

NEW JERSEY REGISTER



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(a)

AGRICULTURE

STATE BOARD OF AGRICULTURE

DIVISION OF REGULATORY SERVICES

Proposed Revisions For Eggs And the Official State Seal

Phillip Alampi, Secretary of Agriculture and Secretary of the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:10-18, proposes to revise the rules concerning the State Seal program for eggs, for the purpose of improving the standard of quality of all eggs produced under the Official State Seal.

The revisions propose to delete in their entirety the current N.J.A.C. 2:73-2.2 through 2:73-2.9 (formerly N.J.A.C. 2:34-2.2 through 2:34-2.9) and adopt in place thereof the following revised rules.

Full text of the proposed revisions follows:

The New Jersey Department of Agriculture has created the New Jersey Seal of Quality under the provisions of Title 4, Chapter 10, Section 18, of the Revised Statutes as an official emblem for identifying shell eggs of New Jersey production packed within the State, in accordance with standards established therefore and subject to and in accordance with regulations authorized under Section 20 of Title 4, Chapter 10.

2:73-2.3 Qualified users

The New Jersey Seal of Quality may be used only by licensed New Jersey egg packers in marketing eggs of New Jersey production. These eggs may be produced by their own flocks or from other New Jersey producers registered by the New Jersey Department of Agriculture.

2:73-2.4 Qualified producers

(a) Producers who ship eggs they produced in New Jersey to licensed Seal of Quality packers for use in Seal of Quality packages must first be registered with the New Jersey Department of Agriculture.

(b) Registration will be made on forms supplied by the Department to bona-fide New Jersey egg producers.

2:73-2.5 Use of the Seal of Quality

(a) The packer shall pack only New Jersey State Seal of Quality Consumer Grade AA or A eggs in retail containers bearing the words "New Jersey Eggs" and on

which the Seal of Quality is imprinted, or in other than retail packages as herein provided. A retail package or container shall be of such size or count as is marketed under normal conditions to the ultimate consumer. All packages are subject to the approval of the New Jersey Department of Agriculture.

(b) An official sample of 60 Seal of Quality eggs when examined shall conform, whether shell-treated or not, to the minimum standards for quality in the number set forth below:

		At Packing Plant	At Retail
Grade AA			
AA Quality	Not less than	—	50
A Quality	Not more than	—	6
B Quality	Not more than	—	2
C Quality or Checks	Not more than	—	2
Grade A			
AA Quality	Not less than	18	—
A Quality or better	Not less than	36	54
B Quality	Not more than	3	3
C Quality or Checks	Not more than	3	3

(c) Each dozen of New Jersey State Seal of Quality Consumer Grade eggs shall contain no more than one egg which weighs less than the minimum rate per dozen for that weight class and that one egg shall weigh at the rate of not more than one ounce below the minimum net weight per dozen specified in each weight class. Size-weight classes and the minimum net weight per dozen for each are listed below:

Size-Weight Class	Minimum Net Weight Per Dozen
Jumbo	30 ounces
Extra Large	27 ounces
Large	24 ounces
Medium	21 ounces
Small	18 ounces

(d) There shall appear on each retail container the packing date, which may be designated as month and day or day of year, or an expiration date which shall be preceded by the letter "E" and such date shall not be more than 14 days after the date of packing. The packer's assigned plant number shall also be shown on the container and said packer shall be responsible for the eggs in the retail container meeting the grade and size-weight class designated during the time limit indicated.

(e) When the Seal of Quality is imprinted on a container, the container becomes the Seal, thus the container is committed to use in accordance with these regulations;

NEW JERSEY REGISTER

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Subscriptions to the official New Jersey Administrative Code containing all State rules in loose-leaf, updated volumes are also available from the Division or by using the official order form on the last page.

therefore, any containers bearing such imprint upon being withdrawn from use in marketing eggs, shall be rendered useless in the presence of an agent of the Department.

(f) The owner or packer of the brand or trade name appearing on the approved container shall pay to the New Jersey Farm Products Publicity Fund a charge of \$1.00 per 1,000 cartons on which the Seal of Quality is imprinted, or such greater amount which the owner or packer may elect to pay to be used in promoting eggs so identified. Such charge shall be levied on the quantity of cartons delivered to the packer by the manufacturer. The amount of said charge shall be paid by the owner or packer of the brand or trade name within ten days after date of billing by the Department. A copy of each shipping invoice shall be supplied by the manufacturer to the Department. Failure to supply invoices may be sufficient cause to withdraw approval to imprint Seal of Quality cartons.

(g) The Seal of Quality may be affixed to other than retail packages only if the eggs contained therein meet the standards for United States Consumer Grade A or AA eggs, by using a gummed tape on which the Seal is imprinted. Such tape shall be obtained from the Department, reimbursement for which shall be made to the New Jersey Farm Products Publicity Fund.

2:73-2.6 Application for license to package eggs under the Seal of Quality

(a) Any person, firm, partnership, corporation or association located in New Jersey may make application for license to package eggs under the Seal of Quality as a qualified user as defined in these regulations.

(b) Application shall be made in writing on a form provided by the Department for this purpose.

(c) A license year commences July 1.

(d) An interim license may be granted a qualifying applicant for the remainder of a license year.

2:73-2.7 License fee

(a) The annual fee for license to use the Seal of Quality in packaging eggs shall be based on a per dozen fee of \$0.0005 multiplied by the number of dozens of eggs packed and identified with the Seal of Quality during the year immediately preceding the date of application, or, if such record does not exist, the volume of all eggs packed under consumer grades during said year, but such annual fee shall not be less than \$60.00 or more than \$600.00. The fee for an interim license shall be at the rate of one-twelfth of the applicable annual license for each month or part thereof remaining in the license year.

(b) The fee is payable to the New Jersey Department of Agriculture. Payment must be made by one of two methods at the option of the applicant. Either the entire fee shall accompany the application, or one-half of the fee shall accompany the application and the balance shall be paid on or before December 31 of the license year.

2:73-2.8 Reports

(a) Each licensed packer shall submit for each month, by the tenth of the month following, a report on forms supplied by the Department for this purpose, which will include:

1. An inventory of approved one dozen cartons;
2. Dozens of eggs packed under the Seal of Quality according to brand or loose pack during that month;
3. Volume of New Jersey eggs (30-dozen cases) received from each registered New Jersey producer during that month.

(b) Each licensee shall inform the Department of any additions to or deletions from his list of registered producer-shippers within 48 hours of the effect of such change.

2:73-2.9 Supervision

(a) The Department and the Poultry Products Promotion Council will provide the following to producers, packers and retailers:

1. Supervision at the plant through unannounced visits;
2. Technical assistance to producers and packers to effect quality improvement;
3. A list of registered producers;
4. Assistance to retail outlets in setting up point-of-sale material;
5. Advertising sales promotion, merchandising and public relations programs throughout the year.

2:73-2.10 Penalty

(a) Any person, firm, partnership, corporation or association who shall violate any provision of these regulations, give false information in the application to package eggs under the Seal of Quality, report falsely or fail to report as required, or use any container bearing the New Jersey Seal of Quality, or to which the Seal of Quality will be affixed, for packing eggs which are not of New Jersey production, shall, for the first offense, be subject to the penalties set forth in N.J.S.A. 4:3-11.23.

(b) In the event of a second offense, the violator will be subject to the appropriate penalty in N.J.S.A. 4:3-11.23 and in addition will be subject to a 30-day suspension of his Seal of Quality license.

(c) A third offense within a year will subject the violator to the appropriate penalty set forth in N.J.S.A. 4:3-11.23 and revocation of his Seal of Quality license for at least one year.

(d) Nothing in these regulations shall be construed to exempt any person or premise from provisions of other applicable laws or regulations.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before March 28, 1973, to:

Delmar K. Myers, Director
Division of Regulatory Services
New Jersey Department of Agriculture
P.O. Box 1888
Trenton, New Jersey 08625
Telephone (609) 292-5733

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

Phillip Alampi
Secretary of Agriculture
Secretary, State Board of Agriculture

(a)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Rules Requiring License Applicants To Supply Information to the Director

On January 30, 1973, 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-7, 4:12A-20, 4:12A-21, 4:12A-28, 4:12A-33 and 4:12A-35 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules requiring license applicants to supply information to the Director, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 4(a).

Such rules may be cited as N.J.A.C. 2:52-5.1 et seq.
An order adopting these rules was filed and effective
January 30, 1973, as R.1973 d.39.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Release of Hog Cholera Quarantine In Egg Harbor Township

On February 2, 1973, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule releasing Egg Harbor Township from the hog cholera quarantine recently imposed upon it.

Full text of the emergency rule follows:

2:5-1.14(d) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the Agricultural Laws of New Jersey, the township of Egg Harbor in Atlantic County is hereby released from the hog cholera quarantine issued January 3, 1973.

2:5-1.14(e) This release from quarantine is effective February 5, 1973.

An order adopting this rule was filed February 2, 1973, as R.1973 d.41 (Exempt, Emergency Rule) to become effective February 5, 1973.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Release of Hog Cholera Quarantine In Gloucester County

On February 20, 1973, C. K. Jewell, Director of the Division of Animal Health in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:1-21 and 4:5-16 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency rule which released Gloucester County from the hog cholera quarantine previously imposed on it.

Full text of the adopted rule follows:

2:5-1.8(d) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 and N.J.S.A. 4:5-16 of the Agricultural Laws of New Jersey, Gloucester County is hereby released from the hog cholera quarantine issued November 14, 1972.

(e) This release from quarantine is effective February 20, 1973.

An order adopting this rule was filed and effective February 20, 1973, as R.1973 d.51 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

BANKING

DIVISION OF ADMINISTRATION

Proposed Revisions In Procedural Rules

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1B-2, proposes to revise the rules concerning procedural rules by adopting new rules, to be cited as N.J.A.C. 3:1-2.9 through 3:1-2.13, and by renumbering the citations only on the current N.J.A.C. 3:1-2.9 through 3:1-2.20, to now read N.J.A.C. 3:1-2.14 through 3:1-2.25.

Full text of the proposed new rules follows:

3:1-2.9 Data to be filed in support of a charter application

(a) Every applicant for a bank, savings bank or savings and loan association charter is required to file in the Department the following data:

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.

3:1-2.10 Time for filing

Items required to be filed under N.J.A.C. 3:1-2.9 must be filed in the Department within 20 days of the date of the letter in which the Commissioner notifies the applicant that the certificate of incorporation and the affidavits required to be filed under N.J.S.A. 17:9A-9, in the case of banks and savings banks, or the certificate of incorporation and the by-laws required to be filed under N.J.S.A. 12B-16, in the case of savings and loan associations, have been found in order and accepted by the Department as a filed application.

3:1-2.11 Availability of data to objectors and applicant on charter applications

(a) Upon notification by the Department of the name and address of an individual or institutional objector, the applicant shall immediately provide each objector and the Department with a copy of all demonstrative and documentary evidence which is to be relied upon in support of the application, provided such data and materials are not in the nature of confidential information.

(b) Items which it would be impractical or burdensome to supply shall be made available for inspection by objectors upon reasonable notice to the applicant.

(c) In like manner, each objector shall supply the applicant and the Department no later than five days before the scheduled hearing with a copy of all demonstrative and documentary evidence which will be relied upon in support of the objectors' case.

(d) In the absence of a showing of substantial mitigating circumstances, failure to comply with the foregoing requirements may be considered as a waiver by the dilatory party.

3:1-2.12 Financial report of incorporators

Each incorporator of a bank, savings bank or savings and loan association shall submit a financial report containing such information and in such form as the Commissioner may from time to time prescribe and within the same time period noted in N.J.A.C. 3:1-2.10.

3:1-2.13 Confidential nature of financial report

The financial report required to be filed under N.J.A.C. 3:1-2.12 is for the confidential use of the Commissioner of Banking and is not to be considered a part of the public files.

Authority: N.J.S.A. 17:1-8.1 and 17:1B-2

NOTE: The above subparagraphs are to be inserted at 3:1-2.9 through 3:1-2.13. The existing subparagraphs 3:1-2.9 through 3:1-2.20 are to continue as recited and be renumbered 3:1-2.14 through 3:1-2.25.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Department of Banking
State House Annex
Trenton, New Jersey 08625

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

Richard F. Schaub
Commissioner
Department of Banking

(a)

BANKING

DIVISION OF BANKING

Proposed Revisions On Approval To Exceed Ten Per Cent Limitation

Richard F. Schaub, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-62H, proposes to revise the rule on approval to exceed ten per cent limitation by deleting in its entirety the current N.J.A.C. 3:11-1.1 and adopting new rules in place thereof.

Full text of the proposed new rules follows:

3:11-1.1 Approval to exceed ten per cent limitation

(a) Persons which may become liable to a bank or obligations in which a bank may invest in an unlimited amount subject only to the exercise of prudent banking judgment.

1. General obligations of any state of the United States or any political subdivision thereof.

2. Such other individual obligations as the Commissioner may from time to time prescribe. A list of these individual obligations shall be kept on file in the office of the Commissioner of Banking.

(b) Persons which may become liable to a bank or obligations in which a bank may invest in excess of ten per cent but not in excess of 25 per cent of the capital funds of such bank subject to the exercise of prudent banking judgment.

1. A list of such obligations as the Commissioner may from time to time prescribe shall be kept on file in the office of the Commissioner of Banking.

(c) Definitions

1. "Political subdivision of any state" includes a county, city, town or other municipal corporation, a public au-

thority, and generally any publicly-owned entity which is an instrumentality of the state or of a municipal corporation.

2. "General obligation of any state or any political subdivision thereof" means an obligation supported by the full faith and credit of an obligor possessing general powers of taxation, including property taxation. It includes an obligation payable from a special fund or by an obligor not possessing general powers of taxation when an obligor possessing general powers of taxation, including property taxation, has unconditionally promised to make payments into the fund or otherwise available for the payment of the obligation of amounts which (together with any other funds available for the purpose) will be sufficient to provide for all required payments in connection with the obligation.

(d) Prudent banking judgment requires that every bank shall maintain in its files credit information adequate to demonstrate that it has exercised prudence in making the determination to invest in a particular obligation.

(e) Request for addition of an obligation to the listings noted in (a) or (b) above may be made by any bank to the Commissioner. Such a request should be supported by information in sufficient detail to enable the Commissioner to make the necessary determination and should include the bank's appraisal of the information furnished.

Authority:
N.J.S.A. 17:9A-62H

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Department of Banking
Division of Banking
State House Annex
Trenton, New Jersey 08625

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

Richard F. Schaub
Commissioner
Department of Banking

(b)

BANKING

DIVISION OF BANKING

CONSUMER CREDIT BUREAU

Notice of Public Hearing

Take notice that the Department of Banking will hold a public hearing on Thursday, March 22, 1973, at 10:00 A.M. in the hearing room of the Department of Banking, second floor, 36 West State Street, Trenton, New Jersey, concerning the proposed secondary mortgage rules pertaining to the solicitation of business and advertising which appeared in the Notice published January 4, 1973, at 5 N.J.R. 5(b).

The proposed rules involved in this public hearing may be obtained from:

Department of Banking
36 West State Street
Trenton, New Jersey 08625
Telephone: (609) 292-5466

This Notice is published as a matter of public information only.

Richard F. Schaub
Acting Commissioner
Department of Banking

(a)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Editorial Changes Concerning Rules on Safety Glass and Construction and Maintenance of Hotels and Multiple Dwellings

On February 15, 1973, Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 51:12-1 et seq., 52:27-21 and 55:13-A6(e) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted editorial changes to N.J.A.C. 5:19-1.7 concerning standards for safety glass and 5:10-9.9 concerning the rules on construction and maintenance of hotels and multiple dwellings.

A summary of these editorial changes follows:

In N.J.A.C. 5:19-1.7, footnotes or rules which indicated an expiration date of January 1, 1973 have been deleted. In subsection (b), the phrase "48 inches or less in width" has been deleted. A revision reflecting these editorial changes is available from:

Director, Division of Housing and Urban Renewal
Department of Community Affairs
Post Office Box 2768
Trenton, New Jersey 08625

Similarly, regarding Table 9.1 in N.J.A.C. 5:10-9.9, the footnotes and rules which indicated an expiration date of January 1, 1973 have been deleted and in subsection (b), the phrase "48 inches or less in width" has been deleted.

An order adopting these editorial changes was filed February 15, 1973, as R.1973 d.50 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Rules On Procedures for School Bus Drivers at Railroad Grade Crossings

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to adopt new rules concerning the procedures for school bus drivers at railroad grade crossings.

Full text of the proposed rules follows:

6:21-11.6 Procedures for school bus drivers at railroad grade crossings

(a) General procedures include:

1. The driver of any school bus, whether carrying passengers or not, must, before crossing a grade of any track or tracks of a railroad, bring his bus to a full and complete stop within not less than 15 feet or more than 50 feet from the rails nearest the front of the bus.

2. When drivers are making stops for railroad crossings, they shall carefully observe traffic, and reduce speed far enough in advance of a stop to avoid trapping other motorists in panic stops or rear-end collisions with the bus. (On multiple-lane roadways, no such stop shall be made in the center or left-hand lane.) When approaching

a railroad grade crossing on multiple-lane roadways, drivers should strive to be in the right-hand lane when the stop for the crossing is made.

3. No special signs, signals or flashers, designated only for use on school buses, shall be activated while the bus is stopped or is stopping for a railroad grade crossing.

4. The driver when stopped shall listen and look in both directions along the track or tracks for approaching engines, trains, or cars. Upon resumption of motion, the operation of the service door shall be governed by local regulation.

5. If the view of the track or tracks for a distance of 1,000 feet in either direction is not clear or is obstructed in any way, no portion of the bus may be propelled onto the tracks until, by personal visual inspection, the driver has made certain that no train is approaching. In no instance may a signal indicating "All clear" be considered as conclusive or serve to abrogate this precaution. Stops should not be made between multiple tracks if, by doing so, the rear portion of the bus extends over another track.

6. Drivers shall in every instance cross in such gear as will not necessitate changing gears while traversing such crossing and shall not, under any circumstances, shift gears when bus is actually crossing tracks or railroad crossings.

7. In the event that a train has passed over the crossing, no bus driver shall drive his bus onto said track or tracks until such train has sufficiently cleared the crossing so that the driver is certain that no train, hidden by the first train, is approaching on an adjacent track.

8. For improved vision and hearing, a window at the driver's left should be opened and all noisy equipment (fans and the like) should be shut off until the bus has cleared the crossing.

(b) At crossings controlled by signals only, the procedures are:

1. In addition to the above, the driver of a school bus which has stopped at any railroad track or tracks at which there is in operation any flashing red lights and/or bell shall not proceed across such track or tracks unless by authorization from a law enforcement officer or train personnel. Such authorization does not relieve the driver of personal responsibility for a safe crossing.

2. In the event that switching operations or stopped trains delay the use of the crossing unnecessarily for frequent or extended periods of time, complaint should be made through proper channels to railroad management and traffic authorities.

(c) At crossing controlled by crossing gate or barrier, the procedures are:

1. No bus driver shall drive his bus through, around or under any such crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

2. The driver must never accept a lack of movement as indicating that the device is either in or out of order or not properly handled, but must always take a railroad grade crossing as a conclusive warning of danger and not cross the tracks until he has conclusively ascertained that no train is approaching.

(d) During wet, stormy or foggy weather, before placing part of the bus on the tracks, the driver must know conclusively that a crossing can be made in safety. Any use of flares or the like, in addition to warning signals or devices maintained at such railroad crossings, must be taken as an additional warning of danger.

(e) When any school bus must stop for any railroad track at grade, all passengers must be silent until crossing is completed. Such signal for silence shall be given by the driver in whatever manner he deems suitable.

NOTE: There has been no prior reference in State Board rules and regulations or statute law pertaining to the above subject with the exception of the notification in Title 39, Motor Vehicle statutes.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973 to:

Mrs. Anne Grandinetti
Controversies and Disputes
Department of Education
225 West State Street
Trenton, New Jersey 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.

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Rule Concerning Community Services Certificate

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to adopt a new rule concerning community services certificate.

Full text of the proposed rule follows:

6:11-12.21 Community services certificate

(a) This certificate authorizes service for non-instructional positions which have been designed to bring about a closer liaison between the professional staff of a school and the community which it serves, such as school-community coordinator, coordinator of para-professional personnel, or for other such positions for which no other certificate is appropriate for the individual and/or the function he is to serve.

(b) The requirements are:

1. Completion of a minimum of a bachelor's degree program approved to prepare individuals for specific functions for which no other certificate is appropriate. This certificate will be limited to the endorsement thereon; or

2. A bachelor's degree from an accredited institution;

3. A description of the position for which certification is requested must be provided by the local board of education, and must be included in the minutes of a regularly scheduled meeting;

4. The applicant must present evidence of competency related to the job description referred to in "B" above.

(c) The description in paragraph 3. above and the evidence of competency referred to in paragraph 4. above shall be submitted to the Certification Appeals Committee for evaluation.

(d) The Certification Appeals Committee must give its approval before this certificate can be issued.

(e) In certain occupational areas, where a bachelor's degree is not the basis for issuing a regular teaching certificate, the same or equivalent requirements for the occupational area certificate shall be met for the issuance of this certificate.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973 to:

Mrs. Anne Grandinetti
Controversies and Disputes
Department of Education
225 West State Street
Trenton, New Jersey 08625

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

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Revisions to Rules On Library Incentive Grant Programs

Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:74-6, proposes to revise the rules on the State Library Assistance Programs concerning the Incentive Grant Program by deleting in their entirety N.J.A.C. 6:68-2.1 through 6:68-2.8 and adopting new rules in place thereof, to be cited as N.J.A.C. 6:68-2.10 through 6:68-2.29.

The proposed new rules concern general policy, Program A: The formation of joint libraries, Program A: Phases 1, 2, 3, 4 and 5, Program B: The establishment of county library branches, Program B: Phases 1, 2, 3, 4 and 5, Program C: Mini-grants, application for grant, renewal of previously funded incentive grant programs, evaluation of applications, notification of applicants, appeal procedures and reports and audits.

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

Mrs. Anne Grandinetti
Controversies and Disputes
Department of Education
225 West State Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973 to the Department of Education at the above address.

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.

Carl L. Marburger
Commissioner of Education
Secretary, State Board of Education

(c)

EDUCATION

STATE BOARD OF EDUCATION

Waiver of Student Teaching Requirement

On February 21, 1973, Carl L. Marburger, 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 of 1968, adopted the rule concerning the waiver of student teaching requirement, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 7(b).

Such rule may be cited as N.J.A.C. 6:11-3.26.
An order adopting this rule was filed and effective February 23, 1973, as R.1973 d.55.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Revisions in Shellfish-Growing Water Classifications

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq., proposes to adopt revisions concerning shellfish-growing water classifications in regard to the administration of N.J.S.A. 24:2-1 and 24:14-2.

Such revisions, if adopted, will be included in Subchapter 7 of Chapter 25 in Title 7 of the New Jersey Administrative Code.

A summary of the major areas of the proposed revisions follows:

1. Approximately 2,245 acres in Sandy Hook Bay will be downgraded from approved to Special Restricted. The closure is based on a sanitary survey report.
2. Approximately 537 acres in Manahawkin Bay and Little Egg Harbor Bay south of Cedar Bonnet will be downgraded from approved to seasonal. The closure is based on a reappraisal report.
3. A small but undetermined number of acres in Parker Run will be downgraded from approved to condemned. The closure is based on a reappraisal report.
4. Approximately 1,280 acres of the connecting thoroughfares between Absecon Channel and Reed Bay downgraded from seasonal to condemned. The closure is based on a reappraisal report.
5. Approximately 146 acres of main channel upgraded from condemned to seasonal. The opening is based on a sanitary survey report.
6. Approximately 1,400 acres of the Delaware Bay in the vicinity of East point downgraded from approved to condemned. This closure is based on a reappraisal report.
7. Total acres changes with issuance of these rules and regulations are:

Total acres upgraded	146
Total acres downgraded	5,462
Net loss in acres	5,316

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Department of Environmental Protection
Division of Water Resources
Shellfish Control Unit
Post Office Box 1390
State and Montgomery Streets
Trenton, New Jersey 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.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(b)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Extension of Wetlands Order To Cover Certain Portions of Camden County

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:9A-1 et seq., proposes to extend the coverage of the Wetlands Order filed and effective April 13, 1972, as R.1972 d.68 (See: 4 N.J.R. 96(d) for the text of that Order) to include certain portions of Camden County.

A summarized text of the portion of the areas proposed to be covered in Camden County follows:

7:7A-1.1(a)10. Camden County (The following Wetlands Maps are filed in the office of the County Recording Officer in Camden):

364-1878, 371-1872, 371-1878, 378-1866,
378-1872, 413-1896, 413-1902, 420-1890,
420-1896

A public hearing respecting this proposed action will be held April 19, 1973, at 1:00 P.M. and continuing into the evening, if necessary at:

Ivystone Motor Hotel
U.S. Highway No. 130
Pennsauken, New Jersey

This hearing will be held in accordance with the provisions of the Wetlands Act of 1970, Chapter 272, P.L. 1970.

All testimony offered to the Department orally or in writing at the hearing will be considered. Also, all testimony offered to the department in writing and received by the department prior to May 21, 1973 will be considered.

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

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(c)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Extension of Wetlands Order To Cover Certain Portions of Mercer County

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:9A-1 et seq., proposes to extend the coverage of the Wetlands Order filed and effective April 13, 1972, as R.1972 d.68 (See: 4 N.J.R. 96(d) for text of that Order) to include certain portions of Mercer County.

A summarized text of the portion of the areas proposed to be covered in Mercer County follows:

7:7A-1.1(a)9. Mercer County (The following Wetlands Maps are filed in the office of the County Recording Officer in Trenton):

476-1980, 476-1986, 483-1980, 483-1986,
483-1992, 490-1974, 490-1980, 490-1986,
490-1992

A public hearing respecting this proposed action will be held April 6, 1973, at 1:00 P.M. and continuing into the evening, if necessary at:

New Jersey State Museum Auditorium
205 West State Street
Trenton, New Jersey

This hearing will be held in accordance with the provisions of the Wetlands Act of 1970, Chapter 272, P.L. 1970.

All testimony offered to the Department orally or in writing at the hearing will be considered. Also, all testimony offered to the department in writing and received by the department prior to May 7, 1973 will be considered.

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

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF PARKS AND FORESTRY

Proposed Rules On Special Permits For Island Beach State Park

Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-1, proposes to adopt new rules concerning special permits for Island Beach State Park.

Full text of the proposed rules follows:

CHAPTER 2. BUREAU OF PARKS

SUBCHAPTER 16. SPECIAL PERMITS FOR ISLAND BEACH STATE PARK

7:2-16.1 Special permits for Island Beach State Park

(a) The rules concerning special permits for Island Beach State Park are as follows:

1. The operation of beach buggies for the purpose of fishing on the open beach is allowed within designated locations and designated hours provided a beach buggy permit has first been obtained.

2. Beach buggy permits are available for a calendar year or for a 72-hour period. Seventy-two hour permits are limited to a total of 50 in effect at any one time.

3. Calendar year beach buggy permits are available at the park or by mail at a cost of \$75.00 per year. The permit grants entry for the specified vehicle and driver without further charge. All other occupants are required to pay daily admission fees.

4. Seventy-two hour beach buggy permits are only available at the park and are issued on a first come, first served basis at a fee of \$7.50 for the 72-hour period. No mail requests will be accepted. These permits are issued to the individual and a specific licensed vehicle. They are non-transferable and non-refundable. All other occupants are required to pay daily admission fees.

5. No more than one consecutive renewal of a 72-hour permit is allowed.

6. A beach buggy permit may be revoked and a permittee prosecuted for violation of park regulations or New Jersey Statute Law. No refunds are permitted when revocation occurs.

7. Calendar year fishing permits are issued at the park and by mail at a cost of \$20.00 per year. This permit grants

entry for the specified individual and vehicle at all times excepting when the park is filled to capacity and between the hours of 12 midnight and 4 A.M. during the period of May 15 to September 15 inclusive.

8. All fishing is restricted to the ocean side of the park and is restricted to designated hours and specific locations.

9. During the period of May 15 to September 15 inclusive, the park is closed to all persons excepting beach buggy permit holders and lessees, between the hours of 12 midnight and 4 A.M. During the above stated periods, leaseholders are restricted to their leased premises. Beach buggy permit holders are required to register with park officials and park in a designated location during the above hours of restriction.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 31, 1973, to:

Robert Solan
Chief, Bureau of Legal Services
Department of Environmental Protection
Room 811, Labor and Industry Building
John Fitch Plaza
Trenton, New Jersey 08625

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.

Richard J. Sullivan
Commissioner
Department of Environmental Protection

(b)

HEALTH

DIVISION OF CONSUMER HEALTH SERVICES

Proposed Revisions to Rules on Licensing of Food and Cosmetic Manufacturing And Wholesale Establishments

James R. Cowan, Commissioner of Health, pursuant to authority of N.J.S.A. 24:15-13, proposes to revise portions of the rules on the licensing of food and cosmetic manufacturing and wholesale establishments.

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

8:21-9.1 Definitions

["Food establishment" means any place used in the production, preparation, processing, manufacture, packing, storage or handling of food intended for sale or distribution at wholesale, beyond the borders of the municipality in which such establishment is located.]

["Cosmetic establishment" means any place used in the production, preparation, processing, manufacture, packing, storage or handling of cosmetics intended for sale or distribution at wholesale, beyond the borders of the municipality in which such establishment is located.]

8:21-9.2 Scope

(a) Every establishment falling within the definitions of [Section 1 of this Subchapter] N.J.S.A. 24:15-1, must obtain a license from the Department except as hereinafter exempted.

(b) A separate license shall be obtained for each food and cosmetic establishment operated within the State.

Interested persons may present statements or arguments

in writing relevant to the proposed action on or before March 28, 1973, to:

Dr. Oscar Sussman, Director
Division of Consumer Health Services
New Jersey Department of Health
Post Office Box 1540
Trenton, New Jersey 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.

James R. Cowan
Commissioner
Department of Health

(a)

HEALTH

HEALTH CARE ADMINISTRATION BOARD

Proposed Amendments Concerning Preliminary Financial Feasibility Studies

James R. Cowan, 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 amend N.J.A.C. 8:33-2.2 concerning the criteria for the submission of a certificate of need and specifically involving preliminary financial feasibility studies.

Full text of the proposed amendment follows:

When an application is made to the Health Care Facilities Financing Authority, the above \$25,000 requirement is waived for feasibility studies in preparation for financing through the HCFFA if the following procedure is followed: No certificate of need will be required providing an acceptable preliminary feasibility study (not exceeding \$10,000 in cost) has been submitted to the New Jersey Health Care Facilities Financing Authority and the Financing Authority accepts the preliminary study and approves the applicant's continuance with a final feasibility study at a reasonable cost.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Jule M. Erdie
Executive Assistant
Office of the Commissioner
New Jersey Department of Health
Post Office Box 1540
Trenton, New Jersey 08625

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

James R. Cowan
Commissioner
Department of Health

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Proposed Revisions in Health Service Program Manual

Robert L. Clifford, Commissioner of Institutions and

Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise rules concerning general exclusions in the New Jersey Health Services Program.

Such revisions, if adopted, will be included in Subtitle I 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]):

Sections 108.6 (All Health Service Program Manuals)

Payment is not made for:

6. That part of any benefits which are covered or payable under any health, accident, or other insurance policy (including any benefits payable under the "New Jersey Automobile Reparation Reform Act", P.L. 1972, c. 70), any other private or governmental health benefit system, or through any similar third party liability;

Interested persons may present statements or arguments in writing relevant to the proposed manual on or before March 28, 1973, to the Division of Medical Assistance and Health Services to:

Administrative Analyst
324 East State Street
Trenton, New Jersey 08625

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

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(c)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revisions to the Financial Assistance Manual

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise Sections 114, 117, 201 and 213 of the Financial Assistance Manual.

Such revisions, if adopted, will be included in Subtitle L 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]):

114. [In the OAA, DA, and AB programs, two schedules apply, as follows:

a. Schedule III-A identifies the program eligibility standard and is used only to determine eligibility with respect to the "need" factor.

b. Schedule III-B identifies the public assistance allowance standards for eligible persons (other than those living in approved group facilities in accordance with Section 130. and those who are parents or parent-persons in an ADC or AFWP unit). This Schedule comprises a pre-calculated conversion table of the standards in Schedule III-A when ratably reduced by 16.9 per cent for purposes of calculating entitlement to money payment.]

In the adult programs, OAA, DA, and AB, the public assistance allowance is as identified in Schedule III, except in the following situations:

a. When the individual is a member of an eligible ADC

unit, Schedule I is used in accordance with Section 203.-b., ADC Companion Cases; or

b. When the individual is living in an approved group facility, the appropriate rate and/or personal allowance is as identified in Section 130.

117. [Schedules for the OAA, DA, and AB Programs]

[Delete Schedule III-A in its entirety]

Schedule III [B]

Public Assistance Allowances

OAA, DA, and AB Programs

[(83.1 per cent of Program Eligibility Standard)]

201. Key Numbers

(5) [For new applications in the OAA, DA, and AB programs, except when applicants are parents or parent-persons in an ADC or AFWP unit, enter the amount of the Program Eligibility Standard, as determined in Schedule III-A, in the space provided under Part II. See also Section 213., program eligibility in OAA, DA, and AB.]

Disregard this entry; Schedule III-A has been deleted.

(6) Enter appropriate public assistance allowance(s) from Schedule I, II, or III[B]; or

[213. Deleted entire section.]

Note: In addition to the above proposed revisions, Schedule III-A in Section 117 is to be deleted in its entirety and the current Schedule III-B is to be reclassified as the new Schedule III and will be the only Schedule therein.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Division of Public Welfare

129 East Hanover Street

Trenton, New Jersey 08625

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

Robert L. Clifford

Commissioner

Department of Institutions and Agencies

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revisions to the Financial Assistance Manual

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise certain portions of the Financial Assistance Manual.

Such revisions, if adopted, will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

The proposed revisions concern Sections 122 (ADC program), 123 (AFWP program), 133 (Adults temporarily in licensed health facilities), 234 (Parent in armed forces), 251 (Overpayments—underpayments), 352 (LRR's contributions to support), 353.2 (Income of legally responsible relative) and 430 (Emergency Assistance).

Copies of the full text of the proposed revisions may be obtained from:

Division of Public Welfare

129 East Hanover Street

Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to the Division of Public Welfare at the above address.

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

Robert L. Clifford

Commissioner

Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions to Financial Assistance Manual

On January 31, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Financial Assistance Manual concerning the procedures for determining the amount of monthly grant.

Such revisions will be included in Subtitle L of Title 10 in the New Jersey Administrative Code.

Full text of the adopted revisions follows:

201. Form PA-3A

To determine the monthly assistance grant, Form PA-3A Worksheet and Authorization for Public Assistance, shall be prepared for each eligible unit. All information supporting the data on Form PA-3A must be included in the agency's case record.

Form PA-3A, reproduced as page 4, shall be completed in the following order:

Part I: All members of the eligible unit must be listed in Part I, followed by the appropriate information.

a. Under the heading CHECK, all persons eligible for ADC shall be checked in the appropriate column. For purposes of Medicaid, persons eligible for AFWP shall be checked in either the "Fed" or "Non-Fed" column according to the criteria for Federal matching in Section 3250.1-d. of the AFWP Manual.

b. The total number of ADC and/or AFWP adults and children shall be recorded in the "Recipient Count" box in the upper right hand corner of the PA-3A.

c. In companion cases, all eligible persons shall be listed on each PA-3A.

d. Under "Categorically Related", list those persons eligible for Medicaid who, due to certain special conditions, are not eligible for categorical assistance (example: a person between 18 and 21 years of age who would be otherwise eligible for ADC except that he is not attending school).

Part VI: For new applications in the ADC and AFWP programs, Part VI, determination of initial eligibility, must be completed first, in accordance with Section 210.

Part V: When one or more members of the eligible unit have earned income (Section 330.), compute the calculated earned income in Part V. See Section 220., methods for determining calculated earned income.

Part II: The amount of the regular monthly grant is determined in Part II, Amount of Allowance. Make the ap-

propriate entries according to key numbers indicated on the form (page 4) as follows:

Key Numbers

(1) Enter any payment(s) received from Social Security (RSDI). In OAA, DA, and AB programs, the amount to be disregarded in accordance with Federal regulations should be so indicated [example: RSDI (\$100.-8.) \$92.]. Note that there is no disregard of Social Security in the ADC or AFWP programs.

(2) Enter amount of calculated earned income, if any, as determined in Part V.

(3) Enter any other income to the eligible unit, identifying the source in the space provided, such as contributions from LRRs, pensions other than Social Security, etc. (see Section 323., income which is not earned income), and adjustment for eligible member temporarily out of the home, (see Sections 122.-d., temporary absence in ADC, and 124.-d., ADC student living apart from eligible unit).

(4) Total all income.

(5) For new applications in the OAA, DA, and AB programs, except when applicants are parents or parent-persons in an ADC or AFWP unit, enter the amount of the Program Eligibility Standard, as determined in Schedule III-A, in the space provided under Part II. See also Section 213., program eligibility in OAA, DA, and AB.

(6) Enter appropriate public assistance allowance(s) from Schedule I, II, or III-B; or

(7) For adults living in Approved Boarding Homes as identified in Section 131.1, enter appropriate allowance for living arrangement in accordance with Section 131.1-a. [for adults receiving purchased care in other group facilities, no amount shall be entered in (7)]; and

(8) For all adults in approved group facilities, enter personal allowance as appropriate (Sections 131. and 132.).

(9) Enter the amount or total of amounts from (5) or the total of (7) and (8).

(10) Enter total income from (4).

(11) Subtract (10) from (9) to determine the adjusted allowance.

The Monthly Grant

a. The amount of the monthly grant shall be rounded to the nearest dollar. (Fifty cents or above shall be carried to the next higher dollar.)

b. In OAA, DA, and AB programs, the adjusted allowance is the amount of the monthly grant.

c. In the ADC and AFWP programs, the adjusted allowance is the amount of the monthly grant, except:

1) When a member of an eligible ADC or AFWP unit has incurred a penalty of ineligibility for money payment, the amount of the grant to the unit shall be reduced by the ineligible member's per capita share of such amount.

d. In companion cases, the amount of the monthly grant to be entered on each PA-3A shall be the per capita share of the adjusted allowance attributable to the person(s) in one case only. The sum of the amounts so entered shall equal the total adjusted allowance, rounded to the nearest dollar.

Part III: Determine the amount of the first assistance payment in Part III, Initial Grant, in accordance with Section 202.

Part IV: Entries under Recommendation and Decision, Part IV, shall be made by the worker, using one or more of the spaces provided. Thus, the initial grant and the regular grant may both be listed, the regular grant only, or any other applicable combination. Give "Reason for Action" to explain the recommendation(s). The PA-3A

becomes an official authorization when the county welfare board director's signature appears in the lower right hand corner.

Vendor Payments

a. All vendor payments made on behalf of the eligible unit shall be recorded both in Part IV, Recommendations and Decisions, and in Part VII, Vendor Payments. This includes payments to Intermediate Care Facilities (Section 131.2).

b. Check the appropriate column in Part VII to indicate if the payment is recurring or non-recurring (continues for a period of two or more months if made one time only).

An order adopting these revisions was filed and effective February 9, 1973, as R.1973 d.47 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions to Manual of Administration

On February 15, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Manual of Administration.

Such revisions will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

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

2270. DISPOSAL OF ASSETS, REIMBURSEMENT REQUIREMENT

.1 Legal requirement

R.S. 44:7-5 provides that an applicant must not have made a voluntary assignment or transfer of property for the purpose of qualifying for assistance, or for the purpose of evading responsibility for reimbursement for assistance received through DA or OAA.

R.S. 44:7-14 requires that as a condition of eligibility in DA or OAA all or any part of the property, either real or personal, be pledged to the county welfare board as a guaranty for the reimbursement of the assistance granted. This is to be accomplished by execution of an agreement to reimburse and assignment of all or any part of his personal property, as the board shall specify.

Note: The Supreme Court of the United States in *Phillips et. al. v. Essex County Welfare Board* ruled on January 10, 1973 that the Social Security Act, 42 U.S.C. §407, which prohibits subjecting social security benefits to any legal process, bars a State from legally requiring recovery of such benefits retroactively paid to a beneficiary. As a result, such benefits cannot be considered available for reimbursement or repayment for assistance granted unless the recipient voluntarily agrees to repay the CWB.

2271. Disposal of assets to qualify for assistance

.1 General statement

Whenever investigation indicates that a person applying for assistance has transferred or assigned any property, whether real or personal, prior to application, the motive for and circumstances surrounding such transfer and assignment shall be evaluated, and a determination made as

to whether such transfer or assignment was made for the purpose of qualifying for assistance or, if applying for DA or OAA, to avoid repayment of assistance from such assets.

.2 Effect on eligibility

a. If it is determined that there was no intent to defraud CWB and that the transfer or assignment of the property was a normal transaction for adequate consideration, such transfer or assignment shall not make the applicant ineligible.

b. If the transfer or assignment is found to have been made without receipt of adequate consideration by the applicant, but with no evidence of intent to qualify for assistance or to avoid repayment, it shall be recognized that the applicant may have legal rights to secure the return of the property or the payment of adequate consideration. In such event, this shall be considered a potential resource, and the applicant shall be expected to comply with State requirements governing the liquidation of potential resources. [See [Categorical] **Financial Assistance [Budget] Manual [407.] 340.**]

2273. Written agreement to repay in ADC

.1 Legal authority

R.S. 44:10-4 as amended by Chapter 80, P.L. 1962 authorizes the county welfare board to require a written agreement to repay from the natural or adoptive parent(s) in any instance where there is pending payment to the child or such parent(s) funds arising from a claim or interest legally or equitably owned by such child or such parent(s). This authority shall be exercised in accord with the following policy and procedure. **Retroactive Social Security payments are not subject to the agreement to repay.**

.2 Statement of policy

a. When at the time of application there is pending a claim for statutory benefits, such as [OASDI,] veterans' benefits, workmen's compensation, temporary disability benefits **other than Social Security benefits**, or a suit or claim arising from a contract, legacy, inheritance, accident, or the like, CWB shall require the natural or adoptive parent, or both such parents when available, to sign a written promise to repay for assistance granted from any funds subsequently received from such source.

Form PA-10D Agreement to Repay, shall be used for this purpose. (See 2200 Appendix VIII for sample Form PA-10D.)

b. When at any time during receipt of assistance it is determined that there is pending such a claim or suit, action shall be taken to secure a promise of repayment as in a. above.

c. When in relation to either a. or b. above there appears to be eligibility for benefits or compensation but no claim has been filed, the parent(s) shall be expected to make such claim promptly.

d. Refusal of the parent(s) to comply with a. or b. above, or refusal to file a claim as in c. above, renders the family ineligible for ADC.

.3 Evaluation after claim settled

If and when a lump sum payment is received as a result of an approved claim or pending suit, or the like, CWB shall evaluate the situation and in accordance with the provisions of [402.3] 322. of the [Budget] **Financial Assistance Manual** decide:

a. Whether to require repayment **when permissible**, and continue assistance with any necessary budget adjustment for recurring income, or

b. Whether the case is to be suspended or closed and the available funds used for current support.

An order adopting these revisions was filed and effective

February 20, 1973, as R.1973 d.52 (Exempt, Mandatory Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions to Financial Assistance Manual

On February 15, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Financial Assistance Manual.

Such revisions will be included in Subtitle L of Title 10 of the New Jersey Administrative Code.

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

344.

d. Suits and Claims. Where a member of the eligible unit is, at time of application, or subsequently becomes the owner of an interest in a suit or claim arising out of an accident, inheritance or legacy, insurance on the lives of relatives or others, statutory benefits of pensions, unfulfilled contracts or obligations, and the like, such interests constitute personal property and are potential resources which must be recognized.

1) Where assistance is extended during the period that the receipt or liquidation of such interest is pending, an agreement shall be made whereby the eligible unit will, when liquidation occurs, repay the agency the amount of assistance extended during such period or the amount received as the result of the claim, whichever is less. **Retroactive Social Security payments are not subject to agreements to repay or reimburse.**

An order adopting these revisions was filed and effective February 20, 1973, as R.1973 d.53 (Exempt, Mandatory Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Revisions to Manual of Administration Concerning Employment and Training

On January 25, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Manual of Administration concerning employment and training, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 11(a).

Such revisions will be included in Subtitle L of Title 10 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective January 30, 1973, as R.1973 d.38.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF YOUTH AND FAMILY SERVICES

BUREAU OF CHILDREN'S SERVICES

Rules on Adoption Agency Approval

On January 29, 1973, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:1-1 through 30:1-17 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on adoption agency approval, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 12(a).

Such rules will be included in Subtitle M of Title 10 in the New Jersey Administrative Code.

An order adopting these rules was filed and effective February 1, 1973, as R.1973 d.40.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

INSURANCE

NEW JERSEY REAL ESTATE COMMISSION

Amendment to Rules on Examinations

On January 30, 1973, Carl J. Jahnke, Secretary-Director of the New Jersey Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an amendment to the rules on examination, substantially as proposed in the Notice published January 4, 1973, at 5 N.J.R. 13(b).

Full text of the adopted amendment follows:

11:5-1.5(a)5. The real estate examination, required by N.J.S.A. 45:15-10 to be taken and successfully passed by all applicants for real estate brokers or salesmen licenses before said licenses may issue, shall be in the form of a (multiple choice) examination prepared by an educational testing service as designated by the Commission. Fees charged to take the educational testing service real estate salesmen and broker examinations shall be considered service fees to be paid directly to the educational testing service separate and apart from any fee required by N.J.S.A. 45:15-9 to be paid to the New Jersey Real Estate Commission along with a license application.

An order adopting this amendment was filed and effective February 5, 1973, as R.1973 d.43.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

LABOR AND INDUSTRY

EMPLOYMENT SECURITY AGENCY

Rules on Group Accounts and Payments in Lieu of Contribution

On February 8, 1973, Ronald M. Heymann, Commissioner of Labor and Industry and Director of the Employment

Security Agency, pursuant to authority of N.J.S.A. 43:21-72 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on group accounts and payments in lieu of contribution, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 13(d).

Such rules may be cited as N.J.A.C. 12:16A-11.1 et seq.

An order adopting these rules was filed and effective February 9, 1973, as R.1973 d.48.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF NURSING

Proposed Revisions For Language Comprehension Examinations

Richard E. David, Executive Director of the State Board of Nursing in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:11-27, proposes to delete in its entirety N.J.A.C. 13:37-10.5 presently entitled "Canadian and Puerto Rican Nurses", and adopt in place thereof a new N.J.A.C. 13:37-10.5 entitled "Language comprehension examination."

Full text of the proposed new rule follows:

13:37-10.5 Language comprehension examination

(a) All practical nurse candidates from non-English speaking countries or countries wherein the primary language is other than English, prior to being granted a permission to work letter or Licensure as a practical nurse in this State shall successfully complete with a minimum score of 447 the TEST OF ENGLISH AS A FOREIGN LANGUAGE (TOEFL) examination.

(b) Said examination is offered by the Educational Testing Service and is available in all states of the United States and most foreign countries.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 29, 1973, to:

State Board of Nursing
1100 Raymond Boulevard
Newark, New Jersey

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

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

(e)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF PHARMACY

Proposed New Rules

Paul A. Pumpian, Secretary of the State Board of Pharmacy in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority

(Continued on Page 17)

INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

This regular monthly index is a special service for subscribers to the New Jersey Administrative Code. Its purpose is to provide an up-to-date check-list of new rules adopted by the various State Departments.

The index is current, being adjusted each month following the mailing to Code subscribers of update pages for Titles already distributed.

First publication and the initial update service has been distributed for the following eight Titles:

1. CHIEF EXECUTIVE (Reserved)
2. AGRICULTURE
3. BANKING
4. CIVIL SERVICE
6. EDUCATION
16. TRANSPORTATION
17. TREASURY-GENERAL
18. TREASURY-TAXATION

Since the latest update, the above Departments have adopted the following additional rules, which are not yet included in current pages of the Code:

RULES NOT YET PRINTED IN CODE

N.J.A.C. Citation		Document Citation	Notice of Adoption N.J.R. Citation
AGRICULTURE — TITLE 2			
2:1-2.3(a)li	Adopt codified rules	R.1972 d.260	5 N.J.R. 31(a)
2:2-2.13	Conditions for quarantine release	R.1972 d.251	5 N.J.R. 3(d)
2:2-4.34	Indemnity for swine destroyed by hog cholera	R.1972 d.191	4 N.J.R. 260(a)
2:2-4.36	Swine consigned to livestock markets	R.1972 d.131	4 N.J.R. 180(c)
2:2-4.35	Health certificate to indicate swine free from brucellosis	R.1972 d.133	4 N.J.R. 180(a)
2:2-4.39	Authority of Secretary or his agents (Quarantines)	R.1972 d.242	5 N.J.R. 3(a)
2:3-2.5	Quarantine of swine after treatment	R.1972 d.131	4 N.J.R. 180(c)
2:3-2.8	Importation of norses, mules and asses	R.1972 c.132	4 N.J.R. 180(b)
2:3-2.9	Imported breeding swine to conform to Federal regulations	R.1972 d.133	4 N.J.R. 180(a)
2:3-2.11	Quarantine of imported breeding swine	R.1972 d.133	4 N.J.R. 180(a)
2:3-3.4	Imported feeder swine to conform to Federal regulations	R.1972 d.134	4 N.J.R. 180(d)
2:3-3.6	Quarantine of imported feeder swine	P.1972 d.134	4 N.J.R. 180(d)
2:5-1.3	Hog cholera quarantine; Lakewood Township	R.1972 d.72	4 N.J.R. 86(a)
2:5-1.4	Termination of hog cholera quarantine; Lakewood Township	R.1972 d.96	4 N.J.R. 116(a)
2:5-1.5	Hog cholera quarantine; Evesham, Medford, Voorhees Twps.	R.1972 d.104	4 N.J.R. 115(c)
2:5-1.5(d) & (e)	Termination of hog cholera quarantine, Evesham, etc.	R.1972 d.144	4 N.J.R. 181(a)
2:5-1.6	Hog cholera quarantine; Burlington and Ocean Counties	R.1972 d.141	4 N.J.R. 180(e)
2:5-1.6(e)	Termination of hog cholera quarantine	R.1972 d.173	4 N.J.R. 230(a)
2:5-1.7	Swine embargo in New Jersey	R.1972 d.180	4 N.J.R. 230(b)
2:5-1.7(c)	Release of swine embargo in New Jersey	R.1972 d.208	4 N.J.R. 260(e)
2:5-1.8	Quarantine of swine, Gloucester County	R.1972 d.227	4 N.J.R. 298(b)
2:5-1.8(d) & (e)	Release of hog cholera quarantine	R.1973 d.51	5 N.J.R. 76(b)
2:5-1.8	Swine quarantine revisions, Gloucester County	R.1972 d.231	4 N.J.R. 299(a)
2:5-1.9	Hog cholera quarantine; Camden, Hunterdon, Middlesex and Mercer Counties	R.1972 d.235	5 N.J.R. 2(a)
2:5-1.10	Hog cholera quarantine; entire State	R.1972 d.237	5 N.J.R. 2(b)
2:5-1.10(d)&(e)	Hog cholera quarantine release—Burlington County	R.1973 d.21	5 N.J.R. 32(a)
2:5-1.11	Hog cholera quarantine; swine movement in State	R.1972 d.246	5 N.J.R. 3(b)
2:5-1.12	Continuation of Statewide quarantine	R.1972 d.259	5 N.J.R. 30(b)
2:5-1.13	Lifting of hog cholera quarantine	R.1972 d.263	5 N.J.R. 31(b)
2:5-1.14	Hog cholera quarantine; Egg Harbor Township	R.1973 d.4	5 N.J.R. 31(c)
2:5-1.14(d)&(e)	Release of hog cholera quarantine	R.1973 d.41	5 N.J.R. 76(a)
2:31-1.1 et seq.	Grades and standards of milk and cream	R.1972 d.194	4 N.J.R. 260(d)
2:48-5.4	Additional methods for determination of butterfat	R.1972 d.192	4 N.J.R. 260(b)
2:52-5.1 et seq.	Information supplied to Director	R.1973 d.39	5 N.J.R. 75(a)
2:53-1.4	Statement of indebtedness; settlement	R.1972 d.130	4 N.J.R. 181(b)
2:53-2.1 et seq.	Supplying equipment to customers	R.1972 d.250	5 N.J.R. 3(c)
2:53-4.1	Advertising; milk and milk products	R.1972 d.215	4 N.J.R. 298(a)
2:54-2.5	Amendments to Federal Order Number 4 (March 30, 1972)	R.1972 d.74	4 N.J.R. 88(a)
2:55-1.1 et seq.	School milk purchase regulations	R.1972 d.103	4 N.J.R. 116(b)
2:69-1.11	Commercial values	R.1972 d.193	4 N.J.R. 260(c)
2:71-1.1	Standards, grades and weight classes for shell eggs	R.1972 d.125	4 N.J.R. 181(d)

Notes:

1. Subchapter 3 in Chapter 31, Title 2, will become Subchapter 1 in Chapter 31, Title 2.
2. The remaining text in Chapter 31 will be transferred and recodified as the new Chapter 71.
3. Chapter 32, Title 2, will become the new Chapter 7, Title 2.
4. Chapters 33 and 34 now become Chapters 72 and 73 respectively.
5. Chapters 36 and 37 now become Chapters 74 and 75 respectively.

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INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

BANKING — TITLE 3

3:8-3.1	Required reserve (Banks not members of Federal Reserve)	R.1972 d.223	4 N.J.R. 300(a)
3:8-3.2	Reports (Banks not members of Federal Reserve System)	R.1972 d.223	4 N.J.R. 300(a)
3:8-5.1	Reserves required (Savings banks)	R.1972 d.224	4 N.J.R. 300(b)
3:8-5.4	Reports (Savings banks)	R.1972 d.224	4 N.J.R. 300(b)
3:18-5.1 et seq.	Legal fees; mortgages	R.1973 d.32	5 N.J.R. 33(a)

CIVIL SERVICE — TITLE 4

4:1-1.1 et seq.	Revisions to Commission's rules	R.1973 d.34	5 N.J.R. 33(b)
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EDUCATION — TITLE 6

6:8-1.2(f) & (g)	Nonpublic school secular education	R.1972 d.207	4 N.J.R. 262(f)
6:8-1.3	Definitions (nonpublic school secular education)	R.1972 d.207	4 N.J.R. 262(f)
6:11-1.1 et seq.	Teacher education and certification	R.1972 d.189	4 N.J.R. 262(e)
6:11-3.26	Waiver of student teaching requirement	R.1973 d.55	5 N.J.R. 79(c)
6:11-8.6	Junior high school teaching certification	R.1973 d.19	5 N.J.R. 36(b)
6:11-12.20	Reading specialist certification	R.1973 d.20	5 N.J.R. 36(c)
6:21-1.2	Accident reporting (Pupil transportation)	R.1972 d.220	4 N.J.R. 302(a)
6:21-1.3	Remote defined (Pupil transportation)	R.1972 d.220	4 N.J.R. 302(a)
6:21-6.20(f)	Identification (School buses)	R.1972 d.188	4 N.J.R. 262(d)
6:21-7.2	Sale of school vehicle (State aid)	R.1972 d.220	4 N.J.R. 302(a)
6:21-7.3	State aid approval (State aid)	R.1972 d.220	4 N.J.R. 302(a)
6:21-11.5	Seat belts; driver	R.1972 d.188	4 N.J.R. 262(d)
6:21-18.1 et seq.	Pupil transportation—Small van-type vehicles	R.1973 d.18	5 N.J.R. 36(a)
6:27-1.4	Graduation (Secondary education)	R.1972 d.166	4 N.J.R. 213(a)
6:27-1.13	Definitions (Secondary education)	R.1972 d.166	4 N.J.R. 213(a)
6:28-4.1 et seq.	County boards of special services	R.1972 d.185	4 N.J.R. 262(a)
6:39-1.1 et seq.	Evaluation (Statewide assessment)	R.1972 d.187	4 N.J.R. 262(c)
6:68-3.1 et seq.	State Library assistance programs	R.1972 d.186	4 N.J.R. 262(b)

TRANSPORTATION — TITLE 16

16:13-1.1 et seq.	Revisions for local government aid	R.1973 d.56	5 N.J.R. 94(a)
16:24-1.3(d)	Revise executor and distribution	R.1973 d.37	5 N.J.R. 58(b)
16:62-1.1 et seq.	Contract administration rules now Chapter 65	R.1973 d.28	5 N.J.R. 57(c)
16:62-1.1 et seq. to			
16:64-1.1 et seq.	Reserved for rules of aeronautics	R.1973 d.28	5 N.J.R. 57(c)
16:62-1.1 et seq.	Special aircraft operating restrictions	R.1973 d.29	5 N.J.R. 58(a)

TREASURY GENERAL — TITLE 17

17:1-1.1 et seq.	General administration of pensions	R.1972 d.214	4 N.J.R. 310(d)
17:2-1.1 et seq.	Public employees retirement system	R.1972 d.257	5 N.J.R. 23(a)
17:3-1.1 et seq.	Revisions to Teachers' Pension and Annuity Fund	R.1973 d.49	5 N.J.R. 95(b)
17:4-1.1 et seq.	Revisions to Police and Firemen's Retirement System	R.1973 d.26	5 N.J.R. 60(b)
17:5-1.1 et seq.	Revisions to State Police Retirement System	R.1973 d.26	5 N.J.R. 60(b)
17:6-1.1 et seq.	Revisions to Consolidated Police and Firemen's Pension Fund	R.1973 d.26	5 N.J.R. 60(b)
17:7-1.1 et seq.	Revisions to Prison Officers' Pension Fund	R.1973 d.45	5 N.J.R. 95(a)
17:8-1.1 et seq.	Revisions to supplemental annuity collective trusts	R.1973 d.46	5 N.J.R. 95(c)
17:9-1.1 et seq.	Revise Health Benefits Program and supplemental annuity trusts	R.1973 d.8	5 N.J.R. 59(b)
17:9-3.1	Definitions (Dependents and children)	R.1972 d.200	4 N.J.R. 283(c)
17:9-6.1(e) & (f)	Retired employee (Definition)	R.1972 d.200	4 N.J.R. 283(c)
17:15A-1.1 et seq.	Use of state buildings and grounds	R.1972 d.183	4 N.J.R. 250(a)
17:15A-1.8	Distribution of written or printed material, deletion	R.1972 d.205	4 N.J.R. 284(a)
17:16-5.3	Static group (Classification of funds)	R.1972 d.143	4 N.J.R. 199(a)
17:16-5.3	Static group fund classification	R.1972 d.234	4 N.J.R. 311(b)
17:16-5.5	Temporary reserve group	R.1972 d.143	4 N.J.R. 199(a)
17:16-5.5(a)	Revise temporary reserve group	R.1973 d.22	5 N.J.R. 60(a)
17:16-5.6	Trust group fund classification	R.1972 d.234	4 N.J.R. 311(b)
17:16-10.4(b)	Deleted	R.1972 d.182	4 N.J.R. 249(b)
17:16-17.1 et seq.	Revisions concerning permissible investments	R.1973 d.44	5 N.J.R. 94(b)
17:16-19.5	Qualifications of mortgage brokers	R.1972 d.182	4 N.J.R. 249(b)
17:16-19.6(a)6.	Qualifications of commercial banks	R.1972 d.182	4 N.J.R. 249(b)
17:16-20.5(a)6.	Qualifications of commercial banks	R.1972 d.182	4 N.J.R. 249(b)
17:16-26.1(a)1.iii.	Permissible investments (Pension and annuity groups)	R.1972 d.182	4 N.J.R. 249(b)

(Continued from Page 14)

of N.J.S.A. 45:14-3, proposes to adopt certain new rules of the State Board of Pharmacy.

Full text of the proposed rules follows:

13:39-6.7 Copies of prescriptions

(a) Copies of prescriptions issued by the pharmacy where the medication was dispensed pursuant to the receipt of said prescription shall bear on the face thereof in letters, red in color and equal in size to those describing the medication dispensed, the statement "COPY—FOR INFORMATION ONLY".

(b) When a copy of a prescription is issued, refill authorizations shall be cancelled and the fact that a copy was issued shall be noted on the prescription, with the date the copy was issued.

(c) Copies of prescriptions may not be given by telephone to anyone other than a physician seeking to obtain the information necessary to enable his prescribing of the same or another drug.

13:39-9.13 The sale, dispensing or furnishing of certain internal medicinal products

(a) The sale, dispensing and/or furnishing of internal medicinal products containing antihistamines, ethyl al-

cohol in a ten per cent or greater volume to volume concentration, belladonna alkaloids or phenobarbital, shall be subject to the following:

1. No person other than a New Jersey registered pharmacist, or a duly licensed New Jersey physician, dentist, veterinarian or other person authorized to prescribe drugs shall sell at retail, dispense or furnish said internal medicinal products to any person.

2. None of said internal medicinal products shall be sold at retail, dispensed or furnished by any registered pharmacist to any person who has not attained the age of 18 years, except upon prescription as defined in R.S. 45:14-14.

3. No such internal medicinal products shall be sold at retail, dispensed or furnished unless same shall be in an original container upon which is clearly marked the name and address of the pharmacy.

4. In every sale, dispensing and/or furnishing of the said internal medicinal products by a registered pharmacist said pharmacist shall exercise professional judgment and good faith regarding the quantity sold and its use consistent with proper therapeutic usage.

13:39-7.20 Guidelines for use of drug-dispensing devices

(a) Where the use of a mechanical dispensing device is

INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

17:16-26.2(c)	Limitations (Three party agreements; corporate)	R.1972 d.182	4 N.J.R. 249(b)
17:16-28.3(f)3.	Limitations (Title II FHA insured mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-28.4(a)	Legal papers (Title II FHA insured mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-29.3	Legal papers (Title II FHA insured construction mortgages)	R.1972 d.182	4 N.J.R. 249(b)
17:16-32.2(g)	Permissible investments (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-32.8(a)1.iv.	Valuation of units (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-32.12	Limitations (Common Pension Fund A)	R.1972 d.229	4 N.J.R. 311(a)
17:16-33.7	Amend rule on county college capital projects	R.1973 d.9	5 N.J.R. 59(c)
17:16-36.2(f)	Permissible investments (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:16-36.8(a)1.iii.	Valuation of units (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:16-36.12	Limitations (Common Pension Fund B)	R.1972 d.229	4 N.J.R. 311(a)
17:19A-1.1 et seq.	Facilities for physically handicapped in public buildings	R.1972 d.218	4 N.J.R. 310(e)
17:20-1.1 et seq.	Daily lottery revisions	R.1972 d.238	5 N.J.R. 22(a)
17:21-1.1 et seq.	Daily lottery revisions	R.1972 d.238	5 N.J.R. 22(a)

TREASURY-TAXATION — TITLE 18

18:5-2.3 et seq.	Revisions to computation of cigarette tax	R.1973 d.54	5 N.J.R. 96(a)
18:5-3.6	Purchase of stamps; credit basis	R.1972 d.108	4 N.J.R. 169(a)
18:10-21.3(c)	Emergency Transportation Tax return	R.1972 d.82	4 N.J.R. 142(c)
18:10A-1.1	Transportation Benefits Tax return	R.1972 d.83	4 N.J.R. 142(d)
18:12-4.1 et seq.	Revaluations of real property by appraisal firms	R.1972 d.179	4 N.J.R. 249(a)
18:20-24.1 et seq.	Accounting procedures for Sales Tax collections	R.1972 d.258	5 N.J.R. 23(b)
18:24-20.1 et seq.	Accounting procedures relating to collection of Sales Tax	R.1972 d.126	4 N.J.R. 197(d)
18:24-26	Revised list of District Supervisors for Inheritance Tax	R.1972 d.113	4 N.J.R. 168(a)

IN ADDITION —

First publication—but no update service as yet—has been mailed for these ten additional Titles:

5. COMMUNITY AFFAIRS
7. ENVIRONMENTAL PROTECTION
8. HEALTH
9. HIGHER EDUCATION
11. INSURANCE

12. LABOR AND INDUSTRY (1st volume only)

13. LAW AND PUBLIC SAFETY

14. PUBLIC UTILITIES

15. STATE

19. OTHER AGENCIES

Rules since adopted by the above Departments are not included in this index; they will be added following initial updating of the respective Titles.

approved as an integral part of the drug distribution system by the Pharmacy and Therapeutics Committee and the Director of Pharmaceutical Services, it may be used:

1. When the pharmacist is not on duty (either during the night or day), provided that any period of time when the pharmacist is not on duty does not exceed 24 hours, or

2. When the pharmacist is on duty, provided:

i. The hospital has an adequate staff of pharmacists to insure that all proper functions of the pharmacist are being fulfilled and that a proper review of the use of the device can be maintained, and

ii. The device is checked periodically for proper functioning by a registered pharmacist during the above period (a maximum of four hours between checks is recommended).

(b) Packaging and labeling of medications for drug-dispensing devices, when done in the institution, shall be performed under the immediate supervision of a registered pharmacist in the employ of or under contract to the institution.

(c) Stocking of a drug-dispensing device with prepackaged medications shall be performed under the immediate supervision of a registered pharmacist and only a registered pharmacist shall have access to that area of the drug-dispensing device where drugs are stored.

(d) A registered pharmacist may withdraw medications from a drug-dispensing device at any time.

(e) Other than a registered pharmacist, only an authorized registered professional nurse shall have access to the withdrawal of medications from each dispensing device during authorized times of use. A record of all withdrawals, including the identification of the nurse making the withdrawal, must be recorded and forwarded to the registered pharmacist for his immediate review when reporting for duty.

(f) A registered pharmacist shall review all orders withdrawn from the drug-dispensing device, comparing them with the original order as written by the physician (for those drugs which in his professional judgment should be checked). The pharmacist shall be provided a copy of the medication order, preferably before the second dosage unit is administered but no longer than 24 hours after the first dosage unit is administered, and shall at that time review the patient's medication record for possible drug interactions.

(g) Mechanical dispensing devices may be utilized only in institutions possessing a permit from the Board of Pharmacy.

(h) The use of such devices shall be limited to the providing of medication for "inpatient" use.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 8, 1973 to:

Paul A. Pumpian, Secretary
New Jersey Board of Pharmacy
1100 Raymond Boulevard
Newark, New Jersey 07102

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

Paul A. Pumpian, Secretary
New Jersey Board of Pharmacy
Division of Consumer Affairs
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF EXAMINERS OF MASTER PLUMBERS

Proposed Revisions Concerning Interest to be Protected by Bond

Clementi J. DiSilvestro, Executive Secretary of the Board of Examiners of Master Plumbers in the Division of Consumer Affairs of the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:14C-7, proposes to delete in its entirety N.J.A.C. 13:32-1.4(b) concerning the interest to be protected by the bond, and adopt in place thereof a new N.J.A.C. 13:32-1.4(b).

Full text of the proposed new rule follows:

13:32-1.4(b) Any person, partnership or corporation including any political subdivision of State Government who has been injured, aggrieved or damaged through the failure of the obligor to perform the duties required by N.J.S.A. 45:14C-1 et seq. or any rule of the Board shall be eligible to receive the financial protection of, and may maintain an action on such bond.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before April 8, 1973, to:

Clementi J. DiSilvestro
Executive Secretary
Board of Examiners of Master Plumbers
9 Clinton Street
Newark, New Jersey 07102

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

Clementi J. DiSilvestro
Executive Secretary
Board of Examiners of Master Plumbers
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Rules On Special Road Crossing Permits

Ray J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-26.1 et seq., proposes to adopt new rules concerning special road crossing permits.

Such rules, if adopted, may be cited as N.J.A.C. 13:21-15.1 et seq.

Full text of the proposed rules follows:

SUBCHAPTER 15. SPECIAL ROAD CROSSING PERMITS

13:21-15.1 Application; fees

(a) An application for a special road crossing permit shall be made for each vehicle and a permit shall be issued in the name of the property owner. The permit must be in the possession of the vehicle operator whenever crossing a public roadway between sections of private property.

(b) The permit will be valid for one year from the last day of the month in which it was issued. No temporary or partial year permits will be issued.

(c) Permit fees are as follows:

1. 4,000 pounds or less	\$ 5.00
2. 4,001 to 8,000 pounds	8.00
3. 8,001 to 12,000 pounds	12.00
4. 12,001 to 16,000 pounds	16.00
5. 16,001 to 20,000 pounds	20.00
6. 20,001 pounds or more	25.00

13:21-15.2 Restrictions

(a) Permitted crossings shall be restricted to daylight hours, except when:

1. The crossing areas are adequately lighted or the vehicle(s) crossing the roadway are equipped with at least two white lights to the front, capable of illuminating persons or objects at a distance of 500 feet under normal atmospheric conditions and two four-inch, Class A amber reflects, on each side of the vehicle—one towards the front of the vehicle and the other to the rear; or

2. The crossing area is controlled by a person authorized to direct and control traffic.

13:21-15.3 Warning signs

(a) A warning sign shall be posted in each direction of travel approaching the crossing.

(b) The signs shall be of reflectorized material, rectangular in shape, with white background and black letters not less than five inches high, and with a one-half inch stroke.

(c) The sign shall contain the following message:

“Caution—Slow Moving Vehicle Crossing Ahead.”

(d) The signs shall be posted not less than 500 feet nor more than 750 feet from the crossing in both directions. The signs shall comply with Federal Department of Transportation regulations.

(e) The signs shall be erected and maintained by the permit holder, at his expense, and with the approval of the local governing body.

(f) If conditions exist making it impractical to comply with the sign-posting requirements, application for waiver shall be made to the Director.

13:21-15.4 Width of crossing zone

(a) The width of the crossing zone shall not exceed 150 feet.

(b) The crossing area should not be within 250 feet of the crest of a hill or of a curve in a 25 mile-per-hour or lower speed zone, nor within 500 feet if the speed limit is 25 mile-per-hour or greater.

(c) If conditions exist making it impractical to comply with the above crossing-area requirements, application for waiver shall be made to the Director.

13:21-15.5 Speed

(a) Vehicles must be capable of crossing the highway at a reasonable speed so as not to interfere unduly with traffic.

(b) Movement shall be limited to travel between two pieces of private property, owned by the same person, company, corporation or the like.

(c) The vehicle when crossing a public highway must be in safe operating condition and be equipped with at least one brake adequate to stop and hold the vehicle.

(d) The operator of the vehicle shall stop the vehicle prior to entering upon or crossing the roadway, yield to any traffic already on the roadway and proceed only when the move can be made with safety.

(e) If the total length of a combination of vehicles ex-

ceeds one half of the width of the traveled portion of the roadway being crossed, the crossing must be controlled by a person, other than the vehicle operator, who is authorized to direct and control traffic.

13:21-15.6 Applicability of other laws and rules

All operators of vehicles issued highway crossing permits shall comply with all provisions of Chapter 4, Title 39 of the revised statutes, except those provisions which by their very nature can have no application.

13:21-15.7 Penalties

(a) A violation of any provision of this regulation may be cause for revocation of permit.

(b) Vehicles covered by a permit shall not otherwise be used along a public highway, or across a public highway at a point other than that specified in the application for permit.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 30, 1973, to:

Ray J. Marini
Director, Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08625

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

Ray J. Marini
Director, Division of Motor Vehicles
Department of Law and Public Safety

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Rules On Reimbursement Of Student Fares to Autobus Operators

Ralph C. Caprio, Secretary of the Board of Public Utility Commissioners in the Department of Public Utilities, pursuant to authority of N.J.S.A. 48:2-12 and 48:3-39 et seq., proposes to adopt new rules concerning the reimbursement to autobus operators of student fares in certain cases.

Full text of the proposed rules follows:

SUBCHAPTER 6. REIMBURSEMENT OF AUTOBUS OPERATORS FOR STUDENT FARES

14:4-6.1 Scope

Unless otherwise ordered or permitted by the Board of Public Utility Commissioners of the State of New Jersey, the following rules and regulations shall apply in billing the State of New Jersey for reimbursement in accordance with applicable statutes.

14:4-6.2 Submission of bills; form

(a) Bills for reimbursement of a portion of student fares are to be submitted monthly, bi-monthly or quarterly at the option of the bus operator.

(b) The request for reimbursement shall be made on New Jersey Voucher Form #100, to which shall be attached a report on a form required by the Board.

14:4-6.3 Definitions

Whenever in these rules and regulations reference is

made to the Board, it shall mean the Board of Public Utility Commissioners;

"School—public or non-public" means any institution of learning with a course of instruction approved by the New Jersey State Department of Education, offering education, for grades kindergarten through 12, or any combination of them, wherein any student may legally fulfill compulsory school attendance requirements and which meets the requirements of Title VI of the Federal Civil Rights Act of 1964 (P.L. 88-352).

"Student" means any person who is required by law to attend a certain number of hours or days of class instruction which fulfills the compulsory school attendance to meet the requirements for certificates or diplomas.

"School year" means the period between September 1 of any year and June 30 of the following calendar year, unless modified or extended by appropriate authority.

"Bus operators" means any individuals, partnerships, associations or corporations under the jurisdiction of the Board of Public Utility Commissioners operating one or more vehicles, commonly called autobuses, for the transportation of passengers over regular routes between stated terminals over the public avenues, roads, streets, alleys, lanes or other public ways, for such fares as may be set forth in their tariffs, which tariffs are on file with and accepted by the Board.

"Tariff" means an official filing with the Board setting forth the bus operator's terms of service, including service rules and regulations, fares and routes. Each bus operator shall maintain, at reasonable times, for public inspection, a copy of the complete tariff filed with and accepted by the Board.

14:4-6.4 Procedure as to correspondence

All correspondence relating to effectuation of the statute, N.J.S.A. 48:3-39 et seq., shall be addressed to the Board at its office either in Trenton, N.J. 08625 or Newark, N.J. 07102.

14:4-6.5 Remittance of money due to State

In the event any money is due the State, all checks shall be made payable to the order of "Treasurer, State of New Jersey" and delivered or mailed to the Secretary of the Board of Public Utility Commissioners for processing to the account of the State Treasurer.

14:4-6.6 Accounting for student fares

(a) In accordance with Section 2 of the statute, N.J.S.A. 48:3-39 et seq., every bus operator requesting reimbursement for service actually rendered for school fares shall establish a "ticket lift" system of accounting for student fares, as outlined in the text of Account 2080—Unredeemed Tickets—of the Uniform System of Accounts for Class A and Class B Autobus Utilities. Such a system shall include the recording of the serial numbers of student-fare ticket sprinted, the number sold and the money amounts received therefor, the number and related money amounts of student-fare tickets redeemed as rides or for cash. Tickets redeemed shall be cancelled. The number of issued and unredeemed student-fare tickets outstanding on any date will represent the liability of the bus operator for future student-fare rides or for student-fare cash redemptions.

(b) The bus operator shall be liable for payment to the Treasurer of the State of New Jersey of an amount equal to the amount of unredeemed student fares upon discontinuance of the student fares, upon discontinuance of regular route bus operations, merger, consolidations, sale, lease, transfer of municipal consents or other operating rights, unless the successor bus operator accepts the liability for such unredeemed tickets, subject to the Board's

approval. Such amounts as remain after expiration of a period, not to exceed 45 days, for redemption of unused tickets, shall be remitted to the State Treasurer in accordance with Section 4 hereof. The State Treasurer shall, thereafter, redeem such unused tickets as shall be presented by the purchasers thereof for redemption. Any funds remaining in the hands of the State Treasurer for a period of more than five years, shall be deemed to have been escheated to the State of New Jersey. Any funds which are not remitted by the bus operator under any of the conditions stated will be subject to collection as for any other unpaid debts owing to the State.

(c) The "ticket lift" method of accounting shall be established not later than the commencement of the school year beginning on or after September 1, 1973. Prior to said time, the bus operator shall establish the number of student fare rides by daily count of school tickets, token or cash fares collected. The methods of accounting shall be subject to such tests, examinations or audits by the Board's staff or other qualified parties as may be authorized by the Board.

(d) Any independent accountant certifying to the books, records, and financial statements of the bus operator shall include in his certification a statement with regard to his examination of the "ticket lift" method of accounting.

(e) Bus operators accepting student-fare tickets of other bus operators shall be deemed eligible for reimbursement for the service rendered on the basis of the fares of the accepting bus operators. The settlement of claims for fares between bus operators shall be in accordance with the procedures customarily used by bus operators for the settlement of such claims.

14:4-6.7 Certification of student fares

(a) The Board, by its Secretary, shall file a certificate with the State Treasurer setting forth the names of the autobus operators, their adult and student fares, and certifying that the tariffs filed with and accepted by it provide for an approved student fare equal to two-thirds of the approved adult fare.

(b) The certificate shall accompany each payment voucher and indicate any change which shall have been authorized in such fares during the period and the effective date of such authorized change.

(c) The certificate shall state that the tariff as filed and accepted contains provision for a program for the redemption by the bus operator of unused student-fare tickets at the same fare for each unused ride as was paid by the purchasers of such student-fare tickets.

14:4-6.8 Other rules and regulations

These rules and regulations shall be in addition to any other rules, regulations and orders of the Board governing public utilities subject to its jurisdiction, including regular route bus operators.

Note: The Board of Public Utility Commissioners also proposes to adopt Form R&A-73 as a part of these proposed rules.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973 to:

Ralph C. Caprio
Secretary
Board of Public Utility Commissioners
101 Commerce Street
Newark, New Jersey

A public hearing respecting the proposed action will be held on Wednesday, April 4, 1973, at 10:00 A.M. in Room 207 at 101 Commerce Street, Newark, New Jersey.

The Board of Public Utility Commissioners, upon its own

motion or at the instance of any interested party, may thereafter adopt these rules substantially as proposed without further notice.

Ralph C. Caprio
Secretary
Board of Public Utility Commissioners
Department of Public Utilities

(a)

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITY COMMISSIONERS

Proposed Revisions Concerning Electric Transmission Lines

William E. Ozzard, President of the Board of Public Utility Commissioners in the Department of Public Utilities, pursuant to authority of N.J.S.A. 48:2-23 et seq., proposes to revise a portion of N.J.A.C. 14:5-6.1(a)6, which concerns the requirements for electric transmission lines.

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

14:5-6.1(a)6. Wherever practical and feasible, consistent with municipal zoning laws, permit use of the right-of-way for farming, recreational and other appropriate purposes. [If it is proposed by the electric company that such use is not practical and feasible, the electric company shall send written notice, including its reasons, to the Board for final determination.] Nothing in these regulations shall be construed as limiting the Board's power under N.J.S.A. 48:2-23 to require the furnishing and performance of service in a manner that tends to conserve and preserve the quality of the environment and prevent the pollution of the waters, land and air of this State.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, to:

Board of Public Utility Commissioners
101 Commerce Street
Newark, New Jersey

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

William E. Ozzard
President, Board of Public Utility Commissioners
Department of Public Utilities

(b)

TRANSPORTATION

THE COMMISSIONER

Proposed Revisions For Award of Contracts

John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:1A-6, proposes to revise the rules concerning the award of contracts by deleting in its entirety Subchapter 1 in Chapter 2 of Title 16 in the New Jersey Administrative Code and adopting in place thereof a new Subchapter 1.

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

CHAPTER 2

AWARD OF CONTRACTS [FOR PROFESSIONAL SERVICES] BY OTHER THAN THE BID PROCESS

SUBCHAPTER 1. GENERAL PROVISIONS

16:2-1.1 Definitions

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

"Consultant" means those colleges, universities, individuals, firms or businesses who render services directly connected with the planning, design, construction, maintenance and operation of major State public transportation systems and the State highway system, including financial and administrative materials relating to management of the Department.

Note: The word "contract" when used in this Chapter shall be synonymous with "agreement."

16:2-1.3 Initial determination

As soon as possible after any work program is approved for action, recommendations shall be made to the Commissioner by the Director of Engineering and Operations, Director of Fiscal Management, Director of Employee and Management Services, Director of Transportation Planning and Research, Chief Engineer or Division Director for those portions of the program on which supplementary assistance is required.

16:2-1.4 Selection

The Director of Engineering and Operations, the Deputy Executive Director and the Chief Engineer or Director having general responsibility for the work shall evaluate the consultant(s) on the basis of known past performance, professional reputation, type of work previously performed for the Department, ownership and capability to complete the project in light of current staff and volume of work. Recommendations are then made to the Executive Director and the Commissioner for approval of a particular consultant(s) as qualified to submit a proposal(s) on the work to be performed.

16:2-1.5 Proposals

(a) The consultant(s) selected shall be requested by the Director of Engineering and Operations, Director of Fiscal Management, Director of Employee and Management Services, Director of Transportation Planning and Research, Chief Engineer or Division Director to appear for discussions to coordinate with their designated cognizant official in order to obtain the scope of work required.

(b) The consultant(s), after understanding the scope of work involved, shall submit a proposal letter to the Department outlining the scope of work to be done and the fee for that work.

(c) Proposals shall contain a breakdown of the costs estimated to be incurred in performing the work to include material, direct salary, salary additives, other direct costs, indirect costs and profit, if appropriate. The estimate shall be by work area or phase, if applicable. The Department of Transportation will determine and document in their files that:

1. The selected consultant is qualified professionally and is financially capable to perform the services required.

2. The consultant will have properly trained and experienced personnel available to perform the services within the time prescribed.

3. The consultant has been apprised of all applicable technical work requirements and administrative controls including those of Federal Agencies or other participating parties.

4. The consultant's contract proposal has been subjected to technical and audit evaluations, as appropriate, and the results of these evaluations were considered in the contract negotiations.

(d) Upon receipt of the consultant's or consultants' proposal letter, the designated official shall negotiate with the consultant(s) as to fee and scope of work.

(e) Rejection of a proposal shall be done in writing and the consultant notified that the services of others shall be sought.

16:2-1.6 Award

(a) If the proposal being considered for probable use exceeds \$50,000 and contains cost basis or fixed fee provisions, such proposal shall be subject to an audit evaluation to aid in providing the basic data needed to determine the propriety of the proposed amounts and/or to provide assurance as to the adequacy of the prospective consultant's system to segregate and accumulate reasonable, allocable and allowable costs for the proposal contract.

(b) The Chief Auditor shall review the fiscal provisions of the contract and then forward it to one of the Deputy Attorney Generals assigned to the Department for review as to legal form. The Chief Auditor and the Deputy Attorney General assigned to review the contract shall suggest any revisions, corrections, additions or deletions which shall be deemed necessary to protect the position and interest of the State of New Jersey and the Department of Transportation. Upon approval of the fiscal provisions and legal form of the contract, it shall be sent to the consultant for signature. When Federal or other funds are involved, the related Division must obtain the concurrence of the Federal agency or other participating party, if required by program regulations or requirements, prior to mailing the contract to the consultant.

(c) Upon receipt of the contract signed by the consultant, the concerned Division shall prepare a Departmental Action Slip, attach it to the contract, and forward both to the Director of Fiscal Management for certification of funds. If funds are available, the Director of Fiscal Management shall forward the contract to the Commissioner for approval via the Director of Engineering and Operations. After approval by the Commissioner, the original contract is returned to the Director of Fiscal Management for disposition and filing. The remaining contracts are distributed by the cognizant Division to the consultant and appropriate bureau and sections related to the proposed work.

The proposed revisions are necessary to implement the provisions of the United States Department of Transportation Federal Highway Administration's Policy and Procedure Memorandum 30-11, "Third Party Contract Administration," as well as to describe more accurately the governance of this Department's internal organization.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before March 28, 1973, 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.

John C. Kohl
Commissioner
Department of Transportation

(a)

TRANSPORTATION

THE COMMISSIONER

Revisions to Rules Concerning Local Government Aid

On February 20, 1973, John C. Kohl, Commissioner of Transportation, pursuant to authority of N.J.S.A. 27:7-21 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning local government aid, as proposed in the Notice published October 5, 1972, at 4 N.J.R. 241(c).

Such revisions will be included in Subtitle C of Title 16 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective February 23, 1973, as R.1973 d.56.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TREASURY

STATE INVESTMENT COUNCIL

Revisions On Common and Preferred Stocks And Issues Convertible into Common Stock

On February 8, 1973, the State Investment Council in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning common and preferred stocks and issues convertible into common stock.

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

SUBCHAPTER 17. COMMON AND PREFERRED STOCKS AND ISSUES CONVERTIBLE INTO COMMON STOCK [(PENSION FUNDS)]

17:16-17.1 Permissible investments

(a) The stock shall be issued by a company or bank incorporated or organized under the laws of the United States or any State thereof or of the District of Columbia.

(b) Regular dividends, either cash or stock, must have been paid on the common stock for five years next preceding the date of purchase of securities under this article (includes dividends paid by predecessor companies) from earnings equal to or greater than the dividend paid. This requirement may be waived by the State Investment Council providing the earnings of the corporation satisfy the requirements of the New Jersey life insurance company List".

[(c) The common stock shall be listed on one or more of the following stock exchanges, except that this requirement shall not apply to stock issued by banks:

1. New York Stock Exchange;
2. American Stock Exchange;
3. Pacific Coast Stock Exchange;
4. Mid-west Stock Exchange;
5. Philadelphia-Baltimore-Washington Stock Exchange.]

(c) [(d)] The Director shall submit a list of common stocks to the Council for its approval. Such list may be amended or enlarged from time to time subject to the Council's approval and shall be designated the "Approved Common and Preferred Stock and Convertible Securities List."

(d) [(e)] The Director shall only select issues of com-

mon stocks from the "Approved Common and Preferred Stock and Convertible Securities List" to be recommended by the pension funds.

(e) [(f)] Notwithstanding the above restrictions, the Director may:

(1) Exercise the conversion privileges in the common stock of any security acquired under this Subchapter or under Subchapter 8 of this Chapter;

(2) Purchase the preferred stock, whether convertible or not, of a company the stock of which qualifies for investment and is on the "Approved Common and Preferred Stock and Convertible Securities List";

(3) Purchase the convertible issue of a company, the common stock of which qualifies for investment and is on the "Approved Common and Preferred Stock and Convertible Securities List".

17:16-17.2 Applicable funds [in the pension and annuity group]

(a) Applicable funds are as follows:

1. Consolidated Police and Firemen's Pension Fund;
2. Police and Firemen's Retirement System;
3. Public Employees' Retirement System;
4. State Police Retirement System;
5. Teachers' Pension and Annuity Fund;
6. Common Pension Fund A;
7. 1837 Surplus Revenue Fund;
8. Trustees for the Support of Public Schools.

17:16-17.3 Limitations

(a) The book value of the total investment in common and preferred stock for any one fund shall not exceed [15 per cent] 25 per cent of the book value of such fund [,.]. [except that not more than 10 per cent of the book value of any such fund shall be invested in common stock.]

(b) Not more than [one per cent] two per cent of the book value of any fund shall be invested in the common and preferred stock of any one corporation[.], except that this limitation for the 1837 Surplus Revenue Fund and Trustees for the Support of Public Schools shall be ten per cent.

[(c) The total amount of money to be invested in common stock by any fund in any fiscal year shall not exceed three per cent of the fund's book value at the beginning of the fiscal year, excepting with respect to State Police Retirement System and Consolidated Police and Firemen's Pension Fund which may invest as much as ten per cent in any one year. This paragraph refers to additional money invested in common stock and not to money reinvested upon the sale of stock.]

(c) [(d)] The total amount of stock purchased or acquired of any one corporation shall not exceed five per cent of the common stock, or of any other class of stock which entitles the holder thereof to vote at all elections of directors, of such corporation.

An order adopting these revisions was filed and effective February 8, 1973, as R.1973 d.44 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

TREASURY

DIVISION OF PENSIONS

Revisions In Prison Officers' Pension Fund

On February 5, 1973, Joseph R. Jablonski, Secretary of

the Prison Officers' Pension Fund in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:7-19 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning the Prison Officers' Pension Fund, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 20(c).

Such revisions will be included in Chapter 7 of Title 17 in the New Jersey Administrative Code.

An order adopting these revisions was filed and effective February 8, 1973, as R.1973 d.45.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

TREASURY

DIVISION OF PENSIONS

Revisions to Rules for Teachers' Pension and Annuity Fund

On February 9, 1973, John A. McGarrity, Acting Secretary of the Teachers' Pension and Annuity Fund in the Division of Pensions of the Department of the Treasury, pursuant to authority of N.J.S.A. 18A:66-56 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to rules concerning the Teachers' Pension and Annuity Fund, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 20(b).

Such revisions will be included in Chapter 3 of Title 17 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective February 14, 1973, as R.1973 d.49.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

TREASURY

DIVISION OF PENSIONS

SUPPLEMENTAL ANNUITY COLLECTIVE TRUST COUNCIL

Revisions to Rules Concerning Supplemental Annuity Collective Trusts

On February 5, 1973, William J. Joseph, Secretary of the Supplemental Annuity Collective Trust Council in the Division of Pensions of the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-107 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning supplemental annuity collective trusts, as proposed in the Notice published November 9, 1972, at 4 N.J.R. 282(a).

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

17:8-1.2(b) Records [constituted] considered confidential include specific individual account or investment recommendations, mailing addresses of active and retired par-

ticipants and individual files relating to beneficiary designation where no official purpose or reason is indicated.

17:8-3.1(a)3. An estate may not be designated as beneficiary under either the five-year or ten-year certain and life thereafter options. However, if an estate should become the beneficiary under either of these options, the present value of the number of units payable for the remaining period would be determined according to factors established by the trust and a lump-sum settlement would be made at the unit value as of the end of the month of death.

17:8-3.1(b) At retirement a participant may select only a single retirement option for the settlement of his account. If a participant has both a tax-sheltered and a non-tax-sheltered account, such retirement option shall be for the settlement of the combined accounts.

An order adopting these revisions was filed and effective February 8, 1973, as R.1973 d.46.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

TREASURY

DIVISION OF TAXATION

Revisions on Computation of Cigarette Taxes

On February 13, 1973, Sidney Glaser, Director of the Division of Taxation in the Department of the Treasury, pursuant to authority of N.J.S.A. 54:40A-20 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning the computation of cigarette taxes, as proposed in the Notice published January 4, 1973, at 5 N.J.R. 21(a).

Such revisions will be included in N.J.A.C. 18:5-2.3, 18:5-3.2, 18:5-3.4, 18:5-6.7, 18:5-6.10 and 18:5-6.17.

An order adopting these revisions was filed and effective February 21, 1973, as R.1973 d.54.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

NEW JERSEY EXPRESSWAY AUTHORITY

Adoption of Reprinted Rules For Use of Atlantic City Expressway

On December 19, 1973, the New Jersey Expressway Authority, pursuant to authority of N.J.S.A. 27:12C-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the reprinted rules concerning the use of the Atlantic City Expressway.

The reprinted rules are merely reproduction of the rules previously adopted and do not contain any substantive changes from those originally adopted.

The rules of the New Jersey Expressway Authority will be included in Subtitle B of Title 19 in the New Jersey Administrative Code and may be cited as N.J.A.C. 19:2-1.1 et seq.

An order adopting these reprinted rules was filed February 5, 1973, as R.1973 d.42 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

STUDY CRITICIZES "FRAGMENTED" TRANSPORTATION POLICIES OF STATE

A specially-authorized consultant's study is highly critical of the State's "fragmented" approach to its transportation crisis and urges formation of a strong, unified agency to coordinate all transportation development.

The 67-page, \$750,000 study was released Feb. 22 in preliminary report form by the State Department of Transportation. It was prepared by two major New York consulting firms—Wilbur Smith and Associates, and Ford, Bacon & Davis.

Crammed with charts and projections of the State's future possible highway, air and rail situations, it presents a scathing denunciation of the State's "transportation crisis" that calls for immediate action on the part of the administration and the Legislature.

This proposal is similar to a plan already outlined recently by Gov. William T. Cahill in his annual message calling for the creation of a super-agency to handle mass transit development throughout the State.

The new report states: "It is now quite apparent the policies of preserving marginal rail and bus service can no longer continue without change in view of the poor economic posture of the public transportation system of the State."

It says that this condition is partly attributable to the following:

- The State Commuter Operating Agency, an arm of the Department of Transportation, has been restricted "to assisting only those carriers which were in financial difficulty," rather than planning coordinated rail and bus service throughout the State.

- Responsibility for developing coordinated transportation programs is fragmented between a number of agencies. The COA, for example, regulates railroads, while the State Board of Public Utility Commissioners regulates buses.

- "For the most part, the subsidy policy in the State for public transportation has evolved from crisis, mandating that public officials devote their energy reacting to crises." Under this type of response, the report continues, "no true definitive action programs can effectively be developed."

- "Preplanning transportation needs and developing programs and strategies to maximize the cost-effective modes for each service corridor is mandatory."

- The State has done an "outstanding job" in utilizing the \$132 million it gets annually in Federal highway funds, but has not obtained its share of Federal Urban Mass Transportation funds because of a lack of definitive programs.

- It is virtually impossible, however, for the State to take full advantage of the Federal mass transportation funds because of stringent labor-management compliance provisions which cannot be negotiated under the State's "fragmented" administrative structure:

Among recommendations in the report is a State take-over of private bus companies whose financially losing routes "are generally the carryover of street car and jitney alignments established after World War I".

The bus network, which now consists of 289 separate companies with 4,700 vehicles, could be run by a single agency covering the State as a whole, or a series of regional agencies all answering to the State.

Other recommendations include:

- Establishment of a State Transportation Authority with broad powers to "coordinate, plan, finance, and implement public transportation programs".

- Granting the Department of Transportation complete "review authority of all land-use proposals" throughout the State to determine the need for and function of existing and proposed transportation facilities.

The report suggests that revenues to finance transportation development come from sales taxes on gasoline, increased vehicle registration fees, business taxes, mortgage taxes, payroll taxes, and the elimination of all special use taxes and tolls charged to transit operations.

Use of the dedicated tax structure, the report indicates, would provide an immediate means and constant source of financing for the State transportation agency. In addition, mass transit developments would not be tied to the status of highway development.

BLUE SHIELD ORDERED TO CUT RATES FOR MILLION, INCREASE OTHER BENEFITS

State Insurance Commissioner Richard McDonough last month ordered Blue Shield of New Jersey to lower its rates for about one million individual and small-group subscribers. It will be their first reduction in rates in 15 years.

The ruling covers individual subscribers and those in groups of less than 100.

The insurance plan covers the cost of doctor bills for more than three million persons in the State in all groups.

McDonough did not estimate the extent of the reduced premiums, but some Department officials hinted that it could be between five and ten per cent on the average.

At the same time, McDonough announced a plan designed to give fuller coverage under Blue Shield for middle-income families who now have difficulty in getting total coverage under the insurance plan.

Blue Shield rates have remained constant since Feb. 1, 1971.

McDonough explained that the reduction was made possible, in part, by the State's new no-fault system of auto insurance which covers the cost of medical bills stemming from auto accidents.

Furthermore, McDonough said, the frequency of doctor bills covered by Blue Shield has been less than projected two years ago. As a result, the medical insurance plan has an estimated surplus of more than \$17 million.

Last year, McDonough granted a five per cent average increase in Blue Cross rates for the same class of subscribers. Blue Cross, which covers hospital bills, had asked for an 18 per cent increase at that time.

McDonough said that because of the no-fault law, which took effect Jan. 1, the Blue Shield surplus would become even bigger unless there was a rate reduction.

"There is no question but that Blue Shield should be compelled to pass along these savings to its subscribers," the Commissioner said.

The last time a New Jersey Insurance Commissioner ordered a reduction in Blue Shield rates was in 1958 when the decrease averaged five per cent.

With regard to the middle-class subscribers—those whose incomes are above \$7,500 a year—the Commissioner felt that neither the present fee schedule nor the benefits are adequate.

He said:

"The fee schedule has been in effect for more than a

decade. It has served well to hold down physicians' fees and to provide full coverage at reasonable costs for those lower-income subscribers who qualify for full service benefits.

"However, for families with incomes above the \$7,500 limitation on full service benefits, the present fee schedules provide an increasingly smaller proportion of physicians' charges.

McDonough said that in order to meet the insurance needs of middle-income families, Blue Shield must offer an intermediate-range form of coverage, together with a "more realistic fee schedule and correspondingly higher subscription rates".

The Commissioner gave Blue Shield until March 7 to develop a lower rate schedule for the one million small group and individual subscribers, and he scheduled a public hearing on the new rates for March 14.

Due to the amount of work involved, he gave the plan until July 1 to develop the new rates and coverage for subscribers whose incomes exceed \$7,500 per year.

He added, however, "it would be desirable if you could provide a general outline of the new program prior to March 14 hearing so that we can have the full benefit of public input at that time."

INSURANCE HEAD EXPLAINS STEPS FOR "NO FAULT" MEDICAL PAYMENTS

According to State Insurance Commissioner Richard C. McDonough, insurance companies and the 103 hospitals in the State will eliminate as much "red tape" as possible to provide prompt payment of medical expenses under the State's new "no fault" automobile insurance law.

Under a new basic agreement, the insurance companies will pay hospitals directly for the unlimited medical expense portion of the "no fault" law, he says.

"This will do much to eliminate confusion or delays in providing prompt payment for medical expenses, which is one of the major purposes of the State's 'no fault' law," McDonough believes.

The hospitals have 10,000 application forms for the medical benefits and will assist persons in filling out the forms to facilitate prompt payment.

The Commissioner stressed that those with "no fault" protection should contact their insurance agents or companies immediately if there is a personal injury resulting from a private passenger-car accident. This notification will aid in coordination leading to prompt payments, he said.

The hospital's role applies only to hospital-incurred medical expenses.

McDonough said that where an insured has both the "no fault" benefits and a separate accident and health plan, other than Blue Cross or Medicare, the "no fault" benefits will be paid directly to the hospital. Private accident and health insurance payments will go directly to the insured, as in the past.

If a person, as a pedestrian, is injured when struck by a private passenger car whose operator has "no fault" protection, the hospital and insurance company involved will assist the injured in obtaining the necessary information.

If a person without a car and without "no fault" protection is injured by a car operated by a person with "no fault" coverage, the insurance company of the operator of the car involved pays the "no fault" benefits to the injured pedestrian.

McDonough urges the public to cooperate with hospitals in providing necessary information on claim forms. "The quicker you fill out the form, the quicker the benefits will be paid."

STATE CANCELS AID FOR "UNPRODUCTIVE" BUSINESS DEVELOPMENT AGENCY

The State Department of Community Affairs has cut off funding for a Paterson business development agency because "of a lack of productivity".

Community Affairs Commissioner Lawrence F. Kramer said the decision to rescind funding for the Community Economic Development Corp. of Greater Paterson was reached last month by the New Jersey Development Corp. after an audit of the Paterson agency's books.

The New Jersey Development Corp. is an agency of the Department of Community Affairs.

The Paterson program had been appropriated \$300,000 by the State to provide community economic development. Kramer said none of the State money had been spent.

Kramer noted it as one of six such operations in the State which received the bulk of their financing from the Federal Office of Economic Opportunity.

He said a report by the State Development Corp.'s executive director, William R. Garner, "clearly showed that the Paterson group had made no determined effort to comply with the guidelines set down by OEO since the beginning of the fiscal year, July 1, 1972".

"We are now in the eighth month of what was to be a 12-month experimental program and the Paterson agency had yet to indicate its willingness to take the necessary first step toward implementing a program," he added.

Kramer's action was the second such step taken in less than a week.

Earlier, he had ordered a complete audit of the financial records of the Interfaith, Interracial Council of Clergy of Camden, a nonprofit housing rehabilitation group.

According to Kramer, the action against the Camden group was based on an absence of financial records and records of buildings rehabilitated and sold.

Kramer said both actions followed a review of the two programs by the Community Affairs Department's office of program analysis.

WOMEN TALENT BANK PROGRAM GIVEN \$19,000 ALLOCATION

Community Affairs Commissioner Lawrence F. Kramer recently announced that \$19,000 of his Department's 1973-74 budget will be allocated to operation of the Talent Bank on Women program.

The program has the complete support of Gov. William T. Cahill and is being implemented at his direction by the Department's Office on Women. The Talent Bank is designed to serve as a depository for resumes of qualified women, which can be tapped by government and industry in filling key executive and administrative posts.

Sister Hildegard Marie Mahoney, acting chairman of the State Commission on Women, which oversees the State Office on Women, said: "Commissioner Kramer has been supportive and is cooperating in every way possible to make the program operational with professional staffing."

She added that she feels the program can perform an "invaluable service" to the women of New Jersey.

The \$19,000 appropriation will be used for staff, which will include a program development specialist, and for equipment and general operating expenses, according to Kramer.

Under the program, employers in State, local and Federal government, and business and industry will notify the Office on Women about openings in their organization; the office then will attempt to match these job slots with the women who have their resumes on file with the Talent Bank.

SCHAUB NAMED OFFICIALLY AS COMMISSIONER OF BANKING

The name of Richard F. Schaub, acting in the post for the past year, as the State Banking Commissioner was sent to the Senate last month by Gov. William T. Cahill and immediately approved.

Schaub, 41, as a member of the Governor's Cabinet receives \$38,000 a year.

As acting commissioner he took a hard line against discrimination toward women in the granting of bank loans, misleading advertising practices, and discriminatory hiring practices or patterns.

Schaub, a lifelong Somerville resident, has been in banking for 14 years, following graduation from Rutgers University in 1959 with a B.A., majoring in economics and business administration.

He became director of marketing for the First National Bank of Central Jersey in Bound Brook in 1959, and stayed with the bank for nine years before leaving as a vice president.

Schaub then became vice president of corporate services for the Franklin State Bank, and a member of the board of directors of the Franklin Commercial Corp., a commercial loan banking subsidiary.

He came with the State in June, 1970 as deputy commissioner.

The family lives at 1246 Millstone Road, Somerville, with their three sons, twins aged 13 and another 12.

FULL-TIME PUBLIC UTILITY BOARD ASKED BY GOVERNOR

The Cahill Administration wants a full-time Board of Public Utility Commissioners.

Explaining his support for the enabling legislation introduced last month, Gov. William T. Cahill said:

"The growing responsibilities of the PUC, I believe, demand full-time attention and work by the Commission members who make the major decisions and set the key policies."

A full-time Commission "will remove the potential for conflict-of-interest and the appearance of conflict-of-interest."

"The Commission members will have one and only one interest—the performance of their duties in protecting the public in the supply and delivery of vital utilities and services," he said.

The bill calls for a three-member board to be appointed by the Governor with the advice and consent of the Senate for terms of six years.

The bill also requires that not more than two members of the three-member board be of the same political party.

At present the PUC is headed by former State Senator William Ozzard, who practices law in Somerville.

A spokesman for the Governor said present PUC members will be offered the option of continuing on a full-time basis until the expiration of their present terms.

TESTIMONIAL DINNER MARCH 22 FOR COMMISSIONER MARBURGER

A testimonial dinner to Dr. Carl L. Marburger, State Commissioner of Education, will be held March 22 at Rutgers University Commons in New Brunswick.

STATE NEWS OF PUBLIC INTEREST

Dr. Edward W. Kilpatrick, assistant state education commissioner for administration and finance, is chairman of the dinner committee.

He said the testimonial will recognize Dr. Marburger's service to children of the State and to education generally during his five and one half years as Commissioner.

The dinner is sponsored jointly by five State groups, the Association of School Administrators, School Boards Association, Congress of Parents and Teachers, Association of School Business Administrators, and Association of Elementary School Principals, along with the State Department of Education and State Board of Education.

BURBAGE NAMED TO NEW STUDENT AFFAIRS POST

Roger Burbage, 30, former director of student activities at East Orange High School, begins work next week as head of the newly-established Office of Student Affairs in the State Department of Education in Trenton.

The office is part of the Department's Division of Curriculum and Instruction. It was set up to represent student interests through legitimate channels and to provide the Department, the State school system and the State's students with a conduit for the interchange of ideas and concerns.

The appointment to the \$14,800 post was made last month by Education Commissioner Carl L. Marburger and approved by the State Board of Education.

Burbage, a graduate of Barringer High School, Newark, and Seton Hall University, has been an educator for eight years. He served six years at Dumont High School, where he taught United States history, science and black history and coached the track team.

He then taught in a black studies program for Urban Education Corps college students in Edison before becoming student activities director at East Orange High in September, 1971. He and his wife live in Plainfield.

FOUR NEW MEMBERS NAMED TO HEALTH PLANNING COUNCIL

Dr. James R. Cowan, State Health Commissioner, announced the appointments of four new members to the State Health Planning Council.

They are: Dr. Leslie A. Hayling, a Trenton dentist; Mrs. Corneida D. Lovell of Nutley, executive director of the Newark Day Center; attorney Richard J. Shackleton of Beach Haven Inlet, president of the New Jersey Waterfowlers Association; and Mrs. Ruth E. Sweeny of Madison, counselling psychologist at St. Peter's College, Jersey City.

The planning council is responsible for coordinating all New Jersey health planning and was created under the Federal Partnership for Health Act.

The council also makes final recommendations to the Commissioner on health facility and service applications for certificates of need which are required for all new health care building and expansion projects.

CAHILL GIVES "PAT ON BACK" TO STATE'S TOP SUGGESTER

In ceremonies in his office last month, Gov. William T. Cahill gave a verbal, and then an actual, pat on the back to 25-year-old State employee Thomas L. Convery as he presented him with a scroll as "Suggester of the Year".

"It's heartening to me to recognize the efforts of employees who increase the efficiency and effectiveness of government operations," he told Convery.

"We read all the time about the mistakes made by those who are in public life, and as Governor, I'm chiefly aware of it. You don't often get a pat on the back," said Cahill.

Cahill said the State's suggestion awards program was an excellent vehicle for encouraging employees to participate by making recommendations for providing greater service at less cost.

Convery, an auditor-intern in the State Treasury Department, was named by a committee of fellow employees to receive the top citation presented annually by the New Jersey Taxpayers Association.

Convery was selected for making three suggestions during the year for which he received a total of \$990 in awards from the State.

His recommendations, estimated to save the State \$14,000 annually, involve changes in report forms and procedures used by the Division of Taxation in which he is employed.

Convery's major award of \$700 was for a suggestion that simplified forms used to cover the dissolution and merger of corporations.

Cahill noted the young man's suggestions "would save the taxpayers of the State many dollars that over a period of years will amount to hundreds of thousands of dollars."

Paul W. Cook, of Cranford, president of the taxpayers' association, said the "Suggester of the Year" citation is given annually to the person selected by the State employees awards committee as "having the greatest potential for improving the service and decreasing the cost of government."

Cook said suggestions selected for recognition by the association during the past 16 years have ranged from new photography and printing proposals to changes in police fingerprinting techniques.

These award-winning suggestions alone were estimated by the State to save \$368,000 annually. This doesn't include, he said, the bulk of savings resulting from thousands of other proposals accepted by the State program over the past 20 years.

In 1972, the State paid \$12,667 in total awards for suggestions that will save the State \$126,670 annually in its operations.

Convery has been an auditor-intern in the Treasury Department since June, 1971. He is an evening student at Rider College. From 1966 to 1970 he served in the U.S. Navy, and he is a member of the American Legion.

A Trenton resident, Convery also plays the saxophone and other woodwind instruments, and is a member of the musicians union.

JERSEY SYMPHONY GETS \$85,000 TO CONTINUE SCHOOL CONCERT SERIES

The New Jersey Symphony Orchestra was awarded an \$85,000 grant last month by the National Endowment for the Arts.

The money will enable the orchestra to contribute its in-school concert series which each season takes the ensemble into numerous New Jersey school auditoriums for day-time performances.

**POPULATION ESTIMATES FOR
NEW JERSEY MADE AVAILABLE**

Official population estimates for the State of New Jersey and its 21 counties and 567 municipalities as of July 1, 1972 have been prepared by the Department of Labor and Industry Office of Business Economics.

The publication contains population projections by counties through the year 2,000, as well as census counts in the 1960 and 1970 census and estimates for July 1, 1970 and July 1, 1971.

Copies of the publication, entitled Official July 1, 1972 Population Estimates, may be obtained from: Office of Public Information, Department of Labor and Industry, P.O. Box V, Trenton, N.J. 08625.

**1972 BOUND VOLUME AVAILABLE
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The annual bound volume of the 12 monthly issues of the New Jersey Register for 1972 may still be ordered by subscribers, Albert E. Bonacci, Director of Administrative Procedure, announces.

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Check or money order should be made out to Treasurer, State of N.J. and orders mailed to the Division of Administrative Procedure, 10 North Stockton St., Trenton, N.J. 08608.

The volume will be of 324 pages in so-called Perfect bound form and is the same size as previously.

The volume will also include an index of all rules adopted during the year and of rules proposed but not yet adopted, along with a similar cumulative index for 1971.

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The list of Titles available in the New Jersey Administrative Code includes all 17 State Departments, with Treasury broken into two Titles for Taxation and General rules.

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The two Titles yet to be published are indicated below by asterisks preceding Title numbers:

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