

# NEW JERSEY REGISTER



*The State's Official Rules Publication*

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**VOLUME 8 • NUMBER 4**

April 8, 1976 • Indexed 8 N.J.R. 161-212

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# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### THE SECRETARY

#### Emergency Hog Cholera Quarantine Concerning Swine

On February 26, 1976, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule that requires the holding of all swine in New Jersey to determine whether or not hog cholera has reappeared.

Full text of the adopted rule follows:

2:5-1.15 Hog cholera quarantine; swine movement in New Jersey

(a) Take notice that the Department of Agriculture, as an emergency order and pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the agricultural laws of the State of New Jersey, hereby orders, in order to prevent the spread of hog cholera, an infectious and contagious disease of swine, that all swine be held in the entire State of New Jersey, namely, the counties of Atlantic, Bergen, Burlington, Camden, Cape May, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean, Passaic, Salem, Somerset, Sussex, Union and Warren, in order to determine the extent and spread of the disease.

(b) No movement of the swine shall be permitted from farm to farm, from town to town, from county to county, nor any movement within the State whatsoever except the removal of swine directly from farm to slaughter after inspection by authorized State or Federal personnel.

(c) This stop order is effective February 26, 1976 and until further notice.

An order adopting this rule was filed and became effective on February 26, 1976, as R.1976 d.61 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## AGRICULTURE

### THE SECRETARY

#### Lifting of Hog Cholera Stop Order And Imposition of Quarantines

On March 12, 1976, Phillip Alampi, Secretary of Agriculture,

pursuant to authority of N.J.S.A. 4:1-21.5, 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule which lifts the hog cholera stop order imposed on the entire State on February 26, 1976, but establishes quarantines for the entire counties of Gloucester, Burlington, Camden and Salem.

Full text of the adopted rule follows:

2:5-1.15(d) Take notice that the Department of Agriculture, pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16, hereby lifts the hog cholera stop order on the entire State imposed on February 26, 1976:

1. Take further notice that the Department, in order to prevent the spread of hog cholera, an infectious and contagious disease of swine, hereby quarantines the counties of Gloucester, Burlington, Camden and Salem in their entireties.

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

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

4. This release from hold order and imposition of quarantine is effective this 15th day of March, 1976.

An order adopting this rule was filed and became effective on March 15, 1976, as R.1976 d.82 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Revised Minimum Milk Prices

On March 16, 1976, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions concerning minimum milk prices which delete the current text of N.J.A.C. 2:49-1.1(b) and replace it with new text.

Full text of the adopted revisions follows:

2:49-1.1(b) Effective April 1, 1976, minimum milk prices under Order 69-1 will be 38½ cents per quart, 72 cents per half-gallon and \$1.38 per gallon. This amendment shall be effective on and after April 1, 1976.

## NEW JERSEY REGISTER

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

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The New Jersey Register is published the first Thursday after the first Monday of each month by the Division of Administrative Procedure of the Department of State, 10 North Stockton Street, Trenton, New Jersey 08608. Telephone: (609) 292-6060. Subscriptions, payable in advance, are one year, \$12.00, monthly back issue when available, \$1.25. Make checks payable to: Div. of Administrative Procedure.

An order adopting these revisions was filed March 16, 1976, as R.1976 d.85 (Exempt, Procedure Rule) to become effective April 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Adopt Rule on Handling of Milk in New York-New Jersey Milk Marketing Area

On March 16, 1976, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-25 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a procedural rule concerning the handling of milk in the New York-New Jersey milk marketing area.

Full text of the adopted rule follows:

2:54-3.7 Handling of milk in New York-New Jersey milk marketing area (April 1, 1976)

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## NEW LAW AMENDED

### EXEMPTIONS ARE DOUBLED FOR UNEARNED INCOME TAX

As the result of an amendment to the Capital Gains and Other Unearned Income Tax law, Chapter 378, laws of 1975, the threshold figure above which taxpayers are required to file such tax returns was raised to \$30,000 of modified adjusted gross income for Federal income tax purposes in the case of a married couple and to \$15,000 in the case of a single person.

The law's previous exemptions were \$15,000 and \$7,500 respectively.

State Tax Director Sidney Glaser noted that the unearned income tax law applies to incomes earned in 1975, regardless of any action on a State income tax law. Payment in full is due April 15 of this year.

Rules applicable to the new law were printed in full in the March issue of the New Jersey Register at 8 N.J.R. 141(a). Only change from these rules to date is the amendment above, which doubles the figures cited in 18:30-1.2(a) and in three subsequent citations of the previous figures.

State Tax Division officials anticipate that the higher exemptions will relieve some 100,000 persons of filing for and paying this tax.

They said that persons who have already filed and remitted a tax on the basis of the \$7,500 and \$15,000 threshold figures, and who owe no tax under the new threshold figures, will receive a refund of the tax paid.

Where checks in payment of the tax have not been deposited, they will be returned with an explanatory covering letter. No request for refund need be made, although a taxpayer may do so if he desires.

(a) In conformance with the memorandum of agreement with the United States Department of Agriculture, pursuant to the powers vested in him by N.J.S.A. 4:12A-25, the Director, Division of Dairy Industry, participated with the United States Department of Agriculture in a joint hearing held in Auburn, Massachusetts, on November 11 to 19, 1974, and in Worcester, Massachusetts, on November 20, 1974, pursuant to notice thereof which was published in the time and manner required by applicable Federal and State laws.

(b) Pursuant to the provisions of N.J.A.C. 15:15-5.3, and after considering the evidence adduced at the hearing, and being in agreement with the findings and determinations made by the United States Department of Agriculture contained in the decision on proposed amendments to the marketing agreement and to orders signed in Washington, D.C. on September 30, 1975, by Donald E. Wilkinson, Administrator, United States Department of Agriculture, the Director of the Division of Dairy Industry hereby finds and determines that the findings and conclusions (40 F.R. 47316 ff.) should be adopted by reference insofar as such findings and conclusions pertain to the marketing of milk in the State of New Jersey under 7 CFR 1002, the same being commonly referred to as Federal Order No. 2.

(c) The Director further finds that the terms of the order amending order (41 F.R. 8367) signed in Washington, D.C. on February 23, 1976, by Richard L. Feltner, assistant secretary, United States Department of Agriculture, to be effective April 1, 1976, should be adopted by reference insofar as such order applies to the marketing of milk in the State of New Jersey under terms of the aforesaid joint and concurrent Order No. 2. He further finds that the adoption of said order will tend to effectuate the declared policy of the statute as contained in N.J.S.A. 4:12A-1, et seq.

(d) It is therefore ordered that on and after the effective date hereof there is hereby adopted as an amendment to N.J.A.C. 2:54, by reference, the aforesaid amendments to the orders regulating the handling of milk in the New York-New Jersey milk marketing area as the said order applies to the marketing of milk in the State of New Jersey.

(e) This order shall be effective from and after 12:01 A.M. on April 1, 1976.

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An order adopting this rule was filed March 18, 1976, as R.1976 d.90 (Exempt, Procedure Rule) to become effective on April 1, 1976.

G. Duncan Fletcher  
Division of Administrative Procedure  
Department of State

(b)

## BANKING

### DIVISION OF BANKING

#### CONSUMER CREDIT BUREAU

##### Proposed Rule On Status Change Application

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:10-3, 17:10-5, 17:10-6 and 17:10-10, proposes to adopt a new rule on status change applications.

Take notice that this rule was previously proposed in the February 6, 1975, New Jersey Register at 7 N.J.R. 44(a) and is now being republished as a proposal.

Full text of the proposed rule follows:

### 3:17-2.3 Status change application

(a) When a licensee sells its assets with the understanding that its license, which is not transferable or assignable, is to be voluntarily surrendered to the Department upon the consummation of the sale, the purchaser of such assets must file a "status change" form of small loan application with the Department if it is the purchaser's intent to continue to engage in the small loan business at the same location. For the purpose of confirmation, at the time any such application is filed, the applicant must also submit a notarized statement signed by the principals of the present licensee stating that:

1. Said licensee has not sold or transferred more than 20 per cent of its small loan accounts receivable to some other licensee, an affiliate or otherwise, during the preceding 12-month period and;

2. At least 90 per cent of the assets to be purchased by the applicant represent loans receivable made under the Small Loan Law of this or some other state none of which shall represent charged-off or uncollectable accounts.

(b) A "status change" application shall be processed by the Commissioner in accordance with N.J.S.A. 17:10-5 except that compliance with N.J.S.A. 17:10-5(b), (b) shall be presumed, the convenience and advantage of the community having been established at the time the original license was issued.

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

Roger F. Wagner  
Deputy Commissioner  
Division of Banking  
36 West State Street  
Trenton, New Jersey 08625

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

Richard F. Schaub  
Commissioner  
Department of Banking

(a)

## BANKING

### THE COMMISSIONER

#### Adopt Procedural Rules

On March 15, 1976, Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:1-8.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted rules on procedure, to be cited as N.J.A.C. 3:1-2.1 et seq., substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 5(c), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Banking.

Full text of the adopted rules follows:

#### SUBCHAPTER 2. PROCEDURAL RULES

##### 3:1-2.1 Applications; acceptance

(a) All branch applications shall include the following before they will be accepted by the Department:

1. A completed current application form;
2. The required application filing fee;

3. A certified copy of the resolution authorizing the application; and

4. Any and all other documentation, including feasibility reports, the applicant wishes the Department to consider.

(b) Every applicant for a bank, savings bank or savings and loan association charter is required to file with the Department the following data in addition to the statutorily required certificate of incorporation and affidavits:

1. An economic feasibility study delineating the proposed trade area to be served by the applicant, as well as yearly deposit estimates for the first five years of operation;

2. A pro forma profit and loss statement which shall project the net income or loss of the bank, savings bank or savings and loan association on an annual basis for a period of five years and shall indicate the anticipated break-even date;

3. Each incorporator of a bank, savings bank or savings and loan association shall submit a personal data form containing such biographical information and in such form as the Commissioner of Banking may from time to time prescribe;

4. The required application filing fee;

5. Indicia of title for the proposed site; and

6. Each incorporator of a bank, savings bank or savings and loan association applying for a charter shall submit a financial report containing such information and in such form as the Commissioner may from time to time prescribe. Matters contained on the financial reports of incorporators are not automatically to be construed as evidential and/or materially relevant at any hearings which might be conducted before a Departmental hearing officer.

(c) Applications which satisfy the provisions of subsections (a) or (b) of this Section shall be accepted. Branch or relocation applications which do not comply with the provisions of subsection (a) of this Section may be returned to the applicant. A charter application may be held pending the filing and acceptance of the data and information required to be submitted under subsection (b) of this Section.

(d) The application filing fee shall not be refundable.

##### 3:1-2.2 Notice; publication

(a) When an application is accepted, the Department shall send written notice thereof to the New Jersey Bankers Association, the Savings Banks' Association of New Jersey and the New Jersey Savings League. Each notice shall contain the following:

1. The name of the applicant;
2. A brief statement of the nature of the application;
3. The precise location of the site involved in the particular application; and
4. The date the application was accepted by the Department.

(b) Notice prescribed by subsection (a) of this Section shall be published in the weekly applications' bulletins of the New Jersey Bankers Association, Savings Banks' Association of New Jersey and New Jersey Savings League in the week following acceptance thereof. The publication of notice shall also include the following statement:

"You are hereby advised that an individual, bank, savings bank or savings and loan association may object to any of the aforesaid applications and request that a formal hearing be conducted if in writing and if filed within ten days of the date of this bulletin. Individuals or financial institutions interested in perfecting an objection or hearing request should immediately consult the Department's procedural rules for guidance."

##### 3:1-2.3 Objection and request for hearing; time for filing; content

(a) An objection to an application by a bank, savings

bank or savings and loan association must be received by the Department within ten calendar days of publication in the trade association bulletins, as required by N.J.A.C. 3:1-2.2. If an objector desires a hearing to be held on a full branch application, a section 25 or 27 branch office application or a relocation application, or desires to make an appearance at a charter hearing, the objection shall also contain a specific request for a formal hearing or, in the case of charter applications, a request for permission to appear at the formal hearing.

(b) Every objection shall:

1. Be in writing;
2. Disclose in detail the grounds therefor;
3. Disclose whether the objector intends to file a more comprehensive detailing of the factual and legal bases of objection (hereinafter referred to as comprehensive objection) within 35 calendar days of the date of publication in the applications' bulletins, or within 25 days after receipt of copies of the application form and supportive data filed by an applicant, whichever occurs later;

4. If the objector is requesting a hearing or a full branch office, a section 25 or section 27 branch office, or a relocation of an existing office, it shall disclose an intent to file detailed, factual and legal bases for the need therefore within 35 calendar days of the date of publication of the notice in the bulletins, or within 25 days after receipt of copies of the application form and supportive data filed by an applicant, whichever occurs later; and

5. Be forwarded to the applicant as well as to the Department.

(c) If a hearing is requested, a hearing fee of \$100.00 payable to the Department of Banking shall accompany each request for hearing or notice of intent to appear at a charter hearing. If it is later determined that a hearing will not be held pursuant to N.J.A.C. 3:1-2.5, the hearing fee will be returned to each of the objectors requesting a hearing.

(d) Each comprehensive objection must set forth the following:

1. A detailing of the factual and legal bases for objection, specifically referring to the portions of the application to which the objector objects and/or has reason to dispute, together with any factual or legal support therefor;

2. Deposit totals (including a time/demand breakdown) for all offices of the objector which will be affected by the application. These deposit totals shall represent the year-end deposit aggregates for five preceding years, as well as for the most recent semi-annual reporting period; and

3. Any other factual, legal or judgmental matters which the objector deems necessary for the Department to render an appropriate statutory finding.

(e) If the objector requests a hearing and discloses an intent to file a subsequent memorandum in support thereof, said supplemental request shall contain a statement of all the reasons why the objector believes that a formal hearing is necessary and warranted with regard to the application.

(f) If the objector fails to comply with any of the provisions of subsection (b) or (d) of this Section, the Department shall dismiss the objection and/or the comprehensive objection.

### 3:1-2.4 Copies of application

Upon receipt of notice that an objection has been filed, an applicant shall immediately forward and deliver copies of the application and all supportive data submitted in conjunction therewith. Proof of delivery to and receipt by an objector shall be filed immediately with the Department.

### 3:1-2.5 Hearing granted or denied

(a) The Department may grant a hearing request on a

full branch application, a section 25 or section 27 association branch or relocation only if:

1. The objector requesting the hearing has filed an objection, comprehensive objection and hearing request; and

2. The objector requesting the hearing has presented reasons which indicate that a hearing is necessary and warranted.

(b) A hearing shall be held on all charter applications. Only those objectors who comply with all of the rules relating to objections to charter applications shall be permitted to appear at the hearing.

(c) There shall be no formal hearings on mini-branch communication terminal branch, auxiliary or limited facility branch offices.

(d) If a formal hearing is denied, the Department shall give the objector a brief statement of the reasons therefor.

(e) Notwithstanding the foregoing, the Department may schedule a hearing on any application if deemed necessary or warranted under the circumstances.

### 3:1-2.6 Charter applications; publication of hearing dates

(a) Within ten days after the Department schedules the formal hearing dates for any charter application the applicant shall publish notice of the application once a week for four successive weeks in one newspaper designated by the Commissioner, which is published and circulated in the municipality in which said charter is proposed to be established, or if there be no such newspaper, then in a newspaper of general circulation in the municipality.

(b) Said notice shall contain:

1. The names of the incorporators;
2. The name of the applicant;
3. The location of its principal office;
4. The amount of capital stock and surplus or the amount of capital deposits, whichever is applicable; and
5. The hearing dates.

(c) Notice in the form prescribed by subsection (b) of this Section shall also be forwarded to every banking institution having an office within five miles of the proposed location and to such other offices as the Commissioner shall designate.

### 3:1-2.7 Insufficiency of data in support of application; hearing

In any matter where the Commissioner, deputy commissioner or hearing officer shall find that the applicant or objector has not filed sufficient data, information or material in support of or in opposition to the application, the applicant or objector may be required to file supplementary data, information or material, or be subject to dismissal of the application or objection.

### 3:1-2.8 Notice of hearing

(a) If a hearing is to be held, the Commissioner, deputy commissioner or hearing officer shall notify the applicant and objector, if any, of the date, time, place and nature of the hearing; of the legal authority and jurisdiction under which the hearing is to be held; of the particular sections of the statutes and rules involved; and of the matters asserted or issues involved. The notice of hearing may be combined with the notice granting the request for a hearing.

(b) Hearing will be scheduled soon after the receipt of the comprehensive objection and/or the request for hearing if the Department deems hearing necessary and warranted.

### 3:1-2.9 Hearing officer; public hearings; conduct

(a) Any hearing pursuant to the Subchapter may be held before the Commissioner, or before any deputy com-

missioner, hearing officer or any employee of the Department authorized by the Commissioner.

(b) Every hearing shall be open to the public unless the Commissioner shall determine that a private hearing would be in the public interest.

(c) Hearings on all applications, except an application for a new charter, shall be strictly limited to a total of seven hours. The applicant shall be limited to three hours for the presentation of affirmative and rebuttal testimony and the cross-examination of objectors witnesses. The objectors shall be limited to four hours for the presentation of affirmative and rebuttal testimony and the cross-examination of applicant's witnesses.

(d) When multiple objectors appear through separate counsel, each shall be afforded a pro rata portion of the time allotted to objectors, unless otherwise agreed upon by all objectors.

### 3:1-2.10 Failure of party requesting hearing to appear at the hearing

When the party requesting the hearing or an intent to appear at a charter hearing fails to appear at a scheduled hearing without sufficient reason therefor, such failure to appear shall be treated as a withdrawal of the objection and/or the request for a hearing. The Commissioner, deputy commissioner or hearing officer may dispense with the hearing or adjourn the hearing to a future date, or take such other action as may be just and proper under the circumstances.

### 3:1-2.12 Prehearing conference

(a) Prior to any hearing, the hearing officer may, in his discretion, direct all parties and counsel to appear before him for a prehearing conference for any or all of the following purposes:

1. Simplification and clarification of the issues;
2. Admission and stipulations of fact and of the contents and authenticity of documents; and
3. Such other matters as may aid in the orderly disposition of the proceeding, including disclosure of the names of witnesses and of documents or other physical exhibits which will be introduced in evidence in the course of the proceeding.

(b) Such conference, in the discretion of the hearing officer, need not be recorded, but the hearing officer shall enter in the record an order signed by the parties which recites the results of the conference. Such order, a copy of which shall be furnished to each party, shall include the hearing officer's rulings upon matters considered at the conference, together with appropriate directions, if any, to the parties; and such order shall control the subsequent course of the proceedings unless notified at the hearing for good cause shown by appropriate order of the hearing officer.

### 3:1-2.13 Hearing procedure

(a) Applicants and objectors shall have an opportunity to be heard, to introduce exhibits in evidence and to present and cross-examine witnesses.

(b) Both applicant and objector may raise issues and present evidence only if same have been affirmatively raised in the application, the objection or the comprehensive objection. All other matters will be excluded unless the person conducting the hearing rules otherwise, and then only for good cause shown.

(c) All studies, reports or the like may be introduced only if previously submitted to the Department and other interested persons pursuant to the hearing officer's direction.

(d) The applicant and objectors shall bear a pro rata share of the transcript costs for the transcripts required

by the Department and all other regulatory agencies requesting same.

### 3:1-2.14 Priority

(a) If more than one application is filed for the same municipality or a similar location, the application which was first accepted will receive priority of processing and decision, all other things being equal.

(b) Applications with substantially similar trade areas accepted on the same date shall be considered jointly, neither application receiving priority of filing.

### 3:1-2.15 Hearing officer's report and recommendation

(a) In any case where a deputy commissioner or any other person is authorized by the Commissioner to sit as a hearing officer, he shall submit a written report of his findings and conclusions to the Commissioner together with a recommendation as to the disposition of the matter, unless the Commissioner directs otherwise.

(b) The hearing officer's report and recommendation shall be submitted within 30 days of the hearing's conclusion, receipt of the transcript or receipt of summations of the parties, whichever occurs later.

### 3:1-2.16 Submission of report to Commissioner and

parties; exception; reply

The hearing officer's report and recommendation shall be submitted to the Commissioner and by certified mail, return receipt requested, to all parties participating in the hearing. The parties to the hearing shall have ten days from receipt of such report to file written exceptions thereto with the Commissioner. The party filing an exception shall, at the time of filing, send by certified mail, return receipt requested, a copy of the exception to all other parties participating in the hearing. Replies to an exception shall be in writing and filed with the Commissioner within five days from receipt of the exception. The party filing a reply shall at the time of the filing send by certified mail, return receipt requested, a copy of the reply to all other parties participating in the hearing. The Commissioner need not consider any exception or reply which is not filed within the time limitations set forth in this Section.

### 3:1-2.17 Final determination

Upon receipt of the report and recommendation, exceptions and replies, if any, within the time limitations in Section 16 of this Subchapter, the Commissioner shall issue a final determination adopting, modifying or rejecting the report and recommendation. This action by the Commissioner shall constitute the final determination by the Department in the matter.

### 3:1-2.18 Relaxation or dispensation of requirement of Subchapter

In any instance where the Commissioner or his designee shall determine that the foregoing requirements or procedures of this Subchapter shall be unwarranted, inapplicable, unreasonable, unnecessary or not required, he may relax or dispense with the requirements of procedures established herein.

### 3:1-2.19 Population

In determining the population of a municipality for the purpose of the branching requirements contained in N.J.S.A. 17:9A-19B(3) and N.J.S.A. 17:12B-26, the Census of Population and Housing, United States Bureau of the Census, and Population Estimates for New Jersey, prepared by the Department of Labor and Industry, Division of Planning and Research, Office of Business Economics, shall be the sole authorities accepted by the Department.

For the years 1980, 1990 and 2000 the official United States Bureau of Census figures will be the only source accepted.

**3:1-2.20 Fees; conversion from mutual to capital stock association**

A filing fee of \$1,500 shall accompany every application for the conversion of a mutual association to a capital stock association.

**3:1-2.21 Officially recognized data sources**

(a) The Department will take official notice of one or more of the following data sources when testing the accuracy of data submitted in conjunction with applications and objections, when resolving factual discrepancies and when weighing the accuracy, reasonableness and applicability of documentary and oral evidence before it:

1. United States Department of Commerce, Bureau of the Census, Census of Housing (published decennially);
2. United States Department of Commerce, Bureau of the Census, Census of Population (published decennially);
3. United States Department of Commerce, Bureau of the Census, Census of Business (published every five years);
4. United States Department of Commerce, Bureau of the Census, Census of Manufacturers (published every five years);
5. Population Estimates for New Jersey—Official State Estimates, Department of Labor and Industry (published annually);
6. United States Department of Commerce, Bureau of the Census, Construction Review (published monthly);
7. New Jersey Department of Community Affairs, Division of Local Government Services, Annual Report (published annually);
8. Department of Labor and Industry, Division of Planning and Research, State of New Jersey—Residential Construction Authorized by Building Permits (published annually and available also on a monthly basis);
9. United States Department of Commerce, Bureau of the Census, Current Population Reports (published monthly);
10. United States Internal Revenue Service, Statistics of Income (published annually);
11. Department of Community Affairs, Division of Local Services, United States Census Data for New Jersey Townships (provides tables of statistical information from the 1970 United States Census paralleling those available for nontownships in printed census reports);
12. New Jersey Industrial Directory (published annually);
13. Local zoning ordinances and master plans;
14. Federal Deposit Insurance Corporation, Operating Banking Offices (published annually);
15. Federal Deposit Insurance Corporation, Bank Operating Statistics (published annually);
16. Federal Deposit Insurance Corporation, Changes Among Operating Banks and Branches (published annually);
17. Federal Deposit Insurance Corporation, Summary of Deposits in All Commercial and Mutual Savings Banks (published annually);
18. Federal Home Loan Bank Board, Summary Savings Accounts by Geographic Area (published annually);
19. R. L. Polk & Co., Polk's World Bank Directory (published semi-annually);
20. Department of Agriculture, Soil Conservation Series Studies and Reports;
21. New Jersey Department of Labor and Industry, Division of Employment Security Covered Employment Trends (published annually and available on a monthly basis);
22. Various County Planning Board reports, for example,

population studies and projections, employment trends, industrial-commercial development studies and so forth;

23. New Jersey Department of Banking, Division of Banking, Annual Report;

24. New Jersey Department of Banking, Division of Savings and Loan Associations, Annual Report.

(b) Other officially noticeable data will be considered when applicable and relevant.

(c) Any applicant or objector(s) shall, simultaneously with the filing of an application or objection, indicate which of the foregoing sources they object to and detail in writing their reasons for objecting.

**3:1-2.22 Applications; copies**

An original and one copy of all submissions relative to any application shall be filed with the Department.

An order adopting these rules was filed March 15, 1976, as R.1976 d.83 to become effective on May 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

**(a)**

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Proposed Revisions in Correction of Errors**

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 et seq., proposes to revise its rules concerning the correction of errors.

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

**4:1-9.10 Correction of [clerical] errors**

[Clerical] Errors may be corrected by the Chief Examiner and Secretary upon discovery at any time during the life of an employment list. The Commission shall determine whether such correction shall affect any prior appointment or certification.

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

Joseph Lavery  
Administrative Practice Officer  
Department of Civil Service  
201 East State St.  
Trenton, N.J. 08625

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

Civil Service Commission  
Department of Civil Service

**(b)**

## **CIVIL SERVICE**

### **CIVIL SERVICE COMMISSION**

#### **Rescission of Subpart 8-8.103 In Local Jurisdictions Personnel Manual**

On February 18, 1976, the New Jersey Civil Service Com-

mission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a procedural rule which rescinded Subpart 8-8.103 in the Civil Service Personnel Manual for Local Jurisdictions.

This rescinded Subpart was originally issued on November 5, 1971, and concerned conditional residency credits.

An order rescinding this Subpart was filed on February 23, 1976, as R.1976 d.58 (Exempt, Procedure Rule). Take notice that this rescission is not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions to Various Subparts In Local Jurisdictions Personnel Manual

On February 18, 1976, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted procedural rules which revised Subparts 8-8.102, 12-8.101 and 20-5.106 of the Civil Service Personnel Manual (Local Jurisdictions).

Full text of the adopted revisions follows:

Subpart 8-8.102 Height and weight requirements

8-8.102a Subject

This Subpart stipulates Civil Service policy regarding height and weight requirements, encompassing all law enforcement and correction officer positions in local governments.

8-8.102b Policy

At the July 30, 1974 meeting of the Civil Service Commission, the Commission approved and adopted the policy that specific height and weight requirements be eliminated as a requirement from all future announcements and examinations for Police Officer titles and/or any other titles for which height and weight are requirements. This includes all titles encompassed in law enforcement and correction in local governments.

Subpart 12-8.101 Conditions to be met for removal of an eligible from certification

12-8.101a Subject

This Subpart will define the conditions under which the name of an eligible will be removed from a certification after several certifications to the same appointing authority.

12-8.101b Conditions

(1) A nonveteran eligible shall not be certified from the same open competitive list to the same appointing authority more than three times, unless the appointing authority requests that such eligible be again certified in which case only that eligible and any veteran eligible higher on the list shall be certified.

(2) A nonveteran eligible shall be certified, in order, from a promotional list to an appointing authority as long as the nonveteran eligible remains on the promotional employment list.

(3) A veteran eligible shall be certified, in order, to an appointing authority as long as the eligible veteran remains on either an open competitive or promotional employment list.

Subpart 20-5.106 Administration of the work incentive/on-the-job training program

20-5.106a Subject

The work incentive/on-the-job training (WIN/OJT) program authorizes funds for the immediate employment in the public service of WIN participants. The prime objective of developing OJT positions for WIN participants is to ultimately provide permanent employment in unsubsidized jobs in the public sector and to fill the unmet service needs of government. Appointing authorities operating under this program are directly responsible for complying with the "assurance" incorporated in the WIN/OJT grants.

20-5.106b Alternatives

Appointing authorities, operating under the provisions of Title 11, the Civil Service Statute, are authorized to fill WIN/OJT positions, in accordance with this Subpart. The Civil Service Commission in cooperation with the New Jersey Department of Labor and Industry has established the following alternatives for the appointment of WIN/OJT employees:

1. Approval is granted for the appointment of WIN/OJT employees to temporary positions for a 12-month period.

2. Individuals may be appointed to WIN/OJT positions as regular appointees under normal certification procedures at the request of the appointing authority with the consent of the appointee.

20-5.106c Employment terms and conditions of employment

1. Individuals receiving temporary appointments to WIN/OJT positions will obtain all of the Civil Service terms and conditions accorded to temporary employees.

2. Individuals receiving appointments to WIN/OJT positions under alternative 2 above have the same terms and conditions as employees who are appointed to regular positions.

An order adopting these revisions was filed February 23, 1976, as R.1976 d.59 (Exempt, Procedure Rule). Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revised Table of Contents and Reduction of Age Definition in State Service Personnel Manual

On February 26, 1976, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions affecting the table of contents and the definition of reduction of age in the Civil Service Manual (State Service).

The 19 pages of the revised table of contents is not reproduced herein. Information on this data may be obtained

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

Full text of the revised definition of reduction in age follows:

Subpart 2-1.101 Reduction of age by amount of service during period of actual hostilities as defined in N.J.S.A. 11:27-1

2-1.101a Subject

This Subpart defines the procedures for determining an applicant's "reduced age" under the provisions of N.J.S.A. 38:23A-2.

2-1.101b Procedure

Applicants who are ineligible under the present maximum age limitations and who have served in the military during the periods of actual hostilities as listed in N.J.A.C. 4:1-2.1 (See "Veteran") and N.J.S.A. 11:27-1, will receive the following reductions in determining their age for Civil Service purposes:

(a) Only the initial period of service (including involuntary extensions) completed during the time periods stipulated in N.J.A.C. 4:1-2.1 (See "Veteran") and N.J.S.A. 11:27-1 can be subtracted from the applicant's present age, and

(b) Comparison between this reduced age and the age requirement for the position at the time of entrance into military service will be made.

Examples

A 45-year-old person, applying at the present time for the positions of firefighter or police officer, is ineligible since the present maximum age is 35 years. However, this applicant served either involuntarily or as a result of induction, on active duty in the U.S. Army from July 27, 1952 to July 27, 1954. The applicant subsequently reenlisted for a five (5) year period and was discharged on July 26, 1959. Under N.J.A.C. 4:1-2.1 only one of the seven (7) years of service was during a period of actual hostilities. Therefore, there will be a deduction from the applicant's present age of 45. This reduced age, or 44, is compared with the maximum age 30, as of July 27, 1952, when the applicant entered military service. The applicant is also ineligible under the reduced age formula.

A 36-year-old person, applying at the present time (1975) for the position of police or firefighter, is ineligible since the present maximum age is 35 years. However, this applicant served either involuntarily or as a result of induction, on active duty with the U.S. Army from December 1, 1971 to December 1, 1973. The applicant subsequently reenlisted for a two-year period and was discharged on December 1, 1975. Under N.J.A.C. 4:1-2.1 the years of service during a period of actual hostilities was from December 1, 1971 to August 1, 1974 a total of three years, eight months. Of this 3½ year period two years were served either involuntarily or as a result of induction. Therefore, there will be a deduction of two years from the applicant's present age of 36. This reduced age, or 34, is compared with the maximum age which was in effect as of December 1, 1971, when the applicant entered military service; that maximum age was also 35. Therefore, the applicant is eligible under the reduced age formula.

Note:

(1) An applicant is considered to be over 35 years of age on the day of his/her 35th birthday.

(2) State laws concerning age limitations for prospective police officers and firefighters are based on the announced closing date.

(3) The maximum age for police officer and firefighter is 30 prior to September 4, 1968.

An order adopting these revisions was filed on March 3, 1976, as R.1976 d.68 (Exempt, Procedure Rule). Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions on Height and Weight Requirements and Training Programs In State Service Personnel Manual

On February 26, 1976, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subparts 8-8.109 and 20-5.111 of the Civil Service Personnel Manual (State Service) regarding the height and weight requirements for all law enforcement and correction officer positions in State Government and the administration of the work incentive/on-the-job training program.

Full text of the revised rules follows:

Subpart 8-8.109 Height and weight requirements

8-8.109a Subject

This Subpart stipulates Civil Service policy regarding height and weight requirements, encompassing all law enforcement and correction officer positions in State Government.

8-8.109b Policy

At the July 30, 1974 meeting of the Civil Service Commission, the Commission approved and adopted the policy that specific height and weight requirements be eliminated from all future announcements and examinations for Police Officer titles and/or any other titles for which height and weight are requirements. This includes all titles encompassed in law enforcement and correction in State Government.

Subpart 20-5.111 Administration of the work incentive/on-the-job training program

20-5.111a Subject

The work incentive/on-the-job training (WIN/OJT) program authorizes funds for the immediate employment in the public service of WIN participants. The prime objective of developing OJT positions for WIN participants is to jobs in the public sector and to fill the unmet service needs of government. Appointing authorities operating under this program are directly responsible for complying with the "assurance" incorporated in the WIN/OJT grants.

20-5.111b Alternatives

Appointing authorities, operating under the provisions of Title 11, the Civil Service Statute, are authorized to fill WIN/OJT positions, in accordance with this Subpart. The Civil Service Commission in cooperation with the New Jersey Department of Labor and Industry has established the following alternatives for the appointment of WIN/OJT employees:

1. Approval is granted for the appointment of WIN/OJT employees to temporary positions for a 12-month period.

2. Individuals may be appointed to WIN/OJT positions as regular appointees under normal certification procedures at the request of the appointing authority with the consent of the appointee.

20-5.111c Employment terms and conditions of employment

1. Individuals receiving temporary appointments to WIN/OJT positions will obtain all of the Civil Service terms and conditions accorded to temporary employees.

2. Individuals receiving appointments to WIN/OJT positions under alternative 2 above have the same terms and conditions as employees who are appointed to regular positions.

An order adopting these revisions was filed March 3, 1976, as R.1976 d.69 (Exempt, Procedure Rule). Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions to Personnel Manuals for Special Unemployment Assistance Program

On March 4, 1976, the New Jersey Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revised rules to Subparts 16-1.101c et seq. in the Civil Service Personnel Manuals (State Service and Local Jurisdictions) concerning Unemployment Compensation for State, County and Municipal Employees (Special Unemployment Assistance Program—Title II).

Full text of the revised rules in both Manuals follows:

16-1.101c Distribution of information

A copy of this Subpart must be forwarded to every employee separated from public service along with the employee's copy of the CS-151, Termination of Employee's Services form.

16-1.101d State unemployment law applicable

The terms and conditions of State unemployment compensation law apply to all claims for assistance under the Special Unemployment Assistance Program.

16-1.101e Termination date of program

Notwithstanding any other provisions of Title II, no payment of assistance shall be made to any individual for any week of unemployment ending after March 1, 1977; and no individual shall be entitled to any compensation with respect to any initial claim for assistance or waiting period credit made after December 31, 1976.

Note: This Subpart is solely for the purpose of providing the above information. The Department of Civil Service has no jurisdiction over administration of the program.

An order adopting the revisions in the Local Jurisdictions Manual was filed on March 8, 1976, as R.1976 d.73 (Exempt, Procedure Rule). An order adopting the revisions to the State Service Manual was filed on March 8, 1976, as R.1976 d.74 (Exempt, Procedure Rule). Take notice that these

revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### LOCAL FINANCE BOARD

#### DIVISION OF LOCAL GOVERNMENT SERVICES

##### Proposed Rules on Local Public Contract Guidelines

The Division of Local Government Services and the Local Finance Board in the Department of Community Affairs, pursuant to authority of the Local Government Supervision Act of 1947 as amended, and the Local Public Contracts Law as amended, propose to adopt revised local public contract guidelines. Such guidelines, if adopted, will be cited as N.J.A.C. 5:30-14.1 et seq.

Reason for the revisions is to reflect changes enacted in the Local Public Contracts Law since its original adoption in 1971, most particularly those included in Chapter 353, P.L. 1975, and to address current problems in governmental purchasing.

The revised guidelines may be adopted by the Division of Local Government Services and/or the Local Finance Board, as the respective laws permit, either as advisory guidelines to local governments or as mandatory regulations establishing systems of local financial administration, or as a combination of the two.

The original Local Public Contract guidelines were issued to local governments in 1971 as approved by the Local Finance Board on October 18, 1971. The current draft under consideration is 71 pages in typed form.

Copies of the draft guidelines being considered are available upon written request to: Bureau of Local Management Services, Division of Local Government Services, Department of Community Affairs, 363 West State Street, Trenton, New Jersey 08625, or by calling (609) 292-5365.

The guidelines address the following areas:

1. Extension of the Contracts Law to cover authorities per Ch. 96, P.L. 1975.

2. Establishment of regulations limiting the use of the bidding exemption for "extraordinary unspecifiable services", per 40A:11-5(1)(a). Also related to 40A:11-5(1)(i).

3. Regulations limiting the process of "change orders", per 52:27BB-32.

4. Regulations limiting the entering into of multi-year contracts for certain equipment leasing or servicing as authorized by the statute, per 40A:11-15(7).

5. Such additional information as may be necessary to clarify, codify or amend the original Local Public Contract guidelines or any supplemental interpretations which may have been rendered by the Division of Local Government Services or which may be helpful or necessary for local government guidance in complying with the statutes or in operating efficient purchasing systems.

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

Bureau of Local Management Service  
Division of Local Government Services  
Department of Community Affairs  
P.O. Box 2768  
Trenton, N.J. 08625

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

The right is also reserved to adopt these guidelines on an emergency basis without further prior notice, as permitted by the Administrative Procedure Act if speed should be found necessary to assure the orderly flow of direction to assure compliance by local governments with this law.

John F. Laezza  
Director, Division of Local  
Government Services  
Department of Community Affairs

(a)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Notice of Public Hearings Regarding Truth-In-Renting Act

Take notice that the Department of Community Affairs announces public hearings on Chapter 310 P.L. 1975, formerly known as A1060 (Truth-in-Renting Act).

Purpose of these hearings will be to determine what lease provisions violate clearly established legal rights of tenants or responsibilities of landlords. The hearings will also assist the Department in preparing the statement of primary clearly established legal rights and responsibilities of tenants and landlords of rental dwelling units to be made available to every tenant by virtue of this law.

Persons interested in testifying should call (609) 292-6417 to arrange for a time to speak. Statements may also be presented in writing on or before April 30, 1976, to the Department of Community Affairs, Box 2768, Trenton, New Jersey 08625, Attention: Bureau of Housing.

Three hearings are scheduled—in Trenton at the New Jersey State Museum auditorium, 205 West State Street, Trenton, New Jersey 08625, on Tuesday, April 27 from 9:30 to 12:30 P.M.

Also in Newark, at Rutgers University, Room 108, Hill Hall, 360 High Street, Newark, New Jersey 07102, on Wednesday, April 28 from 1:00 P.M. to 5:30 P.M.

And in Camden, at Camden Council Chambers, second floor, Room 201, City Hall, Broadway and Federal Streets, Camden, New Jersey 08101, on Thursday, April 29 from 9:30 A.M. to 12:30 P.M.

This Notice is published as a matter of public information and will not appear in Title 5 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### DIVISION OF HOUSING AND URBAN RENEWAL

#### Revised Definitions Concerning Tax Abatement on Added Assessments Rules

On March 2, 1976, 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, in conjunction with the Division of Taxation in the Department of the Treasury and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to N.J.A.C. 5:22-1.1 concerning definitions regarding tax abatement on added assessments.

The revisions concern changes to the definitions of dwelling and home improvements. The adopted revisions replace the current text of N.J.A.C. 5:22-1.1.

Full text of the revised rule follows:

#### 5:22-1.1 Definitions

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

"Application" means a written request for the exemption filed with the local tax assessor on forms devised by the Director of the Division of Taxation.

"Assessor" means the assessor, board of assessors or any other official or body of a taxing district charged with the duty of assessing real property for the purpose of general taxation.

"Assessors full and true value of home improvements" means that portion of any increased assessed value of real property which directly resulted from improvements made thereon.

"Board" means the Board of Property Tax Abatement Appeals established within the Department to hear matters arising out of P.L. 1975, c. 104.

"Completion" means substantially ready for the use for which it was intended.

"Department" means the Department of Community Affairs.

"Dwelling" means any building or part of a building used, to be used or held for use, as a home or residence, including accessory buildings located on the same premises, together with the land upon which such building or buildings are erected and which may be necessary for the fair enjoyment thereof.

"Exemption" means that amount to be deducted from the "assessor's full and true value of home improvements".

"Home improvement" means the improvement of a dwelling which does not change its permitted use, and shall include the modernization, rehabilitation, renovation, alteration or repair of a dwelling.

"Qualified municipality" means any municipality in which residential neighborhoods have been declared by the county planning board or the Commissioner of the Department of Community Affairs to be endangered by blight, pursuant to Section 3 of the Act.

An order adopting these revisions was filed and became effective on March 2, 1976, as R.1976 d.64 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Proposed Revisions in Bylaws and Appeals

The State Board of Education, pursuant to authority of

N.J.S.A. 18A:4-3 et seq., proposes to revise its rules on its bylaws and appeal procedures.

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

## CHAPTER 1. BYLAWS

### FOREWORD

State law (N.J.S.A. 18A:4-3 et seq.) provides that "the general supervision and control of public education in this State, except higher education, and of the State Department of Education shall be vested in the State Board, which shall formulate plans and make recommendations for the unified, continuous and efficient development of public education, other than higher education, of people of all ages within the State" . . . and ". . . shall make and enforce, and may alter and repeal, rules for its own government and for implementing and carrying out the school laws of this State under which it has jurisdiction."

### SUBCHAPTER 1. AMENDMENT OF BYLAWS

#### 6:1-1.1 Procedure

These bylaws may be amended at any regular meeting of the State Board of Education by a vote of the majority of the whole number of the members of the Board; provided that notice of the proposed amendments shall have been sent to each member at least two weeks before the date of such vote.

### SUBCHAPTER 2. MEETINGS

#### 6:1-2.1 Parliamentary procedures

Parliamentary procedures in meetings of the State Board [of Education] shall be governed by Robert's Rules of Order (75th Anniversary Edition).

#### 6:1-2.2 [Regular meetings]

[Regular meetings of the Board shall be held each month on dates set by the Board at its June meeting each year. The meetings shall begin at 1:00 P.M. At least five days' notice of any regular meeting shall be given to each member.]

Note: Above was rescinded by the State Board of Education on February 4, 1976.

Note: New rules to be proposed.

#### 6:1-2.3 Special meetings

Special meetings may be called by the President at any time and shall be called by his/her at the request of any three members. Three days' notice of any special meeting shall be given to each member. Public notice of such special meeting shall be made pursuant to law and regulation.

Note: Amended by the State Board of Education on February 4, 1976.

#### 6:1-2.4 Quorum

A quorum shall consist of a majority of the [current] whole number of members of the Board[.], including any ex officio member.

#### 6:1-2.5 Election of officers

The officers of the Board shall be elected at the [June meeting, and shall take office immediately.] first regular meeting following June 30 of each year.

#### 6:1-2.6 Order of business at regular meetings

(a) The order of business at all regular meetings shall be:

1. Approval or amendment of minutes of the previous meeting;
2. Report of Commissioner of Education;
3. Reports of standing committees;
4. Reports of special committees;
5. Unfinished business;
6. New business.

### SUBCHAPTER 3. OFFICERS

#### 6:1-3.1 Titles and terms

The officers of the State Board [of Education] shall be a President, a vice president, and a secretary. The President and vice president shall each serve for one year and until their respective successors shall have been elected.

#### 6:1-3.2 Duties of President

The President shall preside at the meetings of the Board and shall perform all duties incidental to such office. He/she shall be ex officio a member of all committees, except the [Nomination] Nominating Committee.

#### 6:1-3.3 Duties of vice president

The vice president shall in the absence of the President perform all of [his] the President's duties.

#### 6:1-3.4 Election of successors

In case of the death or inability [to perform his duties] or either the President or the vice president[,] to perform his/her duties, a successor shall be elected at the next regular meeting of the [State] Board [of Education].

#### 6:1-3.5 Chief executive officer and secretary

(a) The Commissioner of Education shall be the chief executive officer and the secretary of the Board. He/she shall attend its meetings and keep a record of its proceedings. He/she shall have the custody of its books and papers. He/she shall notify the members of all meetings, and within five days after each meeting shall notify the members of each committee of any matter referred to it.

(b) The Commissioner [of Education] shall present to the Board recommendations for its action in all matters requiring its approval or subject to its jurisdiction.

### SUBCHAPTER 4. COMMITTEES

#### 6:1-4.1 Committee structure

(a) The State Board shall act as a committee of the whole. [Any committee meeting of the Board is open to any member of the Board.] The following standing committees shall be constituted:

1. Legal;
2. Liaison;
3. Nominating.

#### 6:1-4.2 Appointment

The legal and liaison committees shall be appointed by the President at the first regular meeting subsequent to his/her election, to serve for one year from the date of appointment or until their successors are appointed. Vacancies occurring during the year shall be filled in like manner for the remainder of the term.

#### 6:1-4.3 Special committees

The President may at any time appoint a special committee to consider or take action on any matter.

#### 6:1-4.4 Legal committee

The legal committee shall consist of at least three Board members whose training and experience make them particularly valuable for the review of all cases appealed from the Commissioner of Education to the Board. Notices of all hearings held by the legal committee shall be sent to all members of the Board.

#### 6:1-4.5 Liaison committee

The liaison committee shall consist of the President [of the State Board of Education] and of two members of the Board appointed by him[.]her.

#### 6:1-4.6 Nominating [c]Committee

The [n]Nominating [c]Committee shall consist of three members of the Board appointed by the President in [April] May. The committee shall select a [chairman] chairperson from among its own members and [their] its report shall be presented to the Board in [May] June.

#### 6:1-5.1 Public release

Any initial public release of State Board information or action shall be made by the Commissioner of Education or by the President.

#### 6:2-1.1 Filing and service of appeals

An appeal to the State Board [of Education] in a controversy arising under the school laws must be taken within 30 days after the Commissioner [of Education] has filed his/her decision in said controversy. It shall be taken by filing with the Commissioner and serving by registered mail, or certified mail, or ordinary mail with affidavit of mailing, or personally upon the adverse party or his/her attorney a notice identifying the decision and stating that an appeal is taken to the [State] Board [of Education] from it, or from such part of it as may be specified. Proof of service shall be filed promptly with the Commissioner.

#### 6:2-1.2 Certification of record by Commissioner

In every controversy in which the decision of the Commissioner [of Education] has been appealed to the [State] Board, [he] the Commissioner shall certify the record to the Board within 20 days after the filing of the notice of appeal, and remit the record, so certified, together with the notice of appeal and affidavit of service thereof with two extra copies of his/her decision to the chairman of the [law] legal [c]committee of the Board.

#### 6:2-1.3 Filing and service of points of appeal

Within 20 days after the appeal has been taken, the appellant shall file with the secretary of the State Board [of Education] 15 copies of the points upon which he/she relies, which shall contain accurate references to the evidence and authorities, if any, in support of said points, and shall serve upon the respondent or his/her counsel one copy thereof. Within ten days thereafter, the respondent shall file 15 copies of his/her answering points and references to the evidence and authorities with the secretary of the Board and shall serve one copy thereof upon the appellant or his/her counsel. The secretary of the Board shall forthwith transmit the copies of points so filed, but not as part of the record, to the [law] legal [c]committee. Further memoranda or briefs may be received by the [law] legal [c]committee if either party has, at the time of filing points of appeal and answering points, stated an intention to do so.

#### 6:2-1.4 Functions of [law] legal [c]committee

(a) The [law] legal [c]committee shall supervise the preparation of and [transmission of] make available the entire record to the [State] Board, which shall include:

1. [The] [e] Entire record before the Commissioner;
2. [The] Commissioner's decision;
3. Appellant's points, further memoranda and briefs; and
4. Respondent's answering points, further memoranda and briefs.

(b) The legal committee shall transmit to each member of the Board the basic documents of the case file which shall include, but not be limited to, the following:

1. Report of conference of counsel;
2. Objections to hearing examiner's report;
3. Commissioner's decision;
4. Appellant's points, further memoranda and briefs; and
5. Respondent's answering points, further memoranda and briefs.

#### 6:2-1.5 Decision of [the] State Board

Unless otherwise ordered by the [State] Board [of Education], there shall be no oral argument on an appeal to the [State] Board. The entire [State] Board [of Education] shall make a final determination with respect to each controversy by resolution in open meeting.

#### 6:2-1.6 Filing for stays from Commissioner's decisions

(a) After the filing of a notice of appeal to the [State] Board [of Education] from a determination of the Commissioner [of Education], any application for a stay from such determination shall be by notice of motion with supporting affidavit, 15 copies of which shall be filed with the [Division of Controversies and Disputes] secretary of the Board, and a copy served on each party to the action.

(b) The motion and affidavit shall set forth fully that portion of the Commissioner's decision with respect to which a stay is sought, the factual basis on which the application for stay is founded and the reasons favoring the stay.

(c) Any party opposing the application for stay shall file and serve within ten days of receipt of such application an answering affidavit in the same manner, setting forth the reasons why the application for stay should be denied.

(d) Unless otherwise ordered by the [State] Board [of Education] there shall be no oral argument on an application for stay.

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

Ms. Lorraine L. Colavita  
Division of Controversies and Disputes  
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 Substitution of Alternative Educational Background and/or Experience

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to adopt new rules concerning the substitution of alternative educational background and/or experience. These rules, if adopted, will be cited as N.J.A.C. 6:11-3.31. The previous text of N.J.A.C. 6:11-3.31 concerning appeals was recently repealed.

Full text of the proposed new rules follows:

#### 6:11-3.31 Substitution of alternative educational background and/or experience

(a) Notice of certification deficiency rules are:

1. The secretary of the State Board of Examiners shall notify all unsuccessful applicants for certification of the certification requirements lacking and of the procedures set forth in N.J.A.C. 6:11-3.31(b) for submitting evidence of alternative education and/or experience.

(b) Offer of alternative education and/or experience rules are:

1. Any such unsuccessful applicant may supply the Board of Examiners with materials which the applicant considers evidence of alternative education and/or experience warranting certification.

2. Such material shall be supplied on forms provided by the bureau of teacher education and academic credentials. These forms must be requested by the unsuccessful applicant within 15 days of the date of the secretary's notice that the certificate has been denied.

3. The applicant wishing to substitute alternative education and/or experience for routine credentials shall complete and return 25 copies of the forms supplied pursuant to N.J.A.C. 6:11-3.31(b), 2., within 30 days of their receipt.

(c) Review of alternative education and/or experience by Board of Examiners rules are:

1. The secretary shall review said forms for sufficiency and transmit them to the Board of Examiners, which shall review their contents no later than its second regular meeting after said forms have been received by the bureau.

2. In reviewing the applicant's alternative education and/or experience, the Board may request written commentary by appropriate members of the staff of the Department. Copies of any such commentary shall be supplied to the applicant.

(d) Public discussion of alternative education and/or experience rules are:

1. The secretary shall give an applicant not less than ten days notice of the Board meeting at which his/her application for certification based on alternative education and/or experience is to be considered.

2. The applicant may be present at said meeting and may be accompanied by a personal representative of his/her choice.

3. The applicant may be questioned by the Board and shall be given an opportunity to be heard personally or through a representative.

(e) Decision rules are:

1. The Board shall render its decision on each application for substitution no later than its first regular meeting after the application has been considered publicly.

2. The Board's decision shall be in written form setting forth its reasons for the decision.

(f) Appeal rules are:

1. Said decision shall be appealable to the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6:24-1.1 et seq.

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

Ms. Lorraine L. Colavita  
Division of Controversies and Disputes  
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

#### Rule on Reading Requirements For Teacher Education Programs

On March 3, 1976, Fred G. Burke, Commissioner of Education and secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 6:11-8.2(a)8., concerning reading requirements for teacher education programs, substantially as proposed in the Notice published February 5, 1976, at 8 N.J.R. 57(a), with only inconsequential structural or language changes, in the opinion of the Department of Education.

An order adopting this rule was filed March 16, 1976, as R.1976 d.84 to become effective on September 1, 1977.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## EDUCATION

### STATE BOARD OF EDUCATION

#### Revisions in Parental Notification And Participation And Administrative Review and Hearings

On March 17, 1976, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:46-1 et seq., 20 U.S.C.A. 1401 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to the rules concerning parental notification and participation and administrative review and hearings.

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

6:28-1.9 [Parental] Parental notification and participation

6:28-1.9[(b)1.](c) Regarding [I]dentification[:], [T]he parent shall be notified in writing in the dominant language of the home when a child has been referred to a basic child study team for evaluation. Such notification shall state the reasons for the referral and shall contain a statement of the parent's rights to challenge the referral as set forth at N.J.A.C. 6:28-1.10 and 6:28-1.11.

6:28-1.9[(b)2.](d) Regarding [E]valuation[:], [T]he public school district shall request that the parent provide information to the basic child study team to be utilized as part of the evaluation data considered in the classification process.

6:28-1.9[(b)3.](e) Regarding [C]lassification, educational plan and program[:], [T]he chairperson of the basic child study team or designee shall inform the parent of the classification, educational plan and [the recommended] educational program it recommends at a conference prior to their implementation. A summary of the classification, educational plan and educational program shall also be pro-

vided the parent in writing in the dominant language of the home.

6:28-1.9[(b)4.](f) Regarding [N]otification of right to [mediation] administrative review process and/or hearing[:], [A]t the conference and in writing the parent shall be informed of the right to dispute the classification, educational plan and educational program and to invoke the mediation process described in N.J.A.C. 6:28-1.11(c) or the hearing described in N.J.A.C. 6:28-1.11(d).

6:28-1.10(b) Parents of pupils attending public schools, who have been identified pursuant to N.J.A.C. 6:28-1.9[(b) 1.](c) shall be provided copies of the law and the regulations relating to the handicapped by the local school district, and shall be fully informed of the procedures to seek redress for any issue arising under said law [of] or regulations by which they feel aggrieved.

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

6:28-1.11(d)5. A decision in writing shall be made promptly and [in writing] be based [solely] upon a *de novo* consideration of the evidence presented at the hearing, and a copy shall be made available to the parent.

An order adopting these revisions was filed and became effective on March 17, 1976, as R.1976 d.88 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### Proposed Rules on Criteria for Possession of Endangered Wildlife

The Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, with the approval of the Commissioner of Environmental Protection and the Fish and Game Council and pursuant to authority of N.J.S.A. 23:2A-1 et seq., proposes to adopt new rules establishing criteria for the possession of endangered animals. Such rules are known within the Department of Environmental Protection as Docket No. DEP 003-76-03.

Full text of the proposed rules follows:

#### 7:25-11.2 Requirements for possession of wildlife species

(a) Individuals wishing to apply for a permit to possess endangered wildlife must meet all criteria for the Federal endangered species permit (issued by the United States Fish and Wildlife Service) and for the New Jersey nongame and exotic species permit (issued by the Division of Fish, Game and Shellfisheries). The Division will require and review the Federal permit before issuing a State permit.

(b) Individuals applying for a permit to possess endangered wildlife species in New Jersey must be sponsored by a recognized scientific institution, zoological society or similar accredited organization. This sponsorship places the responsibility for the individual and animals concerned

with the sponsoring agency. A written statement of sponsorship must be supplied with the application for a permit to keep endangered species.

(c) Individuals applying for a permit to possess endangered wildlife species must demonstrate a working knowledge and expertise in handling and caring for the species desired. The individual must be able to demonstrate this experience and ability to the satisfaction of the Division.

(d) Individuals applying to possess endangered wildlife species must obtain, in addition to a State exotic species permit and Federal endangered species permit, any/all other applicable permits covering the possession of endangered wildlife species. Local ordinances covering the possession of "wild" animals must be observed.

(e) Individuals applying to possess endangered wildlife species must submit to the Division a written statement of the purpose and intent of keeping the species. The statement should provide information regarding the individual's compliance with the purpose and intent of the Federal Endangered Species Act of 1973, Public Law 93-205; 87 Stat. 884 and the State Endangered and Nongame Species Conservation Act of 1973 L. 1973, C309 S. 1 effective December 14, 1973. Amateur attempts or intent to propagate an endangered species will not be considered as sufficient purpose for an individual to be issued a permit to keep an endangered species.

#### 7:25-11.3 Protection of animal and welfare of public

(a) Individuals applying for a permit to possess endangered wildlife species must supply a written description of the housing and caging facilities for the species requested. A summary must be submitted of a continuous feed source available for the specific diet of the animals. Division personnel will inspect the completed facilities and determine if the facilities are suitable for the animal. Facilities must be constructed to prevent the possible escape of the animal.

(b) The housing facilities must be constructed to prevent public access to and contact with the animal. The facilities should be separated from the residence of the owner, and the animal may not be kept as a household pet, except when necessary during infancy for specific care. The public must not be allowed access to the animal, including all animals used for exhibition purposes. The individual must demonstrate to the satisfaction of Division personnel that the security of the housing and caging facilities protects the animal and the public.

(c) Qualified veterinarian service must be readily available to the animal at all times.

#### Violations:

Any person violating any provision of these rules and regulations will be subject to the penalties imposed by N.J.S.A. 23:2A-1 et seq.

Interested persons may present statements relating to the adoption of the above rule, in writing, on or before May 1, 1976, to:

Russell A. Cookingham, Director  
Division of Fish, Game and Shellfisheries  
P.O. Box 1809  
Trenton, New Jersey 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Rules and Regulations Under Coastal Area Facility Review Act

The Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:19-17, proposes to adopt new rules and regulations concerning the Coastal Area Facility Review Act. Such rules, known within the Department of Environmental Protection as Docket No. DEP 005-76-03, may be cited as N.J.A.C. 7:7D-2.1 et seq., if adopted.

The Department of Environmental Protection in considering the adoption of these regulations for the Coastal Area Facility Review Act has sought to clarify the legislative purposes of that Act. These regulations must, as the Act declares, protect the most ecologically-sensitive portions of the coastal area and recognize the legitimate economic position of coastal area inhabitants.

Drafts of these regulations have been widely and informally circulated for comments. Several points of controversy have emerged in comments received from groups and agencies such as these listed below.

Therefore, the Department invites comments from any interested person on both the more controversial Sections of the regulations noted below or on other Sections, in order to assist the Department in effectuating the legislative intent of the Act through these regulations.

A summary of the most significant areas affected by the proposed rules follows:

##### 1. Public Hearing:

Pursuant to N.J.S.A. 13:19-9, the Commissioner must hold a public hearing to afford interested parties standing and the opportunity to present their position with regard to a proposed facility and to submit any data they may have developed in reference to the environmental effects of the proposed facility. These hearings are currently conducted as nonadversary informational hearings without cross examination and sworn testimony. The hearing procedure could be changed to afford a full adversary hearing, or maintain the informational nature of the hearing but include the adversarial elements of cross examination and sworn testimony.

##### 2. Environmental Impact Statement (EIS):

The range and level of detail of the information required by Section 4.0 of these regulations are a principal area of controversy. The EIS required by N.J.S.A. 13:19-7 shall provide information needed to evaluate the effects of a proposed facility upon the environment of the coastal area. The Department presently views this statutory provision as requiring an EIS to provide information to the Department to assess the environmental impact of the facility on the project site and the surrounding region.

The EIS requirements of these regulations are designed first and foremost to serve the applicant in developing his own business concept of a project and also enable the Department to assess the impact of a proposed facility on the coastal area. To assist the applicant with the informational requirements of the EIS, the Department proposes to prepare generic EIS inventory elements for certain portions of the coastal area. The EIS generic inventory elements will in some cases fulfill the requirements of Section 11.0. Additional information may be requested depending

upon the type of proposed facility and the location of such facility.

##### 3. Federal Preemption:

The applicability of the Coastal Area Facility Review Act and these proposed regulations to Federally-owned or leased lands in the coastal area is at issue. The regulatory authority of the Act with regard to certain Federally-regulated facilities such as offshore oil and gas pipelines and nuclear generating plants has been questioned.

##### 4. Appeals:

These regulations afford both the applicant and other interested persons (a) a plenary review by a hearing officer appointed by the Commissioner, to make findings of fact, conclusions of law and recommendations to the Commissioner on whether to affirm, modify or reverse the decision of the case or (b) a summary review of the decision by the Commissioner. Interested persons may appeal matters of public policy regarding a permit application to the Coastal Area Review Board (N.J.A.C. 7:7D-1.1 et seq.). The adequacy of the plenary hearing and the nature of the Review Board proceeding have been issues of controversy.

Copies of the full text of 70 pages of the proposed rules may be obtained from:

Edward J. Linky  
Department of Environmental Protection  
Division of Marine Services  
Office of Coastal Zone Management  
Post Office Box 1889  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 17, 1976, to the Department of Environmental Protection at the above address.

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Rule on Standard Method Of Computing Flood Discharges

David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:16A-52, proposes to adopt a new rule, known within the Department of Environmental Protection as Docket No. DEP 007-76-03, on the standard method of computing flood discharges.

Full text of the proposed rule follows:

7:20-6.2 Standard method of computing flood discharges

(a) The method of computing discharges fully explained in "Magnitude and Frequency of Floods in New Jersey with Effects of Urbanization" by Dr. Stephen J. Stankowski of the United States Department of the Interior, Geological Survey, Water Resources Division, is adopted as the Water Policy and Supply Council's and the Division of Water Resources' standard method for computing design discharges, taking into account the effects of urbanization

for all future studies and projects designed by or for the Department of Environmental Protection and all projects requiring review under the provisions of the Stream Encroachment Act, N.J.S.A. 58:1-26.

(b) The design flood discharges used to delineate floodways under the provisions of N.J.S.A. 58:16A-53 and to review construction along streams in New Jersey under the provisions of N.J.S.A. 58:1-26 shall have a 100-year recurrence interval.

(c) The flood discharge used to delineate the limits of the flood hazard areas under the provisions of N.J.S.A. 58:16A-52 shall have a design flood discharge 25 per cent greater than the design discharge used for defining the floodway limits.

(d) The Division may, after an engineering analysis and approval, allow the use of an alternative method for the calculation of design floods. The Council will give due consideration to the design flood so calculated for specific locations considered under N.J.S.A. 58:16A-50 et seq.

Copies of the Stankowski report, known as Report No. 38, are available from the Bureau of Geology, Division of Water Resources, 1474 Prospect Street, Trenton, New Jersey 08625, P.O. Box 2809 at \$3.00 per copy.

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

Dirk C. Hofman, Chief  
Bureau of Flood Plain Management  
P.O. Box 2809  
Trenton, New Jersey 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### Proposed Revisions on Oyster Seed Beds for the 1976 Season

The Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, with the advice of the Shellfisheries Council, Maurice River Cove Section, and pursuant to authority of N.J.S.A. 50:1-5, proposes to adopt revisions to the rules relative to N.J.S.A. 50:3-8 for the taking of seed oysters from the State's natural seed oyster beds situated in the Delaware Bay above what is commonly known as the southwest line for the 1976 bay season.

Such revisions, known within the Department of Environmental Protection as Docket No. DEP 006-76-03, concern the deletion of the current text of N.J.A.C. 7:25-7.10 and the adoption of new text therein.

Full text of the proposed new revisions follows:

7:25-7.10 Oyster seed beds; 1976 season

(a) The season for the taking of seed oysters from the natural seed beds above the southwest line in Delaware Bay for 1976 shall be scheduled for a period of time beginning 7:00 A.M., May 17, 1976 and shall close as determined by subsection (b) of this Section.

(b) Physical tests of all areas opened by this regulation shall be made near the end of each week during the season by an advisory committee appointed by the Commissioner of the Department of Environmental Protection. These tests will be the determining factor to close any or all beds opened by this regulation.

(c) The committee appointed by the Commissioner shall be composed of two members of the Maurice River Cove Shell Fisheries Council, two members of the Oyster Research Laboratory at Rutgers University and the Director of the Division of Fish, Game and Shellfisheries or his designate.

(d) Nothing in this regulation shall be construed to affect any existing regulations concerning areas condemned for the taking of shellfish by the State of New Jersey.

(e) Based upon the data and test referred to in subsection (b) of this Section and the recommendation of the advisory committee referred to in Section 3 of this Subchapter, the Council, pursuant to N.J.S.A. 50:1-5, may immediately close those beds as may be necessary for the preservation and improvement of the shellfish industry.

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

Joseph A. Price  
Shellfish Management Administrator  
Division of Fish, Game and Shellfisheries  
Department of Environmental Protection  
P.O. Box 1809  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Notice of Public Hearing on Proposed State Water Pollution Control Program

Notice is hereby given that David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and in accordance with the provisions of 40 CFR 35, proposes to adopt and file with the United States Environmental Protection Agency, by June 15, 1976, the annual State Water Pollution Control Program.

This document, known as Docket No. DEP 004-76-03, will be a management-by-objective tool for fiscal year 1976-77. It will also comprise the State's application to E.P.A. for program grant funds available pursuant to Section 106, P.L. 92-500 (Federal Water Pollution Control Act, amendments of 1972).

The program document will consist of the following:

- \* State strategy for preventing and controlling water pollution.
- \* Water quality inventory—summary report.
- \* Administration and organization, Division of Water Resources.
- \* Public participation process.

\* Program objectives, narratives and output commitments.

\* Construction grant priority system and project list.

On or about April 15, 1976 copies of the preliminary program document will be mailed for review and comment to units of local and county government, sewerage authorities, environmental commissions, conservation groups, members of the Legislature, major water purveyors, and industrial, business and other organizations having an interest in water pollution control in New Jersey.

Individuals may obtain copies of the program document by writing to:

Jeffrey Zelikson, Deputy Director  
Division of Water Resources  
P.O. Box 2809  
Trenton, New Jersey 08625

In accordance with the provisions of 40 CFR 35.556, a public hearing on the proposed program will be held on Thursday, May 20, 1976 beginning at 10:00 A.M. at the Mercer County Community College Auditorium, 1200 Old Trenton Road, West Windsor, New Jersey.

Interested persons or organizations may present written statements or comments relevant to the proposed program prior to the hearing or up to ten days after the hearing, to the Division of Water Resources at the above address or in person at the hearing. These will be given due consideration in preparing the final program document.

The final program document will be adopted by the Department of Environmental Protection on or about June 15, 1976 and submitted to EPA for approval and grant award.

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION COASTAL AREA REVIEW BOARD

### Revisions to Appeals Procedures

On February 20, 1976, 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 procedural rules, known within the Department of Environmental Protection as Docket No. DEP 053-75-11, which revise a portion of the rules concerning the Coastal Area Review Board's appeals procedures.

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

#### 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. The request shall be addressed to:

Secretary, Coastal Area Review Board  
Department of Environmental Protection  
State of New Jersey  
Post Office Box [1390] 1889  
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] N.J.A.C. 7:7D-1.10 [of this Subchapter], and why such procedure is considered appropriate.

#### 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] N.J.A.C. 7:7D-1.10 [of this Subchapter], and why such procedure is considered appropriate.

#### [7:7D-1.10] 7:7D-1.8 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] N.J.A.C. 7:7D-1.5 [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-1.8] 7:7D-1.10 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] N.J.A.C. 7:7D-1.2 [of this Subchapter];
2. Decide the appeal in a summary manner, pursuant to [Section 9] N.J.A.C. 7:7D-1.11 [of this Subchapter]; or
3. Decline to review the appeal for good cause.

#### [7:7D-1.13] 7:7D-1.12 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] N.J.A.C. 7:7D-1.8 [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-1.15] 7:7D-1.13 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-1.11] 7:7D-1.15 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] N.J.A.C. 7:7D-1.5 [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.

An order adopting these revisions was filed and became effective on February 24, 1976, as R.1976 d.60 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Revisions in Preservation of Sea Clam Resource

On March 2, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J. S.A. 13:1B-42, 13:1D-4, 13:1D-9, 50:1-5 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to N.J.A.C. 7:25-12.1 concerning the preservation of sea clam resource in New Jersey.

Such revisions are known within the Department of Environmental Protection as Docket No. DEP 060-75-12.

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

7:25-12.1 Preservation of sea clam resource in New Jersey

(a) No person shall take or attempt to take any sea clam (*Macra solidissima*, also known as *Spisula solidissima*) [smaller than four and one-half inches (114 millimeters) in length, measured on the largest axis of the shell. Such measurement shall be based upon a three-bushel sample taken from two or more cages in possession or control, and the total number of undersized clams in possession shall not exceed ten per cent by number of the three-bushel sample.] inside a line beginning at Cape May Point Light and extending 276°T, 1.78 mi. to:

1. Point "A" 38°65.14'N, 74°54.9'W (Crow Shoal L.B. Buoy "5") thence 127°T, 2.2 mi. to;
2. Point "B" 38°54.85'N, 74°57.65'W, thence 092°T, 2.1 mi. to;
3. Point "C" 38°54.8'N, 74°54.92'W, thence 075°T, 3 mi. to;
4. Point "D" 38°55.55'N, 74°54.14'W, thence 046°T, 6.2 mi. to;
5. Point "E" 38°59.81'N, 74°45.5'W (Hereford Inlet L.W. Buoy "8") thence 028°T, 6.9 mi. to;
6. Point "F" 39°5.9'N, 74°41.38'W (Townsend's Inlet L.G. Buoy "4A") thence 017°T, 2.9 mi. to;
7. Point "G" 39°08.89'N, 74°40.25'W, thence 033°T, 6.6 mi. to;
8. Point "H" 39°14.40'N, 74°35.61'W, thence 048°T, 3.7 mi. to;
9. Point "I" 39°16.90'N, 74°32.00'W, thence 054°T, 4.4 mi. to;
10. Point "J" 39°19.50'N, 74°27.41'W, thence 059°T, 3.8 mi. to;
11. Point "K" 39°21.42'N, 74°23.22'W, thence 113°T, 1.0 mi. to;
12. Point "L" 39°21.05'N, 74°22.05'W, thence 044°T, 3.88 mi. to;
13. Point "M" 39°23.85'N, 74°18.64'W (Brigantine Shoal Buoy "4BS") thence 030°T, 5.05 mi. to;
14. Point "N" 39°28.2'N, 74°15.35'W (Little Egg Inlet Buoy "LE") thence 003°T, 2.0 mi. to;
15. Point "O" 39°30.15'N, 74°15.8'W (Beach Haven Inlet L.B. Buoy "2BH") thence 277°T, 2.91 mi. to the cupola of the abandoned U.S.C.G. Station, Little Egg.

[1.] 16. [Such size limitations as established above shall apply regardless of the ownership of the clams;] Where the line described above passes through a sanctuary or condemned waters as delineated by the Department, the line shall be deemed to conform to the outer boundaries of said areas. [However;] Nothing in this regulation shall be construed to apply to research programs conducted under the auspices of the Department. With the exception of subsection (b), nothing in this regulation shall apply to the harvesting of bait clams from condemned waters under the applicable permit of the Department.

(b) Sea clams and bait clams may be taken from the waters of this State only between sunrise and 4:00 P.M.

(c) No sea clams may be taken from the waters of this State between May 1 and November 30 each year.

(d) No dredge on any boat may utilize more than one manifold. No knife or manifold on any dredge may exceed 60 inches in length.

(e) The Department will issue no more commercial sea clam licenses for the calendar year 1976.

[(b)] (f) The term "person" as used in this regulation shall include, but shall not be limited to, the captain or other person responsible for the operation of the harvest vessel, the manager or owner of the processing plant where the clams are inspected, or the record owner of the clams.

[(c)] (g) For the purpose of enforcing this regulation effectively, all sea clams taken from the waters of this State shall be first landed in New Jersey, and each cage shall be tagged to show the vessel which harvested the clams and the date harvested. Such tag shall be removed when the cage is empty. These rules and regulations may be enforced by any and all enforcement personnel of the Department.

[(d)] (h) Beginning January 5, 1976, each licensee, pursuant to P.L. 1950, c. 310, shall each [week] month provide a written daily log to the Director of the Division of Fish, Game and Shellfisheries specifying:

1. The latitude and longitude of each area from which sea clams are dredged;

2. The hours of each day during which the dredging was performed; and

3. The quantity of sea clams harvested.

[(e)] (i) Beginning January 1, 1976, a fee of 1.5 cents shall be collected for each bushel of sea clams landed in this State, in order to defray a portion of the administrative and enforcement costs borne by the State in this matter. A decision on an upward revision of the landing fee will be made before July 1, 1976. Each licensee shall certify monthly to the Commissioner on forms provided by the Department the number of bushels landed, and payment according to the schedule outline above shall accompany the certification. Such payment shall be by check, made payable to "Treasurer, State of New Jersey" [.] and must accompany the monthly report sent to the Director of the Fish, Game and Shellfisheries.

[(f)] (j) If any provision of these regulations or the application to any person or circumstances is held invalid, the remainder of the regulations and the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

An order adopting these revisions was filed and became effective on March 2, 1976, as R.1976 d.65 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

# ENVIRONMENTAL PROTECTION

## THE COMMISSIONER

### Adopt Revisions Implementing the 90-Day Construction Permits Rules

On March 10, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of P.L. 1975, c. 232 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions which delete in its entirety the current text of N.J. A.C. 7:1C-1.5(a)4. concerning the implementation of the 90-day construction permits rules, and adopting new text therein.

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

Full text of the new rule follows:

7:1C-1.5(a)4. Stream encroachment (N.J.S.A. 58:1-26):

i. Minor projects: Minor projects within the channel or flood plain 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. These shall include but are not limited to major desnagging and stream clearing, minor dredging projects, dug ponds without structures, dredging of existing impoundments, storm drains and sewer headwalls, outlet works, sewer outlet diffusers, minor water intake facilities, single utility poles and electric transmission towers, excavation projects where all material is removed from the floodplain, minor regrading, utilities that are constructed within the superstructure of a bridge above the underclearance, and minor bank reestablishment and/or protection projects. Governmental agencies may combine their minor activities in any calendar year and submit an annual plan which shall be considered as one minor project. For minor projects, the fee shall be \$50.00.

ii. Utilities: Any utility to be constructed under or over a channel, or along and within the floodplain up to a maximum of 100 feet from the top of channel bank. For utilities the fee shall be \$100.00 for each channel crossing plus \$50.00 for any utility constructed along and within the floodplain up to a maximum of 100 feet from the top of channel bank. If no channel crossing is involved, the fee shall be \$50.00.

iii. Establishment of encroachment line: The cost for the review of a proposed encroachment line will be based on the length of the encroachment line across the property as follows:

(1) Three hundred dollars for the first 500 feet or part thereof, plus \$200.00 for the next 500 feet or part thereof, plus \$100.00 for each succeeding 500-foot increment or part thereof.

(2) If the "appropriate agency" deems that the use of historic data is appropriate for the determination of an encroachment line, the fee shall be as follows:

(A.) One hundred dollars for the first 1,000 feet or part thereof, plus \$50.00 for each succeeding 1,000-foot increment or part thereof.

(B.) If the floodway has been officially delineated by the Department, the fee shall be \$25.00.

iv. Fills: Any fill project within the channel or floodplain:

(1) For fill projects the fee shall be the cost of the establishment of an encroachment line as set forth in subparagraph iii. above plus \$50.00.

v. Channel relocation: Any relocation or other construction that will change the characteristics of a channel except for walls, bridges or culverts:

(1) For channel relocation projects the fee shall be the cost for the establishment of an encroachment line as set forth in subparagraph iii. of this paragraph plus \$50.00.

vi. Channel excavation: Any excavation or major dredging not covered under subparagraph i. of this paragraph within an existing channel. For channel excavation the fee shall be based on the length of the stream to be excavated as follows:

(1) One hundred dollars for the first 1,000 feet or part thereof plus \$50.00 for each additional 1,000-foot increment or part thereof, plus the cost for fill as set forth in subparagraph iv. of this paragraph if the material is not removed from the floodplain.

viii. Other projects: Any project not covered above to be placed within or along the encroachment line. Projects within ten feet of an encroachment line will be considered as along said line and subject to review:

(1) For these projects, the fee shall be one per cent of the construction cost up to \$40,000, plus one-fourth of one per cent of the additional construction cost up to \$300,000, plus one-tenth of one per cent of the additional construction cost. A minimum fee of \$100.00 shall be charged.

(2) The fee for bridges, culverts and enclosures shall be limited to the cost of construction within 300 feet upstream and downstream of the structure. Channel work beyond these points shall be in accordance with the appropriate project fee schedule.

#### SUMMARY OF FEE SCHEDULE

PROJECT	LIMITS	FEE
Minor	Each project	\$50.00
Utilities	Each channel crossing	\$100.00
	Construction along and within flood plain	\$50.00
Delineated Floodways		
Encroachment		
Line(s)	Each project	\$25.00
	Using Historic Flood Data	
	First 1,000 feet or part thereof	\$100.00
	Each succeeding 1,000 feet or part thereof	\$50.00
Calculated		
First 500 feet or part thereof	Second 500 feet or part thereof	\$200.00
	Each succeeding 500-foot segment or part thereof	\$100.00
	Fill(s)	Each project
Channel relocation	Each project	Fee for encroachment line(s) plus \$50.00
Channel excavation	First 1,000 feet or part thereof	\$100.00 plus cost of fill project if spoils not removed from flood plain
	Each succeeding 1,000 feet	\$50.00 plus cost of fill project if spoils not removed from flood plain

Bridges, Each project One per cent of construction cost up to \$40,000; culverts and other projects one-fourth of one per cent of additional construction cost up to \$300,000; plus one-tenth of one per cent of additional construction cost. Fees shall be based on cost of structure and construction within 300 feet upstream and downstream thereof. Channel work beyond limits shall be in accordance with appropriate section.

An order adopting these revisions was filed and became effective on March 10, 1976, as R.1976 d.76 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Rules on Temporary Variances

On March 12, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted an emergency rule, known within the Department of Environmental Protection as Docket No. DEP 002-76-03, concerning temporary variances from the rules regarding the sulfur content of certain fuels.

Full text of the adopted rules follows:

#### 7:27-9.5 Temporary variances

(a) The Department may grant a temporary variance from the provisions of N.J.A.C. 7:27-9.2(a) for a period not to exceed six months (which apply to No. 4, 5 and 6 grades of commercial fuel oil) if it determines that each of the following conditions has been satisfied:

1. A regional analysis of the ambient air quality and sources of air pollution is feasible in light of the population density, the intensity of development and industrialization, and the topography of the region.

2. Such analyses as the Department deems appropriate (to be submitted by the applicant and prepared under the supervision of the Department) indicate that an increase in the maximum per cent sulfur content of the fuel utilized will not threaten the public health or welfare or violate ambient air quality standards.

3. Any other conditions, including, but not limited to, the installation of air quality monitors, the submitting of ambient air quality monitoring data, the submitting of periodic fuel analyses, or any other condition deemed appropriate by the Department are satisfied.

(b) No person shall cause, suffer, allow or permit the breach of any condition of any variance issued pursuant to this Section.

(c) The variance provisions of this Section shall apply in the following areas:

1. Salem County;

2. Upper Township of Cape May County.

(d) Any variance issued pursuant to this Section is revocable at the discretion of the Department.

(e) The Department may revise prior variances to reflect changes in conditions resulting from the granting of additional variances in the same region.

As an emergency rule, these provisions are effective when filed with the Secretary of State. A public hearing on the matter will be held on April 19, 1976, at 10:00 A.M. at the Salem County Court House, Salem, New Jersey 08079, or such other time, place and date as may be announced by the Department. The Department shall thereafter reaffirm or modify this rule.

Written comments may be submitted until April 23, 1976, addressed to Paul Arbesman, Director, Division of Environmental Quality, Department of Environmental Protection, P.O. Box 2807, Trenton, New Jersey 08625.

An order adopting these rules was filed and became effective on March 12, 1976, as R.1976 d.81 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Standards for Licensure Of Residential and In-Patient Drug Treatment 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 adopt new standards for the licensure of residential and in-patient drug treatment facilities. Such standards, if adopted, will be cited as N.J.A.C. 8:42-2.1 et seq.

The proposed standards concern definitions, licensure procedure, general requirements, auspices, administration, organization and delivery of health services and medical care services, counseling, vocational rehabilitative and employment programs, supportive services, pharmacy services, dietary services, medical records, patient care statistics, financial data, audit and evaluation, patient bill of rights, sanitation and physical plant requirements.

Copies of the 25 pages of the full text of these proposed standards may be obtained from or made available for review by contacting:

Mrs. Wanda Schorn, Coordinator  
Licensing, Certification and Standards  
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 April 28, 1976, to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions to Rule On Hospital Rate Setting for 1977

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board, proposes to revise N.J.S.A. 8:31-20.2(e) concerning the hospital reporting for 1977 rate setting system.

Full text of the proposed revisions follows (revised text indicated in boldface thus):

8:31-20.2(e) The abstract information will be made available to the Department of Health in a computer processable media and format, as determined by the Department of Health, on a quarterly basis with the first report being submitted by May 31, 1976, and subsequent reports due 60 days after the end of each calendar quarter.

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

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

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Hill-Burton Uncompensated Care

Dr. Joanne E. Finley, Commissioner of Health, with the approval of the Health Care Administration Board and as required by the U.S. Public Health Service Rules and Regulations, Title 42, Public Health, Section 53.111, proposes to revise the New Jersey State Plan, Section J., rules and regulations governing services for persons unable to pay for hospital services (Hill-Burton Uncompensated Care).

A summary of the pertinent Sections affected by these revisions follows:

1. Paragraph 1.f. "Qualifying services."
2. Paragraph 1.g. "Persons unable to pay for services".
3. Paragraphs 1.i. and j. are redesignated 1.j. and k. respectively and a new paragraph i., "Posted notice" is added.

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

Joseph A. DiCara, Chief  
Health Facilities Construction and Monitoring  
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 April 28, 1976, to: the Department of Health at the above address.

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

Take notice that these proposed revisions are not subject to codification and will not appear in Title 8 of the New Jersey Administrative Code.

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(c)

## HEALTH

### THE COMMISSIONER

#### Proposed Standards for Licensure of Home Health Agencies

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 adopt new standards for the licensure of home health agencies. Such standards, if adopted, will be cited as N.J.A.C. 8:42-1.1 et seq.

The proposed standards concern definitions, licensure procedure, general requirements, auspices, administration, organization and delivery of services, patient flow, continuity and coordination of patient services, clinical records, patient care statistics, financial data, evaluation and physical plant.

Copies of the full text of 31 pages of the proposed standards may be obtained from or made available for review by contacting:

Mrs. Wanda Schorn, Coordinator  
Licensing, Certification and Standards  
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 April 28, 1976, to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### DIVISION OF LABORATORIES AND EPIDEMIOLOGY

#### Notice of Hearing Regarding Rules On Licensure of Clinical Laboratories

Take notice that the Department of Health has issued the following notice of a public hearing concerning the proposed rules on licensure of clinical laboratories (See: February 5, 1976, issue of the New Jersey Register at 8 N.J.R. 64(a) for full text of these proposed rules):

A public hearing will be conducted regarding the proposed adoption of rules and regulations pertaining to licensure of clinical laboratories and their fees on Friday, April 30 at 10:00 A.M. in the auditorium of the Health-Agriculture Building, John Fitch Plaza, Trenton, New Jersey. Interested parties may submit statements, comments or arguments at that time.

It is requested that any one who intends to present a statement advise the following member of the Department:

Jule M. Erdie  
Executive Assistant  
Office of State Commissioner of Health  
Room 805 - Health-Agriculture Building  
Trenton, New Jersey 08625

In addition, copies of the regulation may be obtained by writing to Dr. Martin Goldfield, Assistant Commissioner, Laboratories and Epidemiology, New Jersey Department of Health, John Fitch Plaza, Trenton, New Jersey 08625.

This Notice is published as a matter of public information.  
G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### HEALTH CARE ADMINISTRATION BOARD

#### Amendment to Bylaw Concerning Quorum Votes

On March 16, 1976, the Health Care Administration Board in the Department of Health, pursuant to authority of N.J. S.A. 26:2H-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted a procedural rule which amended its bylaw concerning abstentions and voting concerning quorums.

Full text of the amendment follows:

8:43D-1.4(a)4. An abstention shall count as a vote for the purpose of requiring a quorum.

An order adopting this amendment was filed and became effective on March 17, 1976, as R.1976 d.89 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## INSTITUTIONS AND AGENCIES

### COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

#### Proposed Amendments to State Plan for Vocational Rehabilitation of Blind Persons

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-12, proposes to adopt amendments to the State Plan for Vocational Rehabilitation of Blind Persons under Title I of the Rehabilitation Act of 1973 and the Rehabilitation Act Amendments of 1974. Such amendments, if adopted, will be included in Chapter 97 of Title 10 in the New Jersey Administrative Code.

The amendment reaffirms Part A of the 1976 State Plan and further concerns eligible clients and major disability conditions.

Copies of the full text of five pages of the amendments may be obtained from or available for review by contacting:

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

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1976, to the Commission for the Blind and Visually Impaired at the above address.

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions on Opportunity for Fair Hearing

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise a rule concerning the opportunity for a fair hearing regarding Medicaid services.

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

10:49-5.3 Opportunity for fair hearing

(a) An opportunity for fair hearing may be granted to any provider requesting a hearing on any complaint or issue arising out of the claims payment process:

1. Such issues shall include but not be limited to denials of prior authorization and denial of claims submitted for payment.

2. Such requests for hearing must be made within [15] 20 days of the agency action giving rise to said complaint or issue.

(Continued on page 34)

# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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

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

which a mailing of update pages has been completed.

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

## RULES NOT YET PRINTED IN CODE

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

## COMMUNITY AFFAIRS — TITLE 5

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

## EDUCATION — TITLE 6

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

## ENVIRONMENTAL PROTECTION — TITLE 7

7:1C-1.1 et seq.	Rules on 90-day construction permits	R.1975 d.347	7 N.J.R. 548(a)
7:1C-1.5(a)4.	Revisions on stream encroachment	R.1976 d.76	8 N.J.R. 180(a)
7:2-2.13	Revised charges at State parks	R.1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R.1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R.1975 d.134	7 N.J.R. 261(c)
7:6-1.1 et seq.	Revised rules on power vessels	R.1976 d.32	8 N.J.R. 107(d)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R.1974 d.188	6 N.J.R. 306(a)
7:7A-1.1(a)15.	Extend Wetlands Order to parts of Cumberland County	R.1975 d.32	7 N.J.R. 103(a)
7:7A-1.1(a)16.	Extend wetlands order to parts of Atlantic County	R.1975 d.216	7 N.J.R. 413(b)
7:7D-1.1 et seq.	Appeals procedures: Coastal Area Review Board	R.1975 d.345	7 N.J.R. 551(a)
7:7D-1.5 et seq.	Revisions on CARB appeals procedures	R.1976 d.60	8 N.J.R. 178(a)
7:9-4.1 et seq.	Revise surface water quality standards	R.1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6iv.	Delete text on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment rules formerly cited 7:9-7.29 - .34	R.1974 d.310	6 N.J.R. 470(c)
7:9-13.1 et seq.	Rules on sewerage connection bans	R.1975 d.302	7 N.J.R. 499(e)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R.1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R.1974 d.363	7 N.J.R. 50(a)
7:12-1.1 et seq.	Revisions on shellfish-growing water classification	R.1976 d.54	8 N.J.R. 108(a)
7:12-1.1	Revised rules on shellfish beds	R.1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R.1974 d.336	7 N.J.R. 6(b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R.1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R.1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R.1975 d.27	7 N.J.R. 102(c)
7:12-1.3(a)5.ii.	Revisions condemning certain shellfish beds	R.1975 d.341	7 N.J.R. 547(b)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R.1975 d.105	7 N.J.R. 206(b)
7:13-1.11(c)21	Main stem of Delaware River delineated	R.1975 d.376	8 N.J.R. 15(a)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R.1974 d.268	6 N.J.R. 394(b)
7:20-6.1	Criteria for floodway and flood hazard area delineation	R.1975 d.104	7 N.J.R. 207(a)
7:25-2.1 et seq.	Revisions for public shooting and fishing grounds	R.1975 d.292	7 N.J.R. 499(c)
7:25-2.14	Field trial activities	R.1975 d.291	7 N.J.R. 499(b)
7:25-2.15	Revisions on controlled hunting	R.1975 d.281	7 N.J.R. 464(b)
7:25-5.1 et seq.	1975-76 Game Code	R.1975 d.178	7 N.J.R. 310(c)
7:25-5.26	Special pheasant and quail stamp required	R.1975 d.277	7 N.J.R. 464(a)
7:25-5.27	Use of conibeat traps	R.1975 d.290	7 N.J.R. 499(a)
7:25-6.1 et seq.	1975 Fish Code	R.1974 d.253	6 N.J.R. 394(a)
7:25-6.1 et seq.	1976 Fish Code	R.1975 d.301	7 N.J.R. 499(d)
7:25-7.10	Oyster seed beds for 1975 season	R.1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rules on mussels	R.1975 d.133	7 N.J.R. 261(b)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)

7:25-12.1	Revisions on preservation of sea clam resource	R.1976 d.65	8 N.J.R. 179(a)
7:25-9.3	Hard Clams	R.1975 d.367	8 N.J.R. 14(b)
7:25-9.4	Designation of scallop season	R.1975 d.365	8 N.J.R. 14(a)
7:25-11.1	List of endangered species	R.1974 d.348	7 N.J.R. 6(c)
7:25-11.1	List of endangered species	R.1975 d.164	7 N.J.R. 311(a)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:26-2.5 et seq.	Revisions in rules of Bureau of Solid Waste Management	R.1974 d.234	6 N.J.R. 343(c)
7:26-2.5	Amend effective date of rule	R.1975 d.190	7 N.J.R. 360(b)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R.1975 d.66	7 N.J.R. 149(b)
7:26-2.6(d)4	Revised effective date of solid waste rule	R.1975 d.271	7 N.J.R. 463(b)
7:26-4.1 et seq.	Revised fee schedule	R.1975 d.136	7 N.J.R. 259(a)
7:27-2.1 et seq.	Revised rules on control of open burning	R.1975 d.326	7 N.J.R. 547(c)
7:27-9.5	Temporary variances	R.1976 d.81	8 N.J.R. 181(a)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R.1975 d.22	7 N.J.R. 102(b)
7:27-15.4(b)	Revisions on control of air pollution from light-duty motor vehicles	R.1976 d.12	8 N.J.R. 62(c)
7:27-16.1 et seq.	Volatile organic substances	R.1975 d.377	8 N.J.R. 15(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R.1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R.1975 d.136	7 N.J.R. 261(d)
7:27B-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)
8:7-1.4	Board of Examiners licensure of persons for public health positions	R.1976 d.1	8 N.J.R. 65(a)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R.1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R.1974 d.185	6 N.J.R. 310(b)
8:21-1.24	Labeling of feminine deodorant sprays	R.1976 d.19	8 N.J.R. 65(b)
8:21-1.25	Cosmetic product warning statements	R.1976 d.50	8 N.J.R. 118(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R.1974 d.204	6 N.J.R. 311(a)
8:21-4.1 et seq.	Delete text of Subchapter 4	R.1975 d.320	7 N.J.R. 503(b)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R.1974 d.361	7 N.J.R. 56(b)
8:21-5.1 et seq.	Revise acidified milk and fluid milk products rules	R.1975 d.320	7 N.J.R. 503(b)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R.1974 d.184	6 N.J.R. 310(a)
8:21-9.5	Revised wholesale licensing fees	R.1975 d.299	7 N.J.R. 501(a)
8:21-10.11	Acidified milk and acidified milk products	R.1975 d.320	7 N.J.R. 503(b)
8:31-5.1 et seq.	Delete entire Subchapter 5	R.1975 d.315	7 N.J.R. 503(a)
8:31-10.1	Licensing of drug-related facilities	R.1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R.1974 d.195	6 N.J.R. 310(e)
8:31-12.1	Long-term care facilities	R.1975 d.368	8 N.J.R. 16(a)
8:31-14.1 et seq.	1975 hospital rate review	R.1975 d.54	7 N.J.R. 152(b)
8:31-14.1	1975 hospital rate review program guidelines	R.1975 d.240	7 N.J.R. 414(a)
8:31-16.1	Hospital long range plans	R.1975 d.201	7 N.J.R. 362(d)
8:31-14.9	Revisions on hospital rate review appeals board	R.1975 d.321	7 N.J.R. 503(c)
8:31-17.1 et seq.	Standard hospital accounting and rate evaluation system (SHARE)	R.1975 d.239	7 N.J.R. 415(b)
8:31-18.1 et seq.	Rules for experimental medical reporting systems	R.1975 d.271	7 N.J.R. 463(b)
		R.1975 d.245	7 N.J.R. 416(a)
8:31-19.1 et seq.	Methods of determining final 1974 hospital rates	R.1975 d.244	7 N.J.R. 414(b)
8:31-20.1 et seq.	1977 hospital rate review rules	R.1975 d.312	7 N.J.R. 501(b)
8:31-21.1 et seq.	Guidelines for 1976 hospital rate review program	R.1975 d.314	7 N.J.R. 502(b)
8:31-22.1 et seq.	Doctors' office owned and/or sponsored by health care facilities	R.1976 d.20	8 N.J.R. 65(c)
8:31-23.1 et seq.	Parking garages owned and/or sponsored by health care facilities	R.1976 d.25	8 N.J.R. 66(e)
8:31-24.1 et seq.	Design and construction of interns, residents and nurses housing facilities	R.1976 d.21	8 N.J.R. 66(a)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R.1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R.1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R.1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R.1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R.1974 d.318	6 N.J.R. 472(d)
8:31-21.1 et seq.	Guidelines for submission of certificate of need applications	R.1975 d.315	7 N.J.R. 503(a)
8:33-1.11	Continuation of mixing skilled nursing facilities levels A and B	R.1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R.1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R.1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R.1974 d.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)
8:43B-3.1(d)	Amend building standards	R.1976 d.23	8 N.J.R. 66(c)
8:43B-10.2	Revisions to manual of standards for hospital facilities	R.1976 d.22	8 N.J.R. 66(b)
8:43B-13.3(d)	Delete rule on long-term care units in general acute hospitals	R.1976 d.24	8 N.J.R. 66(d)
8:43D-1.1 et seq.	Bylaws of Health Care Administration Board	R.1975 d.372	8 N.J.R. 16(b)
8:43D-1.4(a)4.	Amend bylaw on abstention and quorum vote	R.1976 d.89	8 N.J.R. 183(b)
8:57-4.1 et seq.	Immunization of pupils in school	R.1975 d.121	7 N.J.R. 264(a)
8:64-3.1	Definition of soap	R.1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R.1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R.1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R.1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R.1975 d.55	7 N.J.R. 155(a)
8:65-7.8(e)	Amend rule on requirements of schedule II prescriptions	R.1975 d.349	7 N.J.R. 556(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R.1975 d.209	7 N.J.R. 363(a)
8:65-11.1 et seq.	Narcotic treatment program	R.1975 d.59	7 N.J.R. 164(c)

## HIGHER EDUCATION — TITLE 9

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

## INSTITUTIONS AND AGENCIES — TITLE 10

10:34-1.1 et seq.	Minimum standards for county correctional facilities	R.1975 d.300	7 N.J.R. 506(c)
10:35-1.1 et seq.	Revised standards	R.1975 d.108	7 N.J.R. 272(a)
10:35-7.4(b) et seq.	Revised standards	R.1974 d.273	6 N.J.R. 432(b)
10:35-18.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-19.12	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-28.7	Correspondence in a language other than English	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.3(b)	Revised fee schedules	R.1974 d.356	7 N.J.R. 59(b)
10:35-60.5	Waiver of payment by court order	R.1974 d.356	7 N.J.R. 59(b)
10:35-63.1 et seq.	Inmate responsibility for personal property of substantial value	R.1974 d.273	6 N.J.R. 432(b)
10:35-64.1 et seq.	Inmate marriages	R.1974 d.273	6 N.J.R. 432(b)
10:35-65.1 et seq.	Volunteers in parole program	R.1974 d.356	7 N.J.R. 59(b)
10:35-66.1 et seq.	Probable cause hearing	R.1974 d.356	7 N.J.R. 59(b)
10:35-67.1 et seq.	Distribution of money and personal belongings of deceased inmates	R.1974 d.356	7 N.J.R. 59(b)
10:35-68.1 et seq.	Inmates' personal savings accounts	R.1974 d.356	7 N.J.R. 59(b)
10:35-69.1 et seq.	Revised rules on administrative segregation	R.1975 d.108	7 N.J.R. 272(a)
10:46-4.3	Application for admission; delinquent minor	R.1975 d.158	7 N.J.R. 328(b)
10:47-1.1 et seq.	Manual of standards for private mentally retarded institutions	R.1975 d.203	7 N.J.R. 364(a)
10:49-1.17	Claim submittal time limits	R.1975 d.151	7 N.J.R. 329(c)
10:49-1.17(c)	Amendment concerning noninstitutional providers	R.1975 d.150	7 N.J.R. 328(d)
10:49-1.25	Temporary fee reduction concerning Medicaid	R.1975 d.225	7 N.J.R. 421(a)
10:49-1.26	Reduction in reimbursement for laboratory services	R.1975 d.206	7 N.J.R. 365(a)
10:49-1.28	Medicaid payments to hospitals	R.1975 d.383	8 N.J.R. 70(b)
10:49-1.29	Eliminate certain Medicaid program services	R.1975 d.380	8 N.J.R. 70(a)
10:49-1.29	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:51-1.1 et seq.	Repeal elimination of certain Medicaid services	R.1976 d.78	8 N.J.R. 196(a)
10:51-1.1 et seq.	Revisions to pharmacy manual	R.1975 d.182	7 N.J.R. 333(b)
10:51-1.2	Definition of eligible pharmacies in New Jersey	R.1974 d.297	6 N.J.R. 477(c)
10:51-1.8	Revised pharmaceutical services not eligible for payment	R.1975 d.317	7 N.J.R. 507(b)
10:51-1.10	Revisions concerning pharmacy providers	R.1974 d.312	6 N.J.R. 478(c)
10:51-1.10(d)	Revised dispensing fee	R.1975 d.223	7 N.J.R. 419(d)
10:51-1.10(g)	Revisions on legend drugs	R.1975 d.163	7 N.J.R. 329(b)
10:51-1.11(a)3	Revisions on institutional pharmacies	R.1975 d.156	7 N.J.R. 328(a)
10:52-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.206	7 N.J.R. 364(c)
10:52-1.1 et seq.	Revised portions of hospital manual	R.1974 d.201	6 N.J.R. 313(a)
10:52-1.1 et seq.	Revisions on physicians services	R.1975 d.229	7 N.J.R. 431(a)
10:52-1.2(a)18.	Revisions on hospital services	R.1974 d.296	6 N.J.R. 478(a)
10:52-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.4	Revisions in special provisions for general hospitals	R.1974 d.339	7 N.J.R. 8(a)
10:52-1.7(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:52-1.15	Reimbursement of third-party claims	R.1975 d.204	7 N.J.R. 364(b)
10:52-2.11	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:52-3.1 et seq.	Rules on teleprocessing	R.1975 d.230	7 N.J.R. 431(b)

10:53-1.1 et seq.	Revised rules on sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:53-1.2(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:53-1.6(a)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.1	Define office visits	R.1975 d.86	7 N.J.R. 226(d)
10:54-1.1 et seq.	Revisions to the Physicians Manual	R.1975 d.227	7 N.J.R. 430(a)
10:54-1.2(f)	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:54-1.13 et seq.	Revisions on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:54-1.19	Revisions concerning specialist recognition	R.1974 d.201	6 N.J.R. 313(a)
10:54-1.19	Revisions concerning specialists	R.1974 d.311	6 N.J.R. 478(b)
10:54-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:54-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:54-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:54-4.1 et seq.	Revised physicians fee schedule	R.1975 d.231	7 N.J.R. 431(c)
10:55-1.2	Revisions concerning eligible providers; prosthetic, orthotic manual	R.1974 d.187	6 N.J.R. 312(e)
10:56-1.16	Revisions on dental services	R.1975 d.262	7 N.J.R. 466(a)
10:56-1.36 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:56-1.48	Recovery of payments correctly made	R.1974 d.202	6 N.J.R. 313(b)
10:56-2.1(d)	Dental providers	R.1974 d.203	6 N.J.R. 313(c)
10:57-1.4	Revisions on noncovered services	R.1975 d.162	7 N.J.R. 329(a)
10:57-1.14 et seq.	Revision on generic dispensing	R.1975 d.339	7 N.J.R. 567(c)
10:57-2.1 et seq.	Revisions on billing procedures	R.1974 d.222	6 N.J.R. 351(c)
10:59-1.7(a)6.	Revised prior authorization and medical supply services	R.1975 d.31	7 N.J.R. 105(b)
10:60-1.1 et seq.	Revisions on home health care services	R.1975 d.354	8 N.J.R. 37(b)
10:60-1.16	Timely submission of hospital claims	R.1975 d.316	7 N.J.R. 507(a)
10:61-1.1 et seq.	Revised rules on independent laboratory services	R.1975 d.224	7 N.J.R. 420(a)
10:61-1.5	Revisions on reimbursements in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:61-2.5	Revisions on report of services in independent laboratory services manual	R.1976 d.67	8 N.J.R. 195(d)
10:62-1.1 et seq.	Revisions to vision care manual	R.1974 d.181	6 N.J.R. 312(c)
10:62-2.2(a)2	Revisions on reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:62-2.3(j)	Curtailement of reimbursable vision care services	R.1975 d.261	7 N.J.R. 465(b)
10:63-1.10(a)5.	Revisions on long-term care facilities	R.1975 d.42	7 N.J.R. 166(a)
10:63-1.13	Plans of correction of deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:63-1.14	Skilled nursing and intermediate care services	R.1975 d.87	7 N.J.R. 227(a)
10:63-1.15	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:63-3.1 et seq.	1975 cost study and instructions long-term care facilities	R.1975 d.149	7 N.J.R. 328(c)
10:64-1.2 et seq.	Revisions to hearing aid manual	R.1975 d.14	7 N.J.R. 58(b)
10:65-1.2	Plans of correction for deficiencies	R.1974 d.343	7 N.J.R. 9(a)
10:66-1.3	Out-of-State clinics	R.1974 d.295	6 N.J.R. 477(b)
10:66-1.20	Sterilization procedures	R.1975 d.205	7 N.J.R. 364(c)
10:66-1.20(b)	Sterilization rule revised	R.1975 d.373	8 N.J.R. 38(a)
10:66-1.21	Rule on portable X-ray services	R.1975 d.228	7 N.J.R. 430(b)
10:67-2.1 et seq.	Revised procedure for Administrative Code numbers	R.1974 d.245	6 N.J.R. 399(b)
10:69-1.1 et seq.	Reimbursement to pharmaceutical consultants in long-term care facilities	R.1976 d.6	8 N.J.R. 70(c)
10:81			
Appendix D	Revise effective date to August 1, 1975	R.1975 d.208	7 N.J.R. 365(b)
10:81-1.1 et seq.	New Public Assistance Manual	R.1975 d.29	7 N.J.R. 105(c)
10:81-1.1 et seq.	Revisions to public assistance manual	R.1976 d.63	8 N.J.R. 195(b)
10:81-3.3(i)	Revisions on noncontributory persons in a household	R.1975 d.64	7 N.J.R. 167(b)
10:81-6.13(a)	Revisions on fair hearings	R.1975 d.280	7 N.J.R. 467(a)
10:81-6.13(a)	Revisions of fair hearing	R.1975 d.280	7 N.J.R. 467(a)
10:81-28.3	Recoupment of overpayments	R.1974 d.287	6 N.J.R. 435(b)
10:81-28.4	Periodic notice to client	R.1974 d.287	6 N.J.R. 435(b)
10:81	Rules on child support and paternity program	R.1975 d.180	7 N.J.R. 329(d)
Appendix D			
10:82-1.1 et seq.	Assistance Standards Handbook	R.1975 d.93	7 N.J.R. 227(b)
10:82-1.3(a)	Amendment on designation of stepparents as essential parents	R.1976 d.27	8 N.J.R. 124(a)
10:82-3.2	AFDC program	R.1974 d.205	6 N.J.R. 312(b)
10:82-10.1	Overpayments, underpayments	R.1974 d.287	6 N.J.R. 435(b)
10:82-11.14	Revisions concerning expenses of employment in AFDC	R.1974 d.285	6 N.J.R. 434(a)
10:82-11.16(d)	Revisions concerning disregard of earned income	R.1974 d.286	6 N.J.R. 435(a)
10:84-1.1 et seq.	Delete entire Chapter and mark it Reserved	R.1975 d.29	7 N.J.R. 105(c)
10:85-11.6(a)	Revisions in payments to hospitals	R.1974 d.78	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 Appendix I	Revisions on Ruling 11, Part I, classification and compensation plan	R.1976 d.66	8 N.J.R. 195(c)
10:109-1.1 et seq.	Revisions concerning public assistance staff development program	R.1974 d.179	6 N.J.R. 312(e)
10:109-1.6(a)	Revisions concerning educational leave stipends	R.1974 d.248	6 N.J.R. 399(a)
10:109-2.1 et seq.	Ruling Number 11; classification and compensation plan	R.1974 d.211	6 N.J.R. 351(a)

10:109-2.1 et seq.	Revisions to classification and compensation plan	R.1975 d.336	7 N.J.R. 567(b)
10:109-3.1 et seq.	Revision to time and leave regulations	R.1975 d.336	7 N.J.R. 567(b)
10:120-2.1	Purchase of services; hard-to-place children	R.1976 d.31	8 N.J.R. 123(a)
10:121-3.1 et seq.	Adoption complaint investigation fees	R.1975 d.15	7 N.J.R. 58(c)
10:122-2.1 et seq.	AFDC foster care plan	R.1975 d.99	7 N.J.R. 227(c)
10:123-1.1 et seq.	Revised State Plan for services to families and children	R.1974 d.232	6 N.J.R. 351(b)
10:123-1.1 et seq.	Revised State Plan for families and children	R.1974 d.355	7 N.J.R. 59(a)
10:123-1.1 et seq.	Revised State Plan for individuals and families	R.1975 d.283	7 N.J.R. 467(c)
10:123-1.14	Establishing paternity and securing support for AFDC children	R.1975 d.35	7 N.J.R. 105(a)
10:123-4.1	Amendment concerning community planning	R.1975 d.57	7 N.J.R. 166(b)
10:123-5.3(a)4	Revise maximum income level eligibility	R.1975 d.181	7 N.J.R. 333(a)
10:124-1.1 et seq.	Revised standards for juvenile shelters awaiting disposition	R.1975 d.219	7 N.J.R. 419(b)
10:125-1.1 et seq.	Comprehensive social services plan	R.1975 d.220	7 N.J.R. 467(b)
10:125-1.2(d)	Revise portion of comprehensive social services plan	R.1976 d.49	8 N.J.R. 124(b)
10:126-1.1 et seq.	State training plan under Title XX of Social Security Act	R.1975 d.298	7 N.J.R. 506(b)
10:127-1.1 et seq.	Manual of standards for residential child care facilities	R.1976 d.77	8 N.J.R. 195(e)
10:140-1.1 et seq.	1976 State Plan annual revision	R.1975 d.282	7 N.J.R. 419(c)

## INSURANCE — TITLE 11

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

## LABOR AND INDUSTRY — TITLE 12

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

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

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

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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)

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16:3-1.1 et seq.	Uniform patent policy	R.1975 d.160	7 N.J.R. 345(b)
16:26-3.1 et seq.	Revisions on highway safety lighting	R.1975 d.288	7 N.J.R. 521(b)
16:27-1.6	Limitations on use of Parkway	R.1975 d.342	7 N.J.R. 577(b)
16:28-1.10	Revised speed limits on parts of U.S. 46	R.1975 d.95	7 N.J.R. 237(b)
16:28-1.14	Revised rules on rates of speed on Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.25 et seq.	Revise rules on rates of speed along certain State highways	R.1974 d.197	6 N.J.R. 325(a)
16:28-1.26	Revised speed limits on parts of Route U.S. 206	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.35	Revised speed limits on portions of Route 18	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.36	Revised speed limits on parts of Route 24	R.1975 d.17	7 N.J.R. 118(a)

16:28-1.44	Revised speed limits on parts of Route 27	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.51	Revised speed limits on parts of Route 55	R.1975 d.167	7 N.J.R. 346(a)
16:28-1.51	Revised speed limits for parts of Route 55	R.1975 d.254	7 N.J.R. 439(b)
16:28-1.61	Rates of speed on parts of Route 22 Freeway	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.63	Revise rates of speed on Route U.S. 22	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R.1974 d.325	7 N.J.R. 32(b)
16:28-1.68	Revised rates of speed on parts of Route 17	R.1975 d.153	7 N.J.R. 344(d)
16:28-1.70 et seq.	Revise speed rates on certain State highways	R.1976 d.379	8 N.J.R. 85(b)
16:28-1.76	Revised speed limits on parts of Route 15	R.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)
16:28-1.106	Revised speed limits on parts of Route 31	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.107	Revised speed limits on parts of Route 48	R.1975 d.294	7 N.J.R. 521(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.121	Revised speed limits on parts of Route 93	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.122	Revisions to rates of speeds on U.S. 1, 9 and 46	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.128	Revise speed limits on parts of Route 88	R.1975 d.329	7 N.J.R. 576(c)
16:28-1.148	Revised speed limits on Route I-295	R.1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.158	Speed limits on Route 87 in Atlantic City	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.159	Rates of speed on parts of Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.160	Speed limits on portions of Route I-78	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.162	Speed limits on Route 33 Freeway	R.1975 d.274	7 N.J.R. 488(a)
16:28-2.1	Weight limit along Route 152 in Egg Harbor Township	R.1975 d.63	7 N.J.R. 178(d)
16:28-3.77	Rules on restricted parking along certain State highways	R.1974 d.216	6 N.J.R. 359(b)
16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.24	Route number U.S. 40	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.25	Route number 47	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.26	No parking; Route 35	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R.1974 d.359	7 N.J.R. 74(a)
16:28-3.28	Restricted parking rules on various State highways		
through 16:28-3.41		R.1975 d.16	7 N.J.R. 117(a)
16:28-3.42	Restricted parking along certain State highways		
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16:28-3.51	Rules on restricted parking on various State highways		
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16:28-3.63	Rules on restricted parking on various State highways		
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16:28-3.68	Rules on restricted parking on various State highways		
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16:28-3.72	Rules on restricted parking on certain State highways		
through 16:28-3.76			
16:28-3.77	Rules on restricted parking along certain State highways	R.1975 d.269	7 N.J.R. 487(c)
through 16:28-3.83			
16:28-3.84 through	Revised rules on no-parking zones along various State highways	R.1975 d.295	7 N.J.R. 522(a)
16:28-3.89			
16:28-3.85	Revised no parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 0000
16:28-3.90	No-parking zones on portions of Route 31	R.1975 d.338	7 N.J.R. 577(a)
16:28-3.91	Restricted parking on parts of Routes 70, 79 and U.S. 206	R.1975 d.378	8 N.J.R. 85(a)
through 16:28-3.93			
16:28-3.94	Restricted parking along portions of various State highways	R.1976 d.42	8 N.J.R. 139(d)
through 16:28-3.100			
16:28-3.101	No parking zones on parts of Route 38	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.102	No parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.103	No parking zones on parts of Route 49	R.1976 d.80	8 N.J.R. 207(d)
16:28-4.1 et seq.	One-way street regulations	R.1974 d.225	6 N.J.R. 359(c)
16:28-4.3	One-way traffic along Route 79	R.1974 d.293	6 N.J.R. 493(c)
16:28-4.4	One-way traffic on parts of Route U.S. 202	R.1975 d.255	7 N.J.R. 439(c)
16:28-5.1	Designation of stop intersections	R.1974 d.250	6 N.J.R. 414(b)
16:28-5.2	Stop intersections on parts of Route 440	R.1976 d.44	8 N.J.R. 140(a)
16:28-6.1	No left turn rules on parts of Route U.S. 206	R.1974 d.324	7 N.J.R. 32(a)
16:28-6.1	Revisions on left turns on Route U.S. 206 in Bedminster Township	R.1975 d.48	7 N.J.R. 178(a)
16:28-6.2	Restricted left turns on portions of Route 24	R.1975 d.337	7 N.J.R. 576(d)
through 16:28-6.3			
16:28-6.4	No-left turns along parts of Route 35	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.5	No-left turns along parts of Route U.S. 40	R.1976 d.41	8 N.J.R. 139(c)
16:28-7.1	Lane usage on Route 35	R.1975 d.375	8 N.J.R. 50(b)
16:28-8.1	Yield intersection on Route 71	R.1976 d.39	8 N.J.R. 139(a)
16:28-9.1	Emergency stopping only on parts of Route 55	R.1976 d.40	8 N.J.R. 139(b)

16:28-10.1	Rules on through streets	R.1976 d.55	8 N.J.R. 207(a)
16:41-1.1 et seq.	Revised fees for highway access permits	R.1975 d.13	7 N.J.R. 73(b)
16:41-2.3 et seq.	Revised fee schedules	R.1975 d.207	7 N.J.R. 387(d)
16:50-2.6	Rule on emergency hearings	R.1975 d.199	7 N.J.R. 387(b)
16:51-4.1 et seq.	Delegation of powers for seniors half-fare bus program	R.1975 d.113	7 N.J.R. 280(b)
16:54-6.1 et seq.	Take-off or landing by balloons	R.1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revised rules on ballooning	R.1975 d.131	7 N.J.R. 281(a)
16:65-2.1 et seq.	Revisions on distribution of standard specifications	R.1975 d.195	7 N.J.R. 387(a)

## TREASURY-GENERAL — TITLE 17

17:1-1.8 et seq.	Revisions on general administration	R.1975 d.235	7 N.J.R. 446(a)
17:1-1.15	Revisions on endorsements	R.1975 d.385	8 N.J.R. 88(a)
17:1-1.15(e)	Compliance with endorsement requirements	R.1974 d.219	6 N.J.R. 360(a)
17:1-1.17	Revisions on administrative expenses and their proration	R.1975 d.30	7 N.J.R. 122(a)
17:1-2.20	Base or contractual salary	R.1976 d.36	8 N.J.R. 140(d)
17:2-1.13 et seq.	Revisions on Public Employees' Retirement System	R.1974 d.230	6 N.J.R. 361(a)
17:3-1.4 et seq.	Revise rules of teachers' pension and annuity fund	R.1975 d.140	7 N.J.R. 349(a)
17:4-1.4 et seq.	Revisions to rules of Police and Firemen's Retirement System	R.1975 d.191	7 N.J.R. 393(a)
17:7-1.9 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.362	8 N.J.R. 51(a)
17:16-5.5	Revised temporary reserve group	R.1975 d.278	7 N.J.R. 490(a)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R.1974 d.192	6 N.J.R. 328(c)
17:16-5.5	Revised temporary reserve group	R.1976 d.29	8 N.J.R. 140(c)
17:16-6.1(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)
17:16-11.1	Revisions on applicable funds	R.1975 d.363	8 N.J.R. 51(b)
17:16-13.5	Revisions on legal papers; commercial paper	R.1974 d.218	6 N.J.R. 361(c)
17:16-13.5	Revisions on legal papers	R.1975 d.236	7 N.J.R. 442(b)
17:16-29.1	Revised definition for FHA mortgages	R.1975 d.364	8 N.J.R. 51(c)
17:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R.1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R.1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R.1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R.1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R.1975 d.67	7 N.J.R. 180(d)
17:20-5.10	Revise agent's compensation rule	R.1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R.1974 d.224	6 N.J.R. 360(b)
17:21-2.3 et seq.	Revised rules concerning weekly lottery	R.1974 d.329	7 N.J.R. 33(b)
17:21-6.1	Delete rules on daily lottery	R.1975 d.374	8 N.J.R. 52(a)
through 17:21-6.6			
17:21-6.9	Final drawings for daily lottery	R.1975 d.374	8 N.J.R. 52(a)
17:21-11.1 et seq.	1776 Instant Lottery rules	R.1975 d.318	7 N.J.R. 525(a)
17:21-11.5 et seq.	Revised rules on 1776 Instant Lottery	R.1975 d.330	7 N.J.R. 578(b)

## TREASURY-TAXATION — TITLE 18

18:2-1.1	Reproduction of forms	R.1974 d.182	6 N.J.R. 328(a)
18:2-2.1 et seq.	Rules on imposition of penalties and interest	R.1975 d.284	7 N.J.R. 490(b)
18:5-3.10(d)	Revised rule on decalcomania revenue stamps on cigarettes	R.1975 d.28	7 N.J.R. 122(b)
18:6-1.1	Revised definition of cost of doing business	R.1974 d.243	6 N.J.R. 414(d)
18:12A-1.6 et seq.	Revisions concerning County Boards of Taxation	R.1975 d.46	7 N.J.R. 180(b)
18:12A-1.16	Electronic Data processing and tax assessment lists	R.1974 d.242	6 N.J.R. 414(c)
18:16-1.1 et seq.	Revisions in realty transfer fee law	R.1975 d.84	7 N.J.R. 240(b)

18:16-1.1 et seq.	Revisions on realty transfer fees	R.1975 d.242	7 N.J.R. 443(a)
18:16-2.2(b) et seq.	Revisions of realty transfer fee law rules	R.1975 d.286	7 N.J.R. 490(c)
18:22-7.6	Gross receipts from transactions; municipal electric supplies	R.1975 d.45	7 N.J.R. 180(a)
18:24-1.14	Effective date of exemption organization permit	R.1975 d.187	7 N.J.R. 350(b)
18:24-5.16(f)	Revisions on use of certificate of capital improvement for sales tax	R.1975 d.246	7 N.J.R. 446(b)
18:24-10.2	Amendments concerning exempt certificates requirements	R.1976 d.62	8 N.J.R. 209(a)
18:24-10.4	Acceptance in good faith	R.1974 d.244	6 N.J.R. 414(e)
18:24-10.5	Disclosure of proper exemption basis	R.1974 d.244	6 N.J.R. 414(e)
18:24-11.2	Filing of monthly and quarterly returns	R.1975 d.4	7 N.J.R. 77(a)
18:24-24.1 et seq.	Sale and installation of gasoline service station equipment	R.1974 d.252	6 N.J.R. 415(a)
18:26	Revised list of district supervisors and investigators	R.1975 d.270	7 N.J.R. 489(b)
<b>Appendix A</b>			
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)
19:4-6.25	Revisions on Hackensack Meadowland appeals	R.1975 d.355	8 N.J.R. 52(c)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R.1974 d.214	6 N.J.R. 369(a)
19:8-1.1	Garden State Arts Center defined	R.1975 d.145	7 N.J.R. 350(d)
19:8-1.1 et seq.	Revision on motorcycles on Parkway	R.1975 d.332	7 N.J.R. 579(b)
19:8-1.13	Traffic control on Garden State Parkway	R.1975 d.222	7 N.J.R. 447(b)
19:8-2.11	Rules on Garden State Arts Center	R.1975 d.145	7 N.J.R. 350(d)
19:8-2.12	Emergency service on Parkway	R.1975 d.331	7 N.J.R. 579(a)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R.1974 d.290	6 N.J.R. 496(c)
19:9-1.1	Revised Turnpike definitions	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R.1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R.1975 d.25	7 N.J.R. 122(d)
19:9-3.1	Schedule of towing charges for Turnpike	R.1975 d.221	7 N.J.R. 447(c)
19:11-1.6	Revisions in number of copies to be filed	R.1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R.1974 d.346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R.1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R.1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R.1975 d.10	7 N.J.R. 78(a)
19:12-2.1	Revisions in invocation of fact-finding	R.1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R.1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R.1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R.1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R.1974 d.267	6 N.J.R. 418(a)
19:25-7.8	Revision on use of funds by political committees	R.1975 d.359	8 N.J.R. 52(b)
19:25-12.2	Revisions on political testimonial affairs	R.1975 d.359	8 N.J.R. 52(b)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R.1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R.1975 d.26	7 N.J.R. 122(c)
19:35-1.1	Rules on FM noncommercial radio stations	R.1975 d.118	7 N.J.R. 285(a)

(Continued from page 23)

(b) An opportunity for a fair hearing will be granted to any claimant requesting a hearing because his claim for medical assistance is denied or is not acted upon with reasonable promptness, or because he is aggrieved by any other agency action affecting receipt, termination, reduction or suspension of such assistance. Under this requirement:

1. Any request for hearing is defined as any clear expression (oral or written) by the claimant (or someone authorized to act on behalf of the claimant) to the effect that he desires the opportunity to present his case to higher authority.

2. The freedom to make such a request shall not be limited or interfered with in any way, and Departmental emphasis shall be on helping the claimant to submit and process his request and in preparing his case if needed.

3. The claimant shall have [15] 20 days from the date of receipt of notice of Departmental action in which to request a hearing.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1976, 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 these revisions substantially as proposed without further notice.

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions to Medicaid Manuals On Out-of-State Medical Care and Services

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise certain portions of the Health Services Program manuals for out-of-state services.

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

10:49-1.8 Policy on out-of-state medical care and services

(a) Prior approval of the local medical assistance unit shall be required for medical care and services which are to be provided outside New Jersey, except in the following situations:

1. Where necessary medical care is provided to a patient who is temporarily absent from the State;

2. When it is customary for the inhabitants of the district generally to use medical care resources and facilities outside the State;

3. When out-of-state care was provided in an emergency.]

(a) Prior approval from the Division of Medical Assistance and Health Services is required for medical care and

services which are to be provided outside New Jersey, except in the following situations:

1. Where the health of the Medicaid eligible individual would be endangered if the care and services are postponed until he/she returns to New Jersey, or where his/her health would be endangered if he/she undertook travel to return to New Jersey.

2. When medically necessary covered services are obtained by the New Jersey Medicaid eligible individual in the States of New York, Pennsylvania or Delaware.

Note: Any covered service that requires prior authorization as a prerequisite for reimbursement to New Jersey providers, also requires authorization if it is to be provided in any other state. Services which require prior authorization are described in the specific Medicaid manual(s).

3. When out-of-state care was provided in an emergency.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1976, 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 these revisions substantially as proposed without further notice.

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(b)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Proposed Amendments to Public Assistance Manual On Offenses to be Reported to Federal Authorities

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 former Section 7900 of the Public Assistance Manual by adding Federal felonies as offenses to be reported to law enforcement authorities. Such amendments, if adopted, will be included in Chapter 81 of Title 10 in the New Jersey Administrative Code.

Full text of the proposed amendment follows:

**7910.2 To Federal Authorities: Knowledge of the actual commission of a Federal felony unless disclosure of such information is prohibited by law (See Section 7600) (Refer to legal counsel for identification of Federal felonies).**

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

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

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

**Proposed Revisions on**  
**Lost or Stolen Assistance Checks**

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise the former Section 7430 of the Public Assistance Manual regarding lost or stolen assistance checks. Such revisions, if adopted, will be included in Chapter 81 of Title 10 of the New Jersey Administrative Code.

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

**7430. Lost or stolen assistance checks**

[In most situations,] The county welfare board will issue a duplicate check within five working days of receipt of notification from the client that his or her assistance check has been lost or stolen, **unless extraordinary circumstances are present and a longer period of time is approved by the Division of Public Welfare.** The client shall complete an affidavit stating that he/she did not receive or endorse the check. The agency shall file a stop-payment order with the bank.

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

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

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(b)

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

**Revisions to Parts of Public Assistance Manual**

On February 26, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to portions of the Public Assistance Manual, substantially as proposed in the Notice published February 5, 1976, at 8 N.J.R. 69(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

Such revisions will be included in Chapter 81 of Title 10 in the New Jersey Administrative Code.

An order adopting these revisions was filed and became effective on March 1, 1976, as R.1976 d.63.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

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

**Revisions Concerning Ruling 11**

On February 26, 1976, 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 Ruling 11, Part I, Classification and Compensation Plan, Appendix I, which appears in Chapter 109 of Title 10 in the New Jersey Administrative Code, substantially as proposed in the Notice published February 5, 1976, at 8 N.J.R. 69(c), with only inconsequential structural or language changes, in the opinion of the Department of Institutions and Agencies.

An order adopting these revisions was filed and became effective on March 3, 1976, as R.1976 d.66.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

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

**Revisions to Independent**  
**Laboratory Services Manual**

On February 24, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 10:61-1.5(a) and 10:61-2.5 in the Independent Laboratory Services Manual, as proposed in the Notice published October 9, 1975, at 7 N.J.R. 465(a).

An order adopting these revisions was filed and became effective on March 3, 1976, as R.1976 d.67.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

**INSTITUTIONS AND AGENCIES**  
**DIVISION OF YOUTH AND FAMILY SERVICES**

**Adopt Manual of Standards for**  
**Residential Child Care Facilities**

On February 23, 1976, James G. Kagen, Director of the Division of Youth and Family Services in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-12, 30:1-14 through 30:1-16, 30:4C-4, Department of Institutions and Agencies' Administrative Order 1:15 and in accordance with applicable provisions of the Administrative Procedure Act, adopted the Manual of Standards for Residential Child Care Facilities, to be cited as N.J.A.C. 10:127-1.1 et seq., substantially as proposed in the

Notice published January 8, 1976, at 8 N.J.R. 37(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

A summary of the substantive changes follows:

1. The language in Section III, 3.1, "Authorization and incorporation," is expanded to include partnerships providing that the enabling language in articles of partnership is sufficient to "deliver residential care, treatment and maintenance of children".

2. The language in Section VIII, 8.4 is amended to provide that:

(i) Fire-alarm systems and extinguishers required in the Section must meet specifications issued by the State fire marshal;

(ii) That monthly (rather than yearly) fire drills be held;

(iii) That certain equipment specified in the Section comply with N.F.P.A. standards; and

(iv) That exits be marked with exit signs with "red" letters on white background.

3. The language in Section VIII, 8.9 is amended to provide that there be an annual inspection of the facility by a licensed electrician.

4. The language in Section VIII, 8.15 is amended to provide that exitways and fire escapes be kept clear of all vegetation and other obstructing materials.

These and certain minor editorial changes in Section VIII were made to assure regulations' compliance with policies of the State fire marshal.

An order adopting this Manual was filed and became effective on March 10, 1976, as R.1976 d.77.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Revisions in Reinstatement of Medicaid Services

On March 9, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions which repealed portions of N.J.A.C. 10:51-1.1 et seq. (adopted June 25, 1975) to become effective August 1, 1975, as R.1975 d.182 (See: 7 N.J.R. 104(b) and 7 N.J.R. 333(b)); N.J.A.C. 10:51-1.8 (adopted October 22, 1975) as R.1975 d.317 (See: 7 N.J.R. 418(a) and 7 N.J.R. 507(b)); and N.J.A.C. 10:49-1.29 (adopted December 29, 1975) to become effective January 16, 1976, as R.1975 d.380 (See: 7 N.J.R. 557(a) and 8 N.J.R. 70(a)).

These prior adoptions eliminated and/or restricted certain Medicaid services and these new revisions reinstate those specific Medicaid services cited in the above-mentioned rules.

An order adopting these revisions was filed and became effective on March 10, 1976, as R.1976 d.78 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### THE COMMISSIONER

#### Proposed Rule on Complications of Pregnancy

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17B:30-1 et seq. and 17:1C-6(e), proposes to adopt a new rule concerning underwriting and claims practices by persons engaged in the business of life and health insurance in New Jersey.

Full text of the proposed rule follows:

##### 11:1-4.3 Complications of pregnancy

(a) This regulation is applicable to all persons engaged in the business of life and health insurance in the State of New Jersey.

(b) "Complications of pregnancy" shall mean:

1. Conditions requiring hospital stays (when the pregnancy is not terminated) whose diagnoses are distinct from pregnancy but are adversely affected by pregnancy or are caused by pregnancy, such as acute nephritis, nephrosis, cardiac decompensation, missed abortion and similar medical and surgical conditions of comparable severity, but shall not include false labor, occasional spotting, physician prescribed rest during the period of pregnancy, morning sickness, hyperemesis gravidarum, pre-eclampsia and similar conditions associated with the management of a difficult pregnancy not constituting a nosologically distinct complication of pregnancy; and

2. Nonelective caesarean section, ectopic pregnancy which is terminated and spontaneous termination of pregnancy, which occurs during a period of gestation in which a viable birth is not possible.

(c) General provisions include the following:

1. No person engaged in the business of life and health insurance in this State shall treat complications of pregnancy differently from any other sickness or illness under any contract of insurance.

2. A contravention of the preceding subsection shall be deemed evidence of an unfair trade practice in the conduct of the business of insurance in this State in violation of N.J.S.A. 17B:30-1 et seq.

A public hearing respecting this proposed action will be held at 10:00 A.M., Monday, May 3, 1976, at the office of the Department of Insurance, 201 East State Street, Trenton, New Jersey.

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

Naomi LaBastille  
Hearing Officer  
Department of Insurance  
201 East State St.  
Trenton, N.J. 08625

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

James J. Sheeran  
Commissioner  
Department of Insurance

(a)

## INSURANCE

### THE COMMISSIONER

#### Proposed Amendments Concerning Remitting Collections of Surcharges

James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), L. 1974 c. 106, L. 1975 c. 76, L. 1974 c. 17 and L. 1975 c. 107, proposes to adopt amendments concerning remitting collections of surcharges to the New Jersey Property-Liability Insurance Guaranty Association and the New Jersey Special Joint Underwriting Association.

Full text of the proposed amendments follows:

11:1-5.3(a)6.i. Surcharges billed to the policyholders and collected by the insurer shall be remitted to the proper account of the New Jersey Special Joint Underwriting Association within 20 days after the end of each month in which the surcharge is collected.

11:1-5.3(a)6.ii. By March 31 of the year following that in which the surcharges were collected and remitted, there must be filed with the Department of Insurance an accounting of all surcharges remitted to the Association and a reconciliation of surcharges collected with the amount collectible in connection with the premiums written during each calendar year.

11:1-6.1(a)6.i. Surcharges billed to the policyholders and collected by the insurer and surcharges absorbed by the insurer, if any, shall be remitted to the proper account of the New Jersey Property-Liability Insurance Guaranty Association within 20 days of the end of each month in which the surcharge is collected or in which the related policy is written.

11:1-6.1(a)6.ii. By March 31 of the year following that in which the surcharges were collected and remitted, there must be filed with the Department of Insurance an accounting of all surcharges remitted to the Association and a reconciliation of surcharges collected with the amount collectible in connection with the premiums written during each calendar year.

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

John G. Foley  
Deputy Commissioner  
Department of Insurance  
201 East State Street  
Trenton, New Jersey 08625

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

James J. Sheeran  
Commissioner  
Department of Insurance

(b)

## INSURANCE

### REAL ESTATE COMMISSION

#### Proposed Amendment for Payment of Fees

The Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1 et seq., proposes to amend N.J.A.C. 11:5-1.20 concerning the payments of fees as prescribed by statute.

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

11:5-1.20 Payment of fees as prescribed by statute

Any and all fees prescribed by the Real Estate License Act shall be paid by **certified** check or money order made payable to the State Treasurer of New Jersey. No cash or currency shall be accepted.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1976, 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 this amendment substantially as proposed without further notice.

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

(c)

## LABOR AND INDUSTRY

### THE COMMISSIONER

#### Revisions on Boiler Construction and Inspection

On March 11, 1976, Joseph A. Hoffman, Commissioner of Labor and Industry, pursuant to authority of N.J.S.A. 34:1-47, 34:1A-3(e) and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to the rules on boiler construction and inspection, N.J.A.C. 12:90-3.1 et seq., as proposed in the Notice published January 8, 1976, at 8 N.J.R. 41(a).

An order adopting these revisions was filed and became effective on March 11, 1976, as R.1976 d.79.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

**LAW AND PUBLIC SAFETY**  
**DIVISION OF CONSUMER AFFAIRS**  
**BOARD OF DENTISTRY**

**Proposed Rule on Announcement of Practice  
In a Special Area of Dentistry**

Walter G. Alexander, President of the State Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:6-1 et seq., proposes to adopt a new rule concerning the announcement of limitation of practice in a special area of dentistry.

Full text of the proposed rule follows:

**13:30-8.4 Announcement of practice in a special area of dentistry**

(a) The following special areas of dentistry are hereby recognized as suitable for the announcement of limited dental practice:

1. Endodontics;
2. Oral pathology;
3. Orthodontics;
4. Pedodontics;
5. Periodontics;
6. Prosthodontics; and
7. Public health.

(b) Announcements to the public of the limitation of practice shall be in one and only one of the special areas of dentistry, and the announcement shall be made for the main office and all branch office locations.

(c) The Board shall grant permission to announce such limitation of practice to any licensed dentist who first meets the educational requirements and standards for specialties approved by the Board and which are the same as, or substantially equivalent to, those established as of January, 1975, by the Council on Dental Education of the American Dental Association, or any licensed dentist who has announced, in this State, a limitation of practice in a special area of dentistry included in subsection (a) of this Section prior to October 15, 1975, but nothing herein shall prevent a dentist from announcing in more than one special areas of dentistry if he has announced in such areas prior to October 15, 1975. The Board reserves the right to review the credentials and educational background of any licensed dentist eligible by this subsection and to approve or deny permission to announce limitation in a special area of dentistry.

(d) A licensed dentist who wishes to announce the limitation of practice in the appropriate special area of dentistry in subsection (a) of this Section and who is permitted to do so under subsection (c) of this Section shall use the phrase "practice limited to . . . . .", and no other phrase in cards, letterheads, directory listings and other printed matter or signs.

(e) All licensed dentists who are not permitted by subsection (c) of this Section to announce the limitation of practice in a special area of dentistry shall be prohibited from doing so and shall not hold out to the public as being qualified in any special area of dentistry by:

1. Announcement through the press, sign, card, letterhead or printed matter, or any other means of public advertising;
2. Use of a term such as "specialist";
3. Use of the name of a specialty or any phrase cus-

tomarily used to imply to the public the limitation of practice in a special area of dentistry.

(f) A licensed dentist permitted announcement by subsection (c) of this Section must avoid any inference, implication or announcement by press, sign, card, letterhead or printed matter or any other means of public advertising that another licensed dentist not permitted to announce and associated or employed in the same practice is also qualified for the announcement in the limited practice area.

(g) These rules regarding the announcement of limited practice do not prohibit any licensed dentist from engaging in any aspect of the practice of dentistry in accord with applicable laws or other rules and regulations of the Board.

(h) Prior to making any announcement of limitation of practice, in accord with the preceding paragraphs, a licensed dentist shall apply to the Board for permission. Application to the Board for permission to announce in a special area of dental practice shall be upon such form and contain such information as the Board may require.

(i) Noncompliance with these rules or announcement of limitation of practice subjects the licensee to suspension or revocation of his or her license to practice dentistry.

(j) Application may be obtained by writing to the office of the Board of Dentistry, 150 East State Street, Trenton, New Jersey 08608.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before April 30, 1976, to:

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

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

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

(b)

**LAW AND PUBLIC SAFETY**  
**DIVISION OF CONSUMER AFFAIRS**  
**BOARD OF DENTISTRY**

**Proposed Rule on Use of General Anesthesia**

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

Full text of the proposed rule follows:

**13:30-8.3 Use of general anesthesia**

(a) The use or employment of general anesthesia in the private office of a dentist without first having met the minimum standards of training and procedure as stated herein constitutes gross and willful malpractice or neglect in the practice of dentistry.

(b) General anesthesia consists of the use of any drug, element or other material which results in the elimination of all sensations accompanied by a state of unconsciousness.

(c) General provisions concerning use of general anesthesia are:

1. No dentist shall employ or use general anesthesia on

an outpatient basis for dental patients unless such dentist possesses a permit or authorization issued by the State Board of Dentistry. The dentist holding such permit shall be subject to review, and such permit shall be renewed biennially.

2. In order to receive such a permit the dentist shall apply on an official application form and submit certified proof that he or she:

i. Has completed a minimum of three years post-doctoral training in oral surgery, or a minimum one-year training course in anesthesiology; or

ii. Is a diplomate in oral surgery or is board eligible in oral surgery; or

iii. Is a fellow of the American Dental Society of Anesthesiology; or

iv. Has administered general anesthesia on a regular routine basis in his everyday practice during the three-year period next preceeding the effective date of this rule, and thereafter completes not less than 30 hours of refresher courses in general anesthesia as prescribed by the Board and presented by an accepted program in a suitable institution within two years of promulgation of this rule;

v. Employs sufficient personnel (as deemed by the Board) to assist in monitoring the patient under general anesthesia who are certified by the permit holder as being trained in and capable of monitoring vital signs, and so forth;

vi. Possesses basic equipment and supplies to deal with emergency situations, which equipment and supplies shall be readily accessible and in good order. This shall consist of no less than the list that shall be supplied by the Board.

(d) This certificate shall be renewed biennially upon proof being submitted to the Board that the holder has completed at least ten hours every two years of continuing education courses devoted to general anesthesia and approved by the Board.

(e) Prior to the administration of an anesthetic agent for the purpose of controlling pain, a complete medical history, which shall include previous medications, allergies and sensitivities, shall be obtained. Said history shall be maintained in the files of each dentist for a period of not less than five years succeeding the taking of same. Specific records on use of general anesthesia shall be kept separately and shall include type of agent, dosage, duration and the like.

(f) Noncompliance with these rules or administering general anesthesia without first registering with the Board subjects the licensee to suspension or revocation of his or her license to practice dentistry.

(g) A dentist who works in conjunction with a trained M.D. or D.O. who is a member of the anesthesiology staff of an accredited hospital, provided that such anesthesiologist shall remain on the premises of the dental facility until any patient given a general anesthesia regains consciousness, shall not be deemed to be practicing general anesthesia.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before April 30, 1976, to:

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

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

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

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF DENTISTRY

##### Proposed Rule on Additional Dental Hygiene Functions

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

Full text of the proposed rule follows:

13:30-8.2 Additional dental hygiene functions

(a) The following duties are considered as within the normal legal duties which may be assigned to a dental hygienist under the direction or control of a licensed dentist:

1. The application of topical fluorides to the teeth;
2. The application of topical anesthetic agents to the oral mucosa;
3. The removal of subgingival deposits from the gingival crevice;
4. The placement and removal of rubber dam.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before April 30, 1976, to:

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

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

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

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF NURSING

##### Proposed Revisions for Schools Of Professional Nursing and Practical Nursing

Richard E. David, Executive Director of the Board of Nursing in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:11-24(d)(19), proposes to revise portions of the rules concerning schools of professional nursing and schools of practical nursing.

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

13:37-1.1 Definitions

"Professional nursing" [means the performance for compensation of any professional service requiring the

application of principles of nursing based on biological, physical and social sciences, including responsible supervision of a patient requiring skill in observation of symptoms and reactions and the accurate recording of the facts and carrying out of treatments and medications prescribed by a licensed physician, and the application of such nursing procedures as involve understanding of cause and effect in order to safeguard life and health of a patient and others.] as defined, is set forth under Title 45:11-23 of the Revised Statutes of New Jersey. (Please refer to the statute for the newly revised definition of professional nursing.)

### 13:37-8.1 Definitions

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

"Approved school of practical nursing" within the meaning of N.J.S.A. 45:11-27(a)(4) includes a school conducted for the purchase of giving basic education in practical nursing and complying with the standards prescribed by this Subchapter and shall include:

1. Schools of practical nursing approved by the Board under previous nursing acts of this State;
2. Schools of practical nursing of other states accredited by the boards of nursing examiners of such states and having standards equivalent to those in this State; and
3. Schools of practical nursing operated by a board of education in this State and certified by the Department of Education as offering [the number of hours of instruction in the subjects of curriculum prescribed by the Board and, in addition, offering clinical instruction] clinical experience in facilities approved by the Board.

["Practical nursing" means the performance for compensation of such duties as are required in the care of a patient in carrying out of medical orders prescribed by a licensed physician, requiring an understanding of elementary nursing but not requiring the professional service outlined in the definition of "professional nursing" as set forth in Section 1.1 (Definitions) of this Chapter.]

The practice of nursing as a licensed practical nurse is set forth under Title 45:11-23 of the Revised Statutes of New Jersey.

The words "shall" and "must" indicates a specific requirement. The words "should" and "may" indicates a recommendation.

The phrase "direct supervision" or "immediate direction" indicates that bodily presence is mandatory. The phrase "works independently under the direction" indicates that supervisory bodily presence is not required.

For the purpose of this document, approved, accredited and certified shall be used interchangeably.

### 13:37-8.2 Faculty

(a) The number of faculty members required shall depend upon the enrollment of the school, the number of classes admitted annually and the location of clinical practice facilities.

(b) [The nurse director may act as a classroom instructor, except that where the enrollment of the school exceeds 25 or more than one class is being instructed, additional instructors shall be required.]

A registered professional nurse shall be designated as the director/coordinator of the practical nursing program. The nurse director/coordinator should not act as an instructor.

(c) Members of the faculty, including the nurse director and clinical instructors shall be employed by and responsible to the school.

(d) Nurse instructors shall be currently licensed professional nurses in this State having at least a degree of bachelor of science in nursing. [education or bachelor of

science in nursing with additional courses in education.] In schools operated by a board of education in this State, instructors must meet the certification requirements of the State Department of Education. Nurse instructors shall have had recent clinical experience or the equivalent as shall be determined by the Board of Nursing and/or Department of Education. In line with current trends, it is recommended that faculty members continue with their educational preparation.

(e) [Nurse directors shall, in addition to meeting the requirements for nurse instructions as provided in subsection (d) of this Section, have had at least one year's experience as nurse instructors.]

The nursing director/coordinator of the school shall be a currently licensed registered professional nurse in this State, having at least baccalaureate preparation in nursing with additional courses in education. The nursing director/coordinator shall have proven ability as an instructor and should have the administrative ability or the equivalent of these qualifications as shall be determined by the Board of Nursing and/or the Department of Education. A masters degree is recommended.

(f) The faculty shall set written standards for admission, progression and graduation and shall be responsible for the planning and implementation of all phases of the instructional program, including the screening and selection of students, course content, classroom teaching and supervision in the clinical areas. The faculty shall be represented on all committees to enunciate these standards.

(g) Personnel policies and practices for the faculty shall be established in writing to include [including] such items as job description, salary scales, tenure, health services, vacation, sick leave, pensions and opportunity for professional advancement. Written contracts are recommended. Memberships and participation in professional organizations are also encouraged.

### 13:37-8.3 Transfer students

(a) Schools operated by local boards of education in this State may establish their own transfer policies.

(b) Schools other than those operated by a local board of education shall establish their own written transfer policies to include the admission of students with advanced standing. [may give partial credit to transfer students as follows:

1. From a school of professional nursing, a maximum of six months credit as determined by the faculty.
2. From a school of practical nursing, a maximum of four months credit as determined by the faculty.]

### 13:37-8.4 Course of study

(a) The course shall be a minimum of [52] 40 weeks in length, [including] excluding holidays and vacations, and shall include the following:

[1. General subjects	Minimum Requirements
Body Structure and Function	90 hours
Personal and Community Health	30 hours
Working Relationships	25 hours
Nutrition	30 hours
Human Growth and Development	45 hours
Introduction to Drugs and Solutions	15 hours
2. Nursing and related subjects	
Fundamentals of Nursing	180 hours
Introduction to Nursing Needs of Patients	60 hours
Medical-Surgical Nursing	180 hours—18 weeks
Obstetrical Nursing	40 hours—4 weeks
Pediatric Nursing	40 hours—4 weeks
Psychiatric Nursing	40 hours—4 weeks]

#### 1. Biological and physical sciences:

- i. Anatomy;
- ii. Physiology;

- iii. Microbiology;
- iv. Pharmacology;
- v. Nutrition.
- 2. Behavioral Sciences:
  - i. Personal and professional relationships;
  - ii. Psychology;
  - iii. Sociology.
- 3. Principles and practices of nursing:
  - i. Fundamentals of nursing;
  - ii. Medical-surgical nursing;
  - iii. Maternal-child nursing;
  - iv. Psychiatric nursing;
  - v. Geriatric nursing.

(b) The course of study shall be organized and developed so that nursing theory and clinical practice are offered concurrently throughout the entire program. The total number of class, laboratory, clinical conference, study and clinical practice hours shall not exceed 40 hours per week. All such assigned hours shall be organized within a five day week. A minimum of [1,700] **1,200** hours of class, laboratory, clinical conference and clinical practice shall be required. [Although specific items are listed in subsection (a) of this Section, the faculty shall be free to combine courses or integrate content as it believes will best meet the curriculum objectives.] **Forty per cent of the total hours shall be devoted to classroom theory and laboratory. The remaining 60 per cent shall be devoted to clinical experience and clinical conference.**

(c) The course of study shall be designed to give the beginning graduate practical nurse and the newly licensed practical nurse the ability to perform the following objectives:

1. Given a patient whose condition is relatively free of scientific complexity, the practical nurse gives direct patient care and works independently under the direction of a registered professional nurse, licensed physician or dentist.
2. Given a patient whose condition is scientifically complex, the practical nurse functions under the immediate direction and supervision of the registered professional nurse.
3. Given a patient whose condition is relatively free of scientific complexity, the practical nurse observes and assesses the patient's condition or changes in the patient's condition, reports the condition or changes to the appropriate person and records this pertinent information accurately and legibly.
4. Safely and accurately performs or assists in performing nursing functions to include the administering of comfort measures, medications, diagnostic and therapeutic procedures.
5. Teaches health maintenance, preventative health measures and rehabilitative techniques by utilizing safe and accurate information, by demonstrating appropriate related techniques, and by applying corrective measures to meet special health needs.
6. Given a nursing care situation involving physical, emotional, social, ethnic and/or religious needs, the practical nurse participates with the health care team in planning, implementing and evaluating nursing care by promoting appropriate interpersonal relationships with others, and by giving nursing care based on individualized needs.
7. Participates in inservice educational opportunities.
8. Recognizes the need for active participation in professional organizations and in civic life.

#### 13:37-8.5 Clinical facilities

(a) Agencies used for clinical experience shall be accredited by the appropriate accredited body and shall provide suitable and adequate experience as determined by the Board.

(b) [The clinical experience shall include the care of adult and pediatric patients, well children and infants, mentally ill and maternity patients and, in addition, students] **Students shall be permitted to perform, under faculty supervision, procedures and techniques in which they have received instruction.**

(c) At least one school instructor shall accompany students in the clinical areas. [Additional instructors may be employed by the clinical agency in order to maintain the following student-instructor ratios: 1-15 students, one instructor; 16-25 students, two instructors; 26-35 students, three instructors and so forth.] **The student/faculty ratio shall be no more than 15 students for each instructor.**

(d) [No other duties shall be assigned to an instructor employed by the clinical agency while she is responsible for students in the clinical area.]

**The instructor shall be free of nursing service responsibilities.**

(e) The school and the clinical agency shall have a [contractual relationship] **written contract or agreement** specifying the policies for student experiences which [contract] shall be available for the Board's inspection.

#### 13:37-8.7 Library

(a) The library shall provide the reference materials and the means necessary to the effective carrying out of the educational program of the school. This shall include [journals pertinent to practical nursing.] **current text, journals and other relevant material.**

(b) The resources of the library [should] shall be accessible to students and faculty throughout the period when classes are in session and any additional time that may be needed for study.

(c) An adequate budget should be allotted to the library annually for library service, new books, new editions and replacements, subscriptions for periodicals, binding of periodicals, equipment as needed and current supplies.

(d) **A separate library area should be established to include seating arrangements for at least ten per cent of the student body.**

#### 13:37-8.9 Records of nonmatriculating students

(a) A record shall be maintained of each student who does not complete the program, indicating the name, entering and leaving dates and the reason for leaving, regardless of the length of time the student was in attendance.

(b) **A record shall be maintained for the student who applies but does not enter the program, indicating the name, Social Security number and, if known, the reason for not entering the program.**

(c) **These records shall be maintained at least three years.**

#### 13:37-8.10 Form and contents of student records

(a) [Student records shall commence with those assembled for admission to the school. Their purpose is to record information of the applicant's background, such as family, social and vocational history, personal characteristics, and interests, attitudes, scholastic work, past and present health history and reports on tests, if administered.]

**A permanent record shall be maintained for each student who completes the program.**

(b) [The usual types of forms used are the application for admission, secondary school transcript, personality report, preentrance medical, dental and interview forms.]

**Student records should include preadmission data such as the application for admission, secondary school transcript, preentrance medical, dental and interview forms.**

(c) **School records [also include student final records, which include date of entrance and completion of course,**

class record and grades, clinical experience records showing types of nursing experience, amount of each and where obtained, with grades or comment indicating degree of proficiency in practice, health and personality.] should also include program data such as student final records. These are to contain class record and grades, clinical experience records with grades and the date of completion of the course.

#### 13:37-8.11 Faculty records; contents

Faculty records shall include name, title of position, date of appointment, [school from which appointee was graduated, year of graduation, amount and type of general education, special preparation, professional experience,] date and reasons for leaving [with comments concerning professional activity and advancement.] **professional data and specific program responsibilities.**

#### 13:37-8.12 General record file

The general file shall contain[, without limitation, a copy of the complete] a **summary of, the curriculum content offered each year which shall be maintained according to policies developed by each agency.**

#### 13:37-8.13 Annual report

(a) The director of the nursing program shall prepare and submit to the Board and/or appropriate State agency a comprehensive[,] annual report [dealing with:] as required.

1. Changes in administrative and teaching personnel;
2. Curriculum changes;
3. Statistics concerning number of students admitted;
4. Number of students withdrawn and reasons for their withdrawal;
5. The number who were graduated;
6. Use of the library;
7. New health measures;
8. Days of illness and average number per student;
9. Problems to be considered;
10. Progress made and recommendations of policies and programs for the future.]

#### 13:37-8.15 Planning bulletin; includable items

(a) In planning the bulletin, the following items are suggested for inclusion:

1. Table of contents, school calendar, names of Board members and school faculty with a summary of the latter's professional preparation and experience;
2. Purpose and length of course;
3. Number of classes admitted annually and admission dates;
4. Division of course—basic, clinical, vacations;
5. Living arrangements during the course if such arrangements are necessary;
6. Brief explanation of course content:
  - i. Basic—list course title;
  - ii. Clinical—types of experience included.
7. Statement regarding State licensing examination;
8. Cost—fees, required equipment, approximate living expenses;
9. Entrance requirements—education, health, others;
10. Procedure for application.]

1. **Table of contents;**
2. **Purpose and objectives;**
3. **Entrance requirements such as education, health and the like;**
4. **Procedure for selection;**
5. **Program cost and fees required;**
6. **A statement regarding the State's licensing examinations.**

[(b) The term "professional" is a term which should not appear in a practical nurse school bulletin as this term

applies only to a course leading to a professional nurse license. The term "licensed practical nurse" should be used in relation to this type of school.]

#### 13:37-8.16 Minutes of meetings

The minutes of all admission, advisory and faculty meetings shall be dated and reflect specifically and accurately the business transacted. **The minutes shall be kept on file and available to authorized personnel. Committee representation and participation by students are encouraged.**

#### 13:37-8.17 Diploma

The diploma shall include the [length] **completion date** of the course and bear the signature [, in ink,] of the director or principal and at least one other official of the school.

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

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

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

Richard E. David  
Executive Director, Board of Nursing  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF MEDICAL EXAMINERS HEARING AID DISPENSERS EXAMINING COMMITTEE

##### Proposed Rules on Hearing Aid Dispensers

The Board of Medical Examiners Hearing Aid Dispensers Examining Committee in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:9A-7, proposes to adopt new rules describing the Committee and its methods of operation, defining procedures for administrative hearings pursuant to the Hearing Aid Dispensers Act, and regulating the dispensing of hearing aids.

Purpose of these rules is to clarify the procedures of the Committee and eliminate confusion concerning the practical application of the Act.

The proposed rules concern a description of the Committee and its methods of operations, administrative hearings and their definitions, scope, construction and practices where rules do not govern, subject matter jurisdiction, procedure where Division is without jurisdiction, notice of hearing and complaint, service of notice of hearing and complaint, hearings to conform to law, hearing examiner, time and place of hearing, appearances and attorneys, pleadings, failure to appear, transcript, hearing examiner's decision, assessment of civil penalties, service of hearing examiner's decision, payment of civil penalties, reopening of proceedings, validity of rules if any portion declared invalid, temporary license, training and experience, hearing aid dispenser, equipment, test results, advertising, receipts, purchase agreements, complaints, eth-

ical practices, itemization of hearing aid expenses, guarantee, examination and violations of rules and regulations.

Copies of the full text of 29 pages of the proposed rules may be obtained by writing to:

Board of Medical Examiners  
Hearing Aid Dispensers Examining Committee  
28 West State Street  
Room 914  
Trenton, New Jersey 08608

A public hearing respecting the proposed action will be held May 14, 1976, at 11:00 A.M. in Room 325, 1100 Raymond Boulevard, Newark, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 14, 1976, to the Board of Medical Examiners at the Trenton address above.

The Board of Medical Examiners Hearing Aid Dispensers Examining Committee, upon its own motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Edwin H. Albano  
President, Board of Medical Examiners  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### OFFICE OF THE ATTORNEY GENERAL

#### Listing of Legislative Agents

On August 18, 1975, William F. Hyland, Attorney General of the State of New Jersey, pursuant to authority of N.J.S.A. 52:13C-22(h) and in accordance with applicable provisions of the Administrative Procedure Act, released the Quarterly Report of Legislative Agents—for the second quarter of 1975.

All notices of agents' representation and reports are on file with the Attorney General and are available for public inspection during regular business hours (9:00 A.M. to 5:00 P.M.) in Room 219, State House Annex, Trenton, New Jersey.

(Listings of the first 68 registered legislative agents were in the Notice published December 8, 1971, at 3 N.J.R. 267(b); second listing of additional 48 agents, April 6, 1972, at 4 N.J.R. 72(c); third of 29 agents, August 10, 1972, at 4 N.J.R. 190(b); fourth of 24 agents, April 4, 1974, at 6 N.J.R. 152(b); fifth of 18 agents, December 5, 1974, at 6 N.J.R. 479(b); sixth of 28 agents, April 10, 1975, at 7 N.J.R. 169(c); seventh of seven agents, July 10, 1975, at 7 N.J.R. 341(b); eighth of three agents, September 4, 1975, at 7 N.J.R. 436(a); and ninth of 15 agents, February 5, 1976, at 8 N.J.R. 71(a).)

Following is the tenth listing of six legislative agents who have subsequently registered, with their registration number, name and New Jersey address, whom they are representing and designation or title, if any:

No. 242, Francis W. Kenny, 132 Gordon Street, Perth Amboy 08861; Municipal Receivers Tax Collectors and Treasurer's Association; municipal tax office consultant.

No. 243, Edward R. Heintz, Sun Oil Company, 676 Swedesford Road, Wayne, Pa. 19087; Sun Oil Company of Pennsylvania; regional government relations representative.

No. 244, George V. Sampson, 105 West State Street, Trenton 08608; New Jersey Civil Service Association; legislative agent.

No. 245, Essex County Electrical Contractors Association, Joseph Gruber, John C. Niglio, 355 Orenda Circle, Westfield 07090; Essex County Electrical Contractors Association; not applicable.

No. 246, Wilentz, Goldman and Spitzer, Robert N. Wilentz, 252 Madison Avenue, Perth Amboy 08862; Mobil Oil Corporation; attorney.

No. 247, Louis J. Dalberth, One South New York Avenue, Atlantic City 08401; Southern New Jersey Development Council; director.

This report was filed March 16, 1976, as R.1976 d.86. Take notice that these listings are not subject to codification and will not appear in Title 13 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Ratification of Amendments on Wholesale Prices Of Alcoholic Beverages and Returns

On March 3, 1976, Leonard D. Ronco, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-39 and in accordance with applicable provisions of the Administrative Procedure Act, ratified amendments to N.J.A.C. 13:2-34.14(d)1. concerning wholesale prices of alcoholic beverages and returns, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 71(b).

These amendments were initially adopted as emergency rules on November 26, 1975, as R.1975 d.353 and the Notice of this adoption appeared in the January 8, 1976, issue of the New Jersey Register at 8 N.J.R. 47(c).

An order ratifying these amendments was filed and became effective on March 4, 1976, as R.1976 d.71.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### DIVISION OF ALCOHOLIC BEVERAGE CONTROL

#### Rules on Renewal of Licenses

On March 3, 1976, Leonard D. Ronco, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-25, 33:1-39 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 13:2-1.16 and 13:2-2.14, concerning renewal of licenses, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 82(a).

An order adopting these rules was filed and became effective on March 4, 1976, as R.1976 d.72.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Rule on Security Deposits for Uninsured Motorists

On March 3, 1976, 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. 39:6-25 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule on security deposits for uninsured motorists, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 82(b).

Take notice that this rule will be cited as N.J.A.C. 13:18-9.1 rather than N.J.A.C. 13:18-8.1 as was indicated in the prior Notice of Proposal.

An order adopting this rule was filed and became effective on March 8, 1976, as R.1976 d.75.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF CERTIFIED PUBLIC ACCOUNTANTS

#### Revisions in Requirements for Candidates For Registered Municipal Accountant's License

On February 17, 1976, Ralph W. Newkirk, President of the Board of Certified Public Accountants in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 40:4-7, 45:2A-6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 13:29-1.12 and 13:29-2.1 et seq. concerning requirements for candidates for registered municipal accountant's licenses, substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 45(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 became effective on March 16, 1976, as R.1976 d.87.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Revisions in Rates of Speed On Certain State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to revise some of the rules concerning rates of speed on portions of Routes 35, 5, 166, 440 and 38.

The proposed revisions concern the deletion in their

entirety of the current text of N.J.A.C. 16:28-1.16, 16:28-1.19, 16:28-1.90, 16:28-1.114 and 16:28-1.120 and the adoption of new text therein.

Full text of the proposed new rules follows:

16:28-1.16 Route 35 in Middlesex and Union Counties

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 35 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

1. Oldbridge Township  
(Madison Township) Mileposts
  - i. Zone 1: 50 mph: 45.4 to 47.4.
2. Sayreville Borough and City of South Amboy:
  - i. 50 mph (also part of Route U.S. 9) in the Borough of Sayreville from the Borough of Sayreville - Madison Township line extending through the City of South Amboy and into the Borough of Sayreville to the northernmost intersection of Route U.S. 9: 47.4 to 51.0;
  - ii. Zone 2: 45 mph in the Borough of Sayreville from the northernmost intersection of Route U.S. 9 to the Borough of Sayreville - City of Perth Amboy line: 51.0 to 51.8.
3. City of Perth Amboy:
  - i. 45 mph from the Borough of Sayreville - City of Perth Amboy line to Smith Street: 51.8 to 52.3;
  - ii. Zone 3: 35 mph from Smith Street to Sayre Avenue: 52.3 to 52.7;
  - iii. Zone 4: 30 mph from Sayre Avenue to Harrington Street: 52.7 to 53.1;
  - iv. School zone: 25 mph in the Rose A. Galvin Elementary School zone, during recess or while children are going to or leaving school, during opening or closing hours;
  - v. Zone 5: 35 mph from Harrington Street to the Route 440 underpass: 53.1 to 53.4;
  - vi. Zone 6: 45 mph from the Route 440 underpass to the City of Perth Amboy - Woodbridge Township line: 53.4 to 54.2.
4. Woodbridge Township:
  - i. 45 mph from the City of Perth Amboy - Woodbridge Township line to Bunns Lane: 54.2 to 54.9;
  - ii. Zone 7: 35 mph from Bunns Lane to Seymour Avenue: 54.9 to 55.8;
  - iii. School zone: 25 mph in the Saint James Elementary School zone, during recess or while children are going to or leaving school, during opening or closing hours;
  - iv. Zone 8: 40 mph from Seymour Avenue to the Woodbridge Township (Middlesex County) - City of Rahway (Union County) line: 55.8 to 58.0;
  - v. School zone: 25 mph in the Woodbridge Township High School zone, during recess or while children are going to or leaving school, during opening or closing hours.
5. City of Rahway: 40 mph: 58.0 to 58.2.

16:28-1.19 Route 5 in Bergen County

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 5 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

- |   |             |
|---|-------------|
| 1. Ridgefield Borough:  | Mileposts   |
| i. Zone 1: 30 mph:  | 0.0 to 0.2. |
| 2. Palisades Park Borough:  |             |
| i. 30 mph from the Ridgefield Borough - Palisades Park Borough line to Abbott Avenue:   | 0.2 to 0.3; |
| ii. Zone 2: 40 mph from Abbott Avenue to Route 63:  | 0.3 to 0.9. |
| 3. Fort Lee Borough:  |             |
| i. Zone 3: 30 mph from Route 63 to 100 feet west of Cumbermeade Road:   | 0.9 to 1.7; |
| ii. School zone: 25 mph in the Public School #4 School zone, during recess or while children are going to or leaving school, during opening or closing hours; |             |
| iii. Zone 4: 40 mph from 100 feet west of Cumbermeade Road to the intersection of Route 5 (Palisades Avenue) and Bluff Road:                                  | 1.7 to 2.1; |
| iv. Zone 5: 30 mph from the intersection of Route 5 (Palisades Avenue) and Bluff Road to the Fort Lee Borough - Edgewater Borough line:                       | 2.1 to 2.4. |
| 4. Edgewater Borough: 30 mph:   | 2.4 to 3.2. |

16:28-1.90 Route 166 in Ocean County

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 166 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

- |   |               |
|---|---------------|
| 1. Beachwood, South Toms River Boroughs:  | Mileposts     |
| i. Zone 1: 35 mph:  | 0.0 to 1.05.  |
| 2. Dover Township:  |               |
| i. Zone 2: 25 mph from South Toms River Borough - Dover Township line to Walton Street:                     | 1.05 to 1.46; |
| ii. Zone 3: 35 mph from Walton Street to 250 feet north of Old Freehold Road:                               | 1.46 to 2.27; |
| iii. Zone 4: 45 mph from 250 feet north of Old Freehold Road to the northerly intersection of Route U.S. 9: | 2.27 to 3.75. |

16:28-1.114 Route 440 in Hudson County

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 440 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

1. City of Bayonne and Jersey City: 45 mph.

16:28-1.120 Route 38 in Camden, Burlington and Monmouth Counties

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 38 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

- |  |               |
|--|---------------|
| 1. Pennsauken, Cherry Hill Townships:  | Mileposts     |
| i. Zone 1: 50 mph:   | 0.0 to 4.4.   |
| 2. Maple Shade, Moorestown, Mount Laurel Townships:  |               |
| i. 50 mph:   | 4.4 to 12.5   |
| 3. Hainesport Township:  |               |
| i. 50 mph from the Mount Laurel Township - Hainesport Township line to Lumberton Road:       | 12.5 to 14.4; |
| ii. Zone 2: 45 mph from Lumberton Road to the Hainesport Township - Lumberton Township line. | 14.4 to 15.2. |

- |  |               |
|--|---------------|
| 4. Lumberton Township:   |               |
| i. 45 mph from the Hainesport Township - Lumberton Township line to Route 541 Spur (Mount Holly bypass):         | 15.2 to 15.4; |
| ii. Zone 3: 40 mph from Route 541 Spur (Mt. Holly bypass) to the Lumberton Township - Mount Holly Township line: | 15.4 to 16.5. |
| 5. Mount Holly Township: 40 mph:   | 16.5 to 16.8. |
| 6. Wall Township:  |               |
| i. Zone 4: 55 mph:   | 64.0 to 67.2. |

Interested persons may present in writing relevant statements or arguments to the proposed action on or before April 28, 1976, 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 revisions substantially as proposed without further notice.

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Revisions on Restricted Parking Along Various State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to adopt revisions to several rules concerning restricted parking along portions of various State highways. The revisions concern the deletion of the current text of the rules cited below and the adoption of new text therein.

Full text of the proposed new rules follows:

16:28-3.18 Route 47 in the City of Millville, Cumberland County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 47 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

i. Along the northbound side of Route 47 from a point 160 feet south of the southerly curb line of Whitall Avenue to a point 150 feet north of the northerly curb line of Route 49.

ii. Along the southbound side of Route 47 from the easterly curb line of Delsea Drive to a point 350 feet south of the prolongation of the southerly curb line of Whitall Avenue.

16:28-3.81 Route 31 in the Township of Clinton, Hunterdon County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 31 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along both sides of Route 31 for the entire corporate limits of Clinton Township including all ramps and connections thereto which are under the jurisdiction of the Commissioner of Transportation.

16:28-3.91 Route 79 in the Borough of Freehold, Monmouth County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 79 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

i. Along the northbound side of Route 79:

(1) From a point 200 feet south of the southerly curb line of Route 33 to the southerly curb line of Vredenburgh Avenue;

(2) From a point 295 feet south of the southerly curb line of Marcy Street to the southerly curb line of Marcy Street;

(3) From a point 103 feet south of the southerly curb line of Elm Street to the southerly curb line of Elm Street;

(4) From a point 146 feet south of the southerly curb line of Mechanic Street to the southerly curb line of Mechanic Street;

(5) From a point 254 feet south of the southerly curb line of East Main Street (Route 79) to the southerly curb line of East Main Street (Route 79);

(6) From a point 369 feet south of the southerly curb line of Center Street to the southerly curb line of Hance Boulevard.

ii. Along the southbound side of Route 79:

(1) From the southerly curb line of Douglas Road to the northerly curb line of Henry Street;

(2) From a point 195 feet north of the northerly curb line of Spring Street to the northerly curb line of Spring Street;

(3) From a point 85 feet north of the northerly curb line of Sherin Street to the northerly curb line of Sheriff Street;

(4) From a point 211 feet north of the northerly curb line of Court Street to a point 411 feet south of the southerly curb line of McLean Street;

(5) From a point 215 feet north of the northerly curb line of Route 33 to a point 200 feet south of the southerly curb line of Route 33.

2. No stopping or standing (7:00 A.M. - 9:00 A.M. and 4:00 P.M. - 6:00 P.M.):

i. Along the northbound side of Route 79 from a point 538 feet south of the southerly curb line of Center Street to a point 369 feet south of the southerly curb line of Center Street.

16:28-3.104 Route 49 in the City of Millville, Cumberland County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 49 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

i. Along the eastbound side of Route 49:

(1) From the easterly curb line of Spruce Street to a point 380 feet east of the easterly curb line of Chestnut Street;

(2) From a point 92 feet west of the westerly curb line of Brandriff Avenue to the westerly curb line of Brandriff Avenue;

(3) From a point 115 feet west of the westerly curb line of Cedar Street to a point 80 feet east of the easterly curb line of Third Street.

2. Along the westbound side of Route 49:

i. From a point 80 feet east of the easterly curb line of Third Street to a point 160 feet west of the prolongation of the westerly curb line of Cedar Street;

ii. From a point 60 feet east of the easterly curb line of

Brandriff Avenue to the easterly curb line of Brandriff Avenue.

16:28-3.105 Route 10 in the Township of Roxbury, Morris County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 10 described herein below shall be, and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along both sides of Route 10 for the entire corporate limits of Roxbury Township including all ramps and connections under the jurisdiction of the Commissioner of Transportation.

Interested persons may present in writing relevant statements or arguments to the proposed action on or before April 28, 1976, to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Rules on No Left Turns on Certain State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to adopt new rules concerning no left turns on portions of certain State highways.

Full text of the proposed new rules follows:

16:28-6.6 Route 88 in the Township of Brick, Ocean County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of State Highway Route 88 described herein below are regulated as follows:

1. No left turns east on Route 88 to north into westerly driveway of the Laurel Square Plaza.

16:28-6.7 Route 23 in the Township of Wayne, Passaic County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of State Highway Route 23 described herein below are regulated as follows:

1. No left turns:

i. North on Route 23 to west on Van Ness Place;

ii. South on Route 23 to east on Lewis Street.

16:28-6.8 Route 23 in the Borough of Verona, Essex County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of State Highway Route 23 described herein below are regulated as follows:

1. No left turns north on Route 23 to west on Claremont Avenue.

16:28-6.9 Route 47 in Deptford Township, Gloucester County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of

State Highway Route 47 described herein below are regulated as follows:

1. No left turns north on Route 47 to west on Bankbridge Road.

Interested persons may present in writing relevant statements or arguments to the proposed action on or before April 28, 1976 to Robert R. Reed Jr., Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Rules on Through Streets

On February 17, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-140 and in accordance with applicable provisions of the Administrative Procedure Act, adopted rules, to be cited as N.J.A.C. 16:28-10.1, concerning through streets on various State highways, as proposed in the Notice published January 8, 1976, at 8 N.J.R. 48(b).

An order adopting these rules was filed and became effective on February 20, 1976, as R.1976 d.55.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions on No-Parking Zones Along Various State Highways

On February 17, 1976, 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 revisions to N.J.A.C. 16:28-3.85, 16:28-3.101 and 16:28-3.102 concerning no parking zones along portions of Routes U.S. 9 and Route 38 as proposed in the Notice published January 8, 1976, at 8 N.J.R. 49(a).

An order adopting these revisions was filed and became effective on February 20, 1976, as R.1976 d.56.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions in Speed Limits on Portions of Routes 27 and 93

On February 17, 1976, 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. 16:28-1.44 and 16:28-1.121 concerning speed limits on portions of Routes 27 and 93, substantially as proposed in the Notice published January 8, 1976, at 8 N.J.R. 50(a), with only inconsequential language changes, in the opinion of the Department of Transportation.

These changes involve the change in route numbers from Route 29 to 27 in N.J.A.C. 16:28-1.44 (the Notice of Proposal erroneously indicated that this rule involved Route 29 when it should have read Route 27) and changing Englewood Borough to now read the City of Englewood in N.J.A.C. 16:28-1.121(a)2.i. and 16:28-1.121(a)3.

An order adopting these revisions was filed and became effective on February 20, 1976, as R.1976 d.57.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## TRANSPORTATION

### THE COMMISSIONER

#### Rule on No Parking Zones Along Parts of Route 49

On March 8, 1976, 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. 16:28-3.103, concerning no parking zones along parts of Route 49, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 84(d).

An order adopting this rule was filed and became effective on March 12, 1976, as R.1976 d.80.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

## TREASURY

### DIVISION OF TAXATION

#### Proposed Revisions in Capital Gains And Other Unearned Income Tax

Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of P.L. 1975, c. 172, proposes to amend and supplement rules concerning the capital gains and other unearned income tax.

A summary of the proposed revisions follows:

Amend "FOREWORD" at line 3, after "(P.L. 1975, c. 172)" and insert "and amended on March 3, 1976 (P.L. 1975, c. 378)"

18:30-1.2(a):  
Line 3, delete "\$15,000" and insert "\$30,000"  
Line 4, delete "\$7,500" and insert "\$15,000"

18:30-1.2(c) Example:  
Line 2, delete "\$14,000" and insert "\$29,000"

18:30-3.5:

At the end of the paragraph add the following:

"Where, in any case, a trader or other person subject to tax under this Act is required to report interest and dividends he shall, in the case of margin transactions, be permitted to deduct interest incurred by reason of margin transactions."

18:30-6.4:

Amend heading to read as follows:

"Exemption allowed senior citizens, widows or widowers and disabled persons from gain from sale of principal residence"

18:30-6.4(a):

Line 10, after "but" insert "not in excess of \$75,000 and"

Line 12, after "sale:" insert ", or is a widow or widower, or is a person entitled to disability benefits under the Federal Social Security Act and all amendments and supplements thereto on the date of such sale"

Delete the last sentence beginning with "This" and ending with "Code".

18:30-6.4(c)1. Example:

Line 1 shall be amended to read as follows:

"1. Example: A person who meets all requirements"

18:30-6.6 Deferral of gain

"A taxpayer who has elected to take the exemption allowed to a person [65 years or over] under Section 5 of the law, may nevertheless elect to defer the gain in accordance with Section 5 of this Subchapter."

18:30-9.1(b)1.

Amend this subparagraph so as to read as follows:

"1. Where personal services are a material income producing factor, an individual who is a partner or a stockholder shall not be deemed to have derived excess compensation for personal services performed unless such person performs little or no service, provided, however, a retired partner shall not be deemed to have derived excess compensation even though he is performing no services provided that he has previously performed services for the partnership. In such case, any income received by such retired partner from the partnership shall be deemed to be compensation for services."

18:30-9.1(b)2.

At the end of this subparagraph add the following:

"Example: Partner A and partner B perform personal services for the partnership, however, partner C performs little or no service because of his contribution of capital to the partnership. Partners A and B are not deemed to have excess compensation derived from the partnership. However, partner C would be deemed to have excess compensation from the partnership if the amount that he receives from the partnership exceeds \$25,000. The excess compensation shall represent 50 per cent of the amount of his share of the net profits of the partnership."

18:30-9.1(b)3.

At the end of this subparagraph add the following:

"Where the amount received by the partner exceeds \$25,000, the first \$25,000 shall not be subject to tax."

18:30-12.4(a)2.

Third line from the end, delete "\$15,000", insert "\$30,000"  
Next to the last line, delete "\$7,500", insert "\$15,000"

#### SUBCHAPTER 14. ESTATES AND TRUSTS

Add new Section as follows:

"18:30-14.7 Revocable trusts

Capital gains and other unearned income realized by a

trust which are taxable to the grantor for Federal Income Tax purposes because of certain provisions relating to retained control, power of revocation or other reason shall be reportable by the grantor, as taxpayer, to the same extent as for Federal income tax purposes.

Note: Under the Internal Revenue Code, sec. 676(a), the general rule is that the grantor shall be treated as owner of any portion of a trust where at any time the power to revert in the grantor title to such portion is exercisable by the grantor or a nonadverse party or both. Thus, for Federal tax purposes under the foregoing trust income is taxable to the grantor."

18:30-15.2(a):

Line 4, delete "\$7,500", insert "\$15,000"

Line 5, delete "\$15,000", insert "\$30,000"

18:30-15.3(a):

Line 4, delete "\$7,500", insert "\$15,000"

Line 5, delete "\$15,000", insert "\$30,000"

18:30-15.3(b):

In the "Example" at line 3, delete "\$20,000", insert "\$35,000"

18:30-15.14

Add new subsection "(d)" as follows:

"(d) A preparer of a return other than taxpayer may append a statement to the return which substantially shall read as follows: 'Declaration of preparer (other than taxpayer) is based on all information of which preparer has knowledge.'"

18:30-20.1(a):

Line 1, delete "decreased" and insert "increased"

Add new Subchapter as follows:

#### "SUBCHAPTER 21. PENALTIES

18:30-21.1 Failure to file return or pay tax

(a) Any person failing to file his return when due shall be liable for a penalty of \$25.00, which penalty shall be payable to, and recoverable by, the Director in the same manner as the tax imposed by this Act. If any tax is not paid when the same becomes due, there shall be added to the amount of the tax, a sum equivalent to ten per cent thereof, as a penalty, and, in addition thereto, interest at the rate of one per cent per month or fraction thereof from the date the tax became due until same is paid. The Director, if satisfied beyond a reasonable doubt that the failure to comply with any provision of this Section was due to reasonable cause and was not intentional or due to neglect, may abate or remit the whole or part of any penalty.

(b) Any taxpayer willfully failing to file a return or filing or causing to be filed or making or causing to be made, or giving or causing to be given any return, representation, information, testimony or statement required or authorized by this Act, which is willfully violating any other requirement imposed by this Act or by any rule or regulation of the Director adopted hereunder, shall, in addition to any other penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishment for which shall be a fine of not more than \$1,000 or imprisonment for not more than one year, or both such fine or imprisonment."

Although it is anticipated that these amendments will be adopted at an earlier date, along with those proposed at 8 N.J.R. 141(a), interested persons may present statements or arguments in writing relevant to the proposed action on or before April 28, 1976, to:

Jack Silverstein  
Tax Counselors Section  
Division of Taxation  
West State and Willow Streets  
Trenton, New Jersey 08625

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

Sidney Glaser  
Director, Division of Taxation  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF TAXATION

#### Amendments Concerning Exempt Certificate Requirements

On February 26, 1976, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:32B-24 and in accordance with applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 18:24-10.2 concerning the issuance of exemption certificates (form ST-5), as proposed in the Notice published February 5, 1976, at 8 N.J.R. 87(b).

An order adopting these amendments was filed and became effective on February 27, 1976, as R.1976 d.62.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## PORT AUTHORITY OF NEW YORK AND NEW JERSEY

#### Revisions to FMC Schedule PA-9 and Special Rates for Admission to Observation Deck of World Trade Center

On January 28, 1976, the committee on operations of the Port Authority of New York and New Jersey adopted revisions to the Port Authority Marine Terminals FMC Schedule No. PA-9 and to the rules concerning special rates for admission to the observation deck of the World Trade Center.

Full text of the revised rules follows:

Resolved, that the "FMC Schedule No. PA-9 naming rules and regulations applying at Port Authority Marine Terminals and rates and charges applicable for the use of public areas at Port Authority Marine Terminals" adopted by the Committee, at its meeting on February 3, 1966 (appearing at page three et seq. of the Committee minutes of that date), as amended, be and the same is hereby amended, effective February 15, 1976, by substituting the following for Item 600 therein:

Shed Usage

The following charge is assessed against vessels when cargo or merchandise is placed in a cargo shed incidental to loading or discharging operations.

All cargo, except steel at designated berths \$1.00 per ton  
Steel and incidental cargoes discharged at a designated steel berth \$0.25 per ton

Resolved, that the schedule of charges for admission to the observation deck, adopted by the committee on operations at its meeting on September 24, 1975 (appearing at pages nine et seq. of the Committee minutes of that date), be and the same hereby is amended, effective immediately, by adding thereto the following:

6. Special rates  
Adult \$1.25  
Child (6 to 12 years of age) \$0.65;

and be it further

Resolved, that the executive director and/or the director of world trade, be and they hereby are authorized to designate groups or individuals, such as World Trade Center tenants, Port Authority employees, community groups and such other groups or individuals as they may deem appropriate, to be eligible for the special rates set forth above.

An order adopting these revisions was filed March 4, 1976, as R.1976 d.70 (Exempt, Exempt Agency).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

## STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

### CHANGE OF PARTY; VOTER REGISTRATION MADE EASY

Voters who want to change their political party to vote in the June 8 primary can call a toll-free phone number in the Secretary of State's Office and receive the necessary declaration form in the mail.

Secretary of State J. Edward Crabel said voters who call (800) 792-8844 in Trenton would receive forms and answers to any questions.

Under a new law, voters who wish to change parties must file a declaration 50 days before the primary, making this year's deadline April 19.

Declaration forms can also be obtained from county or municipal clerks or county boards of election.

The toll-free number, called "Dial To Vote", was established last year to answer questions about postcard voter registration.

Voters can still call the same free number to obtain a postcard registration form.

### CLAIMS FOR AUTO DAMAGE EXPANDED UNDER NEW INSURANCE REGULATIONS

State Insurance Commissioner James J. Sheeran announced that new regulations establishing the rights of policyholders and rules governing insurance companies in settling claims under automobile insurance comprehensive and collision coverages will take effect May 1.

The new rules implement the Unfair Claims Practices Act adopted by the Legislature last year, which defined

such practices and empowered the Commissioner to take action to end them. (Cited as N.J.A.C. 11:3-10.1 et seq., the adoption notice was in the March 1976 New Jersey Register at 8 N.J.R. 136(b).)

The rules were proposed by Sheeran last August and were later subject of a public hearing held by Dr. Eleanor J. Lewis, director of consumer services in his Department. "The new regulation," Sheeran said, "should assure policyholders who have comprehensive or collision claims of fair treatment through its provision for good faith negotiations, prompt inspections of damage and prompt payment."

Comprehensive protects the owner of a car against loss through theft, vandalism, fire and similar events, while collision protects against loss in an accident.

Some of the major requirements of the regulations are:

- If a car is "totaled", the replacement vehicle must be of the same make, model, year and condition, with all major optional accessories of the original car, and its mileage difference must not be greater than 4,000 miles.

- A detailed written estimate of the cost of repair must be promptly submitted to the policyholder after inspection of the damaged vehicle.

- The policyholder may use any repair shop of his choice and the insurance company must make all "reasonable efforts" to agree on a price with the shop selected by the insured.

- If the insurer recommends a repair shop, the repair shop must be qualified and at a reasonably convenient location and must do the repairs at the insurer's estimated cost. The insurer must also guarantee the work of the recommended shop.

- Company payment must be made within 30 calendar days from receipt of notice, and, if not, a written explanation of the delay must be given the insured.

- In the event of theft of a car, the insurance company must advise the policyholder of his right to reimbursement for interim transportation expenses.

## LISTINGS OF ACCEPTANCE DATES

### ISSUED BY STATE BUILDING DIVISION

The monthly listings of "final completion" dates on State projects were issued by the Division of Building and Construction, Department of the Treasury.

By statute, a subcontractor or material supplier must file a claim with the contractor's surety at any time during the contract, but not later than 80 days after the date of "final completion" and acceptance of the project by the State, or be forever barred against the surety. The creditor's right against the contractor directly is not affected, however, by this statute.

Listed below for the period December 17, 1975 to January, 16, 1976, are project numbers, description, location, acceptance date, the trade and the contractor:

8318, Kean College, Townshend and Bruce Halls, 1-12-76, Philip Fritze & Sons, Inc., heating and ventilation.

7122-2, Greystone Park Psychiatric Hospital, community center and day care facilities, 1-12-76, Joseph Jingoli & Sons, gc.

1022, Department of Health, midtown treatment center, 1-8-76, U.S. Miscellaneous Steel Col, Inc., s.s.

1066, Jersey City State College, Fries Hall, 1-8-76, Central Plumbing and Heating Co., plumbing.

9084, Jamesburg Training School for Boys, 1-6-76, Penzimer Construction Co., Inc., gc.

1627, Department of Transportation, Mays Landing, 1-2-76, Stanley Panco, fencing.

1022, Department of Health, Midtown Treatment Center, 1-2-76, Horne A. Reeves Construction Co., gc.

1700, Environment Protection, Wallace House, 12-31-75, Aetna Supply Inc., painting.

1402, Ewing Residential Center, 12-30-75, Carmen De-Forte Plumbing and Heating, plumbing.

1229, Department of Treasury, Job Corps Center, 12-26-75, Industrial Engineering Works, ss.

6750-6, Stockton State College, 12-26-75, Keene Corporation, ss.

5642-7, Trenton Psychiatric Hospital, administration and education buildings, 12-26-75, Edward F. Grant Co., Inc. HVAC.

1507, Environmental Protection, forest fire lookout towers, 12-24-75, Willard Painting & Sandblasting, painting.

8545-1, William Paterson College, Shea Auditorium, 12-24-75, Wes Jones & Son, electric.

1422, Department of Transportation, 12-24-75, Wilko Corporation, plumbing.

8904, New Lisbon State School, 12-24-75, A. C. Schultes & Sons, Inc., well drilling.

6378, Annandale Youth Correction Institute, 12-24-75, Lakeland Plumbing and Heating, plumbing.

6959-1, Woodbine State School, 12-18-75, William E. Snell, Inc., electrical.

Additional listings for the period January 17 to February 18 follow:

DBC 8318, Kean College, Townshend and Bruce Halls, 2/11/76, A. Neri, Inc., electrical.

DBC 1620, Department of Labor and Industry, computer room, 2/11/76, Edward F. Grant Co., HVAC.

DBC 1582, motor vehicle inspection station, Rahway, 2/11/76, A & A Oil Burner Service, HVAX.

DBC 7873-4, motor vehicle center, Newark, 2/10/76, Candelieri Construction, Inc., general construction.

DBC 7873-4, motor vehicle center, Newark, 2/10/76, Davidson & Howard Plumbing and Heating, PBG.

DBC 7873-4, motor vehicle center, Newark, 2/10/76, Zoe Electric Corp., electric.

DBC 7873-14, College of Medicine and Dentistry, phase 3, 2/10/76, Gramercy Contractors, general construction.

DBC 8429, environmental protection, Spruce Run recreation area, 2/9/76, Frank F. Adessa & Sons, Inc., HVAC.

DBC 1203, Glassboro State College, Tohill Auditorium, 2/5/76, Walters Construction Co., general construction.

DBC 8863, transportation, Fernwood complex, 2/4/76, A. Neri, Inc., electric.

DBC 8993, Kean College, Bruce Hall and Administration Building, 2/4/76, J. Strober & Sons, roofing.

DBC 1614, transportation, maintenance yard, 2/3/76, Consolidated Steel and Alumining Fence Co., fencing.

DBC 8858-1, Trenton State College, Kendall Hall, 1/30/76, Madison, Inc., general construction.

DBC 8017-2, Kean College, 1/30/76, Salerno Contractors Co., Inc., general construction.

DBC 8566-1, environmental protection, Round Valley recreation area, 1/29/76, Vernon Fabricating, St. SL.

DBC 1648 and 1649, Paterson College, Wayne Hall and Natelson Hall, 1/23/76, Tami-Githens, Inc., PBG.

DBC 1657, Marlboro Psychiatric Hospital, 1/22/76, Wishneski Enterprises Inc. t/a Marsu Well Drilling, well drilling.

DBC 8364, transportation, regional office #2, 1/22/76, Evanbow-Waldron Builders, general construction.

## NEW ECONOMIC DEVELOPMENT PLANNER

Governor Brendan Byrne has appointed Raymond S. Petterson to a new post as Director of Economic Development Planning in his office.

Petterson is urban affairs manager for New Jersey Bell Telephone Co. and will be on loan to the State for one year to work on an economic development program including long-range planning.

## ***Bicentennial Developments***

Based on press releases from offices involved

### **GOVERNMENT AND VOTING EDUCATION TO BE FEATURED IN HIGH SCHOOLS**

Every secondary school in New Jersey will receive special curriculum materials on government and voter education through a grant from the New Jersey Bicentennial Commission.

Former Governor Robert B. Meyner, Commission chairman, said: "We want to encourage high schools to commemorate the Bicentennial by special programs to increase the basic understanding of New Jersey government, its history and its development among our youth. There can be no more appropriate commitment during the Bicentennial."

Meyner noted that Governor Brendan Byrne has proclaimed the week of April 26 as High School Voter Registration Week, during which on-site registration of high school students will take place.

The materials sent to the high schools is accompanied by a memorandum from State Education Commissioner Fred G. Burke urging all secondary schools to utilize them in appropriate classes and curriculum activities during the bicentennial period.

It also is intended that the materials become a permanent addition to the high school curriculum for students in future years, he said.

### **WORK BEGINS AT STATE PARK OPPOSITE STATUE OF LIBERTY**

Governor Brendan Byrne announced that a \$1.2 million contract for the first phase of construction at Liberty State Park has been awarded to low-bidding Farm Harvesting Company of Morris Plains.

The initial 25-acre park development is already under way on the southern rim of the tract, opposite the Statue of Liberty. It will provide an access road, parking area, Hudson River harbor vista and picnic area, as well as a dock for sightseeing vessels.

"This contract launches a bicentennial park project of national significance by utilizing \$2.4 million in Federal Title X grant money", Byrne said. "The grant is one of the largest in the nation awarded by the Economic Development Administration with the aim of putting people back to work".

Remaining funds from the Federal grant will finance the stabilization, restoration and clean up of the old Central of New Jersey passenger terminal at the northern rim of the park, with work to begin this month.

In May, the Army Corps of Engineers will start to clean up the hulks and derelict piers along the New York harbor shore, beginning the work at Liberty Park.

"The next step", said Byrne, "is to convince the U.S. Secretary of the Interior, Thomas Kleppe, to release \$5 million in Bureau of Outdoor Recreation contingency funds so that the State can quickly finish land acquisition—especially the vital center portion of the park and the shoreline opposite Ellis Island".

Because of the national importance of Liberty Park, Byrne urged "interested Americans" to write to Secretary Kleppe in support of the request for Federal funds.

### **URGES NEW VOTER DRIVE AS PROPER FOR BICENTENNIAL CELEBRATION YEAR**

Secretary of State J. Edward Crabel has recommended that all county bicentennial organizations conduct voter registration drives as a means of celebrating our 200th birthday.

He made the recommendation after learning that the Somerset County Bicentennial Commission lacked funds for a gala celebration. In a letter to Mrs. Jessie Havens, coordinator of the committee, Crabel said: "We read with interest your newspaper statements that Somerset County lacks funds for a bicentennial celebration as a result of a county fiscal crisis. You are quoted as saying not to expect to see 'any bicentennial spectaculars, because we just won't have the money to put on any glorious spectacles'.

"We sympathize with your fiscal plight. We are well acquainted with the financial situation facing municipal, county, state and national officials, and yet, we realize there should be a fitting and proper celebration to mark the 200th anniversary of this great nation.

"We recommend to you a spectacular public service program that should not cost your commission any substantial funds, but at the same time, is a very appropriate way to celebrate our nation's birthday. That is a bicentennial voter registration drive throughout Somerset County.

"I know everybody associates our independence with fireworks and parades, but what could be more patriotic and have a more lasting effect on your county than a registration drive, which to me is what our bicentennial is all about. The right of an individual citizen to govern himself through the power of the ballot sparked our forefathers to fight for their independence 200 years ago.

"We would be happy to provide you with a supply of our brochure, 'Celebrate the Bicentennial—Register and Vote' as well as the necessary postcard registration forms to conduct a survey.

"We would like to call to your attention our efforts with the State Bicentennial Commission for an all-out voter registration drive to improve the electoral process in New Jersey as part of our celebration. The impetus for a bicentennial voter registration drive as well as a get-out-to-vote theme has been made a cornerstone of that Commission's program by its chairman, former Governor Robert B. Meyner.

"While it would not appear to be spectacular in the sense associated with fireworks, a voter registration drive would be a spectacular happening to improve our government, which should be the concern of everyone."

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## **REGISTER BOUND VOLUMES STILL AVAILABLE AT \$13**

Copies are still available of the annual bound volume of 1975 issues of the New Jersey Register.

Price is \$13 per copy, payable in advance, with shipment postpaid.

In addition to the 12 issues, the 586-page volume contains an index of all rules adopted during the year—and of rules proposed but not yet adopted at year-end. A similar cumulative index for 1974 is included.

Other bound volumes for the years 1974, 1973 and 1972 are also available at the same price.

Checks should be made out to, and orders placed with: Division of Administrative Procedure, 10 North Stockton St., Trenton, N.J. 08608.

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