105(c)
10:85-11.6(a)	Revisions in payments to hospitals	R.1974 d.288	6 N.J.R. 436(a)
10:86-6.12(c)	Revisions on fair hearings	R.1975 d.280	7 N.J.R. 467(a)
10:87-1.1 et seq.	New food stamp manual	R.1975 d.350	7 N.J.R. 567(d)
10:109-1.1 et seq.	Revisions concerning public assistance staff development program	R.1974 d.179	6 N.J.R. 312(e)
10:109-1.6(a)	Revisions concerning educational leave stipends	R.1974 d.248	6 N.J.R. 399(a)
10:109-2.1 et seq.	Ruling Number 11; classification and compensation plan	R.1974 d.211	6 N.J.R. 351(a)
10:109-2.1 et seq.	Revisions to classification and compensation plan	R.1975 d.336	7 N.J.R. 567(b)
10:109-3.1 et seq.	Revisions to time and leave regulations	R.1975 d.336	7 N.J.R. 567(b)
10:121-3.1 et seq.	Adoption complaint investigation fees	R.1975 d.15	7 N.J.R. 58(c)
10:122-2.1 et seq.	AFDC foster care plan	R.1975 d.99	7 N.J.R. 227(c)
10:123-1.1 et seq.	Revised State Plan for services to families and children	R.1974 d.232	6 N.J.R. 351(b)
10:123-1.1 et seq.	Revised State Plan for families and children	R.1974 d.355	7 N.J.R. 59(a)
10:123-1.1 et seq.	Revised State Plan for individuals and families	R.1975 d.283	7 N.J.R. 467(c)
10:123-1.14	Establishing paternity and securing support for AFDC children	R.1975 d.35	7 N.J.R. 105(a)
10:123-4.1	Amendment concerning community planning	R.1975 d.57	7 N.J.R. 166(b)
10:123-5.3(a)4	Revise maximum income level eligibility	R.1975 d.181	7 N.J.R. 333(a)
10:124-1.1 et seq.	Revised standards for juvenile shelters awaiting disposition	R.1975 d.219	7 N.J.R. 419(b)
10:125-1.1 et seq.	Comprehensive social services plan	R.1975 d.220	7 N.J.R. 467(b)
10:126-1.1 et seq.	State training plan under Title XX of Social Security Act	R.1975 d.298	7 N.J.R. 506(b)
10:140-1.1 et seq.	1976 State Plan annual revision	R.1975 d.282	7 N.J.R. 419(c)

INSURANCE — TITLE 11

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

LABOR AND INDUSTRY — TITLE 12

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

LAW AND PUBLIC SAFETY — TITLE 13

13:2-13.3 et seq.	Revisions on licensees	R.1975 d.237	7 N.J.R. 436(b)
13:2-31.3 et seq.	Revisions to retail and wholesale prices and extension of credit	R.1975 d.238	7 N.J.R. 436(c)
13:2-34.8	Revisions on wholesale prices	R.1975 d.263	7 N.J.R. 482(c)
13:4-8.3(a)	Delete text on interrogatory default procedure	R.1975 d.346	7 N.J.R. 571(b)
13:18-8.1	Rule on overhang standards	R.1975 d.285	7 N.J.R. 483(a)
13:20-7.1	Revisions on automobile inspection adjustments	R.1975 d.335	7 N.J.R. 571(a)
13:20-28.6	Revisions on new car decals	R.1975 d.174	7 N.J.R. 343(b)
13:20-28.8	Revisions on new car evidence of compliance	R.1975 d.174	7 N.J.R. 343(b)
13:20-32.1 et seq.	Rules on licensing of motor vehicle reinspection centers	R.1975 d.333	7 N.J.R. 570(c)
13:20-33.1 et seq.	Standards and procedures used by licensed reinspection centers	R.1975 d.334	7 N.J.R. 570(d)
13:21-18.1 et seq.	Rules on snowmobile registration	R.1975 d.289	7 N.J.R. 508(b)
13:27-3.13	Board of architects revised fee schedule	R.1975 d.171	7 N.J.R. 342(a)
13:27-3.13	Revised fees for architects	R.1975 d.171	7 N.J.R. 342(a)
13:30-8.1	Fee schedules	R.1975 d.259	7 N.J.R. 482(b)
13:35-3.6	Board of Medical Examiners fee schedule	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.6	Revised fees for medical examiners	R.1975 d.172	7 N.J.R. 343(a)
13:36-3.6	Examination review procedure	R.1975 d.309	7 N.J.R. 509(a)
13:42-1.1	Examination review procedure	R.1975 d.310	7 N.J.R. 510(a)
13:44-4.1	Revised fees for veterinarians	R.1975 d.173	7 N.J.R. 342(b)
13:44-4.1	Veterinary medical examiners fee schedule	R.1975 d.173	7 N.J.R. 342(b)
13:45A-12.1 et seq.	Rules on sale of animals	R.1975 d.351	7 N.J.R. 571(c)

PUBLIC UTILITIES — TITLE 14

14:1-10.11	Rule on hearing procedures	R.1974 d.313	6 N.J.R. 487(b)
14:3-3.1 et seq.	Revision on home insulation program	R.1975 d.305	7 N.J.R. 510(b)
14:5-1.2(b)	Revisions on separation and protection of conductors buried in earth	R.1975 d.215	7 N.J.R. 437(a)
14:5-4.1 et seq.	Revised rules on residential electrical underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:5-7.1 et seq.	Revisions on electrical inspection authorities	R.1975 d.12	7 N.J.R. 62(b)
14:10-4.1 et seq.	Revised rules on residential telephone underground extensions	R.1975 d.243	7 N.J.R. 437(b)
14:11-5.4	Revisions on accident reporting	R.1975 d.8	7 N.J.R. 62(a)

STATE — TITLE 15

15:10-1.1 et seq.	Voter registration by mail	R.1974 d.270	6 N.J.R. 412(b)
15:10-1.1 et seq.	Revisions on voter registration by mail	R.1975 d.114	7 N.J.R. 278(a)

TRANSPORTATION — TITLE 16

16:3-1.1 et seq.	Uniform patent policy	R.1975 d.160	7 N.J.R. 345(b)
16:26-3.1 et seq.	Revisions on highway safety lighting	R.1975 d.288	7 N.J.R. 521(b)
16:27-1.6	Limitations on use of the Parkway	R.1975 d.342	7 N.J.R. 577(b)
16:28-1.10	Revised speed limits on parts of U.S. 46	R.1975 d.95	7 N.J.R. 237(b)
16:28-1.14	Revised rules on rates of speed on Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.25 et seq.	Revise rules on rates of speed along certain State highways	R.1974 d.197	6 N.J.R. 325(a)
16:28-1.35	Revised speed limits on portions of Route 18	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.36	Revised speed limits on parts of Route 24	R.1975 d.17	7 N.J.R. 118(a)
16:28-1.51	Revised speed limits on parts of Route 55	R.1975 d.167	7 N.J.R. 346(a)
16:28-1.51	Revised speed limits for parts of Route 55	R.1975 d.254	7 N.J.R. 439(b)
16:28-1.61	Rates of speed on parts of Route 22 Freeway	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.63	Revise rates of speed on Route U.S. 22	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R.1974 d.325	7 N.J.R. 32(b)

16:28-1.68	Revised rates of speed on parts of Route 17	R.1975 d.153	7 N.J.R. 344(d)
16:28-1.76	Revised speed limits on parts of Route 15	R.1974 d.354	7 N.J.R. 73(c)
16:28-1.77	Revised rates of speed on parts of Route 29	R.1975 d.144	7 N.J.R. 344(c)
16:28-1.96	Revise rates of speed on Route N.J. 45	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.100	Revised speed limits on Route 439	R.1975 d.50	7 N.J.R. 178(c)
16:28-1.107	Revised speed limits on parts of Route 48	R.1975 d.294	7 N.J.R. 521(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.122	Revisions to rates of speeds on U.S. 1, 9 and 46	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.128	Revised speed limits on parts of Route 88	R.1975 d.329	7 N.J.R. 576(c)
16:28-1.148	Revised speed limits on Route I-295	R.1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.158	Speed limits on Route 87 in Atlantic City	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.159	Rates of speed on parts of Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.160	Speed limits on portions of Route I-78	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.162	Speed limits on Route 33 Freeway	R.1975 d.274	7 N.J.R. 488(a)
16:28-2.1	Weight limit along Route 152 in Egg Harbor Township	R.1975 d.63	7 N.J.R. 178(d)
16:28-3.77	Rules on restricted parking along certain State highways	R.1974 d.216	6 N.J.R. 359(b)
16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.24	route number U.S. 40	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.25	Route number 47	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.26	No parking; Route 35	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R.1974 d.359	7 N.J.R. 74(a)
16:28-3.28	Restricted parking rules on various State highways		
through 16:28-3.41	Restricted parking along certain State highways	R.1975 d.16	7 N.J.R. 117(a)
16:28-3.42	Rules on restricted parking on various State highways		
through 16:28-3.50	Rules on restricted parking on various State highways	R.1975 d.49	7 N.J.R. 178(b)
16:28-3.51	Rules on restricted parking on various State highways		
through 16:28-3.62	Rules on restricted parking on various State highways	R.1975 d.143	7 N.J.R. 344(b)
16:28-3.63	Rules on restricted parking on various State highways		
through 16:28-3.67	Rules on restricted parking on various State highways	R.1975 d.154	7 N.J.R. 345(a)
16:28-3.68	Rules on restricted parking on various State highways		
through 16:28-3.71	Rules on restricted parking on various State highways	R.1975 d.202	7 N.J.R. 387(c)
16:28-3.72	Rules on restricted parking on certain State highways		
through 16:28-3.76	Rules on restricted parking along certain State highways	R.1975 d.269	7 N.J.R. 487(c)
16:28-3.77	Rules on restricted parking along certain State highways		
through 16:28-3.83	Revised rules on no-parking zones along various State highways	R.1975 d.295	7 N.J.R. 522(a)
16:28-3.84 through 16:28-3.89	One-way street regulations		
16:28-4.1 et seq.	No-parking zones on portions of Route 31	R.1974 d.225	6 N.J.R. 359(c)
16:28-3.90	One-way traffic along Route 79	R.1975 d.338	7 N.J.R. 577(a)
16:28-4.3	One-way traffic on parts of Route U.S. 202	R.1974 d.293	6 N.J.R. 493(c)
16:28-4.4	Designation of stop intersections	R.1975 d.255	7 N.J.R. 439(c)
16:28-5.1	No left turn rules on parts of Route U.S. 206	R.1974 d.250	6 N.J.R. 414(b)
16:28-6.1	Revisions on left turns on Route U.S. 206 in Bedminster Township	R.1974 d.324	7 N.J.R. 32(a)
16:28-6.1	Restricted left turns on portions of Routes 24 and 46	R.1975 d.48	7 N.J.R. 178(a)
16:28-6.2	Revised fees for highway access permits	R.1975 d.337	7 N.J.R. 576(d)
through 16:28-6.3	Revised fee schedules	R.1975 d.13	7 N.J.R. 73(b)
16:41-1.1 et seq.	Rule on emergency hearings	R.1975 d.207	7 N.J.R. 387(d)
16:41-2.3 et seq.	Delegation of powers for seniors half-fare bus program	R.1975 d.199	7 N.J.R. 387(b)
16:50-2.6	Take-off or landing by balloons	R.1975 d.113	7 N.J.R. 280(b)
16:51-4.1 et seq.	Revised rules on ballooning	R.1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revisions on distribution of standard specifications	R.1975 d.131	7 N.J.R. 281(a)
16:54-6.1 et seq.		R.1975 d.195	7 N.J.R. 387(a)

TREASURY-GENERAL — TITLE 17

17:1-1.8 et seq.	Revisions on general administration	R.1975 d.235	7 N.J.R. 446(a)
17:1-1.15(e)	Compliance with endorsement requirements	R.1974 d.219	6 N.J.R. 360(a)
17:1-1.17	Revisions on administrative expenses and their proration	R.1975 d.30	7 N.J.R. 122(a)
17:2-1.13 et seq.	Revisions on Public Employees' Retirement System	R.1974 d.230	6 N.J.R. 361(a)
17:3-1.4 et seq.	Revise rules of teachers' pension and annuity fund	R.1975 d.140	7 N.J.R. 349(a)
17:4-1.4 et seq.	Revisions to rules of Police and Firemen's Retirement System	R.1975 d.191	7 N.J.R. 393(a)
17:7-1.9 et seq.	Revise parts of Prison Officers' Pension Fund rules	R.1975 d.213	7 N.J.R. 442(a)
17:8-1.1	Revise foreword to rules of supplemental annuity collective trust	R.1974 d.231	6 N.J.R. 361(b)
17:9-2.3	Revisions on annual enrollment period	R.1974 d.228	6 N.J.R. 360(c)
17:9-2.15	Major medical; separate plans	R.1975 d.68	7 N.J.R. 181(a)

17:9-4.2	Revised definition of State; full time	R.1975 d.68	7 N.J.R. 181(a)
17:9-5.4	Revisions on local employer payment of dependent charges	R.1974 d.229	6 N.J.R. 360(d)
17:9-5.5	Revisions concerning local employer resolution	R.1975 d.65	7 N.J.R. 180(c)
17:9-5.6	Health maintenance organization premiums	R.1974 d.228	6 N.J.R. 360(c)
17:9-5.10	Retroactive premiums; payment due	R.1975 d.159	7 N.J.R. 349(b)
17:9-6.3	Amend retired coverage limitations	R.1975 d.159	7 N.J.R. 349(b)
17:10-3.1	Revised computation of benefits	R.1974 d.335	7 N.J.R. 34(a)
17:10-5.7	Revised employer disability application; employee notice	R.1974 d.335	7 N.J.R. 34(a)
17:16-5.4	Revised demand group	R.1975 d.11	7 N.J.R. 76(b)
17:16-5.5	Revised temporary reserve group	R.1975 d.278	7 N.J.R. 490(a)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R.1974 d.192	6 N.J.R. 328(c)
17:16-6.1(a)8.	Add Federal Financing Bank to approved list	R.1974 d.323	6 N.J.R. 496(a)
17:16-6.1	Revised rules on U.S. Treasury and government agency obligations	R.1975 d.97	7 N.J.R. 241(a)
17:16-7.3	Delete from revolving housing development grant fund	R.1974 d.191	6 N.J.R. 328(b)
17:16-8.1(a)6.	Amend permissible investment rules concerning corporate securities	R.1974 d.321	6 N.J.R. 495(b)
17:16-9.1(a)5.	Revision concerning finance companies—senior debt	R.1974 d.322	6 N.J.R. 495(c)
17:16-13.5	Revisions on legal papers; commercial paper	R.1974 d.218	6 N.J.R. 361(c)
17:16-13.5	Revisions on legal papers	R.1975 d.236	7 N.J.R. 442(b)
17:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R.1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R.1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R.1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R.1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R.1975 d.67	7 N.J.R. 180(d)
17:20-5.10	Revise agent's compensation rule	R.1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R.1974 d.224	6 N.J.R. 360(b)
17:21-2.3 et seq.	Revised rules concerning weekly lottery	R.1974 d.329	7 N.J.R. 33(b)
17:21-11.1 et seq.	1776 Instant Lottery rules	R.1975 d.318	7 N.J.R. 525(a)
17:21-11.5 et seq.	Revised rules on 1776 Instant Lottery	R.1975 d.330	7 N.J.R. 578(b)

TREASURY-TAXATION — TITLE 18

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

OTHER AGENCIES — TITLE 19

19:1-1.1 et seq.	Revisions pertaining to making loans to mortgage lenders	R.1974 d.233	6 N.J.R. 370(b)
19:1-1.1 et seq.	Revised rules of Mortgage Finance Agency	R.1975 d.311	7 N.J.R. 528(a)
19:1-1.3	Revised definition of Mortgage Finance Agency collateral	R.1974 d.251	6 N.J.R. 418(b)
19:1-1.4 et seq.	Revisions on requests for loans and allocation and award of loans	R.1975 d.324	7 N.J.R. 579(c)
19:3A-2.1	Required land use and control meadows; flood insurance	R.1974 d.213	6 N.J.R. 369(b)
19:3A-2.2	Securing coverage under National Flood Insurance Program	R.1974 d.212	6 N.J.R. 361(d)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R.1974 d.214	6 N.J.R. 369(a)

(Continued from page 21)

other openings; replacement of broken glass in windows or doors; and patching of holes in outer walls or in flooring immediately above basement level. (Storm doors and windows are not included.)

(b) Winterization payments shall be authorized when it is determined by the county welfare board that infiltration of cold air into the home is of such severity that continued living therein endangers the health and well-being of members of the eligible unit and winterization will significantly improve the situation. The determination may be based on one of the following conditions:

1. The cost of heating the home (to maintain a temperature of 68 degrees Fahrenheit during the family's normal waking hours) exceeds the reasonable level of cost for a similar period of time in a comparable house in that particular community, as ascertained by the county welfare board from a reliable source, such as a fuel dealer or public utility company.

2. The temperature of essential living areas in the home cannot be maintained at 68 degrees Fahrenheit during the family's normal waking hours.

3. Visual evidence indicates that winterization is needed, for example, broken windows, holes in outer walls or flooring immediately above the basement, noticeable drafts from doors or windows and so forth.

(c) Payment shall be authorized for the actual cost of materials necessary for adequately winterizing the home, not to exceed \$200.00 per dwelling. Where CETA manpower is available or recipient chooses to do his/her own work, no additional labor cost will be provided. When it is necessary to include cost of labor, payment per dwelling, including materials and labor, shall not exceed \$250.00:

1. Situations where, in the judgment of the county welfare board, the size or condition of a home warrants additional expenditures shall be brought to the attention of the Division of Public Welfare for special approval.

2. When the client owns only part of a multi-family dwelling, winterization may be undertaken for that part of the structure only. Authorization for such winterization shall be given only after the CWB has ascertained that it is practical.

(d) Expenditures for winterization materials or for contractual arrangements require prior approval by the CWB. All payments will be to the vendor(s) and may be authorized only once for the winterization of a home owned and occupied by the client. If such winterization constitutes other than the first emergency during a consecutive 12-month period, State matching only will be available (see this Subchapter):

1. Appropriate consultative personnel employed either full or part time by the CWB for this purpose is matchable through the administrative account.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

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

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

Ann Klein
Commissioner
Department of Institutions and Agencies

19:8-1.1	Garden State Arts Center defined	R.1975 d.145	7 N.J.R. 350(d)
19:8-1.1 et seq.	Revisions on motorcycles on the Parkway	R.1975 d.332	7 N.J.R. 579(b)
19:8-1.13	Traffic control on Garden State Parkway	R.1975 d.222	7 N.J.R. 447(b)
19:8-2.11	Rules on Garden State Arts Center	R.1975 d.145	7 N.J.R. 350(d)
19:8-2.12	Emergency service on the Parkway	R.1975 d.331	7 N.J.R. 579(a)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R.1974 d.290	6 N.J.R. 496(c)
19:9-1.1	Revised Turnpike definitions	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R.1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R.1975 d.25	7 N.J.R. 122(d)
19:9-3.1	Schedule of towing charges for Turnpike	R.1975 d.221	7 N.J.R. 447(c)
19:11-1.6	Revisions in number of copies to be filed	R.1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R.1974 d.346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R.1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R.1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R.1975 d.10	7 N.J.R. 78(a)
19:12-2.1	Revisions in invocation of fact-finding	R.1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R.1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R.1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R.1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R.1974 d.267	6 N.J.R. 418(a)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R.1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R.1975 d.26	7 N.J.R. 122(c)
19:35-1.1	Rules on FM noncommercial radio stations	R.1975 d.118	7 N.J.R. 285(a)

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Amendments on Designation Of Stepparents as Essential Persons

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to amend a portion of the Assistance Standards Handbook regarding the designation of stepparents as essential persons.

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

10:82-1.3(a) 2.ii. The stepparent (the spouse of a natural or adoptive parent), when the natural or adoptive parent **designates the stepparent as an individual whose presence in the home is essential to his/her well-being and elects that such person shall be included**, according to N.J.A.C. 10:82-2.11.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

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

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

Ann Klein
Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions in Classification And Compensation Plan

On October 31, 1975, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subchapters 2 and 3 of Chapter 109 of Title 10 of the New Jersey Administrative Code concerning Ruling 11 and the classification and compensation and time and leave regulations substantially as proposed in the Notice published August 7, 1975, at 7 N.J.R. 363(c), but with subsequent substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

An order adopting these revisions was filed and became effective on November 5, 1975, as R.1975 d.336.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions Concerning Generic Dispensing

On November 7, 1975, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to portions of the Physician, Dental and Podiatry Manuals concerning generic dispensing, substantially as proposed in the Notice published July 10, 1975, at 7 N.J.R. 316(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

The specific rules affected by these revisions are cited as N.J.A.C. 10:54-1.13, 10:54-1.15, 10:54-1.16(a)14., 10:54-4.1, 10:56-1.36, 10:54-1.38, 10:56-1.39(a)14., 10:56-3.2, 10:57-1.14, 10:57-1.17, 10:57-1.18(a)15. and 10:57-3.1.

An order adopting these revisions was filed on November 7, 1975, as R.1975 d.339 to become effective on November 10, 1975.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(d)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

New Food Stamp Manual

On November 19, 1975, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2 and in accordance with applicable provisions of the Administrative Procedure Act, adopted the new Food Stamp Manual, which replaces the current text in Chapter 87 of Title 10 in the New Jersey Administrative Code, substantially as proposed in the Notice published August 7, 1975, at 7 N.J.R. 363(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

An order adopting the manual was filed November 19, 1975, as R.1975 d.350 to become effective on January 1, 1976.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(e)

INSURANCE

REAL ESTATE COMMISSION

Proposed Revisions for Prompt Delivery Of Instruments and Fingerprinting

The New Jersey Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1

et seq., proposes to revise a portion of its rules. The proposed revisions concern the adoption of an amendment to N.J.A.C. 11:5-1.23(c) regarding the prompt delivery of instruments and other obligations by licensees to the general public and the deletion of the current text of N.J.A.C. 11:5-1.29(a) and the adoption of new text therein.

Full text of the proposed revisions follows:

11:5-1.23(c) 1. A New Jersey licensed real estate broker shall fully cooperate with any other licensed New Jersey real estate broker, utilizing their normal cooperation arrangements, which, in every way, must protect and promote the interest of his principal. This obligation shall be a continuing one unless the principal, with full knowledge of all relevant facts, expressly relieves his agent from such responsibility. Should the owner direct the licensee not to cooperate with other licensees, evidence of such intent shall be in writing and signed by the owner.

11:5-1.29(a) The applicant, if a natural person, shall in connection with his or her original application for a salesman's or broker's license, have his or her impressions taken by a recognized law enforcement agency on a State police fingerprint card (noncriminal) and submit same with his application to sit for the examination unless already submitted and on file with the Commission.

Interested persons may present statements or arguments, in writing, relevant to the proposed action on or before December 24, 1975, to:

Real Estate Commission
201 East State St.
Trenton, N.J. 08625

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

W. P. Comerford
Assistant Director
Real Estate Commission
Department of Insurance

(a)

INSURANCE

REAL ESTATE COMMISSION

Proposed Revisions for Advertising

The New Jersey Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1 et seq., proposes to revise several of its rules concerning advertising. The proposed revisions would delete in their entirety the current text of N.J.A.C. 11:5-1.14 through 11:5-1.16 and adopt new text therein:

11:5-1.14 Filing of trade name certificate

(a) Whenever any individual, partnership or corporation or other lawful organization or entity chooses to operate under a trade name different than the name of the licensed broker responsible for the operations of such legal entity, such trade name must be filed as required by law and a certified copy presented to the Commission. The Commission may refuse to accept any trade name submitted, whenever a proposed trade name may be similar to one already in use, so as not to create confusion, misconception or uncertainty in the minds of the public as to whom they may be doing business. The trade name certificate filed with the Real Estate Commission of any licensee must not

contain in part or in whole the name of any trade, professional or counseling organization.

(b) Any licensee may join, associate with or otherwise affiliate with trade, professional or other management counseling organizations which offer management, instructional or other advisory expertise, and may advertise or otherwise indicate such affiliation in the various advertising media. All such trade, professional or management counseling organizations must be unlicensed and must not otherwise engage in the real estate business as defined in the Real Estate License Act (Title 45, Chapter 15).

(c) The intent of this rule is to prevent any trade, professional or other management counseling organization from lending its name to any licensee or group of licensees such that a thread of common ownership or common management is indicated thereby, expressed or implied.

11:5-1.15 Use of name or license for the benefit of others

(a) No arrangement, direct or indirect, shall be entered into by any licensee whereby an individual licensee lends his name or license for the benefit of another person, firm or corporation, or whereby the provisions of the real estate statute and regulations relating to licensing are circumvented.

(b) Any arrangement whereby a broker's license is sought in the name of the salesman proposed to be in the broker's employ, or is sought in the name of a firm or corporation containing the name of such salesman but not containing the name of the individual licensee responsible for the acts of such firm or corporate licensee as provided for herein at N.J.A.C. 11:5-1.4(b)1. (Qualifications for corporate licensing) shall be construed as seeking to lend a broker's license for the benefit of another person, firm or corporation.

11:5-1.16 Advertising rules and prohibited practices

(a) Where a real estate broker inserts advertisements in a newspaper or any other publication to make an offer to sell, buy, exchange or rent real property, or any interest therein, such advertisement shall clearly indicate to the reader that the advertisements have been placed by a person engaged in the real estate brokerage business. Examples of permissible language shall include, but are not limited to, "realtor", "realist", "real estate broker", "broker" or "agency". This provision shall not apply where the broker has legal or equitable ownership of the property.

(b) Any advertisement which refers to amounts of down payment, monthly payment, carrying charges or mortgage obtainable (where the mortgage referred to is not already a lien against the premises advertised) shall contain the words "to a qualified buyer".

(c) Any advertisement which sets forth amounts of down payment, monthly payment, carrying charges on taxes or mortgage obtainable shall contain appropriate qualifying words such as "approximate" or "estimated", which qualifying words shall be clearly associated with the amounts set forth. If such amounts are mentioned without qualification, the broker shall maintain written proof of the validity of these statements in the broker's files. Such written proof shall be maintained for a period of six months from the date upon which an advertisement containing such unqualified references shall have last appeared in any publication.

(d) Advertisements shall not list home telephone numbers of brokers or licensed employees, unless there is contained in such advertisements a legend limiting the utilization of such home telephone numbers to nonoffice hours, such as "evenings", "Sundays" or "holidays". Where the name and telephone number of a salesman is contained in any advertisement, it shall be in type smaller and less conspicuous than those of the employing broker, which shall also appear.

(e) Where a real estate broker inserts advertisements in any newspaper or other publication in offering the sale, exchange or rental of real property utilizing a heading designating a named municipality or area and the legend "in the vicinity" or other like words, such mode of advertising shall be construed as misleading in attempting to induce persons to respond to such mode of advertising, unless there shall be contained within the body of the advertisement the specific names of the municipalities relating to any and all properties not located within the limits of the named municipality or, where designation is a named area, then the advertisement respecting every property shall specify the name of the municipality within the limits of which such property be located.

(f) No real estate broker or salesman shall advertise or represent that he gives "free appraisals". This shall not be construed to prohibit a licensee from offering his services, knowledge or advice in the normal course of business.

(g) No free offering of any kind shall be made in any advertisements or promotional material. Nothing herein contained shall be construed as prohibiting the use of such words as "included" or "included in the purchase price".

(h) No real estate broker or salesman shall advertise, or use any form of application or make any inquiry which expresses directly or indirectly, any limitation, specification or discrimination as to a person's race, religion, creed, color, national origin or ancestry.

(i) Any use of an insignia, emblem, logo, trade name or other form of identification in any advertising, or other public utterance, either by a single licensee or any group of licensees, intended to indicate or otherwise imply common ownership or common management among such licensees, shall be prohibited; except in the case of branch offices controlled by a single broker licensee.

(j) Whenever any licensee, in any advertising, or other public utterance, uses the name, emblem, insignia or logo of an advisory organization as described in N.J.A.C. 11:5-1.14(b), such name, emblem, insignia or logo shall be in print or type no larger in size than that of the licensee's name so as to indicate clearly to the consuming public who is the responsible licensee. In using any non-print advertising media, such as radio or television, all such advertising shall clearly indicate that the role and function of any trade, professional or counseling organization is advisory to the advertising licensee and shall contain adequate disclaimers indicating sales, management or administration role by such organization.

(k) The intent of Subsections (j) and (k) of this Section are to further promote N.J.A.C. 11:5-1.14. These advertising rules shall in no way affect the operation of legitimate branch offices under the management control of one licensee as presently permitted by the Real Estate Commission, nor shall it prevent the franchising of any group of licensees by any trade, professional or management counseling organization, provided the role of such organizations is limited to advisory and non-management functions as described in these advertising rules.

A public hearing respecting this proposed action will be held on Tuesday, December 30, 1975, at 10:00 A.M. in the Regency Room at the Holiday Inn on Route 46 in Parsippany, N.J.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Real Estate Commission
Department of Insurance
201 East State St.
Trenton, N.J. 08625

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

W. P. Comerford
Assistant Director
Real Estate Commission
Department of Insurance

(a)

INSURANCE

THE COMMISSIONER

Rule Concerning Property-Casualty License Fees for Disabled Veterans

On November 17, 1975, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:22-6.6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 11:2-1.4, concerning property-casualty license fees for disabled veterans, as proposed in the Notice published September 4, 1975, at 7 N.J.R. 431(d).

An order adopting this rule was filed and became effective on November 17, 1975, as R. 1975 d.344.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

LABOR AND INDUSTRY

DIVISION OF WORKPLACE STANDARDS

WAGE AND HOUR BUREAU

Listing of Prevailing Wage Rate Determination for Construction Workers on Public Works Projects

On August 28, 1975, Isabelle Newmark, Director of the Wage and Hour Bureau in the Division of Workplace Standards in the Department of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-56.25 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, filed a listing of the prevailing wage rates for construction workers on public works projects.

The listing includes the classifications, hourly prevailing wage rates, benefits and overtime data for construction workers on public works projects for the entire State as well as each of the 21 counties within the State.

Copies of the full text of 311 pages in the listing may be obtained from or made available for review by contacting:

Public Contacts Section
Wage and Hour Bureau
Department of Labor and Industry
John Fitch Plaza
Trenton, N.J. 08625

An order adopting this listing was filed October 28, 1975, as R.1975 d.323 (Exempt, Procedure Rule). Take notice that this listing is not subject to codification and will not appear in Title 12 of the New Jersey Administrative Code.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

Notice of Hearing Concerning Possible Rules on Unit Pricing

Take notice that, Virginia Long Annich, Director of the Division of Consumer Affairs in the Department of Law and Public Safety, announces public hearings on the subject of unit pricing, to enable the Division to draft rules and regulations required under a recently enacted law mandating unit pricing in the State of New Jersey.

The Division will hold a hearing on December 17, 1975, at 10:00 A.M. in courtroom 10, second floor (Division of Workmen's Compensation), 1100 Raymond Boulevard, Newark, New Jersey 07102.

The Division will hold a second hearing on January 13, 1976, at 10:00 A.M., at a location to be announced later.

The Division welcomes members of the public who wish to participate; it further, encourages written comments on the subject of unit pricing and any proposed regulations.

Send comments and proposed regulations to:

Virginia Long Annich
Division of Consumer Affairs
1100 Raymond Boulevard - Room 504
Newark, New Jersey 07102
Att: Unit Pricing

This Notice is published as a matter of public information.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

DIVISION OF CRIMINAL JUSTICE

POLICE TRAINING COMMISSION

Proposed Amendment Concerning Firearms Instruction

Leo A. Culloo, executive secretary to the Police Training Commission in the Division of Criminal Justice in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 52:17B-66 et seq., proposes to amend N.J.A.C. 13:1-3.4(a) concerning firearms instruction.

Full text of the proposed new amendment follows:

13:1-3.4(a) 4. In addition to the requirements set forth in paragraphs 1, 2, and 3 above, every instructor who teaches firearms in the basic training course shall be qualified by the range master of the basic training school where he will instruct. Such qualification shall include demonstration by the instructor to the satisfaction of the range master of identification of the principal parts of weapons currently used in the firearms program of the school in which the instructor teaches; a demonstration by the instructor, to the satisfaction of the range master, of the proper and safe usage of the weapons currently used in the firearms program of the school; a demonstration by the instructor, to the satisfaction of the range master, of the proper and safe firing of weapons either used or demonstrated in the range portion of the subject firearms. This last demonstration shall in no case be less than a score of 80 and the instructor shall demonstrate to the satisfaction of the range

master a knowledge of the general rules of range safety and a knowledge of the range rules and procedures of the school in which the instructor teaches or will teach.

i. The range master shall certify to both the school director and the Police Training Commission that each instructor presently instructing in the range portion of the subject firearms qualifies in the above demonstrations before the instructor instructs or assists in instructing in the range portion of the subject firearms. Such certification must be submitted prior to using the instructor in the range portion of the subject Firearms.

ii. Instructors in the range portion of the firearms program must requalify in the above demonstrations on an annual basis. The results of such recertification shall be submitted to the commission.

Interested persons may present statements or arguments in writing, orally in person or by telephone, relevant to the proposed action on or before December 24, 1975, to:

Police Training Commission
1100 Raymond Blvd.
Newark, N.J. 07102
(201) 648-3978

The Police Training Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the above amendment substantially as proposed without further notice.

Leo A. Culloo, Executive Secretary
Police Training Commission
Department of Law and Public Safety

(c)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Rules on Licensing of Motor Vehicle Reinspection Centers

On November 3, 1975, John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:8-2 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 13:20-32.1 et seq., concerning the licensing of motor vehicle reinspection centers substantially as proposed in the Notice published September 4, 1975, at 7 N.J.R. 433(b), with only inconsequential structural or language changes, in the opinion of the Department of Law and Public Safety.

An order adopting these rules was filed and effective on November 3, 1975, as R.1975 d.333.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(d)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Rules on Standards and Procedures Used by Licensed Reinspection Centers

On November 3, 1975, John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law

and Public Safety, pursuant to authority of N.J.S.A. 38:8-2 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules on the standards and procedures to be used by licensed reinspection centers as proposed in the Notice published October 9, 1975, at 7 N.J.R. 469(d).

Take notice that these adopted rules will be included in the new Sunchapter 33 in Chapter 20 of Title 13 of the New Jersey Administrative Code rather than Subchapter 32 as was indicated in the Notice of Proposal. These new rules may be cited as N.J.A.C. 13:20-33.1 et seq.

An order adopting these rules was filed and became effective on November 3, 1975, as R.1975 d.334.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Revisions on Motor Vehicle Inspection Adjustments, Corrections or Repairs

On November 3, 1975, John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:8-2 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 13:20-7.1 concerning motor vehicle inspection adjustments, corrections or repairs substantially as proposed in the Notice published October 9, 1975, at 7 N.J.R. 470(a), with only inconsequential structural or language changes, in the opinion of the Department of Law and Public Safety.

An order adopting these revisions was filed and effective November 3, 1975, as R.1975 d.335.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

LAW AND PUBLIC SAFETY

DIVISION ON CIVIL RIGHTS

Revisions in Interrogatory Default Procedure

On November 5, 1975, Vernon N. Potter, Director of the Division on Civil Rights in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 10:5-8(g), 10:5-18 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a procedural rule that revises a portion of N.J.A.C. 13:4-8.3(a) by deleting certain text therein concerning interrogatory default procedures.

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

13:4-8.3 (a) If a respondent has been served with a verified complaint [which in the judgment of the Director must be resolved expeditiously] and the Director has issued

interrogatories pursuant to N.J.S.A. 10:5-8(i), and notice of the consequences of the failure to answer interrogatories has been given to respondent, and respondent fails either to answer the interrogatories or to file a motion to strike interrogatories within the time specified therein, the Director shall:

An order adopting these revisions was filed and became effective on November 18, 1975, as R.1975 d.346 (Exempt, Procedure Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

Adopt Rules on Sale of Animals

On November 19, 1975, Robert J. Del Tufo, Acting Attorney General, pursuant to authority of N.J.S.A. 56:8-4 and in accordance with applicable provisions of the Administrative Procedure Act, adopted rules on the sale of animals, substantially as proposed in the Notice published May 8, 1975, at 7 N.J.R. 231(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Law and Public Safety.

Such rules may be cited as N.J.A.C. 13:45A-12.1 et seq.

A summary of the substantive changes in the adopted rules follows for the citations noted:

In 13:45A-12.1, definition of pet dealer is changed to eliminate nonprofit organizations.

In 13:45A:12.2, requirement of a veterinary statement has been amended to a requirement of pet dealers animal history certificate. In essence, this makes the rule a full disclosure mandate as opposed to a substantive regulator of conduct. For example, vaccinations and examinations, if any, must be delineated. However, a consumer warning as to the importance of a veterinarians examination has been included.

In 13:45A-12.2(h), the civil penalties provision is omitted because they are provided in the Consumer Fraud Act which is operative if the rule is violated.

In 13:45A-12.2(i), the requirements that refund or reimbursement must be made within ten days is spelled out and the option of exchange for another animal of equal value and consumer choice is added. Option which allowed for consumers destruction of animal is deleted. Contents of veterinary certificate is detailed. The right of hearing for a pet dealer who contests demand for refund or reimbursement is expressly provided. Requirement of explanation on contract document of consumer rights is added.

In 13:45A-12.2(k)2.ii., the refund for nonregistrability is amended to 75 per cent.

Added is a general provision precluding a dealer from seeking a waiver of mandated options.

An order adopting these rules was filed and became effective on November 20, 1975, as R.1975 d.351.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Revisions in Rules of Practice

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-12 and 48:2-21, proposes to revise a portion of its rules of practice.

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

14:1-1.7(a). All formal papers and correspondence should be addressed to the Board of Public Utility Commissioners, [28 West State Street, Trenton, New Jersey 08625, and not to individual members of the Board's staff unless otherwise specifically authorized or directed by the Board] 101 Commerce Street, Room 208, Newark, New Jersey 07102 and copies of such correspondence should be directed to the Hearing Examiner and other parties of record.

14:1-1.7(b). All such papers and correspondence shall be deemed to be officially received when delivered at the office of the Board at [28 West State Street, Trenton, New Jersey] 101 Commerce Street, Room 208, Newark, New Jersey 07102 but a Commissioner or the Secretary or an Assistant Secretary of the Board may in his discretion receive papers and correspondence for filing.

14:1-4.3. Persons opposing petitions or tariff schedules filed by public utilities shall be styled "objectors" unless permitted to intervene. Participation by "objectors" shall be limited to a statement of position under oath or affirmation and may be subject to cross-examination by the parties. Objectors shall not be entitled to notices of hearing and copies of pleadings and other documents as a matter of right.

14:1-6.5(a). If a petition seeks ex parte action [or the granting [of] emergency relief pending full hearing, it shall [set forth] particularize the necessity [or emergency for such requested action] for emergent action and must be supported by affidavits sufficient to make [out] a prima facie case.

14:1-6.5(b). The [party presenting such a petition shall also present a draft of the decision or order proposed] petitioner shall present a draft of the proposed order. The order shall state the terms upon which it may be dissolved. Where the method of giving notice is not already provided for in these rules, notice in advance shall be given if practical or otherwise required by these regulations for any party affected. There must be at least an attempt to communicate with any other interested party by telephone and certified mail and the petitioner must so certify by affidavit at the time of the application.

14:1-6.16(g) Each utility shall at the time of filing or within seven days after filing of a petition pursuant to N.J.A.C. 14:1-6.16 serve prepared testimony upon the Board and upon the Division of Rate Counsel. Within five days of service of the testimony, the Board shall, by order, set a date and time for prehearing conference. It shall not be more than 30 days from the date of the order setting the conference. At the same time, the Board shall set the first hearing date.

14:1-6.16(h) Each utility shall, after being advised by the Board of the time and place of the prehearing conference

and first hearing date, serve notice as soon as possible on those persons specified in N.J.A.C. 14:1-6.16(b) and shall give notice to those persons designated in subparagraph (b)(3) as current customers billed on a recurring basis by bill insert or by publication in newspapers published and circulated in the utility service area. In the case of transportation utilities, such notice shall be given by posting and by publication in newspapers published and circulated in the utility service area. The notice will advise objectors of their opportunity to be heard at the first hearing date.

14:1-6.16(i) At the time of the prehearing conference, each party shall submit in writing:

1. The identity of witnesses whose testimony has been filed or will be filed together with a brief description of the subject matter of the testimony;
2. Stipulation as to matters in agreement;
3. Identification of issues to be litigated;
4. A suggested schedule for the order of witnesses' appearances;
5. In the case of other persons desiring intervenor status, the motion and affidavit required by the Board's rules shall be submitted setting forth the nature and extent of the proposed intervenor's interest with particularity.

14:1-8.4 Motion rulings

The examiner or examiners are to rule on any motion which is not dispositive of the proceeding. An adverse ruling can be appealed to the Board.

14:1-8.5 Motion compliance

All motions shall comply with the requirements of N.J. A.C. 14:1-5. In addition, copies of the motion shall be sent directly to the hearing examiner.

14:1-8.6 Motions; time factor

All motions shall be deemed denied if not decided within 60 days, after the filing thereof, whether referred to the Board or to be decided by the examiner. The Board or the hearing examiner may waive this rule on their own motion or for good cause shown by a party.

14:1-9.4 Copies

Copies of all pleadings and documents pursuant to N.J. A.C. 14:1-5.6(a)3. An intervenor shall receive copies of any exhibits presented at any hearings when the intervenor or his counsel is present at that hearing.

14:1-10.1. Place, [and] time, and adjournments of hearings

(a) Notice in writing will be given by the Board to parties or their attorneys of record of the place, date and hour[s] of the initial hearing at least ten days before the time set therefor, unless the Board shall find that public necessity requires a hearing to be held at an earlier date.

(b) Hearings shall be held as ordered by the Board [or] as scheduled by its Secretary or pursuant to authorized adjournments thereof.

(c) Where the hearing is presided over by a Hearing Examiner, he shall not adjourn a matter for more than 30 days without the approval of the Board or its designee.

(d) In any proceeding the Board may require a party to give notice of the hearing and its scope to persons who may be affected by the proceeding, which may include publication and posting of notice of hearing, at such party's expense, in such manner and for such time and in such newspapers as the Board may designate.

(e) Adjournments of scheduled hearings may be granted prior to the hearing by the hearing examiner if the applying party specifies that there is no objection by any party to the proceeding. In the event an objection is noted, the hearing examiner shall determine whether or not good

cause exists for the requested adjournment. Unpreparedness or inconvenience shall not constitute good cause.

(f) No adjournment shall be granted on the hearing date except for sickness or death in the immediate family. When an adjournment is granted on a hearing date, the examiner shall state on the record the name of the person requesting the adjournment and the reason why the adjournment was requested.

14:1-15.3 Proposed form of order

In all matters which will result in an order by the Board, all parties shall file a proposed form of order unless specifically waived by the hearing examiner, presiding officer or staff member to whom the matter is assigned.

14:1-15.4 Time

Proposed forms of order shall be served on all other parties and filed no later than the time allowed by these rules for the filing of briefs (regardless of a brief requirement in a particular situation). If said brief time cannot be determined, then proposed forms of order shall be served on all other parties and filed within the time designated by the Board or the hearing examiner.

14:1-15.5 Content

(a) Proposed finding of fact (references shall be made to the transcript and/or exhibits).

(b) Proposed conclusions of law (references shall be made to leading cases in New Jersey and optionally to leading cases of other jurisdictions).

(c) A statement of the relief to be granted or denied.

(d) This rule shall not apply in rule-making proceedings.

14:1-15.6 Failure to file

Parties failing to file a suggested form or order will be deemed willing to rely on the legal adequacy of the forms prepared by the hearing examiner, staff or other parties.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Board of Public Utility Commissioners
Legal Department
101 Commerce Street
Newark, N.J. 07102
Attn.: Mr. Delany or Miss Burns

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

Ralph C. Caprio
Secretary
Board of Public Utility Commissioners

(a)

TRANSPORTATION

THE COMMISSIONER

Proposed Revisions in Rates of Speed On Routes 31 and U.S. 206

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to revise N.J.A.C. 16:28-1.26 and 16:28-1.106, concerning rates of speed along portions of Routes 31 and U.S. 206.

The proposed revisions would delete in their entirety the current text of N.J.A.C. 16:28-1.26 and 16:28-1.106 and adopt new text therein.

Full text of the proposed new rules follows:

16:28-1.26 Route U.S. 206 in Somerset, Morris and Sussex Counties

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for the certain part of state highway Route U.S. 206 described below shall be and hereby is established and adopted as the maximum legal rate of speed for both directions of traffic:

1. Bedminster Township:

i. Zone 1: 50 mph (also Route U.S. 202) beginning at the Bridgewater Township - Bedminster Township line (Chambers Brook) extending into Bedminster Township to 1,120 feet north of Route I-78 overpass;

ii. Zone 2: 40 mph (also Route U.S. 202) in Bedminster Township from 1,120 feet north of Route I-78 overpass to 1,700 feet north of Route 525 (Washington Valley Road).

2. Bedminster Township, Peapack-Gladstone Borough, Chester Township, Chester Borough:

i. Zone 3: 50 mph (also part Route U.S. 202) in Bedminster Township from 1,700 feet north of Route 525 (Washington Valley Road) extending through Peapack-Gladstone Borough, Bedminster, Chester Townships and into Chester Borough to 450 feet south of Maple Avenue.

3. Chester Borough:

i. Zone 4: 40 mph in Chester Borough from 450 feet south of Maple Avenue to 1,100 feet north of Route 24 (Main Street).

4. Chester Borough, Chester, Mount Olive and Roxbury Townships:

i. Zone 5: 50 mph in Chester Borough from 1,100 feet north of Route 24 (Main Street) extending through Chester and Mount Olive Townships and into Roxbury Township to Route I-80, Route 183 and Route U.S. 206 Interchange.

5. Roxbury Township, Netcong Borough, Mount Olive Township, Stanhope Borough and Byram Township:

i. Zone 6: 55 mph (also part Route I-80) in Roxbury Township from Route I-80, Route 183 and Route U.S. 206 Interchange extending through Netcong Borough, Mount Olive Township and into Stanhope Borough and Byram Township to Route 183.

6. Stanhope Borough and Byram Township:

i. Zone 7: 50 mph in Stanhope Borough and Byram Township from Route 183 to Acorn Street.

7. Byram Township:

i. Zone 8: 40 mph in Byram Township from Acorn Street to Waterloo Road - Brookwood Road;

ii. Zone 9: 45 mph in Byram Township from Waterloo Road - Brookwood Road to 570 feet north of High Glen Drive.

8. Byram Township and Andover Borough:

i. Zone 10: 50 mph in Byram Township from 570 feet north of High Glen Drive extending into Andover Borough to 1,260 feet south of the D.L. and W. Railroad (main line) overpass.

9. Andover Borough:

i. Zone 11: 40 mph in Andover Borough from 1,260 feet south of D.L. and W. Railroad (main line) overpass to Maple Avenue;

ii. Zone 12: 30 mph in Andover Borough from Maple Avenue to 100 feet north of Route 517;

iii. Zone 13: 40 mph in Andover Borough from 100 feet north of Route 517 to the Andover Borough - Andover Township line.

16:28-1.106 Route 31 in Ewing Township, Hopewell Township and Pennington Borough, Mercer County; East Amwell, West Amwell, Raritan, Readington, Clinton and Lebanon Townships, Flemington, Glen Gardner and Hampton Boroughs, and the Town of Clinton, Hunterdon County; Washington Borough and Washington, Mansfield, Oxford and White Townships, Warren County.

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 31 described hereinbelow shall be and hereby is, established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

1. Ewing Township: Mileposts
- i. 35 mph between the southerly terminus of Route 31 at the City of Trenton - Ewing Township line (Parkway Avenue) and Somerset Street 1.15 to 2.43;
 - ii. School zone: 25 mph in the Incarnation School zone, during recess or while children are going to or leaving school, during opening or closing hours.
 - iii. 40 mph between Somerset Street and Hilltop Road 2.43 to 3.95;
 - iv. School zone: 25 mph in the Lanning School zone, during recess or while children are going to or leaving school, during opening or closing hours.
 - v. 45 mph between Hilltop Road and Bull Run Road (Ewing Township - southerly Hopewell Township line. 3.95 to 4.73.
2. Hopewell Township:
- i. 50 mph between Bull Run Road (Ewing Township - southerly Hopewell Township line) and the Hopewell Township - southerly Pennington Borough line. 4.73 to 7.67;
3. Pennington Borough: 50 mph between the Hopewell Township - southerly Pennington Borough line and the northerly Pennington Borough-Hopewell Township line. 7.67 to 8.15;
4. Hopewell Township: 50 mph between the northerly Pennington Borough - Hopewell Township line and the Mercer County - Hunterdon County line (Rt. 518). 8.15 to 12.36;
5. East Amwell and West Amwell Townships: 50 mph between the Mercer County - Hunterdon County line (Rt. 518) and 1000 feet south of Route 179. 12.36 to 16.3;
6. East Amwell Township:
- i. 35 mph between 1,000 feet south of Route 179 and Route 179. 16.3 to 16.5;
 - ii. 55 mph (including coincident Rt. U.S. 202) between the Route U.S. 202 and Route 31 Interchange and Toad Lane (East Amwell Township-southerly Raritan Township line). 16.3 to 17.8.
7. Raritan Township:
- i. 55 mph between Toad Lane (East Amwell Township - southerly Raritan Township line) and Raritan Avenue. 17.8 to 21.4;
 - ii. 50 mph between Raritan Avenue and the Raritan Township - southerly Flemington Borough line. 21.4 to 21.6.
8. Flemington Borough:
- i. 50 mph between the Raritan Township - southerly Flemington Borough line and the Route U.S. 202 and 31-Route 12 traffic circle. 21.6 to 22.0;
 - ii. 40 mph between the Route U.S. 202 and 31 - Route 12 traffic circle and 400 feet north of Church Street. 22.0 to 22.28;
 - iii. 45 mph between 400 feet north of Church Street and the Flemington Borough - Raritan Township line. 22.28 to 22.4.
9. Raritan Township: 45 mph between the Flemington Borough - Raritan Township line and 50 feet south of Highland Avenue. 22.4 to 22.8.
10. Raritan Township and Flemington Borough: 40 mph between 50 feet south of Highland Avenue and 100 feet north of Main Street - Route 523. 22.8 to 23.1.

11. Raritan Township:
- i. 45 mph between 100 feet north of Main Street - Route 523 and Cherryville Klinessville - Bartles Corner Road. 23.1 to 24.35;
 - ii. 50 mph between Cherryville Klinessville - Bartles Corner Road and the northerly Raritan Township - Readington Township line (South Branch, Raritan River). 24.35 to 25.4.
12. Readington Township: 50 mph between the northerly Raritan Township - Readington Township line (South Branch, Raritan River) and the northerly Readington Township - Clinton Township line. 25.4 to 27.3.
13. Clinton Township:
- i. 50 mph between the northerly Readington Township - Clinton Township line and the Clinton Township - southerly Town of Clinton line. 27.3 to 32.7;
 - ii. School zone: 25 mph in the North Hunterdon Regional High School zone, during recess or while children are going to or leaving school, during opening or closing hours.
14. Town of Clinton: 50 mph between the Clinton Township - southerly Town of Clinton line and the northerly Town of Clinton - Clinton Township line. 32.7 to 33.3;
15. Clinton Township: 50 mph between the northerly Town of Clinton - Clinton Township line and the northerly Clinton Township - southerly Lebanon Township Corporate line. 33.3 to 35.0;
16. Lebanon Township: 50 mph between the northerly Clinton Township - southerly Lebanon Township line and the northerly Lebanon Township - Glen Gardner Borough line (Main Street). 35.0 to 36.7;
17. Glen Gardner Borough:
- i. 50 mph between the northerly Lebanon Township - Glen Gardner Borough line and the northerly Glen Gardner Borough - Hampton Borough line. 36.7 to 38.3;
 - ii. School zone: 35 mph in the Glen Gardner Elementary School zone, during recess or while children are going to or leaving school, during opening or closing hours.
18. Hampton Borough: 50 mph between the northerly Glen Gardner Borough - northerly Hampton Borough line and the northerly Hampton Borough - Washington Township line (Hunterdon County - Warren County line, Musconetcong River). 38.3 to 39.5;
19. Washington Township:
- i. 50 mph between the southerly Washington Township line (Hunterdon County - Warren County line, Musconetcong River) and 600 feet south of Broad Street. 39.5 to 42.2;
 - ii. 45 mph between 600 feet south of Broad Street and 35 feet south of Mozart Avenue. 42.2 to 42.4;
 - iii. 35 mph between 35 feet south of Mozart Avenue and the Washington Township - southerly Washington Borough line. 42.4 to 42.45.
20. Washington Borough:
- i. 35 mph between the southerly Washington Borough line and 50 feet north of Myrtle Avenue. 42.45 to 43.2;
 - ii. 45 mph between 50 feet north of Myrtle Avenue and the northerly Washington Borough - Washington Township line. 43.2 to 43.5.
21. Washington Township: 50 mph between the northerly Washington Borough - Washington Township line and the northerly Washington Township - southerly Mansfield Township line. 43.5 to 45.9;

22. Mansfield Township: 50 mph between the northerly Washington Township - southerly Mansfield Township line and the northerly Mansfield Township and Washington Township - southerly Oxford Township line. 45.9 to 46.5;
23. Oxford Township:
- i. 40 mph between the northerly Mansfield Township and Washington Township - southerly Oxford Township line and Wall Street. 46.5 to 46.9;
 - ii. 45 mph between Wall Street and Route 46. 46.9 to 49.0.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner
Commissioner
Department of Transportation

(a)

TRANSPORTATION THE COMMISSIONER

Proposed Rules on No-Left Turns Along Routes 35 and U.S. 40

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6, proposes to adopt new rules concerning no-left turns along portions of State Highway Route 35 and U.S. Route 40.

Full text of the proposed rules follows:

16:28-6.4 Route 35 in Matawan Township, Monmouth County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on certain parts of State Highway Route 35 described below are regulated as follows:

- 1. No left turn:
 - i. North on Route 35 to west of Prospect Avenue;
 - ii. South on Route 35 to east on Prospect Avenue.

16:28-6.5 Route U.S. 40 in the City of Atlantic City, Atlantic County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on certain parts of State Highway Route U.S. 40 described below are regulated as follows:

- 1. No left turn west on Route U.S. 40 to south on Boulevard Avenue.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner
Commissioner
Department of Transportation

(b)

TRANSPORTATION THE COMMISSIONER

Proposed Rule on Yield Intersection on Route 71

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-140, proposes to adopt a new rule designating a yield intersection on part of State Highway Route 71.

Full text of the proposed rule follows:
SUBCHAPTER 8. YIELD INTERSECTIONS

16:28-8.1 Designation of yield intersection on Route 71

(a) In accordance with the provisions of N.J.S.A. 39:4-140 (as amended), the certain part of Route 71 situate in the Borough of Oceanport, Monmouth County and described herein below shall be and hereby is designated a yield intersection:

- 1. County Road #537 (Eatontown Blvd.) and Route 71: yield sign shall be installed on the near right side of Route 71 (southerly approach) facing northbound traffic.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975 to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner
Commissioner
Department of Transportation

(c)

TRANSPORTATION THE COMMISSIONER

Proposed Rules on Restricted Parking Along Various State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-140, proposes to adopt a new rules concerning restricted parking along portions of various State highways.

Below is a listing of the State Highways affected, together with the N.J.D.O.T. Code and N.J.A.C. citations for each proposed regulation:

Route No.	N.J.D.O.T.	N.J.A.C.
N.J. 29	RP-75-31	16:28-3.94
N.J. 27	RP-75-36	16:28-3.95
U.S. 22 Alt.	RP-75-37	16:28-3.96
N.J. 10	RP-75-38	16:28-3.97
N.J. 77	RP-75-39	16:28-3.98
U.S. 202-206	RP-75-40	16:28-3.99
N.J. 5	RP-75-42	16:28-3.100

Copies of the full text or any parts thereof may be obtained from Robert J. Nolan, Chief Bureau of Traffic Engineering, 1035 Parkway Avenue, Trenton, N.J. 08625.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation at the above address.

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

Alan Sagner
Commissioner
Department of Transportation

(a)

TRANSPORTATION THE COMMISSIONER

Proposed Rule on Emergency Stopping Only On Parts of Route 55

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and Section 2B-32 in the Manual on Uniform Traffic Control Devices for Streets and Highways, proposes to adopt a new rule providing for emergency stopping only along portions of State Highway Route 55.

Full text of the proposed rule follows:

SUBCHAPTER 9. EMERGENCY STOPPING ONLY

16:28-9.1 Emergency stopping only along Route 55 in the City of Vineland, Cumberland County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1 and Section 2B-32 of the Manual on Uniform Traffic Control Devices for Streets and Highways, the following regulation is promulgated.

1. Emergency stopping only: no person shall stop a vehicle, except in case of emergency upon any part of Route 55 between West Oak Road and West Garden Road.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner
Commissioner
Department of Transportation

(b)

TRANSPORTATION THE COMMISSIONER

Proposed Rule on Designation Of Stop Intersection Along Route 440

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-140, proposes to adopt a new rule designating a stop intersection along portions of State Highway Route 440.

Full text of the proposed rule follows:

16:28-5.2 Designation of stop intersection on Route 440

(a) In accordance with the provisions of N.J.S.A. 39:4-140 (as amended), the certain part of Route 440 (jughandle) situate in the City of Jersey City, Hudson County, and described herein below shall be and hereby are designated as stop intersections:

1. Ege Avenue and Bennet Street: A stop sign shall be installed on Bennet Street.

2. Virginia Avenue and Bennet Street: A stop sign shall be installed on Bennet Street facing southbound traffic.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to Robert R. Reed Jr., 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner
Commissioner
Department of Transportation

(c)

TRANSPORTATION THE COMMISSIONER

Revisions in Speed Limits On Portions of Route 38

On October 30, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 16:28-1.128 concerning speed limits along portions of Route 88 as proposed in the Notice published October 9, 1975, at 7 N.J.R. 486(a).

An order adopting these revisions was filed and effective October 30, 1975, as R.1975 d.329.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(d)

TRANSPORTATION THE COMMISSIONER

Rules on Restricted Left Turns On Portions of Routes 24 and 46

On October 30, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 16:28-6.2 and 16:28-6.3, concerning restricted left turns on portions of Routes 24 and 46, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 487(a).

An order adopting these rules was filed and became effective on November 6, 1975, as R.1975 d.337.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

TRANSPORTATION

THE COMMISSIONER

Rule on No-Parking on Portions of Route 31

On October 30, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 16:28-3.90, concerning no parking zones on portions of Route 31, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 487(b).

An order adopting this rule was filed and became effective on November 6, 1975, as R.1975 d.338.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

TRANSPORTATION

THE COMMISSIONER

Rule on Limitations on Use Of Garden State Parkway

On November 14, 1975, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-94.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule concerning the limitations on the use of the Garden State Parkway.

Full text of the adopted rule follows:

16:27-1.6 Limitations on use of Parkway

(a) It has been found and determined that the health, safety and welfare of the public requires that the use of Route 444, a parkway, in the Counties of Union and Middlesex, Route US 9, a freeway, in the County of Ocean and Route 444, a freeway, in the County of Cape May—the same being sections of the Garden State Parkway under the jurisdiction of the State Transportation Commissioner—be limited to certain classes of traffic.

(b) Therefore, in accordance with the provisions of Section 52, Chapter 23, Laws 1951 (N.J.S.A. 39:4-94.1), the use of the aforesaid sections of highway by the following classes of traffic is prohibited:

1. Pedestrians, except at marked crosswalks;
2. Animals, led, ridden or driven;
3. Nonmotorized vehicles;
4. Motorized bicycles;
5. Tractors, rollers, and agricultural or construction machinery, self-propelled or towed, unless a permit therefore has been obtained in advance from the State Transportation Commissioner.

(c) Any previously adopted resolution, regulation or rule inconsistent with the provisions of this regulation are hereby rescinded.

Note: The regulation above shall terminate on October 31, 1976, unless terminated earlier by further regulation.

An order adopting this rule was filed and became effective on November 14, 1975, as R.1975 d.342 (Exempt, Emergency Rule).

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF PENSIONS

Proposed Revisions on Endorsements

The Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq., proposes to revise its rule on endorsements.

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

17:1-1.15 Endorsements

(a) [Personal endorsement.] In cases where incapacity prevents a complete personal endorsement, but the member or beneficiary is able to make his mark, this is acceptable providing the signature of two witnesses appear on the check. Such witnesses' signatures and the member's mark must be registered with the Division on a signature card. In addition, a doctor's certificate should be filed with the Division indicating that the member or beneficiary is physically but not mentally incapable of endorsing the check.

(b) [Court appointed guardian, conservator or committee.] In cases where a member or beneficiary is mentally or physically incompetent the appointment of a legal guardian, conservator or committee will be required. The Division must be supplied with a copy of the legal document and the guardian's signature must be registered with the Division on a signature card. In cases where an incompetent retired member or beneficiary is confined to a public institution, in lieu of guardianship, his or her retirement allowance may be continued upon court order (N.J.S.A. 30:4-67 et seq.) directing the retirement system to make payment to the chief administrative officer for the use and the care of said member or beneficiary during the period of confinement.

(c) [Bank agreement.] Under certain conditions, the Division will honor an agreement executed between a retirant or beneficiary and a bank, with the bank assuming full responsibility for the receipt and collection of the pension checks in the absence of the personal endorsement of the retirant or beneficiary. The agreement must be consummated on the appropriate approved form which will be provided for this purpose by the retirement system. The agreement cannot be executed where a retirant or beneficiary is mentally or physically incompetent, or where the allowance will be deposited in an account other than their personal account.

(d) [Power of Attorney.] A person holding a power of attorney will be permitted to endorse a check to the order of the retirant or beneficiary. However, a power of attorney form prescribed by the Division must be duly executed before the attorney's signature will be accepted as a proper endorsement on a check issued to the retirant or beneficiary.

(e) [Compliance with endorsement requirements.] Retirants and beneficiaries will periodically be requested to complete a card, requiring notarization, which indicates their Social Security number, date of birth, and signature; **if circumstances prevent notarization, two witnesses may be accepted in lieu of notarization.** In the event the Division does not receive the notarized signature card within 45 days, a final request will be sent to the retirant or beneficiary, advising him that if it is not returned within 30 days, his monthly benefits will be suspended until a personally endorsed, notarized card has been received.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Division of Pensions
Department of the Treasury
20 West Front St.
Trenton, N.J. 08625

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

Clifford A. Goldman
Deputy State Treasurer
Department of the Treasury

(a)

TREASURY

DIVISION OF PENSIONS

Proposed Rule on Base or Contractual Salary

The Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-95 et seq., proposes to adopt a new rule concerning base and contractual salary regarding the alternate benefit programs.

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

17:1-2.20 Base or contractual salary [(Reserved)]

Since the statute provides that only base or contractual salary be subject to salary deductions or reductions or group life coverage, payments relating to a division of faculty practice monies shall not be included in such base salary.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 24, 1975, to:

Division of Pensions
20 West Front Street
Trenton, N.J. 08625

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

Clifford A. Goldman
Deputy State Treasurer
Department of the Treasury

(b)

TREASURY

LOTTERY COMMISSION

Revisions to Portions of 1776 Instant Lottery Rules

On October 29, 1975, Henry N. Luther, Executive Director of the State Lottery Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 5:9-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to several of the new rules concerning the 1776 Instant Lottery.

The revisions concern the deletion of the current text of N.J.A.C. 17:21-11.5(c) and (d) and 17:21-11.6(d) and the adoption of new text therein.

Full text of the revised Sections follows:

17:21-11.5(c) Winners of the \$776.00 and \$76.00 prizes have to fill out a claim form at any New Jersey official claim center.

(d) Winners of the \$1776 and \$10,000 prizes have to fill out a claim form at any of the four Lottery offices.

(e) Claims for participation in a grand prize drawing must be filed in one individual name only. Family, group or corporate names will not be qualified to participate or win prizes. The \$1776 a week for life prize will be paid starting on the date of the drawing or when the winner becomes 18 years of age, and will continue for the life of the winner. A minimum of 20 years of payments is guaranteed to each grand prize winner, or his or her estate. The prize will be paid in advance quarterly each year.

17:21-11.6(d) Each of the 45 finalist tickets as validated will be inserted into a ball and all of the balls will be placed in a sphere. The sphere will be given a thorough mix. Ten balls will be drawn out and assigned to post positions, one through ten, in the order in which they are drawn. The final determination of the top prize winners will be made as a result of drawing ten envelopes from a drum. These envelopes shall contain the official results of ten horse races, the winner of each race having a different post position, designated from one to ten, inclusive. The first eight envelopes drawn shall determine the winner of the third prize of \$1,776; the ninth envelope drawn shall determine the winner of the first prize of \$1,776 a week for life; and the tenth and last envelope drawn shall determine the winner of the ninth prize of \$1,776 a month for a year. The remaining 35 finalists shall receive the fourth prize of \$776.

An order adopting these revisions was filed and effective on October 30, 1975, as R.1975 d.330 (Exempt, Procedure Rule).

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF TAXATION

Revisions Governing Pre-Audit Payment of Inheritance Tax

On November 14, 1975, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:33-38 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 18:26-8.7 concerning pre-audit payment of inheritance tax, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 488(b).

An order adopting these revisions was filed and became effective on November 18, 1975, as R.1975 d.348.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(d)

TREASURY

DIVISION OF TAXATION

Notice of Public Hearing on Proposed Rule on Newspapers Exemptions

Take notice that the Division of Taxation in the Depart-

ment of the Treasury will hold a public hearing on the proposed rule on criteria concerning newspapers exemption (see 7 N.J.R. 488(c) in the October 9, 1975, issue of the New Jersey Register for full text of the proposed rule), on Tuesday, January 13, 1976, at 10:00 A.M. at the Division of Tax Appeals, third floor, Division of Taxation Building, West State and Willow Streets, Trenton, New Jersey.

The public may present their views, relevant to the proposed action, orally and/or by submitting a written statement.

This Notice is published as a matter of public information.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

OTHER AGENCIES

(a)

HIGHWAY AUTHORITY

GARDEN STATE PARKWAY

Rule on Emergency Service

On October 31, 1975, the New Jersey Highway Authority, pursuant to authority of N.J.S.A. 27:12B-5 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 19:8-2.12, concerning emergency service on the Garden State Parkway substantially as proposed in the Notice published October 9, 1975, at 7 N.J.R. 491(b), with only inconsequential structural or language changes, in the opinion of the New Jersey Highway Authority.

The subsection affected by these changes is N.J.A.C. 19:8-2.12(c) and (c) 1. Full text of these revisions follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

19:8-2.12(c) Rules on towing passenger cars and motorcycles are:

1. 7:00 A.M. to 7:00 P.M.: Towing charge \$15.00 plus \$1.00 per mile or fraction thereof; maximum towing charge: [\$30.00] **\$25.00**;

An order adopting this rule was filed October 31, 1975, as R.1975 d.331 to become effective November 1, 1975.

Thomas F. Kistner
Director of Administrative Procedure
Department of State

(b)

HIGHWAY AUTHORITY

GARDEN STATE PARKWAY

Revisions Concerning Motorcycles

On October 31, 1975, the New Jersey Highway Authority, pursuant to authority of N.J.S.A. 27:12B-5 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to a portion of the rules of the Garden State Parkway concerning motorcycles substantially as proposed in the Notice published October

9, 1975, at 7 N.J.R. 491(a), with only inconsequential structural or language changes, in the opinion of the New Jersey Highway Authority.

Full text of the Sections affected by these changes follows (additions indicated in boldface thus):

19:8-1.9(b) 15. All vehicles, except cars, campers, motorcycles, omnibuses and any attached noncommercial trailer or semitrailer, and vehicles entitled to toll-free passage under N.J.A.C. 19:8-3.2 (Toll-free passage) are excluded from any part of the Parkway north of Interchange 98;

19:8-1.9(c) Where the Parkway has been divided in such a manner that there are three or more traffic lanes for traffic in any one direction, no vehicle (except cars while not in funeral cortege), including omnibuses, campers, motorcycles, noncommercial trailers, semitrailers or any combination of vehicle and trailer and cars while in funeral cortege, shall be driven in the farthest left-hand lane except when and to the extent necessary to prepare for a left-hand turn or when necessary to enter or leave the Parkway or service area by entrance or exit to or from the left lane or when reasonably necessary in response to emergency conditions.

19:8-1.9(d) Where the Parkway has been divided in such a manner that there are two or more roadways of divided traffic in any one direction, regardless of the number of lanes, no vehicle (except cars, while not in funeral cortege), including omnibuses, campers, motorcycles, noncommercial trailers, semitrailers or any combination of vehicle and trailer and cars, while in funeral cortege, shall be driven in the left or inner roadway except when and to the extent necessary to prepare for a left turn or when necessary to enter or leave the Parkway or service area by entrance or exit to or from the left or inner roadway or when reasonably necessary in response to emergency conditions.

The adopted revisions will appear in Subchapters 1 and 3 of Chapter 8 in Title 19 of the New Jersey Administrative Code.

An order adopting these revisions was filed October 31, 1975, as R.1975 d.332 to become effective November 1, 1975.

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(c)

MORTGAGE FINANCE AGENCY

Revisions for Requests for Loans And Allocation and Award of Loans

On October 28, 1975, the New Jersey mortgage Finance Agency, pursuant to authority of N.J.S.A. 17:1B-4 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted emergency revisions to the Agency's rules concerning requests for loans and allocation and award of loans. The adopted revisions replace the current text of N.J.A.C. 19:1-1.4(a) and 19:1-1.5.

Full text of the adopted revisions follows:

(a) The Agency shall provide a loan application to each mortgage lender located within any particular area of the State for which the Agency has determined that there is an inadequate supply of new residential loans. Alternatively, the Agency may notify each mortgage lender of a proposed loan program and provide a loan application only to those

mortgage lenders requesting the same. Such application shall be sent to mortgage lenders at least 14 days in advance of the date all such applications must be submitted to the Agency. The loan application shall be in the form prescribed by the Agency and shall contain, among other things: Note: The seven paragraphs following remain unchanged.

19:1-1.5 Allocation and award of loans

(a) In allocating funds available for loans, the Agency shall consider among other things the credit worthiness of the mortgage lenders submitting loan applications, the adequacy or supply of new residential loans in the area in which the mortgage lender operates, and the mortgage and deposit activity reported in the loan application.

(b) Allocations of loan funds by the Agency shall be conclusive.

An order adopting these revisions was filed and became effective on October 28, 1975, as R.1975 d.324 (Exempt, Emergency Rule).

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

(a)

PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Revised Schedules of Charges for Kennedy International Airport and Observation Deck of World Trade Center

On September 24, 1975, the Committee on Operations of the Port Authority of New York and New Jersey adopted revisions to the schedules of charges for Kennedy International Airport and for admission to the observation deck of the World Trade Center.

Resolved, that the following schedule of charges for the use of the observation deck at the World Trade Center be and the same is hereby adopted, effective immediately:

- | | |
|---|---------|
| 1. Adult | \$1.70* |
| 2. Child (6-12 years of age) | 0.85 |
| 3. Prebooked adult groups (10 or more) | 1.35 |
| 4. Prebooked children's groups (10 or more, 6-12 years of age) | 0.75 |
| 5. Prebooked arrangements by representative of the travel industry (accredited by the Port Authority) | |
| Adult | 1.27 |
| Child | 0.65 |

*Inclusive of eight per cent Sales Tax

Resolved, that the schedule of charges for the use of public landing area, public passenger ramp and apron area, public cargo ramp and apron area and public aircraft parking and storage areas at Kennedy International Airport, adopted by the Committee at its meeting on January 5, 1950 (appearing at page 21 of the Committee minutes of that date), as amended, be and the same is hereby amended, effective November 1, 1975, by amending the first paragraph of Section 1 thereof by deleting "\$0.48" and substituting "\$0.45" therefor.

An order adopting these revisions was filed on October 30, 1975, as R.1975 d.328 (Exempt, Exempt Agency).

Thomas F. Kistner, Director
Division of Administrative Procedure
Department of State

STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

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