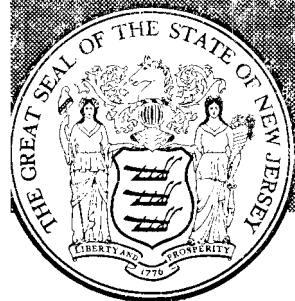


NEW JERSEY REGISTER



THE STATE'S OFFICIAL MONTHLY RULES PUBLICATION

BRENDAN T. BYRNE, Governor

Howard H. Kestin, Director, Office of Administrative Law

G. Duncan Fletcher, Director of Administrative Procedure
Norman Olsson, Editor

VOLUME 12 • NUMBER 8

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(Includes rules filed through July 17, 1980)

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NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

OFFICE OF ADMINISTRATIVE LAW

Proposed Amend Appearance and Representation

Howard H. Kestin, Director, Office of Administrative Law, pursuant to authority of N.J.S.A. 52:14F-1 et seq., proposes to amend N.J.A.C. 1:1-3.7 concerning appearances and representation.

Full text of the proposed new text follows.

1:1-3.7(c) The provisions of this section shall not apply to prevent a State agency or its staff as a party in a contested case from being represented by a full time employee of that agency who may not be admitted to the practice of law in New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27 to:

Steven L. Lefelt
Deputy Director
Office of Administrative Law
180 Washington St.
Newark, N.J. 07102

The Office of Administrative Law may thereafter adopt rules concerning this subject without further notice.

Howard H. Kestin
Director
Office of Administrative Law

(b)

OFFICE OF ADMINISTRATIVE LAW

Notice of Practice

Take notice that Howard H. Kestin, Director of the Office of Administrative Law has instructed all administrative law judges to relax the application of N.J.A.C. 1:1-17.1(a) as it applies to cases involving the Division of Alcoholic Beverage Control until September 1, 1980. This relaxation is authorized by N.J.A.C. 1:1-1.3(a).

This Notice is published as a matter of public information.

Howard H. Kestin
Director
Office of Administrative Law

(c)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Amend Notices by Milk Dealers, Processors and Stores

On June 26, 1980, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 2:52-2.1, 2.2, 3.1, 3.2 and 4.1 and N.J.A.C. 2:53-4.1 and 4.2 concerning notices by milk dealers, processors and stores as proposed in the Notice published June 5, 1980 at 12 N.J.R. 299(a).

An order adopting this rule was filed June 27, 1980 to become effective on July 1, 1980 as R.1980 d.284.

Howard H. Kestin
Director
Office of Administrative Law

(d)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Amend Milk Marketing

On June 26, 1980, Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 2:54 concerning milk marketing orders as proposed in the Notice published June 5, 1980 at 12 N.J.R. 300(a).

An order adopting this rule was filed June 27, 1980 to become effective on July 1, 1980 as R.1980 d.285.

Howard H. Kestin
Director
Office of Administrative Law

NEW JERSEY REGISTER

The official publication containing notices of proposed rules and rules adopted by State agencies pursuant to the New Jersey Constitution, Art. V, Sec. IV, Para. 6 and the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. Issued monthly since September, 1969.

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The NEW JERSEY ADMINISTRATIVE CODE is published on a continuing basis by the same Division. Subscription rates for this 29-volume, regularly-updated set of all State administrative rules are available on request. The Code is sold either in the full set or in one to three volumes depending on the Departmental coverage desired.

(a)

AGRICULTURE

STATE SOIL CONSERVATION COMMITTEE

Amend Soil Erosion and Sediment Control

On June 30, 1980, the State Soil Conservation Committee, pursuant to authority of N.J.S.A. 4:24-42 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 2:90-1.3 concerning soil erosion and sediment control as proposed in the Notice published June 5, 1980 at 12 N.J.R. 301(b).

An order adopting this rule was filed and became effective on July 3, 1980 as R.1980 d.305.

Howard H. Kestin
Director
Office of Administrative Law

(b)

AGRICULTURE

STATE BOARD OF AGRICULTURE

Amend Licensing of Biological Products

On June 30, 1980, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:5-107 through 112 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 2:6-1.3 and 1.4 concerning licensing of biological products as proposed in the Notice published June 5, 1980 at 12 N.J.R. 298(a).

An order adopting this rule was filed and became effective on July 7, 1980 as R.1980 d.306.

Howard H. Kestin
Director
Office of Administrative Law

(c)

BANKING

DIVISION OF BANKING

Escrow Account Limitations

On July 1, 1980, Angelo R. Bianchi, Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-184C(e) and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 3:6-8.2 concerning escrow account limitations as proposed in the Notice published June 5, 1980 at 12 N.J.R. 302(b).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.298.

Howard H. Kestin
Director
Office of Administrative Law

(d)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Amendment Concerning Employment Lists

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 proposes to amend N.J.A.C. 4:1-11.7 concerning employment lists.

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

4:1-11.7(b) The Commission may also revive an employment list beyond its expiration date:

1. If there has occurred bona fide error which has unjustly denied any eligible of certification or appointment[.];
2. To reappoint persons who have been laid off during their working test period in those cases where:
 - i. The eligible list has expired; and
 - ii. Revival and reappointment are in the best interests of the service, as determined by a review of the time served in the working test period, the time elapsed since the layoff, hiring needs of the jurisdiction, availability of appropriate lists, and other relevant factors.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Joseph Lavori
Director of Hearings and Regulations
Department of Civil Service
215 East State Street
P.O. Box 1918
Trenton, N.J. 08625

The Civil Service Commission may thereafter adopt rules concerning this subject without further notice.

S. Howard Woodson, Jr.
President, Civil Service Commission
Department of Civil Service

(e)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Rescind Police and Fire Employment Lists

On June 16, 1980, the Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with the applicable provisions of the Administrative Procedure Act, rescinded subpart 12-11.104 of the Civil Service Personnel Manual (Local Service) concerning police and fire employment lists.

An order adopting this rule was filed and became effective on June 27, 1980 as R.1980 d.288 (Exempt, Procedural Rule). Take notice that these rules are not subject to codification and will not appear in the New Jersey Administrative Code.

Howard H. Kestin
Director
Office of Administrative Law

(a)

COMMUNITY AFFAIRS

THE COMMISSIONER

Proposal Concerning Rooming and Boarding Houses and Amend Uniform Construction Code

Joseph A. LeFante, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 55:13B-4 and 52:27D-124, proposes to promulgate Rules Governing Rooming and Boarding Houses to be cited as N.J.A.C. 5:27 and amend N.J.A.C. 5:23-2.7 concerning Uniform Construction Code.

Full text of the proposal may be obtained from the address given below.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

William M. Connolly, Deputy Director
Division of Housing
Department of Community Affairs
363 West State Street
Trenton, New Jersey 08625

A public hearing on the proposal will be held on August 18, 1980 at 10:30 a.m. at the General Assembly Chamber, State House, West State Street, Trenton, New Jersey. Oral or written statements or arguments relevant to the proposed action may be presented at that time.

The Commissioner of Community Affairs may thereafter adopt rules concerning this subject without further notice.

W. Arthur Lewis
Assistant Commissioner
Department of Community Affairs

(b)

COMMUNITY AFFAIRS

THE COMMISSIONER

Repeal Departmental Plan Review Waivers

On June 12, 1980, W. Arthur Lewis, Assistant Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, repealed N.J.A.C. 5:23-4.9(a)2iii and iv concerning waivers for departmental plan review.

Full text of the repealed rule may be found in the New Jersey Administrative Code.

An order adopting this rule was filed and became effective on June 23, 1980 as R.1980 d.276 (Exempt, Procedural Rule).

Howard H. Kestin
Director
Office of Administrative Law

(c)

COMMUNITY AFFAIRS

THE COMMISSIONER

Readopt Solar Facility Tax Exemption

On July 1, 1980, James A. Sinclair, Deputy Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, readopted N.J.A.C. 5:23-6 concerning tax exemption for solar facilities as proposed in the Notice published May 8, 1980 at 12 N.J.R. 249(c).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.303.

Howard H. Kestin
Director
Office of Administrative Law

(d)

COMMUNITY AFFAIRS

THE COMMISSIONER

Amend Uniform Construction Code And New Home Warranty

On July 16, 1980, James A. Sinclair, Deputy Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 52:27D-119 et seq. and 46:38-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 5:23 and 5:25 concerning uniform construction code and new home warranty as proposed in the Notice published June 5, 1980 at 12 N.J.R. 303(b), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.316.

Howard H. Kestin
Director
Office of Administrative Law

(e)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amend Teacher Education and Academic Credentials

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-38, proposes to amend N.J.A.C. 6:11-3.18(c) 3i (validation of college degrees and professional preparation), in the rules on Teacher Education and Academic Credentials.

The proposed revision is intended to clarify the application of community college credits toward certification. Community college credits can be accepted by four-year colleges into their certification programs.

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

6:11-3.18(c)3. Accredited [New Jersey] two-year colleges provided:

i. The courses are accepted toward meeting the requirements [in professional education] for certification by a [New Jersey] college approved for the preparation of teachers by the [New Jersey] State [Board] Department of Education and such [acceptance is submitted in writing to the Bureau of Teacher Education and Academic Credentials] courses do appear on the official transcript of approved colleges.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education may thereafter adopt these revisions substantially as proposed without further notice.

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amend Bookkeeping and Accounting in Local School Districts

The State Board of Education, pursuant to authority of N.J.S.A. 18A:18A-5, proposes to amend N.J.A.C. 6:20-2.6(d)4 (supplies and equipment), in the rules on Bookkeeping and Accounting in Local School Districts.

The proposed revision would increase the amount of food supplies which boards of education may purchase in any month without soliciting quotations. The change is the result of a resolution adopted by the New Jersey School Boards Association at its delegates assembly last year.

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

16:20-2.6(d)4. Contingent upon approval of the board of education in its adopted policy, the person or persons designated by the board of education to purchase food supplies may purchase food supplies for any school cafeteria or home economics class to the extent of not more than [\$100.00] \$250.00 in any month without soliciting quotations, provided a statement signed by the purchaser is filed with the invoice indicating the reason why quotations could not be obtained; such record shall also be retained for review and/or for audit.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980, to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education may thereafter adopt these revisions substantially as proposed without further notice.

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

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Amend Pupil Transportation Retirement of School Buses

The State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to amend N.J.A.C. 6:21-1.4 (retirement of school buses), in the rules on Pupil Transportation.

The present Code mandates the retirement of school buses at the end of the tenth year from date of manufacture. The proposed amendment would allow the use of such a school bus through the end of the school year in June, and thus avoid any possible interruption in service in December.

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

6:21-1.4 Retirement of school buses

(a) School buses, other than those of the transit type whose gross vehicle weight (G.V.W.) exceeds 25,000 pounds, shall not be utilized for pupil transportation purposes beyond the end of the tenth year from date of manufacture, as noted on the vehicle registration, or the end of the school year in which that date falls, whichever is later.

(b) School buses of transit type whose gross vehicle weight (G.V.W.) exceeds 25,000 pounds shall not be utilized for pupil transportation purposes beyond the end of the 20th year from the date of manufacture, as noted on the vehicle registration.

[(c) Implementation date is January 1, 1976.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education may thereafter adopt these amendments substantially as proposed without further notice.

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Propose Pupil Transportation: Insurance

The State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21, proposes to amend N.J.A.C. 6:21-17.1 (general insurance provisions) in the rules on Pupil Transportation.

The existing insurance coverage in the Code is inadequate in today's market. The proposed change in policy, combining the previously-established minimum amount for personal liability with property damage, keeps pace with the updated system of the insurance industry in writing commercial automobile insurance.

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

6:21-17.1 General provisions

[(a) Each contractor shall furnish liability insurance for bodily injury or death in the following minimum amounts: All vehicles transporting pupils, \$300,000.00 for one person, \$500,000.00 for one accident.]

(a) Each contractor shall furnish liability insurance for lowing minimum amounts: \$1,000,000 combined single limit coverage per occurrence for all type I vehicles (capacity 17 or more; \$500,000 combined single limit coverage per occurrence for all type II vehicles (capacity 16 or less).

(b) — (d) (No change in text.)

(e) Policies in effect when this regulation is adopted must be changed to comply with prescribed conditions as of the next policy renewal date following adoption, or within one year whichever is earlier.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Lorraine L. Colavita
Executive Assistant for Administrative
Practice and Procedure
Department of Education
225 West State Street
Trenton, New Jersey 08625

The State Board of Education may thereafter adopt these revisions substantially as proposed without further notice.

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

(b)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed Repeal of Various Rules and Regulations

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 13:1B-3 and N.J.S.A. 13:1D-9, hereby proposes to repeal various rules and regulations of the

Department of Environmental Protection. This action is being taken in response to Governor Byrne's Executive Order #66 which requires all State departments and agencies to initiate a thorough review of all existing chapters of administrative rules and to report on those which are not necessary, adequate, reasonable, efficient, understandable or responsive to the purposes for which they were promulgated.

The rules are being proposed for repeal in response to the Department's review of all its rules and regulations. They have been deemed to be unnecessary, duplicative and/or no longer responsive to the purposes for which they were originally promulgated. The subject matter of some of the rules and regulations proposed for repeal may be addressed in future rules and regulations as deemed appropriate.

This proposal is known within the Department as DEP Docket No. 042-80-07.

Full text of the following rules proposed for repeal may be found in the New Jersey Administrative Code.

N.J.A.C. 7:1-3, Sulfur in Fuels

N.J.A.C. 7:1-4, Importation of Solid and Liquid Waste from Outside New Jersey

N.J.A.C. 7:1A, EIS Guidelines for N.J. Turnpike Extension

N.J.A.C. 7:1D, Agricultural Preserve Demonstration Program

N.J.A.C. 7:7, Riparian Grants and Leases

N.J.A.C. 7:8, Practices and Procedures—Water Resources

N.J.A.C. 7:9-3, Location of Factory Within Watershed

N.J.A.C. 7:15, Industrial Pollution Control Financing

N.J.A.C. 7:25-7.3, Miscellaneous Shellfish Rules

N.J.A.C. 7:25-9.4, Resolutions of Shellfisheries Council

N.J.A.C. 7:25-10, Resolution of the Maurice River Code Shellfisheries Council

N.J.A.C. 7:26-5.4(b) through (o) inclusive, Administrative Hearings—Solid Waste

N.J.A.C. 7:27A-1.4(b) through (o) inclusive, Administrative Hearings—Air Pollution

N.J.A.C. 7:50, Pinelands Environmental Council

Interested persons may present statements or arguments in writing relevant to the proposed action on or before September 19, 1980 to:

Herbert B. Bennett, Chief
Office of Regulatory Affairs
Department of Environmental Protection
Commissioner's Office
P.O. Box 1390
Trenton, New Jersey 08625

The Department of Environmental Protection may thereafter adopt rules concerning this subject without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed 90-Day Construction Permits Over-the-Counter Processing

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 13:1D-33, proposes to adopt new rules to be cited as N.J.A.C. 7:1C-1.9 concerning Ninety-Day Construction Permits, Over the Counter Processing.

The proposed rules were originally proposed in the August 9, 1979 New Jersey Register. As a result of the public comments received, and additional staff recommendations made to improve upon the over-the-counter program, several changes have been made to the proposed rule. While the Department does not consider the changes to be substantial, the Department is repropounding the rule in order to provide for additional comments prior to adoption. Additional comments are encouraged for consideration by the Department in order to make the over-the-counter program as effective as possible.

This proposal is known within the Department as DEP Docket Number 046-79-07.

Full text of the proposed new rule follows.

7:1C-1.9 Over-the-counter processing

(a) As a means of expediting permit review for certain minor projects, the Department will fast process, to the extent possible, reasonable, and practical, unless emergencies dictate otherwise, minor projects in the categories of stream encroachment, sewer extensions, and waterfront development.

(b) Stream encroachment rules are:

1. The Department will provide, workload and staff permitting, a 24-hour, one-day processing service for certain "minor" stream encroachment permits (listed below). Projects must be in-house by 9:30 a.m., and may be picked up at 4:30 p.m., otherwise the permit will be mailed, or can be picked up the next day. Preapplication conferences are recommended to ensure that all necessary material will be submitted. An appointment must be made for the over-the-counter submittal, review, and permit issuance. Over-the-counter processing will be limited to one project per day per applicant.

2. The construction permit "Standard Application Form (CP-1)" must be properly completed, but it does not need to be forwarded to any county or municipal agency. (See N.J.A.C. 7:1C-1.3(c).) An Engineering Data Sheet (DWR-086) must be completed for all stream encroachment projects.

3. Minor stream encroachment projects are projects which do not adversely change the water carrying capacity of the floodway, do not increase erosion or sedimentation in the stream, and do not require substantial channel modification or relocation.

i. Minor stream encroachment projects which may be processed on an "over-the-counter" basis include, but are not limited to:

- (1) Outlet structures along one stream;
- (2) One sewer outlet diffuser;
- (3) One minor water intake facility;
- (4) Minor regrading, outside of channel but within the 100 year flood area;
- (5) Utilities that are constructed within the 100 year

flood area—limited to total length of 500 linear feet along the channel;

(6) One utility crossing of channel;

(7) Minor bank reestablishment and/or protection projects, limited to 100 linear feet (note subsection (b)3 of this section);

(8) Bridge deck replacements — note subsection (b)3, above);

(9) Farming practices (including ditches) approved by the Soil Conservation Service;

(10) Projects whose major purpose is mosquito control pursuant to N.J.S.A. 26:9-1 et seq.

(11) "Over-stream" utility crossings "attached" to an existing bridge or culvert above the underclearance or within the superstructure.

ii. Minor stream encroachment projects which will not be processed on an "over-the-counter" basis shall include:

(1) Desnagging and stream cleaning;

(2) Minor dredging projects;

(3) Dug ponds without structures;

(4) Residential footbridges;

(5) Recreation and habitat management structures of the Division of Fish, Game and Wildlife;

(6) Combined projects of government agencies submitted as one minor project for a calendar year will not be considered as a minor project for "over-the-counter" permit purposes.

(c) Sewer extensions rules are:

1. DEP has a 24-hour, one-day processing service for "minor" sewer extension projects. "Minor" sewer extension projects must be:

i. Length of 1,000 linear feet or less;

ii. Cost of \$25,000 or less;

iii. Sewage flow per day of 12,000 gallons or less.

2. No projects with pump stations, force mains, siphons, gallage transfers, or holding tanks will be processed over-the-counter. Projects cannot be located in areas under sewer ban, administrative orders, or litigation.

3. Projects must be in-house by 9:30 a.m., and all administrative documents must be in proper order. Pre-application conferences are strongly recommended. Over-the-counter projects will be processed by appointment only.

4. Applicants must include in the application package proof of a prior approval, endorsement, or a letter of no objection from all required local agencies prior to filing application with the state.

5. An "engineer's report" form, available from the Bureau of Municipal Waste Management of the Division of Water Resources, must be completed and certified by a licensed New Jersey engineer and submitted with the application.

(d) Waterfront development rules are:

1. DEP has a 24-hour, one-day processing service for "minor" maintenance and/or repair or replacement of lawful existing structures. Minor maintenance and/or repair or replacement projects are those projects which:

i. Are confined to existing structures;

ii. Have been previously authorized by permit; and

iii. Where the present state of disrepair has existed for less than two years.

2. Applications shall be accompanied by:

i. A copy of the tidelands conveyance (a grant, lease, or license from the State of New Jersey) for the project site, if applicable; and

ii. A site inspection report from the Bureau of Coastal Enforcement and Field Services, 1433 Hooper Avenue, Toms River, New Jersey, (609) 292-5120.

3. No over-the-counter authorization will be given for dredging, filling, or additions to or changes in configuration of structures.

4. As a condition of approval, the applicant must give a 48 hour notice prior to commencing work.

5. An applicant should apply for a same day permit by 11:30 a.m., otherwise his permit can be picked up the next day or mailed.

6. General permits: the Department may, by rule, establish criteria and conditions for the approval of minor maintenance projects by general permits. The projects authorized under such a general permit must conform with those criteria and special conditions.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Mr. William McCarthy
Division of Administration
Department of Environmental Protection
88 East State Street
Trenton, New Jersey 08635

The Department of Environmental Protection may thereafter adopt rules concerning this subject without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Proposed New Rules and Amendments Concerning Penalties for Shellfish Violations

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 13:1B-3 and N.J.S.A. 23:2B-14, and with the approval of the Marine Fisheries Council proposes to adopt new rules to be cited as N.J.A.C. 7:25-1.7 and N.J.A.C. 7:25-9.2, and to amend the current text of N.J.A.C. 7:25-14.7 concerning monetary penalties for minor violations of certain shellfish laws, rules and regulations. The cited penalties are authorized by the cited statutes or the "Marine Fisheries Management and Commercial Fisheries Act," which authorizes the Commission, with the approval of the Marine Fisheries Council, to establish a penalty schedule for violation of that Act or any rule promulgated thereunder.

This proposal is known within the Department of Environmental Protection as DEP Docket Number 036-80-07.

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

7:25-1.7 Penalties

(a) Pursuant to N.J.S.A. 50:2-1 no person shall take or catch less than 150 clams without either a recreational or commercial license. Any person violating this provision shall be liable to a penalty of \$20.00 for the first offense and \$40.00 for each subsequent offense.

(b) Pursuant to N.J.S.A. 50:2.2, no person shall take or catch more than 150 clams with only a recreational license or no license. Any person violating this provision shall be liable to a penalty of \$50.00 for the first offense and \$100.00 for each subsequent offense.

(c) Pursuant to N.J.S.A. 50:2.5, each license, while at all times engaged in operating under his license who fails

to have his clamming license in his possession or who fails to exhibit his clamming license for inspection upon proper request, shall be liable to a penalty of \$10.00 for the first offense and \$20.00 for each subsequent offense.

(d) Pursuant to N.J.S.A. 50:3-15.1 and N.J.S.A. 50:3-16.18, no person shall take or possess undersized oysters. Any person violating this provision shall be liable to a penalty of \$10.00 for the first offense and not for each oyster and \$20.00 for each subsequent offense and not for each oyster.

(e) Pursuant to N.J.S.A. 50:3-17, no person shall take or attempt to take crabs without a license. Any person violating this provision shall be liable to a penalty of \$10.00 for the first offense and \$20.00 for each subsequent offense.

7:25-9.2 Penalties

(a) Any person violating the provisions of N.J.A.C. 7:25-9.1(b) and N.J.A.C. 7:25-9.1(c) shall be liable to a penalty of \$10.00 for the first offense and not for each clam and \$20.00 for each subsequent offense and not for each clam.

7:25-14.9 Penalties

(a) Any person violating any of the provisions of [these regulations] this subchapter relating to crabs, with the exception of a violation of N.J.A.C. 7:25-14.7, shall be liable to the penalties provided by N.J.S.A. [50:5-1, 50:5-17] 23:2B-14. No new license will be issued to any person whose license has been revoked until after hearing before Shellfisheries Council and reinstatement thereby.

(b) Any person violating the provisions of N.J.A.C. 7:25-14.7(a) shall be liable to a penalty of \$20.00 for the first offense and \$40.00 for each subsequent offense. Any person violating the provisions of N.J.A.C. 7:25-14.7(b), N.J.A.C. 7:25-14.7(c), or N.J.A.C. 7:25-14.7(d) shall be liable to a penalty of \$20.00 for the first offense and not for each pot and \$40.00 for each subsequent offense and not for each pot.

Interested persons may present statements or arguments in writing relevant to the proposal on or before September 2, 1980 to:

Robert Santaloci
Division of Fish, Game and Wildlife
P.O. Box 1809
Trenton, New Jersey 08625

The Department of Environmental Protection may thereafter adopt these rules substantially as proposed without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND WILDLIFE

Proposed Amend Falconry

The Fish and Game Council of the Division of Fish, Game and Wildlife in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-29 et seq. and the provisions of N.J.S.A. 23:1-1 et seq. proposes to amend N.J.A.C. 7:25-5.15 concerning falconry.

This proposal is known within the Department as DEP Docket No. 038-80-07.

Full text of the proposed amendment follows.

(b)

7:25-5.15 General falconry regulations

1. Miscellaneous:

(10) Species of raptors not native to the State of New Jersey or otherwise covered by these regulations shall be allowed for purposes of falconry provided they are legally acquired and are in compliance with all applicable federal and state regulations.

Interested persons may present statements orally or in writing relevant to the proposed action at a public hearing at the Trenton office of the New Jersey Division of Fish, Game and Wildlife, 363 Pennington Ave., Trenton, N.J. on Tuesday, September 9, 1980 at 2:00 p.m.

Comments on the proposed rule should be directed to the individual noted below on or before September 10, 1980:

Robert Santoloci
Division of Fish, Game and Wildlife
363 Pennington Avenue
Trenton, New Jersey 08625

The Fish and Game Council of the Division of Fish, Game and Wildlife may thereafter adopt this rule substantially as proposed without further notice.

Russell A. Cookingham, Director
Division of Fish, Game and Wildlife
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND WILDLIFE

Proposed 1981 Fish Code

The Fish and Game Council of the Division of Fish, Game and Wildlife in the Department of Environmental Protection, pursuant to the authority delegated in N.J.S.A. 13:1B-30 et seq., proposes to adopt the Fish Code for 1981, to be cited as N.J.A.C. 7:25-6.

Copies of the proposed Fish Code have been prepared and a summary supplied to newspapers throughout the state. The proposed Fish Code states when, under what circumstances, in what locations, by what means and in what amounts fish may be taken, killed or had in possession.

This proposal is known within the Department as DEP Docket Number 037-80-07.

Copies of the full text of the proposed Fish Code may be obtained from:

Division of Fish, Game and Wildlife
P.O. Box 1809
Trenton, New Jersey 08625

Interested persons may present statements, orally or in writing, relevant to the proposed action at a public hearing in the office of the Division of Fish, Game and Wildlife, 363 Pennington Avenue, Trenton, New Jersey on September 9, 1980 at 7:30 p.m.

Written comments regarding the proposed code may be filed on or before September 9, 1980 with the New Jersey Fish and Game Council, Division of Fish, Game and Wildlife at the above address.

The Fish and Game Council may thereafter adopt the Fish Code substantially as proposed without further notice.

Russell A. Cookingham, Director
Division of Fish, Game and Wildlife
Department of Environmental Protection

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND WILDLIFE

Proposed Amend of Crab Dredging

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 23:2B-6 and subject to the disapproval of the Marine Fisheries Council proposes to amend N.J. A.C. 7:25-7.13, concerning crab dredging.

This proposal is known within the Department as DEP Docket No. 039-80-07.

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

7:25-7.13 Crab dredging in the Atlantic

[(a) Crabs may be caught and taken by means of dredges operated by mechanical power or sail power in accordance with the following regulations: provided however, that any dredge which is operated under the provisions of this regulation on shellfish lands which are located outside of Monmouth County shall not have a tooth bar which is greater than 38 inches in length nor teeth which are greater than three inches in length:

1. Any dredge used for the catching and taking of crabs under the provisions of this regulation must be in conformity with the following specifications:

- i. Length of bar: Maximum six feet three inches, maximum outside Monmouth County—38 inches;
- ii. Weight of dredge: Maximum of 110 pounds;
- iii. Length of teeth: Maximum six inches, maximum outside of Monmouth County—three inches;
- iv. Spacing of teeth: Maximum three inches;
- v. Mesh size of bag: Two inches fixed and four inches stretched.

2. The season for the catching and taking of crabs shall be set annually by the Division of Fish, Game and Shellfisheries with the advice of the Shellfisheries Council, Atlantic Coast Section.]

(a) No crabs may be caught or taken in the Atlantic Coast section by dredges operated by mechanical power or sail power unless such dredges conform to the following specifications:

1. The maximum length of the tooth bar shall be 75 inches in Monmouth County and 38 inches in all other counties.

2. The maximum weight of the dredge shall be 110 lbs. in all counties.

3. The maximum length of the teeth shall be six inches in Monmouth County and 3 inches in all other counties.

4. The minimum space between teeth shall be three inches, measured at the base.

5. The mesh size of the bag shall be two inches fixed and four inches stretched.

(b) No boat shall have more than two (2) dredges actively working at the same time.

[3.] (c) [The areas from which crabs may be caught and taken shall be designated by the division from time to time provided, however, that] [n]No person shall catch to take crabs from any [of the] leased lands except the [person who is the] lessee [of the lands from which crabs are caught] or [the person employed by such lessee] his employee; and [provided further that] no person shall dredge crabs on any of the State oyster beds and grounds except at such times and in such areas as the division and

Commissioner of the Department of Environmental Protection may authorize [such dredging by a specific division].

[4.] (d) Any clams which may be caught incidentally to the catching of crabs shall be redeposited immediately upon the land from which such crabs are caught; nor shall any person while engaged in the catching and taking of crabs or the transportation thereof, have in his boat or possession any clams obtained from any source. The possession of clams and crabs simultaneously in the boat of any person shall constitute prima facie evidence of the violation of this regulation.

[5.] (e) No person shall [engage in the catching or taking of] catch, take or attempt to catch or take crabs [under the provisions of this regulation] from any of the lands [in] of the Atlantic Coast section before sunrise[,], or after sunset, [, at any time on Sunday nor at any time after 3:00 P.M. on any weekday.]

[6. No person shall engage in the catching and taking of crabs by means of any dredge or other implement which is operated by mechanical power without first obtaining a permit from the Division of Fish, Game and Shellfisheries, Department of Environmental Protection which shall issue permits to citizens and actual residents of the State of New Jersey for a fee to be determined and fixed by the division. (\$1.00 per boat ton, \$15.00 minimum, \$50.00 maximum.)]

(f) The license fee for New Jersey residents for the catching and taking of crabs by means of any dredge or other implement which is operated by mechanical power shall be \$1.00 per boat ton. The minimum license fee for New Jersey residents shall be \$15.00 and the maximum shall be \$50.00. The license fee for non-residents shall be \$2.00 per boat ton. The minimum license fee for non-residents shall be \$25.00 and the maximum shall be \$75.00.

[(7.) Residents of the State of New York may be granted a permit for the taking and catching of crabs by means of a dredge or other implement operated by mechanical power in the waters of Raritan Bay and Sandy Hook Bay, if the same privileges are granted to the citizens of New Jersey to take crabs in this manner from said bays in New York State. The fee shall be \$2.00 per boat ton; \$25.00 minimum, \$75.00 maximum.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Robert Santaloci
Department of Environmental Protection
Division of Fish, Game and Shellfisheries
363 Pennington Avenue
Trenton, New Jersey 08625

The Department of Environmental Protection may thereafter adopt rules concerning this subject without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION THE COMMISSIONER

Reproposed Wild and Scenic Rivers

Jerry Fitzgerald English, Commissioner of the Depart-

ment of Environmental Protection, pursuant to the authority of N.J.S.A. 13:8-45 et seq., and in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B et seq., repropoases new rules to be cited as N.J.A.C. 7:38 concerning the administration and regulation of wild, scenic, recreational and developed recreational rivers.

This proposal is known within the Department as DEP Docket Number 040-80-07.

These rules establish criteria for the administration of designated river areas and establish minimum standards for the regulation of designated river areas and classifications. These rules apply to lands of the State and other public governing bodies and privately owned properties which may lie within a designated river area. Designated lands and waters may include lands immediately adjacent to rivers which have been delineated by the department as a floodway, flood fringe or flood hazard area as well as any additional lands in which the department has or acquires a fee simple interest or an easement. The rules were first proposed as "Rules Concerning the Designation and Administration of Wild, Scenic, Recreational and Developed Recreational Rivers." Public hearings were held November 29, 1978 at Stockton State College and November 30, 1978 at Parsippany High School and written comments reviewed thereafter.

Issues raised and comments received have been reviewed by a 37 member citizen task force. The rules were then proposed for adoption, pending the review of the Legislature, to be effective within 60 days of transmittal to the Legislature on a day which both houses were meeting. Copies were also transmitted to the Senate Energy and Environment Committee and the Assembly Agriculture and Environment Committee, in accordance with Sections 8.c and 8.d of the Wild and Scenic Rivers Act.

Comments were received until August 25, 1979, following an extension of the comment period. Comments received noted an error in N.J.A.C. 7:37-1.15(a)3, in which the phrase ". . . which are consistent in height and total floor area . . ." should read ". . . which are inconsistent in height and total floor area . . ." This error is noted and has been corrected.

These rules are being repropoased because the rules were not adopted within one year of publication as required by N.J.A.C. 15:15-4.11(b). Inasmuch as all rule-making requirements have been met by the Department pursuant to N.J.S.A. 13:8-52, these rules are now being repropoased for an additional comment period.

Copies of the full text of the proposal may be obtained from the party indicated below.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Curt J. Hubert, Administrator
The Green Acres Program
Department of Environmental Protection
P.O. Box 1390
Trenton, New Jersey 08625

The Department of Environmental Protection may thereafter adopt rules concerning this subject without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(a)

ENVIRONMENTAL PROTECTION
DIVISION OF FISH, GAME AND WILDLIFE
BUREAU OF SHELLFISHERIES

**Proposed Amendment Concerning
Taking of Hard Clams**

Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to the authority of N.J.S.A. 50:1-5 and subject to the disapproval of the Marine Fisheries Council proposes to amend N.J.A.C. 7:25-9.1 concerning the taking of hard clams.

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

7:25-9.1

[(a) Resolution Number 59 of August 17, 1959 is hereby rescinded.]

(a) [(b)] Any person actively engaged in harvesting hard clams (*Mercenaria mercenaria*) must as part of that activity, redeposit on the bottom from [whence] where they were taken, all clams that have a shell length of less than 1½ inches [in length].

(b) [(c)] No person shall possess, sell or purchase, or attempt to possess, sell or purchase any hard clams with a length of less than specified in subsection [(b)] (a) of this section, except that up to three per cent of the number of clams in possession, may have a lesser shell length.

[(d) Any member of the Shell Fisheries Councils, any officer or employee of the Division of Fish, Game and Shellfisheries, or any member of the Marine Police of the Division of Marine Services is authorized and empowered to determine compliance with this regulation using a peck (one quarter bushel) dry measure as the determining factor.]

[(e) Any person who shall be guilty of violating the provisions of this regulation shall be required to appear before the Shell Fisheries Council, Atlantic Coast Section, to show cause why such person's license and/or lease should not be revoked for such period of time as the said Shell Fisheries Council shall fix.]

(c) This section shall not apply to hatchery reared clams.

Interested persons may present statements or arguments in writing relevant to this proposed action on or before August 27, 1980 to:

Robert Santaloci
Division of Fish, Game and Wildlife
P.O. Box 1809
Trenton, New Jersey 08625

The Department may thereafter adopt this rule substantially as proposed without further notice.

Jerry Fitzgerald English
Commissioner
Department of Environmental Protection

(b)

ENVIRONMENTAL PROTECTION
THE COMMISSIONER

**Notice of State Certifications
Of Draft NPDES Permits**

Jerry Fitzgerald English, Commissioner of the Department of Environmental Protection, pursuant to the "New Jersey Water Pollution Control Act," N.J.S.A. 58:10A-1 et seq., is authorized to assess compliance of a surface water discharge with State law pertaining to discharges to the waters of the State. The Department is requested by the United States Environmental Protection Agency, as required by section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., to certify that a discharge, as described in a draft National Pollutant Discharge Elimination System permit, will not violate the requirements of

State law.

The Department publishes public notice of certifications in the DEP Bulletin. Copies of the Bulletin may be obtained by calling (609) 292-3178 or writing to the Documents Distribution Center, P.O. Box 1390, Trenton, N.J. 08625.

This Notice is published as a matter of public information.
Howard H. Kestin
Director
Office of Administrative Law

(c)

ENVIRONMENTAL PROTECTION
THE COMMISSIONER

**Notice of Public Hearing
Concerning FY-81 Update of the
State/EPA Agreement**

Take notice that the Department of Environmental Protection has issued the following notice, known within the Department of Environmental Protection as DEP Docket No. 041-80-07, concerning a public hearing on the FY-81 update of the State/EPA Agreement originally signed by the Commissioner and the EPA Region II Administrator in 1979 (FY-80).

Full text of the notice follows.

The Department of Environmental Protection (DEP) will hold a public hearing in accordance with both Environmental Protection Agency (EPA) and New Jersey Public Participation policies to update the existing State/EPA Agreement (SEA) on September 9, 1980 at the Freeholder Hearing Room, Morris County Courthouse, (Ann Street exit), Morristown, and reconvening on September 10, 1980 at the G-Wing, Room 202-3, Stockton State College, Pomona.

The hearing will start at 3:00 p.m. on both days, and continue until 5:30 p.m. The hearing will be reconvened at 7:00 p.m. on both evenings and continue until the end of testimony.

This update is required annually as the Agreement is a consolidated narrative used by DEP to support the following federal grant applications:

Clean Water Act (P.L. 95-217)	(Approximate)
Section 106 - Grants to State and Interstate Agencies for Water Pollution Control Administration	\$1,334,000
Section 205(g) - Authorization for reservation of a portion of the allotment made to each State for costs of administration	\$2,927,679
Section 208 - Grants for areawide waste treatment	\$1,236,795*
Section 314 - Clean Lakes Program	\$ 515,036**
CWA Sub-total	\$6,013,510

Safe Drinking Water Act (P.L. 95-190)	(Approximate)
Section 1421(b) - Issuance of Permits for underground injection	\$ 80,200
Section 1443(a) - Grants to States for public water system supervision	562,800
SDWA Sub-total	\$ 643,000

Resource Conservation and Recovery Act (P.L. 94-580)	(Approximate)
Section 3011, Subtitle C - Hazardous Waste Management (financial assistance)	\$ 893,100
Section 400B, Subtitle D - Planning and Inventory of open dumps	\$ 264,880
RCRA Sub-total	\$1,157,980

Grand total grant applications \$7,814,490***

*Note: Approximate as a portion of prior year funding will be carried over.

**Note: FY-80 funding for four lakes which will be utilized during FY-81.

***Note: Toxic Program grant application covered by the SEA are not covered in this hearing. Clean Water Act Section 106 - Construction Grants Program Priority List was the subject of a separate public hearing on July 14, 1980.

The SEA, with its annual updates, is an important document that establishes a plan with detailed strategies to accomplish priority objectives and provides milestones for measurement of progress, and allocates manpower and financial resources accordingly. It represents a commitment by EPA and New Jersey to work together to protect and manage the quality of the State's surface and groundwater resources.

The original SEA contained as a list of 24 priority issues which have been consolidated into eight major topics in accordance with EPA Headquarters' guidance this year. Although DEP has received some public comments on the SEA informally, we are looking for advice and comment from the public on these topics at the hearing to give us direction and to assist us in prehearing the final update document.

ENVIRONMENTAL ISSUES

- Toxic and Hazardous Substance Control
- Groundwater Management
- Nonpoint Source Control
- Point Source Control
- Growth Management

ADMINISTRATION/MANAGERIAL ISSUES

- RCRA Authorization
- Section 205(g) Delegation
- NPDES Assumption

Copies of the detailed draft SEA update for FY-81 will be available for review on or before August 11, 1980, at the following locations:

EPA, DEP AND LIBRARY INFORMATION CENTERS

ATLANTIC CITY

Free Public Library
Illinois & Pacific Ave.
Atlantic City, N.J. 08401

Hammonton Public Library
Central & Vine
Hammonton, N.J. 08037

BERGEN COUNTY

Johnson Free Public Library
275 Monroe St.
Hackensack, N.J. 07601

Ridgewood Library
125 No. Maple
Ridgewood, N.J. 07540

BURLINGTON COUNTY

Burlington County College
Pemberton-Browns Mills Road
Pemberton, N.J. 08068

Burlington County Library
Woodlane Road
Mt. Holly, N.J. 08060

CAMDEN COUNTY

Camden City Free Public Library
616 Broadway
Camden, N.J. 08103

Camden County College
Little Gloucester Road
Blackwood, N.J. 08102

Camden County Library
Reference Department
Echelon Urban Complex
Voorhees, N.J. 08043

CAPE MAY COUNTY

Ocean City Free Public Library
6th St. & Ocean Avenue
Ocean City, N.J. 08226

Cape May Public Library
639 Washington Street
Cape May, N.J. 08204

CUMBERLAND COUNTY

Cumberland County Library
800 E. Commerce Street
Bridgeton, N.J. 08302

ESSEX COUNTY

Newark Public Library
5 Washington Street
Newark, N.J. 07101

Newark College of Engineering
323 High Street
Newark, N.J. 07102

East Orange Free Public Library
21 S. Arlington Avenue
East Orange, N.J. 07108

GLOUCESTER COUNTY

West Deptford Free Public Library
Grove Ave. & Crownpoint Road
Thorofare, N.J. 08086

Glassboro Public Library
Center & High Streets
Glassboro, N.J. 08028

HUDSON COUNTY

Jersey City Free Public Library
472 Jersey Avenue
Jersey City, N.J. 07302

Union City Free Public Library
324 43rd Street
Union City, N.J. 07087

N. Bergen Free Public Library
8107-13 Bergenline Avenue
N. Bergen, N.J. 07047

HUNTERDON COUNTY

Lambertville Free Public Library
18 York Street
Lambertville, N.J. 08530

Hunterdon County Library
Rt. 12
Flemington, N.J. 08822

MERCER COUNTY

New Jersey State Library
185 W. State Street
Trenton, N.J. 08625

MIDDLESEX COUNTY

East Brunswick Public Library
2 Jean Walling Civic Center
East Brunswick, N.J. 08816

Middlesex County College
Edison, N.J. 08817

**Rutgers University Library of
Science and Medicine

MONMOUTH COUNTY

Neptune Twp. Public Library
25 Neptune Boulevard
Neptune, N.J. 07753

Freehold Public Library
28½ E. Main Street
Freehold, N.J. 07728

MORRIS COUNTY

Morris County Free Library
30 E. Hanover Street
Whippany, N.J. 07901

**County College of Morris Library
Rt. 10 and Center Grove
Dover, N.J. 07801

Learning Resources Center

OCEAN COUNTY

Ocean County Library
15 Hooper Avenue
Toms River, N.J. 08753

Lakewood Twp. Public Library
2nd Street & Monmouth Avenue
Lakewood, N.J. 08701

PASSAIC COUNTY

Wayne Twp. Public Library
475 Valley Road
Wayne, N.J. 07470

West Milford Municipal Library
Ridge Road
West Milford, N.J. 07480

Paterson Free Public Library
250 Broadway
Paterson, N.J. 07501

Woodbridge Free Public Library
George Frederick Plaza
Woodbridge, N.J. 07095

SALEM COUNTY

City Free Public Library
112 West Broadway
Salem, N.J. 08079

SOMERSET COUNTY

Free Public Library
32 S. Maple
Basking Ridge, N.J. 07920

Somerset County Library
County Administration Building
Somerville, N.J. 08876

SUSSEX COUNTY

Sparta Twp. Free Public Library
22 Woodport Road
Sparta, N.J. 07871

UNION COUNTY

Elizabeth City Free Public Library
11 S. Broad Street
Elizabeth, N.J. 07202

Newark State College
Nancy Thompson Library
Morris Avenue
Union, N.J. 07083

WARREN COUNTY

Phillipsburg Free Public Library
200 Frost Avenue
Phillipsburg, N.J. 08865

OUT OF STATE

U.S. Environmental Protection Agency
Region II Library
26 Federal Plaza
New York, New York 10007

U.S. Environmental Protection Agency
Region III Library
3MA21
Curtis Building
6th & Walnut
Philadelphia, PA 19106

U.S. Environmental Protection Agency
Waterside Mall
4th & M Street, S.W.
Washington, D.C.

DEP OFFICES

Division of Water Resources
1474 Prospect Street
Trenton, N.J. 08625

Northern Office
1100 Raymond Boulevard
Newark, N.J. 07071

**These colleges will only circulate within their college community, but materials will be available for copy.

After the public hearing, the update of the SEA will be submitted to the DEP Commissioner and the EPA Region II Administrator for review and adoption by September 30, 1980 as the Annual Update SEA FY-81.

Interested persons may present either oral or written comments at the public hearing. Written comments will also be accepted by the Department until September 20, 1980. Such written comments should be submitted to:

Charles Parkell, Coordinator, SEA Update
Division of Water Resources
Office of Program Review and Permit Coordination
P.O. Box CN-029
Trenton, New Jersey 08625

This Notice is published as a matter of public information.

Howard H. Kestin
Director
Office of Administrative Law

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Septage Disposal

On June 20, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:10A-1 et seq., 58:11A-1 et seq., 13:1E-1 et seq., 13:1B-5 and 13:1D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 7:14-5 concerning septage disposal as proposed in the Notice published March 6, 1980 at 12 N.J.R. 111(c), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on June 23, 1980 as R.1980 d.277.

Howard H. Kestin
Director
Office of Administrative Law

(b)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Amend Flood Control Bond Grants

On June 23, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and P.L. 1978 c. 78 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:23 concerning flood control bond grants as proposed in the Notice published May 8, 1980 at 12 N.J.R. 257(a), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.297.

Howard H. Kestin
Director
Office of Administrative Law

(CITE 12 N.J.R. 462)

NEW JERSEY REGISTER, THURSDAY, AUGUST 7, 1980

(c)

ENVIRONMENTAL PROTECTION

BUREAU OF AIR POLLUTION CONTROL

Amend Air Pollution in Nonattainment Areas

On July 3, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 26:2C-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:27-18 concerning air pollution in nonattainment areas as proposed in the Notice published July 5, 1979 at 11 N.J.R. 327(a).

An order adopting this rule was filed July 8, 1980 to become effective on September 8, 1980 as R.1980 d.307.

Howard H. Kestin
Director
Office of Administrative Law

(d)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Amend 90 Day Construction and Wetlands Appeals

On July 10, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-9, 13:1D-33 and 13:9A-2 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:1C-1.9 and 7:7A-1.14 concerning appeals of 90 day construction and wetlands permits as proposed in the Notice published April 4, 1980 at 12 N.J.R. 178(b), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on July 11, 1980 as R.1980 d.312.

Howard H. Kestin
Director
Office of Administrative Law

(e)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Amend Green Brook Floodway

On July 17, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:16A-50 et seq., and 13:10-1 et seq., and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:13-1.11 concerning Green Brook floodways in the Passaic River Basin as proposed in the notice published June 5, 1980 at 12 N.J.R. 311(a).

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.325.

Howard H. Kestin
Director
Office of Administrative Law

(a)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Amend Discharge of Hazardous Substances

On June 16, 1980, Jerry Fitzgerald English, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-9, 58:10-23.11(k) and 58:10-23.11(t) and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 7:1E-1.3(q) concerning discharges of hazardous substances as proposed in the Notice published April 10, 1980 at 12 N.J.R. 179(b).

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.326.

Howard H. Kestin
Director
Office of Administrative Law

(b)

HEALTH

THE COMMISSIONER

Proposed Amend Employee Health Examinations

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the approval of the Health Care Administration Board proposes to amend N.J.A.C. 8:30-2.3; 8:37-4.5; 8:39-1.1 and 1.11; 8:42-1.8, 2.1 and 2.8; 8:43-1.3, 4.6 and 9.2; 8:48A-3.1 and 9.3; 8:43B-5.1, 15.1, 16.1 and 17.4; and 8:43F-1.1 and 3.7 and adopt a new rule to be cited as 8:31-26.3 concerning employee health examinations.

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

8:30-2.3 [(b) A health program shall be established for all personnel employed in the facility.

1. All regular paid personnel shall be given within two weeks of employment a physical examination, including a chest x-ray or Tine test and stool cultures if a history of typhoid fever is elicited.

2. A physical examination including chest x-ray or Tine test shall be repeated annually on all regular paid personnel.]

3. - 4. Recodify as (b) and (c).

8:31-26.3 Employee physical exams

(a) The facility shall develop and implement written policies and procedures, approved by the Department, for employees' (including persons providing direct patient care services through contractual arrangements or written agreements) physical examinations upon employment and subsequently, including the content and frequency, to ensure that:

1. Each employee shall be given a Mantoux tuberculin skin test with five tuberculin units of purified protein derivative. New employees shall be given the Mantoux tuberculin skin test upon employment.

i. If the Mantoux tuberculin skin test reaction is less than 10 mm of induration (negative), the test shall be repeated one to three weeks later. If the second Mantoux tuberculin skin test is negative, the test shall be repeated annually for as long as the reaction to the test remains

negative and the employee is assigned to areas in the facility where he/she has direct contact with patients.

ii. If the first or second Mantoux tuberculin skin test reaction is 10 or more mm of induration (positive), a chest X-ray shall be performed and, if indicated, followed by chemoprophylaxis or therapy.

iii. The facility shall ensure that laboratory personnel shall also be in compliance with Chapter 4 of the State Sanitary Code (N.J.A.C. 8:44-1.2 et seq.).

iv. The facility shall ensure that each employee's record contains documentation of all tests performed and the results, and the results of a chest X-ray and the chemoprophylaxis or therapy, as indicated.

2. Each employee shall be given a rubella screening test using the rubella hemagglutination inhibition test or other rubella screening test approved by the Department. New employees shall be given the rubella screening test upon employment. Employees currently working in the facility shall be given the rubella screening test within six months of the effective date of these standards.

i. Each employee tested shall be informed in writing by the facility of the results of his/her rubella screening test.

ii. Employees who can document seropositivity from a previous rubella screening test or who can document inoculation with rubella vaccine shall not be required to have a rubella screening test.

iii. The facility shall develop and implement policies and procedures, approved by the Department, ensuring that all seronegative female employees of child-bearing age are informed regarding rubella inoculation and pregnancy.

iv. The facility shall develop and implement policies and procedures with consultation from the medical director, and approved by the Department, to ensure that rubella vaccine is provided by the facility to all rubella seronegative employees who request rubella inoculations. In the event that the licensure standards applicable to the facility do not require a medical director, the facility shall consult with a physician regarding the development and implementation of these policies and procedures.

v. The facility shall ensure that a list is maintained including the name of each employee who is seronegative and unvaccinated, in the event that he/she is exposed to rubella and a determination is needed as to whether the employee can or cannot continue to work.

vi. Each employee who is assigned to areas in the facility where he/she may have contact with patients in their first or second trimester of pregnancy shall be rubella seropositive.

vii. If the result of the first rubella screening test is rubella seronegative, and the employee works in areas of the facility where he/she may have contact with patients in their first or second trimester of pregnancy, rubella vaccine shall be given and the rubella screening test shall be repeated in 30-60 days following the inoculation.

viii. The facility shall ensure that each employee's record contains documentation of all tests performed and the results, of inoculation with rubella vaccine, if applicable, and of information provided to seronegative female employees of child-bearing age regarding rubella inoculation and pregnancy.

(b) Paragraph (a)2 of this section shall not apply to the following health care facilities:

- i. Long-term care facilities;
- ii. Non-residential medical day care facilities;
- iii. Boarding homes for sheltered care;
- iv. Nursing homes;
- v. Intermediate care facilities.

8:37-4.5 Personnel health program

[(a) All regular paid personnel shall have a pre-employment physical examination including a chest x-ray or Tine test, serology, and stool examinations if a history of typhoid fever and/or parasites is elicited.]

(b) A physical examination, including chest x-ray or Tine test, shall be repeated annually on all regular paid personnel.]

(c) - (e) Recodify as (a) - (c).

8:39-1.11(j)[11. A plan for staff pre-employment physical examinations and subsequent health examinations, including content and frequency.]

8:42-1.8[(1) The facility shall establish and implement a system of staff pre-employment physical examinations and subsequent health examinations. The content and frequency of such examinations shall be documented in the facility policy manual.]

Recodify (m) - (p) as (l) - (o).

8:42-2.8(m)[1. A system of pre-employment and ongoing physical examinations to include, but not be limited to, tuberculin test and/or chest X-ray, serological test for syphilis, complete blood count, urinalysis, medical and appropriate physical examination and tests. Positive tuberculin reactors shall have a chest X-ray; and]

Recodify 2. as 1.

8:43-1.3[(c)1. The individual applicant and the person assigned responsibility for administration of the home shall submit a medical certificate from a licensed practicing physician in New Jersey that he or she is in good physical and mental health and able to operate or administer the home.

2. If requested by the Department, the individual granted a license and the person responsible for administration of the home shall have an annual medical examination (including a chest x-ray or tuberculin skin test) and a statement from a licensed practicing physician in New Jersey that he or she is in good mental health and able to operate or administer the home. Any such written statement by the physician shall be maintained on the premises and be available for review by representatives of the Department.

3. In the event that a licensed operator or administrator is unable to provide a medical certificate as required above, the licensed operator shall immediately appoint a substitute person or administrator who shall be required to furnish such medical certificate prior to entering into his or her duties as such.

4. If at any time the operator holding the license or the person assigned responsibility for administration of the home is for any reason unable to assume active charge, a substitute person or administrator shall be appointed and such substitute person shall be required to furnish a medical certificate such as that referred to above.]

8:43-4.6(c) [The following regulations on pre-employment and annual physical examinations, adopted by the State Board of Control on January 22, 1969 and effective that date, shall be applicable to all institutional facilities, except hospitals, licensed by the Department. These regulations replace those previously approved by the Department and have been made a part of the Manual of Standards for licensed institutional facilities. Full compliance shall be mandatory by January 22, 1971.

1. All regularly paid personnel shall have pre-employment physical examinations to include blood serology tests and x-rays of chest or tuberculin tests followed by x-ray of chest if indicated, but in no case shall the completion of the examination take more than two weeks. Since

the health of employees is directly related to the program of the institutional facility or home, these physical examinations shall be repeated and recorded annually.]

[2.] (No change in text.)

8:43-4.6[(j) All regularly employed personnel shall have pre-employment physical examinations and it is desirable that such examinations include a chest x-ray and Wassermann. Since the health of personnel is directly related to the program of the home, it is strongly advised that regular annual physical examinations be a matter of routine practice.]

Recodify (k) as (j).

8:43A-3.1(m)[1. A system of staff pre-employment physical examinations and subsequent health examinations. The content and frequency of such examinations shall be documented in the facility policy manual; and]

[2.] (No change in text.)

8:43-9.3(a)[7. A system of pre-employment and on-going physical examinations to include, but not be limited to, tuberculin test and/or chest X-ray, serological test for syphilis, complete blood count, urinalysis, medical and appropriate physical examination and tests. Positive tuberculin reactors shall have a chest X-ray.]

8:43B-5.1[(c) All regular paid personnel shall be given, within two weeks of employment, a physical examination including a chest x-ray or Tine test and stool cultures, if a history of typhoid fever is elicited.]

(d) These physical examinations, including the chest x-ray or Tine test, shall be repeated annually on all regular paid personnel.]

Recodify (e) - (h) as (c) - (f).

8:43B-15.1(d)[1. A system of staff pre-employment physical examinations and subsequent health examinations, including testing for hepatitis, as stated in the policy and procedure manual;]

Recodify 2 - 4 as 1 - 3.

8:43B-16.1(g)[1. Staff pre-employment and annual physical examinations, as specified in Section Five of the hospital manual.]

[2.] (No change in text, renumber i. - iii. as 1 - 3.)

8:43B-17.4(a)[1. A system of staff pre-employment physical examinations and subsequent health examinations, as stated in the policy and procedure manual;]

Recodify 2 - 4 as 1 - 3.

8:43F-3.7(a)[9. A plan for staff pre-employment physical examinations and subsequent health examinations, including content and frequency;]

Recodify 10 - 11 as 9 - 10.

8:39-1.1 Definitions

8:42-2.1 Definitions

8:43-9.2 Definitions

8:43F-1.1 Definitions

...
"Positive Tuberculin Reactor" means a person who has had a positive tuberculin test, determined on the basis of either a Mantoux tuberculin skin test with five tuberculin units of [stabilized] purified protein derivative[, or a vesiculation following a multiple puncture tuberculin test.] and has a skin reaction to the test of 10 or more millimeters of induration.
...

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Wanda J. Marra
Coordinator Standards
P.O. Box 1540
Trenton, N.J. 08625

The Department of Health may thereafter adopt rules concerning this subject without further notice.

Dr. Joanne E. Finley
Commissioner
Department of Health

(a)

HEALTH

DRUG UTILIZATION REVIEW COUNCIL

Proposed Amend Interchangeable Drug Products

The Drug Utilization Review Committee in the Department of Health proposes to add certain items from the list of interchangeable drug products referenced in N.J.A.C. 8:71.

Full text of the items proposed for addition follows.

Generic Name	Manufacturer
ADC/fluoride drops 0.25 mg	MJ
Allantoin/aminacrine, sulfanilamide vag. cream	Clay-Park
Amitriptyline HCL tabs, 25 mg	Halsey
Amoxicillin trihydrate caps 250, 500 mg	Mylan
Amoxicillin trihydrate for susp. 125/5 ml, 250/5 ml	Mylan
Anisotropine methylbromide tabs, 50 mg	Endo
Belladonna alk phenobarb. tabs	Chelsea
Brompheniramine comp. elix.	Pharm. Assoc., Gentek
Brompheniramine exp. comp. elixir	Pharm. Assoc.
Brompheniramine exp. comp./codeine	Pharm. Assoc.
Butalbital w/APC tabs	Generic
Carisoprodol comp. tabs	Bolar
Chloral hydrate 250/5 ml syrup	Pharm. Assoc.
Chlordiazepoxide caps 5, 10, 25 mg	Generic
Chlordiazepoxide/clidinium Br caps	Chelsea
Chlorpheniramine maleate tabs 4 mg	Barr
Chlorpromazine conc. 30 mg/ml	Cord
Chlorpromazine conc. 100 mg/ml	Cord
Chlorpromazine syrup 10 mg/5 ml	Cord
Chlorpromazine tabs 10, 25, 50, 100, 200 mg	KV
Chlorpromazine HCL tabs 25, 50 mg	Chelsea
Dicyclomine HCL tabs 20 mg	Danbury
Erythromycin estolate caps, 250 mg	Danbury
Erythromycin ethylsuccinate 200, 400 mg/5 ml	Upjohn
Erythromycin stearate tabs 500 mg	Zenith
Gramicidin/neomycin/nystatin/triamcinolone cream	Premo
Hydralazine HCL tabs 25, 50 mg	Par
Hydrocortisone lotion 1.0%	Clay-Park
Hydrocortisone oint. 2½%	Clay-Park

Generic Name	Manufacturer
Isosorbide dinitrate tabs 2.5, 5 mg s.l.	Par
Isosorbide dinitrate tabs 5, 10 mg	Par
Isosuprine HCL tabs 10, 20 mg	Cord, West-ward, Zenith, Par
Levothyroxine sodium tabs 0.1, 0.2 mg	Chelsea
Multiple vitamin/fluoride drops 0.25 mg	MJ
Nystatin cream	Clay-Park
Nystatin vag. tabs 100,000 u.	Chelsea
Oxacillin sodium caps 250, 500 mg	Biocraft
Phenylbutazone tabs 100 mg	Cord
Potassium chloride 10%, 20%	Pharm. Assoc.
Potassium gluconate liq.	Pharm. Assoc.
Primidone tabs 250 mg	Bolar
Probenecid tabs, 500 mg	Chelsea
Promethazine exp.	Pharm. Assoc.
Promethazine/DM ped. exp.	Pharm. Assoc.
Promethazine VC exp.	Pharm. Assoc.
Promethazine VC exp./codeine	Pharm. Assoc.
Promethazine exp./codeine	Pharm. Assoc.
Propantheline bromide/phenobarb. tabs	Bolar
Spirolactone tabs 25 mg	Bolar, Zenith
Spirolactone/hydrochlorothiazide tabs	Zenith
Sulfasalazine tabs 500 mg	Chelsea
Terbutaline tabs 2.5, 5 mg	Astra
Theophylline elixir	Pharm. Assoc.
Theophylline/guaifenesin caps	Scherer, Bolar, Pharmacaps
Theophylline/guaifenesin syrup	Dooner
Tolbutamide tabs, 500 mg	Zenith
Triprolidine/pseudoephedrine liq.	Pharm. Assoc.
Triprolidine/pseudoephedrine/codeine liq.	Pharm. Assoc.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Thomas T. Culkan
Executive Director
Drug Utilization Review Council
Box 1540, Room 801D
Trenton, N.J. 08625

The Drug Utilization Review Council may thereafter adopt rules concerning this subject without further notice.

Thomas T. Culkan
Executive Director
Drug Utilization Review Council
Department of Health

(b)

HEALTH

DRUG UTILIZATION REVIEW COUNCIL

Proposed Amend Interchangeable Drug Products

The Drug Utilization Review Council in the Department of Health proposes to delete certain items from the list of interchangeable drug products referenced in N.J.A.C. 8:71.

Full text of the items proposed for deletion follows.

Generic Name	Manufacturer	Generic Name	Manufacturer
Acetaminophen w/codeine, 30 mg, 60 mg	T.P., Zenith	Neomycin, Polymyxin B, and bacitracin ophth oint.	Allergan
Allantoin, aminacrine, sulfanilamide vag. cream	G & W	Nylidrin HCL tabs, 6, 12 mg	Zenith
Amoxicillin caps, 250, 500 mg	P-D	Oxytetracycline HCL caps, 250 mg	Purepac, P-D
Amoxicillin for susp. 125/5 ml, 250/5 ml	Copanos	Penicillin G Potassium tabs, 200,000 U.	Zenith
Ampicillin trihydrate caps, 250, 500 mg	P-D, Purepac, Zenith	Penicillin G Potassium tabs, 400,000 U.	Purepac, Zenith
Ampicillin trihydrate for susp., 125/5 ml, 250/5 ml	Copanos, Purepac	Penicillin G Potassium for soln. 400,000 U./5 ml	Purepac
APC w/codeine tabs, 15 mg	Purepac, T.P.	Penicillin VK tabs, 250 mg	Purepac, Zenith
APC w/codeine tabs, 30, 60 mg	Purepac, Zenith	Penicillin VK for soln., 125/5 ml	Copanos, Purepac, Zenith
Aspirin w/codeine tabs, 15, 30, 60 mg	Zenith	Penicillin VK for soln., 250/5 ml	Copanos, Purepac
Belladonna alkaloids w/phenobarbital tabs	Bowman, Purepac, Tablicaps	Pentaerythritol tetranitrate tabs, 10, 20mg	Zenith
Brompheniramine maleate tabs, 4 mg	Tablicaps	Phenazopyridine HCL tabs, 100 mg	Tablicaps
Butabarbital sod. elix. 30 mg/5 ml	Purepac	Phendimetrazine tartrate tabs, 35 mg	Camall, Zenith
Butalbital w/APC tabs	Purepac, Zenith	Potassium chloride liq, 10%	Bowman, Purepac, Rexall
Chloral hydrate caps, 500 mg	P-D	Potassium chloride liq, 20%	Purepac, Rexall
Chloral hydrate syrup, 500 mg/5 ml	Purepac	Procainamide HCL caps, 250, 375, 500 mg	Zenith
Chloramphenicol caps, 250 mg	P-D	Promethazine HCL w/pot. guaicol sulfonate syrup	Purepac
Chloramphenicol ophth. soln. 0.5%	Allergan	Promethazine HCL w/pot. guaicol sulfonate & cod. syrup	Purepac
Chlordiazepoxide HCL caps, 5, 10, 25 mg	P-D, Purepac, Zenith	Promethazine HCL w/pot. guaicol sulfonate, P.E. & cod. syrup	Purepac
Chlorothiazide tabs, 250 mg	Camall	Propoxyphene HCL caps, 32 mg	Zenith
Chlorpheniramine maleate tabs, 4 mg	Bowman, Purepac, Tablicaps, Zenith	Propoxyphene HCL caps, 65 mg	Purepac, Zenith
Chlorpheniramine maleate syrup, 2 mg/5 ml	Bowman	Propoxyphene HCL 65 mg w/APC	P-D, Purepac, Zenith
Cyclandelate caps, 200 mg	MD	Sodium fluoride tabs, 2.2 mg	Bowman
Cyproheptadine tabs, 4 mg	Zenith	Sulfacetamide sodium ophth. soln. 10%, 20%	Allergan
Dicyclomine tabs, 20 mg	Tablicaps	Sulfisoxazole tabs, 0.5 g	Zenith
Diphenhydramine HCL caps, 25, 50 mg	P-D, Purepac, Zenith	Tetracycline HCL caps, 250, 500 mg	P-D, Purepac, Zenith
Diphenhydramine HCL elix. 12.5 mg/5 ml	Purepac	Tetracycline HCL susp, 125/5 ml	Purepac
Diphenoxylate HCL w/atropine sulfate tabs	Mallinckrodt	Trihexyphenidyl HCL tabs, 5 mg	Tablicaps
Erythromycin stearate tabs 250 mg	Purepac, Zenith	Tripelennamine HCL tabs, 50 mg	Tablicaps
Folic acid tabs, 1 mg	Purepac, Tablicaps, T.P.	Tripolidine HCL w/pseudoephedrine HCL tabs	Purepac, Zenith
Glutethimide tabs, 500 mg	Zenith		
Hydralazine HCL tabs, 10, 25, 50 mg	Zenith		
Hydrochlorothiazide tabs, 25, 50 mg	Camall, Zenith		
Hydrochlorothiazide tabs, 100 mg	Zenith		
Idoxuridine ophth soln. 0.1%	Allergan		
Imipramine HCL tabs, 10, 25, 50 mg	Geigy		
Isosorbide dinitrate s.l. tabs, 2.5 mg	Zenith		
Isosorbide dinitrate s.l. tabs 5 mg	Purepac, Zenith		
Isosorbide dinitrate tabs, 5 mg	Zenith		
Isosorbide dinitrate tabs, 10 mg	Purepac, Zenith		
Meclizine HCL tabs, 12.5 mg	Camall, Zenith		
Meclizine HCL tabs, 25 mg	Bowman, Camall, Zenith		
Meprobamate tabs, 200 mg	Purepac, T.P., Zenith		
Meprobamate tabs, 400 mg	Purepac, Tablicaps, T.P., Zenith		
Methocarbamol tabs, 500, 750 mg	Purepac, Tablicaps, Zenith		

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Thomas T. Culkin
Executive Director
Drug Utilization Review Council
Box 1540, Room 801D
Trenton, N.J. 08625

The Drug Utilization Review Council may thereafter adopt rules concerning this subject without further notice.

Thomas T. Culkin
Executive Director
Drug Utilization Review Council
Department of Health

(a)

HEALTH

THE COMMISSIONER

Notice of Correction

Take notice that there is an error in the proposal on drug labeling published June 5, 1980 at 12 N.J.R. 315(a). 8:21-1.32(e) should read as follows:

(e) If a person manufactures, packs or distributes a device at a place other than his principal place of business, the label may state the principal place of business in lieu of the actual place where such device was manufactured or packed or is to be distributed, unless such statement would be misleading.

This Notice is published as a matter of public information.
Howard H. Kestin
Director
Office of Administrative Law

(b)

HEALTH

PUBLIC HEALTH COUNCIL

Amend Health Officer Licensure

On June 16, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-38 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:7-1.7(c) concerning health officer licensure as proposed in the Notice published April 10, 1980 at 12 N.J.R. 181(c).

An order adopting this rule was filed July 17, 1980 to become effective on September 1, 1980 as R.1980 d.317.

Howard H. Kestin
Director
Office of Administrative Law

(c)

HEALTH

THE COMMISSIONER

Amend Utilization Review

On July 11, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted repeal of N.J.A.C. 8:31B-3.48 and adopted new rules to be cited as N.J.A.C. 8:31B-5 concerning utilization review as proposed in the Notice published May 8, 1980 at 12 N.J.R. 262(a), but with subsequent, substantive changes not detrimental to the public in the opinion of the department.

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.318.

Howard H. Kestin
Director
Office of Administrative Law

(d)

HEALTH

THE COMMISSIONER

Amend Local Boards of Health

On June 16, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-15 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:51-1.2(a) concerning local boards of health as proposed in the Notice published May 8, 1980 at 12 N.J.R. 272(a).

An order adopting this rule was filed July 17, 1980 to become effective on September 1, 1980 as R.1980 d.319.

Howard H. Kestin
Director
Office of Administrative Law

(e)

HEALTH

THE COMMISSIONER

Amend Drug Labeling

On July 11, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 24:5-18(b) and in accordance with the applicable provisions of the Administrative Procedure Act, repealed N.J.A.C. 8:21-1.13 and adopted new rules to be cited as N.J.A.C. 8:21-1.31 and 1.32 concerning drug labeling as proposed in the Notice published June 5, 1980 at 12 N.J.R. 315(a).

An order adopting this rule was filed July 17, 1980 to become effective on April 10, 1981 as R.1980 d.320.

Howard H. Kestin
Director
Office of Administrative Law

(f)

HEALTH

THE COMMISSIONER

Amend Local Boards of Health Standards

On June 16, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 26:1A-15(i) and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 8:51 concerning local boards of health standards as proposed in the Notice published June 5, 1980 at 12 N.J.R. 316(a).

An order adopting this rule was filed July 17, 1980 to become effective on September 1, 1980 as R.1980 d.321.

Howard H. Kestin
Director
Office of Administrative Law

(g)

HEALTH

THE COMMISSIONER

Amend Controlled Dangerous Substances

On June 16, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A.

24:21-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 8:65-10.1(b) concerning controlled dangerous substances.

Full text of the adoption follows (deletions indicated in brackets [thus], additions indicated in boldface thus).

8:65-10.1(b)1. Opiates: Unless specifically excepted or unless listed in another schedule, any of the following opiates, including its isomers, esters, ethers, salts and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation (listed by generic/established or chemical name with CDS code):

...
[Dextrophan 9614]
...

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.322 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(a)

HEALTH

THE COMMISSIONER

Amend Controlled Dangerous Substances

On June 16, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 8:65-10.2 concerning controlled dangerous substances.

Full text of the adoption follows (deletions indicated in brackets [thus], additions indicated in boldface thus).

8:65-10.2(b)1i. Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, nalbuphine, malozone and naltrexone and their respective salts, but including the following (listed by generic/established or chemical name with CDS code):

...
[Apomorphine 9030]
...

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.323 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(b)

HEALTH

THE COMMISSIONER

Amend Controlled Dangerous Substances

On June 17, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq. and in accordance with the applicable pro-

visions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 8:65-10.4 concerning reclassification of dextropropoxyphene.

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

8:65-10.4(b)3. Other substances: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, including its salts (listed by generic/established or chemical name with CDS code):

[Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 8121]
Pentazocine 9709

8:65-10.4(b)4. Narcotic drugs: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

i. Not more than 1 milligram of difenoxin (Drug Code No. 9618) and not less than 25 micrograms of atropine sulfate per dosage unit.

ii. Dextropropoxyphene (alpha-(+)-4-dimethylamino-1,2-diphenyl-3-methyl-2-propionoxybutane) 9273

An order adopting this rule was filed and became effective on July 18, 1980 as R.1980 d.327 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(c)

HEALTH

THE COMMISSIONER

Use of Dextropropoxyphene In Narcotic Treatment

On June 17, 1980, Joanne E. Finley, M.D., M.P.H., Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new rule to be cited as N.J.A.C. 8:65-11.7 concerning use of dextropropoxyphene in narcotic treatment.

Full text of the new rule follows.

8:65-11.7 Use of dextropropoxyphene

(a) Narcotic Treatment Programs. Under the provisions of the Narcotic Treatment Act of 1974 (Pub. L. 93-281, May 14, 1974) and the regulations of DEA and FDA, narcotic treatment programs are currently using methadone, a Schedule II narcotic drug, in detoxification and maintenance treatment. However, a smaller number of practitioners have also been using dextropropoxyphene to treat drug dependent persons.

(b) The classification of dextropropoxyphene as a narcotic drug in Schedule IV by this final order will result in practitioners currently treating persons for drug dependence with dextropropoxyphene no longer being able to do so since its status as a schedule IV narcotic drug places it under the provisions of the Narcotic Treatment Act of 1974 and the applicable DEA and FDA regulations. Since the only drug authorized to be used under the FDA

regulations (21 CFR 291) is methadone, practitioners currently using dextropropoxyphene to treat drug dependent persons must terminate such activity within 120 days of the publication of this order.

(c) Two possible alternatives available within the 120 day period are for the patients involved to obtain treatment in an existing methadone program or for the concerned practitioner to seek FDA authority to commence a methadone treatment program.

An order adopting this rule was filed and became effective on July 18, 1980 as R.1980 d.328 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(a)

HIGHER EDUCATION

BOARD OF HIGHER EDUCATION

Physician-Dentist Loan Advisory Committee

On July 2, 1980, the Board of Higher Education, pursuant to authority of N.J.S.A. 18A:72D-1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 9:16-1 concerning physician/dentist loan Advisory Committee as proposed in the Notice published March 6, 1980 at 12 N.J.R. 118(a), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed and became effective on July 9, 1980 as R.1980 d.309.

Howard H. Kestin
Director
Office of Administrative Law

(b)

HIGHER EDUCATION

BOARD OF HIGHER EDUCATION

Emergency Adoption of Tuition Benefit Program

On July 18, 1980, the Board of Higher Education, pursuant to authority of N.J.S.A. 18A:71-77 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency rules to be cited as N.J.A.C. 9:7-6 concerning tuition benefit program.

An order adopting this rule was filed and became effective on July 17, 1980 as R.1980 d.324 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(c)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amend Return of a Child(ren) from Foster Care Placement

Ann Klein, Commissioner, Department of Human Ser-

vices, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 proposes to amend N.J.A.C. 10:82-5.10 in the Assistance Standards Handbook concerning return of a child(ren) from foster care placement.

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

10:82-5.10(e) Return of child from foster care placement:

1. Emergency assistance may be authorized to a family on behalf of a child when the Division of Youth and Family Services (DYFS) has established a specific plan for the return of a child from foster care placement and all of the following conditions exist:

i. The CWA is in receipt of written verification from DYFS that the return is barred solely by insufficient or inadequate shelter, food, clothing or house furnishings and there is no other way by which a deficiency can be remedied.

ii. DYFS has certified that the return of the child will be effected on a date subject to remedy of the deficiency.

iii. The child had been living with his/her parents or other relatives to whom he/she is to be returned within 6 months prior to the month in which a grant of emergency assistance is provided.

iv. Upon return of the child, AFDC eligibility will exist.

2. Payments of emergency assistance as identified in this section may be authorized during the 30 day period immediately prior to the expected return date and must comply with the conditions in subsection (b) of this section.

3. Allowances:

i. Shelter - Allowances may be made for the cost of change in permanent shelter arrangement including moving costs, security and utilities deposits when necessary, or cost of improvement of existing shelter; the above to be based on the most reasonable cost available.

ii. Food - An allowance for food may be provided in accordance with subsection (c)2 of this section.

iii. Clothing - An allowance for clothing may be provided in accordance with subsection (c)3 of this section.

iv. Home furnishings - An allowance for house furnishings may be made in accordance with subsection (c)4 of this section.

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

Ann Klein
Commissioner
Department of Human Services

(d)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amendments Concerning Treatment of Funds in Trust Accounts or in Joint Accounts In Determining Eligibility for GA

Ann Klein, Commissioner, Department of Human Services, pursuant to authority of N.J.S.A. 44:8-111 proposes to amend N.J.A.C. 10:85-3.3 and 3.4 (General Assistance

Manual) concerning treatment of funds in trust accounts or in joint accounts in determining eligibility for GA.

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

10:85-3.3(b)4. Demand Deposits—Funds which are available to the applicant(s) or any member(s) of the eligible unit upon demand, i.e., signature authority, are to be considered fully available for purposes of eligibility determination. This includes funds in joint accounts regardless of the source of the funds when the applicant or eligible unit member may make unrestricted withdrawals, i.e., "or" accounts. When use of funds is restricted by the need for the signature of a person(s) who is/are not a member(s) of the eligible unit, i.e., "and" account(s), a pro rata share of the funds shall be considered available unless a demonstration is made that actual ownership is in a different proportion. Such different proportion shall then be recognized. If it is demonstrated that funds in such an account are totally inaccessible, they shall not be considered. Information relating to accessibility or the lack of it must be verified.

10:85-3.4(g) Trust Funds—When a trust fund exists for a member of the eligible unit, the MWD shall determine whether or not funds are currently accessible. If accessible, the funds represent an available resource and must be considered in determining eligibility.

1. When funds in trust are not currently accessible and the trust exists at the time of application, the client must, as a condition of eligibility, make a bona fide presentation of a petition to the appropriate court for release of the funds for current and future support. The agency with the aid of counsel will assist the client if necessary.

2. When funds in trust are not currently accessible and the trust came into being during the term of the assistance case, the agency will with the aid of counsel present a petition to the appropriate court for release of funds for current and future support. The client must, as a condition of continuing eligibility, provide whatever cooperation may be necessary in the presentation of the petition.

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

Ann Klein
Commissioner
Department of Human Services

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amend GAM: Overpayments And Underpayments

Ann Klein, Commissioner, Department of Human Services, pursuant to authority of N.J.S.A. 44:8-111 proposes

to amend N.J.A.C. 10:85-3.6 (General Assistance Manual) concerning overpayments and underpayments.

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

10:85-3.6 [Recoupment of overpayments] Adjustments in payments

(a) Overpayments/Underpayments: In all situations of overpayments or underpayments, the facts and circumstances in each case shall be evaluated, and where indicated, action taken as appropriate in accordance with the following manual regulations.

1. Overpayments:

- [a] i. (No change in text)
- [1.] ii. (No change in text)
- [2.] iii. (No change in text)
- [3.] iv. (No change in text)

2. Underpayments:

i. When underpayment was due to failure of a member of the eligible unit to provide appropriate information, the next regular payment shall reflect the corrected grant for that payment period and the amount necessary to correct the payment for the period immediately preceding.

ii. When underpayment was due exclusively to administrative error by the agency, corrective payment shall be made retroactively to that month, within the 12 months immediately preceding the discovery of the underpayment, in which the administrative error first occurred. Corrective payment resulting from a fair hearing decision shall be retroactive to the date the incorrect action was taken.

(1) Such retroactive adjustment shall be made as an additional payment as promptly as possible but in no event later than the time of the next regular payment.

(2) For purposes of determining continuing eligibility or the amount of assistance, retroactive corrective payments shall not be considered as income or resource to the eligible unit either in the month paid or in the following month(s).

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

Department of Human Services
Ann Klein
Commissioner

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Proposed Amend FSM: Shelter Cost Deductions

Ann Klein, Commissioner, Department of Human Services, pursuant to authority of N.J.S.A. 30:4B-2 proposes to amend N.J.A.C. 10:87-5.10 in the Food Stamp Manual concerning shelter cost deductions.

(Continued on Page 481)

INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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

It includes all rules adopted from receipt of the last individual transmittals as indicated through July 17, 1980.

RULES NOT YET IN PRINT IN CODE: Adoption Notices may be found in N.J. Register beginning with July 5, 1979. Full text (in proposal form), if published, may be found in N.J. Register beginning with Mar. 8, 1979.

N.J.A.C. CITATION	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
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ADMINISTRATIVE LAW — TITLE 1

1:1	Rules on administrative hearings	R.1980 d.275	12 N.J.R. 362(a)
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AGRICULTURE — TITLE 2

2:2-2.4	Amend conformity of brucellosis tests and federal standards	R.1980 d.237	12 N.J.R. 377(c)
2:6-1.3, 1.4	Amend biologic product licensing	R.1980 d.306	12 N.J.R. 451(b)
2:16	Amend seed certification requirements	R.1980 d.210	12 N.J.R. 302(a)
2:52-2.1, 2.2, 3.1, 3.2, 4.1	Amend notices by milk dealers, processors and stores	R.1980 d.284	12 N.J.R. 450(c)
2:53-4.1, 4.2	Amend notices by milk dealers, processors and stores	R.1980 d.284	12 N.J.R. 450(c)
2:54	Amend milk marketing	R.1980 d.285	12 N.J.R. 450(d)
2:69-1.11	Amend commercial values of primary plant nutrients	R.1980 d.238	12 N.J.R. 378(a)
2:70-1.1, 1.8	Amend agricultural liming materials	R.1980 d.239	12 N.J.R. 378(b)
2:71-2.28—2.31	Amend fruit and vegetable inspection and grading	R.1980 d.140	12 N.J.R. 248(b)
2:72-1.1	Amend bond requirements	R.1980 d.57	12 N.J.R. 103(a)
2:90-1.3	Amend soil erosion and sediment control	R.1980 d.305	12 N.J.R. 451(a)

(Title 2, Transmittal 16 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

BANKING — TITLE 3

3:1-1.1	Amend interest rates	R.1980 d.151	12 N.J.R. 249(b)
3:2	Advertising by financial institutions	R.1980 d.125	12 N.J.R. 170(a)
3:6-8.1	Savings banks' deposits	R.1980 d.144	12 N.J.R. 249(a)
3:6-8.2	Escrow account limitations	R.1980 d.298	12 N.J.R. 451(c)
3:6-9.1	Maximum interest rate on small business loans	R.1980 d.204	12 N.J.R. 302(d)
3:11-2.1	Amend approved subsidiaries	R.1980 d.240	12 N.J.R. 333(a)
3:21-1.8	Loan interest rate; credit union law	R.1980 d.207	12 N.J.R. 303(a)
3:22	Insurance Premium Finance Company Act	R.1980 d.203	12 N.J.R. 302(c)

(Title 3, Transmittal 15 dated January 17, 1980 includes all rules through March 6, 1980 N.J. Register.)

CIVIL SERVICE — TITLE 4

4:1-2.1	Amend definition of immediate family	R.1980 d.60	12 N.J.R. 104(a)
4:1-9.1	Amend review of scoring key	R.1980 d.236	12 N.J.R. 333(c)
4:1-9.5	Amend performance evaluations	R.1980 d.61	12 N.J.R. 104(b)
4:1-17.9	Amend disability leave and sick leave injury	R.1980 d.231	12 N.J.R. 333(b)
4:1-20.3	Amend performance evaluation	R.1980 d.61	12 N.J.R. 104(b)

(Title 4, Transmittal 13 dated June 1, 1979 includes all rules through February 7, 1980 N.J. Register.)

COMMUNITY AFFAIRS — TITLE 5

5:19	Repeal rules of practice of Bureau of Housing Inspection	R.1980 d.205	12 N.J.R. 305(a)
5:22	Rules on exemptions from taxation	R.1980 d.206	12 N.J.R. 305(b)
5:23	Amend Uniform Construction Code	R.1980 d.316	12 N.J.R. 452(a)
5:23-4.9	Repeal plan waivers	R.1980 d.276	12 N.J.R. 452(b)
5:23-6	Readopt solar facility tax exemption	R.1980 d.303	12 N.J.R. 452(c)
5:25	Amend new home warranty	R.1980 d.316	12 N.J.R. 452(d)
5:25-1.3, 4.2, 5.5	Amend new home warranties and builders registration	R.1980 d.158	12 N.J.R. 250(a)
5:26-1.3, 2.2, 2.17, 3.1, 4.2, 6.5, 8.4, 11.7, 11.9	Amend planned real estate development full disclosure	R.1979 d.439	11 N.J.R. 610(b)
5:30-17	Co-operative pricing and joint purchasing systems	R.1980 d.104	12 N.J.R. 172(a)
5:30-17	Ratify rules concerning cooperative pricing and joint purchasing system	R.1980 d.243	12 N.J.R. 388(b)
5:80	Amend determining rents or carrying charges in developments financed by HFA	R.1980 d.234	12 N.J.R. 388(a)
5:100-1.6	Amend ombudsman subpoenas	R.1980 d.233	12 N.J.R. 387(a)

(Title 5, Transmittal 13 dated October 1, 1979 includes all rules through November 8, 1979 N.J. Register.)

EDUCATION — TITLE 6

6:3-1.22	Evaluation of tenured chief school administrators	R.1979 d.480	12 N.J.R. 7(a)
6:8-1.1	Amend evaluation and classification process	R.1980 d.107	12 N.J.R. 178(a)
6:8-1.1, 3.8, 4.2	Amend high school graduation requirements	R.1980 d.106	12 N.J.R. 177(b)
6:8-6.2, 7.1	Amend evaluation and classification process	R.1980 d.107	12 N.J.R. 178(a)
6:11-4.7	Amend county substitute certificate	R.1980 d.105	12 N.J.R. 177(a)
6:20-3.1, 3.4	Amend tuition public schools	R.1980 d.165	12 N.J.R. 251(c)
6:20-3.1, 3.4	Amend public school tuition	R.1980 d.225	12 N.J.R. 308(a)
6:20-5.4	Additional State school building aid	R.1979 d.479	12 N.J.R. 6(b)
6:20-6.2, 6.8	Amend purchase and loan of textbooks	R.1980 d.163	12 N.J.R. 251(a)
6:20-7	Amend qualifications, debarment, suspension and disqualification of person(s) concerning contract administration	R.1979 d.478	12 N.J.R. 6(a)
6:20-8	Rules on public school contracts	R.1980 d.69	12 N.J.R. 107(a)
6:26-3.1	Amend operation of summer schools	R.1980 d.68	12 N.J.R. 106(a)
6:27-1.4	Amend high school graduation requirements	R.1980 d.106	12 N.J.R. 177(b)
6:27-3.1	Amend operation of summer schools	R.1980 d.68	12 N.J.R. 106(a)
6:29-7.1	Family life education	R.1980 d.164	12 N.J.R. 251(b)
6:31	Amend bilingual education	R.1980 d.70	12 N.J.R. 107(b)
6:68-2	Amend library incentive grant program	R.1980 d.224	12 N.J.R. 307(b)

(Title 6, Transmittal 15 dated Nov. 13, 1979 includes all rules through Dec. 6, 1979 N.J. Register.)

ENVIRONMENTAL PROTECTION — TITLE 7

7:1C-1.2, 1.6—1.10	Amend 90-day construction permits	R.1980 d.75	12 N.J.R. 113(d)
7:1C-1.9	Amend appeals	R.1980 d.312	12 N.J.R. 462(d)
7:1E-1.3	Amend discharges of petroleum and other hazardous substances	R.1980 d.185	12 N.J.R. 314(a)
7:1E-1.3	Amend discharges of petroleum and other hazardous substances	R.1980 d.267	12 N.J.R. 392(b)
7:1E-1.3	Amend discharge of hazardous substances	R.1980 d.326	12 N.J.R. 463(a)
7:1F	Industrial survey project	R.1980 d.129	12 N.J.R. 259(c)
7:1F	Amend industrial survey project	R.1980 d.181	12 N.J.R. 313(b)
7:4-2.2(c)	Amend N.J. Register of Historic Places	R.1980 d.241	12 N.J.R. 391(b)
7:6-8	Motor vehicles using ice-covered waters	R.1980 d.88	12 N.J.R. 114(b)
7:7A-1.14	Amend appeals	R.1980 d.312	12 N.J.R. 462(d)
7:9-1.98	Delete rule on other disinfectants	R.1980 d.182	12 N.J.R. 313(c)
7:12	Amend condemnation of certain shellfish beds	R.1980 d.230	12 N.J.R. 391(a)
7:12-1.4	Delete rule on condemnation of certain Atlantic Ocean waters for shellfish harvesting	R.1980 d.48	12 N.J.R. 112(b)
7:13-1.11	Amend Green Brook floodway	R.1980 d.325	12 N.J.R. 462(e)
7:13-1.11(c)	Amend flood plain delineation of the Delaware River	R.1980 d.65	12 N.J.R. 113(b)
7:13-1.11(c)	Amend flood plain delineations; North Branch Rancocas Creek and Rancocas Creek; Burlington County	R.1980 d.76	12 N.J.R. 113(e)
7:13-1.11(c)	Amend flood plain delineation within the Delaware River Basin	R.1980 d.242	12 N.J.R. 391(c)
7:13-1.11(c)	Amend delineated floodways in the Delaware Basin	R.1980 d.251	12 N.J.R. 391(e)

7:15-1.11(d)	Amend delineated floodways in the Raritan Basin	R.1980 d.99	12 N.J.R. 181(b)
7:13-1.11(d)	Amend flood plain delineation of parts of the Rockaway River and Passaic River	R.1980 d.66	12 N.J.R. 113(c)
7:14-2.5	Amend water pollution control act regulations	R.1980 d.49	12 N.J.R. 112(c)
7:14-2.26	Wastewater treatment report	R.1980 d.58	12 N.J.R. 113(a)
7:14-5	Septage disposal	R.1980 d.277	12 N.J.R. 462(a)
7:23	Amend flood control bond grants	R.1980 d.279	12 N.J.R. 462(b)
7:25-5	1980-1981 Game Code	R.1980 d.266	12 N.J.R. 392(a)
7:25-7.2	Amend oyster seed beds	R.1980 d.215	12 N.J.R. 314(d)
7:25-7.4	Oyster dredging prohibition	R.1980 d.216	12 N.J.R. 314(e)
7:25-15.1	Amend relay of hard clams	R.1980 d.161	12 N.J.R. 260(a)
7:25-17	Disposal of dead deer	R.1980 d.193	12 N.J.R. 314(c)
7:25-20.1	Temporary fishing ban	R.1980 d.177	12 N.J.R. 313(a)
7:25-20.1	Temporary fishing ban	R.1980 d.184	12 N.J.R. 313(e)
7:26-3.2, 4.7	Amend registration and fees for solid waste collector/haulers	R.1980 d.250	12 N.J.R. 391(d)
7:27-18	Amend air pollution in non-attainment areas	R.1980 d.307	12 N.J.R. 462(c)
7:28-12	Amend transportation	R.1980 d.191	12 N.J.R. 314(b)
7:28-24.15	Amend certification fees for nuclear medicine technology	R.1980 d.87	12 N.J.R. 114(a)
7:37-1.5(d)	Delete part of rules on urban neighborhood assistance program	R.1980 d.183	12 N.J.R. 313(d)

(Title 7, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

HEALTH — TITLE 8

8:7-1.7	Amend health officer licensure	R.1980 d.317	12 N.J.R. 467(b)
8:7-1.9(a)	Amend health officer qualifications	R.1980 d.168	12 N.J.R. 272(c)
8:15	Amend effective date	R.1980 d.32	12 N.J.R. 75(b)
8:15	Correction to printed text	—	12 N.J.R. 74(b)
8:15	Repeal rules on smoking in certain public places	R.1980 d.124	12 N.J.R. 187(a)
8:19	Newborn hearing screening program	R.1980 d.173	12 N.J.R. 273(d)
8:21-1.13	Amend drug labeling	R.1980 d.320	12 N.J.R. 467(e)
8:21-1.29	Labeling, sale and distribution of cosmetics for professional use only	R.1980 d.218	12 N.J.R. 317(a)
8:21-1.31, 1.32	Amend drug labeling	R.1980 d.320	12 N.J.R. 467(e)
8:21-3.14	Delete rules	R.1979 d.454	11 N.J.R. 622(d)
8:21-3.15—3.18	Repeal of certain rules concerning Uniform Narcotic Act	R.1979 d.451	11 N.J.R. 622(a)
8:21-10.12(f)	Amend expiration date requirement for containers of white whole milk	R.1980 d.96	12 N.J.R. 186(a)
8:21A	Rules on good drug manufacturing	R.1979 d.453	11 N.J.R. 622(c)
8:25-3.2(a)	Amend physical examinations regarding Youth Camp Safety Act standards	R.1980 d.169	12 N.J.R. 272(d)
8:30	Amend expiration date	R.1980 d.257	12 N.J.R. 406(a)
8:31-8 App. B	Amend standards and general criteria for the planning, certifi- cation of need and designation of perinatal services	R.1979 d.369	11 N.J.R. 549(c)
8:31-25.1(a)23	Add dexamethasone to list of therapeutic agents	R.1979 d.409	11 N.J.R. 550(c)
8:31-30.1	Amendments concerning plan review fee	R.1980 d.256	12 N.J.R. 405(b)
8:31A-5.5	Temporary reporting procedures; implementation of S446	R.1979 d.368	11 N.J.R. 549(b)
8:31A-5.5	Amend hospital cost reporting procedures	R.1980 d.271	12 N.J.R. 407(a)
8:31A-6	1981 Hospital Rate Setting Rules in SHARE Manual	R.1980 d.269	12 N.J.R. 406(d)
8:31A-7	1981 SHARE guidelines	R.1980 d.270	12 N.J.R. 406(e)
8:31B-2	Rules on hospital reporting of uniform bill-patient summaries (in-patient)	R.1979 d.450	11 N.J.R. 621(a)
8:31B-3	Procedural and methodological regulations to implement Chapter 83, P.L. 1978	R.1979 d.408	11 N.J.R. 550(b)
8:31B-3.8(b)	Amend procedural and methodological rules for implementing Chapter 83, P.L. 1978	R.1979 d.484	12 N.J.R. 15(b)
8:31B-3.48	Utilization review	R.1980 d.318	12 N.J.R. 467(c)
8:31B-4	Financial elements and reporting	R.1979 d.407	11 N.J.R. 550(a)
8:31B-5	Utilization review	R.1980 d.318	12 N.J.R. 467(c)
8:32	Amend 1976-77 (Interim) N.J. State Medical Facilities Plan Long-term care bed need methodology and formula	R.1980 d.110	12 N.J.R. 186(b)
8:33-1.4, Exhibit 2	Amendments to guidelines and criteria for submission of applications for certificates of need	R.1980 d.36	12 N.J.R. 75(e)
8:33-1.4, 2.7, 2.8	Amend guidelines and criteria for submission of applications for certificate of need	R.1980 d.123	12 N.J.R. 186(c)
8:34-1.29, 1.30	Administrative experience regarding nursing home administrators	R.1980 d.170	12 N.J.R. 273(a)
8:35-1.3(g)	Amend antibiotic use	R.1980 d.85	12 N.J.R. 117(a)
8:36	Delete current text	R.1980 d.39	12 N.J.R. 76(c)

8:36A	Amend certificate of need for end stage renal disease service	R.1980 d.34	12 N.J.R. 75(c)
8:37	Amend expiration date	R.1980 d.257	12 N.J.R. 406(a)
8:39	Amend effective date	R.1980 d.257	12 N.J.R. 406(a)
8:39-1.1	Amend definition of ancillary nursing personnel	R.1980 d.171	12 N.J.R. 273(b)
8:39-1.15, 1.25	Amendments to Manual of Standards for Licensure of Long-Term Care Facilities	R.1980 d.258	12 N.J.R. 406(b)
8:39-1.33	Amend standards for licensure of long term care facilities	R.1979 d.492	12 N.J.R. 16(e)
8:42-1.1	Amend definition of governing authority	R.1979 d.485	12 N.J.R. 15(c)
8:42-3	Extend expiration date of standards to June 30, 1980	R.1979 d.486	12 N.J.R. 15(d)
8:42-3	Amend expiration date of standards, alcohol abuse residential and inpatient treatment facilities	R.1980 d.272	12 N.J.R. 407(b)
8:43-4.1(a)	Amendments to standards for licensure of new boarding homes for sheltered care	R.1980 d.172	12 N.J.R. 273(c)
8:43A-1.21(b)	Amend emergency medical care and defibrillators	R.1979 d.488	12 N.J.R. 16(a)
8:43A-1.52, 1.59, 1.63	Amend hours of counseling and availability of hours	R.1979 d.406	11 N.J.R. 549(e)
8:43A-1.66	Amend construction standards	R.1979 d.493	12 N.J.R. 17(a)
8:43A-1.71	Amend computerized axial tomography services	R.1979 d.487	12 N.J.R. 15(e)
8:43A-1.72	Extend expiration date for standards to June 30, 1980	R.1979 d.489	12 N.J.R. 16(b)
8:43A-1.72	Amend expiration date of standards	R.1980 d.273	12 N.J.R. 407(c)
8:43A-1.74	Amendments on intermediate renal dialysis services	R.1980 d.39	12 N.J.R. 76(c)
8:43B-1.11(q)7	Amend waiver of emergency room services	R.1979 d.410	11 N.J.R. 550(d)
8:43B-7.2(c)	Amend respiratory therapists	R.1979 d.491	12 N.J.R. 16(d)
8:43B-17.12, 17.13, 17.16	Amend number of physicians and cardiac diagnostic and surgical services	R.1979 d.490	12 N.J.R. 16(c)
8:43B-17.17	Amend construction standards and cardiac diagnostic and surgical services	R.1979 d.494	12 N.J.R. 17(b)
8:43F	Manual of Standards for Licensure of Non-Residential Medical Day Care Facilities	R.1979 d.452	11 N.J.R. 622(b)
8:45-1.3	Amend clinical laboratories licensure fees	R.1979 d.398	11 N.J.R. 549(d)
8:45-2.1, 2.2	Amendments increasing certain laboratory fees	R.1979 d.411	11 N.J.R. 550(e)
8:51	Amend local board of health standards	R.1980 d.321	12 N.J.R. 467(f)
8:51-1.2(a)	Amend local board of health	R.1980 d.319	12 N.J.R. 467(d)
8:65-1.1—1.3	Use of controlled dangerous substances by animal care facilities	R.1980 d.86	12 N.J.R. 117(b)
8:65-2	Delete rules	R.1979 d.453	11 N.J.R. 622(c)
8:65-2.5, 5.3, 5.4, 5.11, 5.17, 6.6	Use of controlled dangerous substances by animal care facilities	R.1980 d.86	12 N.J.R. 117(b)
8:65-10.1	Amend controlled dangerous substances	R.1980 d.322	12 N.J.R. 467(g)
8:65-10.2	Amend controlled dangerous substances	R.1980 d.323	12 N.J.R. 468(a)
8:65-10.2(b)5.	Add immediate precursors to Schedule II of Controlled Dangerous Substances	R.1980 d.37	12 N.J.R. 76(a)
8:65-10.2(b)5.	Add immediate precursor to phencyclidine (PCP)	R.1980 d.38	12 N.J.R. 76(b)
8:65-10.4	Amend controlled dangerous substances	R.1980 d.327	12 N.J.R. 468(b)
8:65-10.8	Amend exempt chemical preparations	R.1980 d.180	12 N.J.R. 316(b)
8:65-11.7	Use of Dextropropoxyphene in narcotic treatment	R.1980 d.328	12 N.J.R. 468(c)
8:70-1.1(c)	Amend drug evaluation and acceptance criteria	R.1979 d.412	11 N.J.R. 551(a)
8:70-1.1(d)	Amend manufacturer's name on drug labels	R.1979 d.483	12 N.J.R. 15(a)
8:71	Amend interchangeable drug products	R.1979 d.498	12 N.J.R. 75(a)
8:71	Amend list of interchangeable drug products	R.1980 d.35	12 N.J.R. 75(d)
8:71	Deletions to list of interchangeable drug products	R.1980 d.254	12 N.J.R. 394(c)
8:71	Amend list of interchangeable drug products	R.1980 d.255	12 N.J.R. 405(a)
8:71	Additions to the list of interchangeable drug products	R.1980 d.263	12 N.J.R. 406(c)

(Title 8, Transmittal 12 dated September 13, 1979 includes all rules through October 4, 1979 N.J. Register.)

HIGHER EDUCATION — TITLE 9

9:1-6.1, 6.4	Amend petitions from out-of-State institutions	R.1979 d.441	11 N.J.R. 623(a)
9:2-2.7, 2.10, 2.12, 9.7—9.10	Amend personnel policies for State colleges	R.1979 d.460	12 N.J.R. 19(a)
9:3-1.3	Amend personnel policies for State colleges; contracts for nonfaculty professional staff	R.1980 d.50	12 N.J.R. 118(b)
9:3-2.14	Amend personnel policies for State colleges	R.1979 d.460	12 N.J.R. 19(a)
9:6-1.1—1.4	Amend personnel policies for State colleges	R.1979 d.460	12 N.J.R. 19(a)
9:6-1.2	Amend personnel policies for State colleges; contracts for nonfaculty professional staff	R.1980 d.50	12 N.J.R. 118(b)
9:7-2.2	Amend residency, dependent and independent students and grant renewals	R.1979 d.442	11 N.J.R. 623(b)
9:7-2.6	Amend residency, dependent and independent students and grant renewals	R.1979 d.442	11 N.J.R. 623(b)

9:7-2.10	Amend verification of enrollment and academic performance	R.1980 d.74	12 N.J.R. 119(a)
9:7-3.3	Amend residency, dependent and independent students and grant renewals	R.1979 d.442	11 N.J.R. 623(b)
9:7-4.1	Amend Garden State scholarship eligibility requirements	R.1980 d.212	12 N.J.R. 317(b)
9:7-6	Tuition Benefit Program	R.1980 d.324	12 N.J.R. 469(b)
9:9-1.12(a), 5.3	Amend loan amounts and eligibility requirements	R.1979 d.401	11 N.J.R. 551(c)
9:11-1.1(c)6.	Amend student eligibility	R.1980 d.1	12 N.J.R. 76(d)
9:14	Amend implementing Independent Colleges and Universities Assistance Act	R.1980 d.98	12 N.J.R. 186(b)
9:16-1	Physician/dentist Loan Advisory Committee	R.1980 d.309	12 N.J.R. 469(a)

(Title 9, Transmittal 13 dated September 13, 1979 includes all rules through October 4, 1979 N.J. Register.)

HUMAN SERVICES — TITLE 10

10:44B	Standards on regulating adult foster homes, skill development homes and supervised apartments	R.1980 d.157	12 N.J.R. 278(e)
10:49-1.3	Amend disclosure of information	R.1980 d.90	12 N.J.R. 193(b)
10:49-1.12	Amend medical assistance claims	R.1980 d.278	12 N.J.R. 481(a)
10:49-1.18, 1.23	Amend nondiscrimination of handicapped recipients	R.1980 d.247	12 N.J.R. 418(d)
10:49-5.5	Amend fair hearing	R.1980 d.33	12 N.J.R. 86(f)
10:50-1.2—1.4, 2.2, 2.5, 2.6	Amend transportation services	R.1980 d.93	12 N.J.R. 193(e)
10:52-1.6	Amend outpatient hospital services	R.1980 d.313	12 N.J.R. 483(c)
10:52-1.6(c)	Amend out-patient hospital services	R.1980 d.45	12 N.J.R. 125(c)
10:52-1.7, 1.13	Amend Hospital Services Manual	R.1980 d.139	12 N.J.R. 278(a)
10:52-1.16	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:52-1.16	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:52-2.12	Assessment of interest on overpayments	R.1980 d.47	12 N.J.R. 126(a)
10:53-1.14	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:53-1.14	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:53-2.17	Assessment of interest on overpayments	R.1980 d.217	12 N.J.R. 323(c)
10:54-1.5(b)	Amend Physician's Services Manual	R.1980 d.138	12 N.J.R. 277(c)
10:54-1.9	Amend Physicians Services Manual	R.1980 d.91	12 N.J.R. 193(c)
10:54-1.23	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
10:54-1.23	Abortions	R.1980 d.264	12 N.J.R. 419(b)
10:55-1.5(b)3.	Amend Prosthetic and Orthotic Services Manual	R.1980 d.89	12 N.J.R. 193(a)
10:60-2.5	Assessment of interest on overpayments	R.1980 d.46	12 N.J.R. 125(d)
10:63-3	Amend longterm care facilities rate review guidelines	R.1979 d.482	12 N.J.R. 42(b)
10:63-3.1	Amend penalties for delinquent cost studies	R.1980 d.211	12 N.J.R. 323(b)
10:63-3.5	Amend long-term care manual rate review guidelines	R.1980 d.42	12 N.J.R. 125(b)
10:66	Amend Independent Clinic Manual	R.1980 d.249	12 N.J.R. 418(f)
10:66-1.15	Amend changes of reimbursement for independent clinics	R.1980 d.248	12 N.J.R. 418(e)
10:66-4.18	Amend medicaid reimbursement for abortions	R.1980 d.130	12 N.J.R. 277(a)
19:67-1.8	Amend Psychologists Service Manual regarding prior authorization	R.1980 d.137	12 N.J.R. 277(b)
10:81-2.7	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.2, 3.3	Amend determination of presumptive eligibility	R.1980 d.77	12 N.J.R. 126(b)
10:81-3.8	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.17	Amend ways by which continued absence from the home may be established	R.1980 d.222	12 N.J.R. 324(a)
10:81-3.21	Amend residence requirement and support rights	R.1980 d.119	12 N.J.R. 194(d)
10:81-3.27	Amend documentation in AFDC transfers	R.1980 d.330	12 N.J.R. 483(f)
10:81-3.27, 3.28	Amend transfer of cases from one county to another	R.1980 d.41	12 N.J.R. 87(a)
10:81-3.32, 3.33, 3.34	Amend temporary absence from home by a parent, parent-person or child	R.1980 d.78	12 N.J.R. 126(c)
10:81-3.38	Amend temporary absence from home by a parent, parent-person or child	R.1980 d.78	12 N.J.R. 126(c)
10:81-3.38, 3.40	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-3.41(a)	Amend recovery of assistance granted on behalf of a child pending settlement of a claim	R.1980 d.80	12 N.J.R. 126(e)
10:81-3.42	Amend reimbursements to CWA and discontinuance of collection activity	R.1980 d.118	12 N.J.R. 194(c)
10:81-7.1	Amend transfer of cases from one county to another	R.1980 d.41	12 N.J.R. 87(a)
10:81-7.13	Amend retention and destruction of case records	R.1980 d.81	12 N.J.R. 127(a)
10:81-7.22, 7.26	Amend payment of burial and funeral costs	R.1980 d.244	12 N.J.R. 518(a)
10:81-7.32	Amend subpoena notification	R.1980 d.329	12 N.J.R. 483(e)
10:81-8.20	Amend exemption of an institutionalized individual's wages	R.1980 d.188	12 N.J.R. 322(c)
10:81-App.D.	Amend residence requirements and assignment of support rights	R.1980 d.119	12 N.J.R. 194(d)

10:82-1.2	Amend ASH: Allowances	R.1980 d.294	12 N.J.R. 481(b)
10:82-1.4	Amend cross-references to Public Assistance Manual and incorporation of existing policy into the manual	R.1980 d.120	12 N.J.R. 194(e)
10:82-1.6	Amend Assistance Standards Handbook	R.1980 d.79	12 N.J.R. 126(d)
10:82-2.3	Amend grant effective date	R.1980 d.331	12 N.J.R. 484(a)
10:82-2.6	Amend institutionalized child, homemaker service, travel expenses and emergency assistance	R.1980 d.28	12 N.J.R. 86(c)
10:82-2.9	Amend Assistance Standards Handbook	R.1980 d.79	12 N.J.R. 126(d)
10:82-2.13	Amend ASH: Allowances	R.1980 d.294	12 N.J.R. 481(b)
10:82-2.14	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-2.14(f)	Amend the determination of monthly income of AFDC clients employed on a contractual basis	R.1980 d.82	12 N.J.R. 127(b)
10:82-2.20	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-3.7	Amend cross-references to Public Assistance Manual and incorporation of existing policy into the manual	R.1980 d.120	12 N.J.R. 194(e)
10:82-4.9	Amend ASH	R.1980 d.332	12 N.J.R. 484(b)
10:82-4.9(c)	Amend increase in monthly rates for foster care as established by DYFS	R.1980 d.83	12 N.J.R. 127(c)
10:82-5.4, 5.5	Amend Assistance Standards Handbook	R.1980 d.28	12 N.J.R. 86(c)
10:82-5.10	Amend Assistance Standards Handbook	R.1980 d.28	12 N.J.R. 86(c)
10:82-5.10(d)	Amend emergency assistance and victims of domestic violence	R.1980 d.166	12 N.J.R. 278(f)
10:85	Amend forms and references to forms in the general assistance program	R.1980 d.11	12 N.J.R. 86(a)
10:85-3.1, 3.2	Amend general assistance procedures for persons released from State psychiatric institutions	R.1980 d.116	12 N.J.R. 194(a)
10:85-3.2	Amendments on fair hearings and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-3.2	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-3.2	Amend work registration procedures in general assistance program	R.1980 d.122	12 N.J.R. 195(b)
10:85-3.2	Amend application on behalf of a critically ill or hospitalized client by an authorized agent	R.1980 d.152	12 N.J.R. 278(b)
10:85-3.2	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-3.2	Amend out-of-State individuals entering New Jersey medical facilities	R.1980 d.245	12 N.J.R. 418(b)
10:85-3.2	Amend GAM	R.1980 d.252	12 N.J.R. 419(a)
10:85-3.3	Allowance schedule	R.1980 d.310	12 N.J.R. 483(a)
10:85-3.3	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-3.3(c)	Amend determination of monthly income for persons employed on a contractual basis	R.1980 d.84	12 N.J.R. 127(d)
10:85-3.3(g)	Amend allowance schedules and medically needy individuals	R.1980 d.29	12 N.J.R. 86(d)
10:85-3.5	Amend work registration procedures in general assistance program	R.1980 d.122	12 N.J.R. 195(b)
10:85-3.5	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-4.6(b)	Amend emergency assistance and victims of domestic violence	R.1980 d.167	12 N.J.R. 279(a)
10:85-5.2	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-5.2, 5.3	Amend General Assistance Manual	R.1980 d.311	12 N.J.R. 483(b)
10:85-5.3	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-5.3, 5.4	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-5.3, 5.5	Amendments on medical payments	R.1979 d.495	12 N.J.R. 43(a)
10:85-5.8, 5.9	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-6.3	Amend General Assistance Manual	R.1980 d.92	12 N.J.R. 193(d)
10:85-6.8	Amend general assistance clients in certain municipalities	R.1980 d.252	12 N.J.R. 419(a)
10:85-7.1—7.3	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-7.3	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-7.6	Amend fair hearing and medical payments	R.1979 d.496	12 N.J.R. 43(b)
10:85-10	Amend workfare	R.1980 d.153	12 N.J.R. 278(c)
10:85-App. C	Amend allowance schedules and medically needy individuals	R.1980 d.29	12 N.J.R. 86(d)
10:85-App. C	Amend GAM: Income and allowance standards	R.1980 d.295	12 N.J.R. 482(a)
10:87-2.1	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-2.21, 2.29	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-3.18(b)	Amend criteria for student exemption from work registration	R.1980 d.30	12 N.J.R. 86(e)
10:87-3.18, 4.7	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-4.8	Amend exclusion of resources	R.1980 d.220	12 N.J.R. 323(d)
10:87-5.8	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-5.10, 6.9, 6.11, 6.13, 6.15	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-6.16	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-7.18, 9.1	Amend Food Stamp Manual	R.1980 d.117	12 N.J.R. 194(b)
10:87-9.7	Amend Food Stamp Manual	R.1979 d.459	12 N.J.R. 40(c)
10:87-10	Amend Food Stamp Manual	R.1980 d.121	12 N.J.R. 195(a)
10:87-10.1	Amend retention period for source documents	R.1980 d.117	12 N.J.R. 194(b)
10:87-11.15, 11.20	Amend Food Stamp Manual	R.1979 d.422	12 N.J.R. 559(d)

10:87-12	Amend Tables in Food Stamp Manual	R.1979 d.477	12 N.J.R. 42(a)
10:87-12	Amend Food Stamp allotment and income	R.1980 d.296	12 N.J.R. 482(b)
10:87-12.1	Amend income deduction table	R.1980 d.154	12 N.J.R. 278(d)
10:90	Repeal Handbook for Home Services	R.1980 d.208	12 N.J.R. 323(a)
10:94-4.33	Amendments concerning Medicaid Only income eligibility levels	R.1980 d.223	12 N.J.R. 324(b)
10:94-5.8	Amend living allowance deductions	R.1980 d.187	12 N.J.R. 322(b)
10:94-5.8	Amend exemption of institutionalized individual's wages	R.1980 d.188	12 N.J.R. 322(c)
10:94-5.8(a)	Amendments concerning living allowance deductions	R.1980 d.27	12 N.J.R. 86(b)
10:99	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:100-1.23	Amend SSI payments	R.1980 d.221	12 N.J.R. 323(e)
10:100-3.5, 3.6, 3.7	Amend payment of burial and funeral costs	R.1980 d.246	12 N.J.R. 418(c)
10:102	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:104-1.19	Pre-adoption home studies in cases of foreign born children	R.1979 d.457	12 N.J.R. 40(b)
10:105	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:107	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:108	Repeal	R.1980 d.178	12 N.J.R. 322(a)
10:120- Foreword	Amend DYFS administrative foreword	R.1980 d.308	12 N.J.R. 482(c)
10:122	Amend child care standards	R.1980 d.314	12 N.J.R. 483(d)
10:122A	Recodify AFDC Foster Care	R.1980 d.314	12 N.J.R. 483(d)
10:122B	Recodify Family Day Care	R.1980 d.314	12 N.J.R. 483(d)

(Title 10, Transmittal 13 dated Nov. 13, 1979 includes all rules through Dec. 6, 1979 N.J. Register.)

CORRECTIONS — TITLE 10A

10A:32	Manual of standards for juvenile detention facilities	R.1980 d.14	12 N.J.R. 87(b)
10A:70-1.11	Temporary postponements of certain provision of Parole Act of 1979	R.1980 d.174	12 N.J.R. 335(a)
10A:71-3.3, 3.4, 3.19, 7.16	Amended Rules of State Parole Board	R.1980 d.226	12 N.J.R. 335(b)

(Title 10, Transmittal 4 dated Nov. 13, 1979 includes all rules through Jan. 10, 1980 N.J. Register.)

INSURANCE — TITLE 11

11:4-16-18	Minimum standards for health insurance	R.1980 d.176	12 N.J.R. 342(c)
11:4-21	Life insurance policies—limited death benefit as alternative to underwriting	R.1980 d.265	12 N.J.R. 423(c)
11:5-1.15	Amend real estate business cards	R.1980 d.279	12 N.J.R. 484(d)
11:5-1.15(1)	Amend advertising	R.1980 d.52	12 N.J.R. 128(a)
11:5-1.15(m)	Amend advertising	R.1980 d.213	12 N.J.R. 343(a)
11:5-1.16(c)	Amend advertising	R.1980 d.51	12 N.J.R. 127(e)
11:5-1.16(c)	Amend listing agreements and contracts	R.1980 d.214	12 N.J.R. 342(d)
11:5-1.16(c)	Amend contracts of sale and listing agreements	R.1980 d.274	12 N.J.R. 423(d)

(Title 11, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

LABOR AND INDUSTRY — TITLE 12

12:35	Assignment of employable general assistance recipients to worksites	R.1980 d.162	12 N.J.R. 280(b)
12:200	Amend liquefied petroleum gases	R.1980 d.143	12 N.J.R. 280(a)

(Title 12, Transmittal 12 dated January 17, 1980 includes all rules through April 10, 1980 N.J. Register.)

LAW AND PUBLIC SAFETY — TITLE 13

13:2-4, -40	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-20, -23, -24	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-26	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-26.1	Amend Division rules	R.1980 d.72	12 N.J.R. 156(a)
13:2-33, 36	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:2-40	Amend ABC rules	R.1980 d.304	12 N.J.R. 494(b)
13:21-4.1	Amend statements of origin	R.1980 d.112	12 N.J.R. 209(c)
13:21-14	Amend bus drivers	R.1980 d.114	12 N.J.R. 209(e)
13:25-8.5	Amend motorized bicycles	R.1980 d.113	12 N.J.R. 209(d)
13:28-1.54	Amend beauty culture notice requirements	R.1980 d.94	12 N.J.R. 208(b)
13:28-1.56	Beauty shop price posting	R.1980 d.229	12 N.J.R. 433(b)
13:28-2.6	Amend names of schools	R.1980 d.261	12 N.J.R. 434(c)
13:28-2.11	Amend non-English speaking student enrollment	R.1980 d.109	12 N.J.R. 209(a)

13:28-2.24	Amend student standards and requirements	R.1980 d.262	12 N.J.R. 434(d)
13:28-2.24	Repeal of part of rule exempting male beauty students from performing manicuring and facial work	R.1980 d.228	12 N.J.R. 433(a)
13:28-2.33	Amend beauty culture curriculum	R.1980 d.94	12 N.J.R. 208(b)
13:33-1.11, 1.12 1.15, 1.16	Amend licensure requirements	R.1980 d.201	12 N.J.R. 348(c)
13:38-2.2	Amend examination equipment	R.1980 d.202	12 N.J.R. 348(d)
13:39-5.7, 5.11, 5.15	Amend reciprocal licensure	R.1980 d.259	12 N.J.R. 434(a)
13:39-6.9	Availability of records	R.1980 d.260	12 N.J.R. 434(b)
13:41-3.2	Annual license fees and charges	R.1980 d.179	12 N.J.R. 348(a)
13:45A-9	Amend merchandise advertising	R.1980 d.200	12 N.J.R. 348(b)
13:45A-16	Home improvement practices	R.1980 d.111	12 N.J.R. 209(b)
13:47A-25.3	Amend disclosure of material terms to wire services	R.1980 d.155	12 N.J.R. 284(a)
13:70-12	Amend claiming requirements	R.1980 d.95	12 N.J.R. 208(c)
13:70-29.56	Pick-Six pool	R.1980 d.286	12 N.J.R. 494(a)

(Title 13, Transmittal 15 dated February 15, 1980 includes all rules through March 6, 1980 N.J. Register.)

PUBLIC UTILITIES — TITLE 14

ENERGY — TITLE 14A

14:3-7.9	Amend utility bill form	R.1980 d.299	12 N.J.R. 495(d)
14:3-7.9(b)	Estimated bills for residential customers	R.1980 d.44	12 N.J.R. 156(d)
14A:3-2.2, 2.11	Amend energy conservation	R.1980 d.281	12 N.J.R. 495(a)
14A:3-4.2, 4.4	Repeal gas burning ignition	R.1980 d.280	12 N.J.R. 494(c)
14A:3-8.2, 8.4, 9.2, 9.3, 9.4	Amend energy conservation	R.1980 d.281	12 N.J.R. 495(a)
14A:3-10	Energy conservation certificate of compliance	R.1980 d.282	12 N.J.R. 495(b)
14A:3-11	Used oil	R.1980 d.283	12 N.J.R. 495(c)

(Title 14, Transmittal 13 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

(Title 14A, Transmittal 5 dated January 17, 1980 includes all rules through July 10, 1980 N.J. Register.)

STATE — TITLE 15

15:15-10	Amend Administrative hearings	R.1980 d.275	12 N.J.R. 362(a)
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(Title 15, Transmittal 11 dated May 17, 1979 includes all rules through June 5, 1980 N.J. Register.)

PUBLIC ADVOCATE — TITLE 15A

(Title 15A, Transmittal 1 dated March 20, 1978 includes all rules to date.)

TRANSPORTATION — TITLE 16

16:16-4.3	Amend rescission of allocated but unexpended local State aid funds	R.1979 d.279	11 N.J.R. 410(e)
16:17-4.3	Amend rescission of allocated but unexpended local State aid funds	R.1979 d.279	11 N.J.R. 410(e)
16:21	State aid to counties and municipalities	R.1980 d.127	12 N.J.R. 215(a)
16:26-3.4	Amend reimbursed highway safety lighting	R.1979 d.466	12 N.J.R. 52(a)
16:28-1.11	Speed limits: Terrill Road	R.1980 d.145	12 N.J.R. 289(c)
16:28-1.18	Amend speed limits	R.1979 d.266	11 N.J.R. 410(d)
16:28-1.41	Amend speed zones on parts of Route U.S. 9	R.1980 d.55	12 N.J.R. 157(c)
16:28-1.57(a)	Amend speed zones on parts of Route U.S. 30 in Atlantic County	R.1980 d.3	12 N.J.R. 95(a)
16:28-1.69	Amend speed zones on parts of Route U.S. 130	R.1980 d.56	12 N.J.R. 157(d)
16:28-1.81	Amend speed limits	R.1979 d.266	11 N.J.R. 410(d)
16:28-3.1	Amend restricted parking	R.1980 d.5	12 N.J.R. 95(c)
16:28-3.38(d)	No-parking zones on part of Route U.S. 9	R.1980 d.126	12 N.J.R. 214(b)
16:28-3.39	Amend restricted parking	R.1980 d.54	12 N.J.R. 157(b)
16:28-3.44, 3.46, 3.47	Amend restricted parking	R.1980 d.4	12 N.J.R. 95(b)
16:28-3.48	Amend restricted parking on parts of Routes 44, 52, 152 and 35	R.1979 d.344	11 N.J.R. 523(c)
16:28-3.51, 3.53	Amend restricted parking	R.1980 d.5	12 N.J.R. 95(c)
16:28-3.61	Amend restricted parking	R.1980 d.4	12 N.J.R. 95(b)
16:28-3.62	Amend restricted parking	R.1980 d.5	12 N.J.R. 95(c)
16:28-3.66	Amend restricted parking	R.1980 d.4	12 N.J.R. 95(b)
16:28-3.75	Amend restricted parking	R.1980 d.54	12 N.J.R. 157(b)
16:28-3.94	Amend restricted parking	R.1980 d.53	12 N.J.R. 157(a)

16:28-3.95	Amend restricted parking	R.1980 d.54	12 N.J.R. 157(b)
16:28-3.97	Amend restricted parking	R.1979 d.265	11 N.J.R. 410(c)
16:28-3.107	Amend restricted parking: Routes 94 and 3	R.1979 d.345	11 N.J.R. 524(a)
16:28-3.107	Amend restricted parking	R.1980 d.5	12 N.J.R. 95(c)
16:28-3.107	Amend restricted parking	R.1980 d.54	12 N.J.R. 157(b)
16:28-3.112	Amend restricted parking	R.1979 d.345	11 N.J.R. 524(a)
16:28-3.113	Amend restricted parking	R.1980 d.4	12 N.J.R. 95(b)
16:28-3.121	Amend restricted parking	R.1979 d.344	11 N.J.R. 523(c)
16:28-3.194	Restricted parking on Route 7	R.1979 d.265	11 N.J.R. 410(c)
16:28-3.198, 3.199	Amend restricted parking	R.1979 d.344	11 N.J.R. 523(c)
16:28-3.199	Amend restricted parking	R.1980 d.54	12 N.J.R. 157(b)
16:28-3.201, 3.202	Restricted parking on parts of Routes 29 and 179	R.1979 d.390	11 N.J.R. 539(b)
16:28-7.6	Lane usage on parts of Route 35	R.1979 d.296	11 N.J.R. 471(a)
16:28-12.7, 12.21	Amend right turns on red signals	R.1979 d.470	12 N.J.R. 52(b)
12.22, 12.25, 12.33, 12.34, 12.36, 12.37, 12.48, 12.59, 12.71			
16:28A-1.7	Amend restricted parking	R.1980 d.292	12 N.J.R. 496(d)
16:28A-1.9	Amend restricted parking	R.1980 d.289	12 N.J.R. 496(a)
16:28A-1.19, 1.20	Amend restricted parking	R.1980 d.290	12 N.J.R. 496(b)
16:28A-1.21, 1.22, 1.25	Amend restricted parking	R.1980 d.289	12 N.J.R. 496(a)
16:28A-1.26	Amend restricted parking	R.1980 d.293	12 N.J.R. 496(d)
16:28A-1.26	Amend restricted parking	R.1980 d.290	12 N.J.R. 496(b)
16:28A-1.32, 1.33	Amend restricted parking	R.1980 d.291	12 N.J.R. 496(c)
16:28A-1.35, 1.61	Amend restricted parking	R.1980 d.293	12 N.J.R. 496(d)
16:28A-1.61—1.63	Amend restricted parking	R.1980 d.292	12 N.J.R. 496(d)
16:29-1.8	Amend no passing zones on parts of Route U.S. 46	R.1979 d.346	11 N.J.R. 524(b)
16:29-1.20	No-passing zones on parts of Route U.S. 40	R.1979 d.264	11 N.J.R. 410(b)
16:29-1.21	No passing zones on parts of Route 27 in Mercer County	R.1980 d.2	12 N.J.R. 94(c)
16:30-1.7	One-way traffic on parts of Eisenhower Avenue in Dover Township	R.1979 d.347	11 N.J.R. 524(c)
16:30-3.1, 3.4	Amend lane usage on parts of Routes 35 and U.S. 9	R.1979 d.471	12 N.J.R. 52(c)
16:30-3.5, 3.6	High occupancy vehicle lanes on parts of Routes I-95 and 444	R.1979 d.312	11 N.J.R. 471(c)
16:30-5.1	Amendments on parking at Metro Park train station	R.1980 d.13	12 N.J.R. 95(d)
16:30-5.1	Amend traffic and parking at Metro Park Train Station	R.1980 d.128	12 N.J.R. 239(b)
16:31-1.13	Amend no left turns on parts of Route 71	R.1979 d.348	11 N.J.R. 524(d)
16:31-1.14	Rules on no-left turns on parts of Route 35	R.1979 d.389	11 N.J.R. 539(a)
16:41-16	Permits allowing use or occupancy of State-owned railroad property	R.1979 d.331	11 N.J.R. 523(a)
16:43	Junkyards adjacent to the interstate and primary highway systems	R.1979 d.499	12 N.J.R. 94(b)
16:53A	Rules on financial and accounting conditions and criteria for bus operating assistance program	R.1979 d.302	11 N.J.R. 471(b)
16:53B	Delegation of authority by Computer Operating Agency	R.1979 d.334	11 N.J.R. 523(b)
16:65-1.4	Amend effective date of classification	R.1980 d.103	12 N.J.R. 214(a)
16:65-3.1, 3.2	Amend distribution and sale of construction plans and supplementary specifications	R.1979 d.388	11 N.J.R. 538(b)

(Title 16, Transmittal 13 dated June 14, 1979 includes all rules through June 7, 1979 N.J. Register.)

TREASURY-GENERAL — TITLE 17

17:1 foreword	Amend general administration	R.1980 d.63	12 N.J.R. 163(a)
17:1-1.3	Amend pension reporting	R.1980 d.301	12 N.J.R. 497(c)
17:1-4.13	Amend pension cash purchase discounts	R.1980 d.302	12 N.J.R. 497(d)
17:1-4.21	Amend general administration	R.1980 d.63	12 N.J.R. 163(a)
17:1-4.31	Rules on normal retirement age	R.1980 d.64	12 N.J.R. 163(b)
17:1-8.7, 8.8, 8.12	Amend pension reporting	R.1980 d.301	12 N.J.R. 497(c)
17:1-9.1-9.6, -10 foreword, -11 foreword, 11.9	Amend general administration	R.1980 d.63	12 N.J.R. 163(a)
17:2-1.8, 2.2, 2.4, 3.1, 3.6, 4.11, 4.14, 5.7, 6.2, 6.19, 7.1, 7.2	Amend Public Employees' Retirement System	R.1979 d.399	11 N.J.R. 596(b)
17:3-1.8, 1.11, 2.1, 2.7, 3.1	Amend Teachers' Pension and Annuity Fund	R.1980 d.103	12 N.J.R. 224(e)
17:3-3.4	Amend contributory insurance rate of contribution	R.1980 d.175	12 N.J.R. 354(a)
17:3-5.2, 6.7, 6.11, 6.13, 6.14	Amend Teachers' Pension and Annuity Fund	R.1980 d.103	12 N.J.R. 224(e)

17:3-6.15	Amend compulsory retirement	R.1979 d.397	11 N.J.R. 596(a)
17:4-1.8, 1.11	Amend Police and Firemen's Retirement System	R.1980 d.135	12 N.J.R. 290(a)
3.3, 4.10, 6.7, 6.8, 6.12, 6.14			
17:5-1.7	Amend State Police Retirement System	R.1980 d.209	12 N.J.R. 355(d)
17:5-1.7, 2.3, 3.8	Amend State Police Retirement System	R.1980 d.101	12 N.J.R. 224(c)
17:5-5.7, 5.8	Amend State Police Retirement	R.1980 d.209	12 N.J.R. 355(d)
17:6-1.8	Amend the suspension of pension checks	R.1979 d.476	12 N.J.R. 57(a)
17:9-2.15	Amend major medical reimbursement	R.1980 d.300	12 N.J.R. 497(b)
17:9-5.5	Amend State Health Benefits Program	R.1979 d.396	11 N.J.R. 595(c)
17:10-1.7	Amend Judicial Retirement System	R.1979 d.431	11 N.J.R. 649(b)
17:10-1.8, 2.2	Amend Judicial Retirement System	R.1980 d.97	12 N.J.R. 224(a)
17:10-3.6	Amend Judicial Retirement System	R.1979 d.431	12 N.J.R. 649(b)
17:10-5.4	Amend Judicial Retirement System	R.1980 d.97	12 N.J.R. 224(a)
17:12-1.1, 2.4, 2.5, 2.7, 2.8, 3.3	Amend administrative procedures of Purchase Bureau	R.1980 d.142	12 N.J.R. 293(a)
17:12-7.2(a)	Amendments concerning debarment, suspension and disqualification of a person	R.1980 d.141	12 N.J.R. 292(a)
17:16-5.5	Amend fund classification	R.1980 d.315	12 N.J.R. 497(e)
17:16-27	Amend certificates of deposit	R.1979 d.436	11 N.J.R. 650(c)
17:16-31.7— 31.12	Amend common Treasury Fund A	R.1980 d.235	12 N.J.R. 436(a)
17:16-31.9	Amend calculation of daily income per participating unit	R.1979 d.437	11 N.J.R. 651(a)
17:19-10	Architect/engineer selection procedures	R.1980 d.100	12 N.J.R. 224(b)
17:20	Amend concerning Lottery Bingo game	R.1980 d.67	12 N.J.R. 163(c)
17:21	Amend concerning Lottery Bingo game	R.1980 d.67	12 N.J.R. 163(c)
	Meadowlands Sports Lottery	R.1979 d.381	11 N.J.R. 594(b)
17:21-15	Pick-6 (Lotto) Lottery	R.1980 d.136	12 N.J.R. 290(b)

(Title 17, Transmittal 13 dated September 13, 1979 includes all rules through October 4, 1979 N.J. Register.)

TREASURY-TAXATION — TITLE 18

18:5-6	Amend Cigarette Tax Act	R.1980 d.194	12 N.J.R. 354(b)
18:7-3.6	Amend Corporation Business Tax Act and method of company tax and net income base	R.1980 d.146	12 N.J.R. 293(b)
18:12-1.1	Amend categories of nonusable deed transactions	R.1980 d.62	12 N.J.R. 162(a)
18:12-6, -6A	Amend home improvement exemptions	R.1980 d.253	12 N.J.R. 436(b)
18:12-9	Moratorium on taxation of mobile homes as real property	R.1980 d.147	12 N.J.R. 293(c)
18:12A-1.7(c)	Amend filing fees and county boards of taxation	R.1980 d.148	12 N.J.R. 293(d)
18:18-12.5	Amend the Motor Fuels Tax Act	R.1980 d.195	12 N.J.R. 354(c)
18:24-7.18	Amend sales and use tax; commercial motor vehicles	R.1980 d.197	12 N.J.R. 355(a)
18:24-7.19	Taxation of mobile homes	R.1980 d.149	12 N.J.R. 293(e)
18:24-14.3	Deletion of part of rule on hospital sales of meals	R.1980 d.196	12 N.J.R. 354(d)
18:24-16.1, 16.2 16.5—16.7	Amend coin-operated vending machines and appropriate sales tax	R.1980 d.150	12 N.J.R. 293(f)
18:24-22.1, 22.3	Amend floor covering and the Sales and Use Tax Act	R.1980 d.102	12 N.J.R. 224(d)
18:26	Amend transfer inheritance tax	R.1980 d.198	12 N.J.R. 355(b)
18:26-3.10, 5.14, 5.15	Amend transfer inheritance	R.1980 d.287	12 N.J.R. 497(a)
18:26-8.9, 9.14, 10.5, 11.15, 12.9	Amend transfer inheritance	R.1980 d.287	12 N.J.R. 497(a)
18:37	Spill Compensation and Control Act	R.1980 d.199	12 N.J.R. 355(c)

(Title 18, Transmittal 14 dated January 17, 1980 includes all rules through February 7, 1980 N.J. Register.)

OTHER AGENCIES — TITLE 19

19:4-6.28	Amend district zoning regulations	R.1980 d.43	12 N.J.R. 164(a)
19:8-2.11	Amend concerning Garden State Arts Center	R.1980 d.189	12 N.J.R. 355(e)
19:8-7.3(b)	Amendments concerning inspection and obtaining authority records regarding State Police reports	R.1980 d.131	12 N.J.R. 294(a)
19:41-8.6	Amend withdrawal of applications	R.1980 d.159	12 N.J.R. 295(a)
19:41-8.8	Reapplication by natural persons	R.1980 d.160	12 N.J.R. 295(b)
19:45-1.11	Amend casino licensee's organization	R.1980 d.232	12 N.J.R. 447(c)
19:47	Amend rules of the games	R.1980 d.132	12 N.J.R. 294(c)
19:47	Corrected version of amendments to rules of the games	R.1980 d.186	12 N.J.R. 357(a)
19:47-5.7(d)	Amend minimum wagers on Big-Six Wheel	R.1980 d.133	12 N.J.R. 294(d)
19:54	Amendments concerning the gross revenue tax	R.1980 d.134	12 N.J.R. 294(e)

(Title 19, Transmittal 14 dated January 17, 1980 includes all rules through April 10, 1980 N.J. Register.)

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

10:87-5.10(a)5. Shelter Cost Deduction - Monthly shelter costs in excess of 50% of the household's income after the deductions in paragraphs 1, 2, 3 and 4 of this subsection have been allowed, shall be deducted. However, in no event shall the shelter deduction alone or in combination with the dependent care deduction in paragraph 4 of this subsection exceed the amount in N.J.A.C. 10:87-12.1 unless the household contains a member who is age 60 or over, or who receives SSI (including emergency benefits based on presumptive eligibility) or disability payments under Title II of the Social Security Act. These households shall receive an excess shelter deduction for the monthly cost that exceeds 50% of the household's monthly income after all other applicable deductions. Households receiving Title II disability payments for dependents of a disabled individual are not eligible for the unlimited excess shelter deduction unless the disabled individual is a member of the household.

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

G. Thomas Riti, Director
Division of Public Welfare
Box 1627
Trenton, New Jersey 08625

The Division of Public Welfare may thereafter adopt rules concerning this subject without further notice.

Ann Klein
Commissioner
Department of Human Services

(a)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Amend Medical Assistance Claims

On June 23, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:49-1.12 concerning submission of claims and claims inquiries as proposed in the Notice published January 10, 1980 at 12 N.J.R. 20(a), but with subsequent, substantive changes not detrimental to the public in the opinion of the Agency.

An order adopting this rule was filed June 24, 1980 to become effective on July 1, 1980 as R.1980 d.278.

Howard H. Kestin
Director
Office of Administrative Law

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Emergency Amend ASH Allowances

On July 1, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 10:82-1.2 and 2.13 concerning public assistance allowance standards and per capita table for companion cases.

Full text of the amended tables follows.

10:82-1.2 Public Assistance Allowance Standards AFDC Program

Table with 3 columns: Schedule I AFDC-C AFDC-F, Number in Eligible Unit, Schedule II AFDC-N. Values range from \$137 to \$91 and units from 1 to 10.

10:82-2.13 Per Capita Table for Companion Cases

Table with 10 columns: Total Eligible Unit, 1-10, and Number in -C or -F Segment. Values range from 2 to 664.

Table with 10 columns: Total Eligible Unit, 1-10, and Number in -N Segment. Values range from 2 to 443.

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.294 (Exempt, Emergency Rule).

Howard H. Kestin
 Director
 Office of Administrative Law

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Emergency Amend GAM: Income and Allowance Standards

On July 1, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 10:85, Appendix C concerning general assistance income eligibility and allowance standards.

Full text of the amended tables follows.

10:85	APPENDIX C	
	TABLE A	
	Public Assistance Allowance Standards	
	AFDC Program	
	Schedule I	Number in
	AFDC-C	Eligible
	AFDC-F	Unit
	\$137	1
	273	2
	360	3
	414	4
	468	5
	522	6
	576	7
	630	8
	684	9
	738	10
	add \$54	more
	each person	than 10

TABLE B

	SSI and Medicaid Income
	Eligibility Standards
	(Countable Income)
Variations in Living Arrangement	
Licensed Boarding Home	
Eligible person	\$369.00
Eligible couple	\$738.00
Head of Household	
Living Alone	
Eligible person	\$261.00
Eligible couple	\$369.00
Eligible individual with ineligible spouse only	\$369.00
Living with Others	
Eligible person	\$241.00
Eligible couple	\$362.00
Living in Household of Another (Receiving Support and Maintenance)	
Eligible person	\$184.00
Eligible couple	\$312.00

Title XIX Approved Facility — includes person in acute care hospital, skilled nursing facility, intermediate care facility (Level A, B, and ICFMR), licensed special hospital (Class A, B, C) and Title XIX psychiatric hospital (for persons under 21 and 65 and over) or a combination of these facilities for a full calendar month.

\$714.00*

*The Medicaid "Cap" is applied to gross income (i.e., income prior to application of income exclusions).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.295 (Exempt, Emergency Rule).

Howard H. Kestin
 Director
 Office of Administrative Law

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Emergency Amend Food Stamp Allotment and Income

On July 1, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4B-2 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted emergency amendments to N.J.A.C. 10:87-12 concerning food stamp allotments and income.

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.296 (Exempt, Emergency Rule).

Howard H. Kestin
 Director
 Office of Administrative Law

(c)

HUMAN SERVICES

DIVISION OF YOUTH AND FAMILY SERVICES

Amend Foreword of Administrative Rules

On July 8, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:1-1 et seq. and 30:4C-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to Foreword at N.J.A.C. 10:120 concerning administrative rules as proposed in the Notice published June 5, 1980 at 12 N.J.R. 321(b).

An order adopting this rule was filed and became effective on July 8, 1980 as R.1980 d.308.

Howard H. Kestin
 Director
 Office of Administrative Law

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend GAM: Allowance Schedule

On July 7, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-3.3 concerning allowance schedule for clients in boarding homes and drug/alcohol treatment centers as proposed in the Notice published February 7, 1980 at 12 N.J.R. 85(b) with only inconsequential or language changes in the opinion of the Department.

An order adopting this rule was filed July 9, 1980 to become effective on August 1, 1980 as R.1980 d.310.

Howard H. Kestin
Director
Office of Administrative Law

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend General Assistance Manual

On July 7, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:8-111 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:85-3.3, 3.5, 5.2 and 5.3 concerning various portions of the General Assistance Manual as proposed in the Notice published March 6, 1980 at 12 N.J.R. 123(a) with only inconsequential or language changes in the opinion of the Department.

An order adopting this rule was filed July 9, 1980 to become effective on August 1, 1980 as R.1980 d.311.

Howard H. Kestin
Director
Office of Administrative Law

(c)

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Amend Outpatient Hospital Services

On July 8, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:52-1.6 concerning outpatient hospital services as proposed in the Notice published May 8, 1980 at 12 N.J.R. 264A(a).

An order adopting this rule was filed July 11, 1980 and became effective on February 7, 1980 pursuant to U.S. District Court Order, Civil No. 80-594, as R.1980 d.313.

Howard H. Kestin
Director
Office of Administrative Law

(d)

HUMAN SERVICES

DIVISION OF YOUTH AND FAMILY SERVICES

Child Care Center Standards

On July 11, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 18A:70-1 et seq., 30:1-1 et seq. and 30:4C-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:122 concerning child care center standards as proposed in the Notice published January 10, 1980 at 12 N.J.R. 39(a) with only inconsequential or language changes in the opinion of the Department.

N.J.A.C. 10:122-3 and -4 are retained and renumbered as N.J.A.C. 10:122A and 10:122B.

An order adopting this rule was filed July 11, 1980 to become effective on January 1, 1981 as R.1980 d.314.

Howard H. Kestin
Director
Office of Administrative Law

(e)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend PAM: Subpoena Notification

On July 17, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:81-7.32 concerning subpoena notification in PAM as proposed in the Notice published June 5, 1980 at 12 N.J.R. 320(a).

An order adopting this rule was filed July 18, 1980 to become effective on August 1, 1980 as R.1980 d.329.

Howard H. Kestin
Director
Office of Administrative Law

(f)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend PAM: Documentation in AFDC Transfer

On July 17, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:81-3.27 concerning documentation of AFDC transfer in PAM as proposed in the Notice published June 5, 1980 at 12 N.J.R. 319(b).

An order adopting this rule was filed July 18, 1980 to become effective on August 1, 1980 as R.1980 d.330.

Howard H. Kestin
Director
Office of Administrative Law

(a)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend ASH: Grant Effective Date

On July 17, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:82-2.3 concerning grant effective date in ASH as proposed in the Notice published June 5, 1980 at 12 N.J.R. 320(b).

An order adopting this rule was filed July 18, 1980 to become effective on September 1, 1980 as R.1980 d.331.

Howard H. Kestin
Director
Office of Administrative Law

(b)

HUMAN SERVICES

DIVISION OF PUBLIC WELFARE

Amend ASH: Various

On July 17, 1980, Ann Klein, Commissioner of Human Services, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 10:82-2.14, 2.20 and 4.9 concerning earned income, adjustments, and to conform with DYFS regulations as proposed in the Notice published June 5, 1980 at 12 N.J.R. 320(c), with only inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed July 18, 1980 to become effective on August 1, 1980 as R.1980 d.332.

Howard H. Kestin
Director
Office of Administrative Law

(c)

INSURANCE

THE COMMISSIONER

Proposed Repeal of Insurance Licensing of Financial Institutions

Pursuant to authority of N.J.S.A. 17:1C-1 et seq., James J. Sheeran, Commissioner of Insurance, proposes to repeal N.J.A.C. 11:1-10 concerning insurance licensing of financial institutions and their parent companies, subsidiaries, affiliates, service corporations or member banks.

Full text of the existing text of this proposed repeal may be found in the New Jersey Administrative Code.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 27, 1980 to:

Barbara R. Diamond
Special Assistant to the Commissioner
P.O. Box 1510
Trenton, N.J. 08625

The Department of Insurance may thereafter adopt rules concerning this subject without further notice.

James J. Sheeran
Commissioner
Department of Insurance

(d)

INSURANCE

REAL ESTATE COMMISSION

Amend Business Cards

On June 25, 1980, Joan Haberle, Director of the New Jersey Real Estate Commission, pursuant to authority of N.J.S.A. 45:15-6 and 45:15-10.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 11:5-1.15(e) concerning business cards as proposed in the Notice published June 5, 1980 at 12 N.J.R. 340(b), but with subsequent substantive changes not detrimental to the public in the opinion of the agency.

The proposed amendment to N.J.A.C. 11:5-1.16(c) also proposed at 12 N.J.R. 340(b) is still pending.

An order adopting this rule was filed and became effective on June 26, 1980 as R.1980 d.279.

Howard H. Kestin
Director
Office of Administrative Law

(e)

LABOR AND INDUSTRY

THE COMMISSIONER

DIVISION OF WORKPLACE STANDARDS

Proposed Amendments to Wage and Hour

John J. Horn, Commissioner of Labor and Industry, pursuant to the authority of N.J.S.A. 34:11-56a19, proposes to amend N.J.A.C. 12:56 concerning wages and hours by deleting the current text and substituting new text therefore.

The proposed rules represent an updating of the wage rates paid to workers in accordance with the statutory provisions of the New Jersey State Wage and Hour Law, N.J.S.A. 34:11-56a et seq. as amended effective March 1, 1979.

These proposals repeal respectively the current text of Chapter 56, Wage and Hour, and the current text of Chapter 57, Minimum Wage Orders Applicable to Persons Under 18 Years of Age.

Copies of the 31 pages of the proposal may be obtained from:

William J. Clark, Assistant Commissioner
Division of Workplace Standards
Department of Labor and Industry
Post Office Box 2191
Trenton, New Jersey 08625

In accordance with the provisions of N.J.S.A. 34:11-56a19, and N.J.S.A. 34:11-52, a public hearing will be held on September 8, 1980 at 9:30 A.M. in Room 1301 of the Labor and Industry Building at John Fitch Plaza, Trenton, N.J. on this proposal.

Interested persons or organizations may make oral presentations at the hearing or provide statements or arguments in writing relevant to the proposed action prior to and up to five days after the date of the hearing at the above address.

The Department of Labor and Industry may thereafter adopt rules on these subjects without further notice.

John J. Horn
Commissioner
Department of Labor and Industry

(a)

LABOR AND INDUSTRY

THE COMMISSIONER

DIVISION OF WORKPLACE STANDARDS

Proposed Amend Wage Orders for Minors

John J. Horn, Commissioner of Labor and Industry, pursuant to the authority of N.J.S.A. 34:11-52, proposes to amend N.J.A.C. 12:57, Wage Orders for Minors, by deleting the current text and adopting new text therefor.

The proposed rules in each case represent an updating of the wage rates paid to workers in accordance with the statutory provisions of the New Jersey State Wage and Hour Law, N.J.S.A. 34:11-56a et seq. as amended effective March 1, 1979.

Full text of the proposed new text follows.

CHAPTER 57

WAGE ORDERS FOR MINORS

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SUBCHAPTER 1. GENERAL PROVISIONS

- 12:57-1.1 Title and citation

This regulation shall be known and may be cited as N.J.A.C. 12:57, Wage Orders for Minors.

- 12:57-1.2 Purpose

The purpose of this chapter is to define and clarify certain sections of N.J.S.A. 34:11-34 et seq.

- 12:57-1.3 Scope

(a) This chapter shall apply to the wage rates for the employment of minors subject to N.J.S.A. 34:11-34 et seq.

(b) This subchapter shall apply to minors employed in mercantile occupations, beauty culture operations, and laundry, cleaning and dyeing occupations.

- 12:57-1.4 Effective date

This chapter shall take effect.....

- 12:57-1.5 (Reserved)

- 12:57-1.6 Validity

Should any section, paragraph, sentence or word of this chapter be declared for any reason to be invalid, such decision shall not affect the remaining portions of this chapter.

- 12:57-1.7 Violations and penalties

(a) An employer and his agent, or the officer or agent of any corporation, is a disorderly person, if he discharges or in any other manner discriminates against any employee because the employee has served or is about to serve on a wage board or has testified or is about to testify before a wage board or in any other investigation or proceeding or because the employer believes that the employee may serve on a wage board or may testify before a wage board or in any investigation or proceeding under

this subchapter and shall be guilty of a disorderly person offense and upon conviction be punished by a fine of not less than \$50.00 nor more than \$200.00.

(b) An employer or the officer or agent of any corporation is a disorderly person, if he pays or agrees to pay to any minor less than the rates applicable to such minor under a mandatory minimum fair wage order and shall be guilty of a disorderly person offense and upon conviction be punished by a fine of not less than \$50.00 nor more than \$200.00 or by imprisonment of not less than ten nor more than 90 days or by both such fine and imprisonment. Each week, in any day of which an employee is paid less than the rate applicable to him under a mandatory minimum fair wage order; and each employee so paid, shall constitute a separate offense.

(c) An employer or the officer or agent of any corporation is a disorderly person if he fails to keep the records required or to furnish such records to the commissioner upon request and shall be guilty of a disorderly person offense and upon conviction be punished by a fine of not less than \$25.00 nor more than \$100.00, and each day of such failure to keep the records or to furnish same as required shall constitute a separate offense.

SUBCHAPTER 2. DEFINITIONS

12:57-2.1 Definitions

"Act" means Minimum Wage Act, N.J.S.A. 34:11-34 et seq.

"Beauty culture establishment." See N.J.A.C. 12:57-4.2 (a).

"Beauty culture occupation." See N.J.A.C. 12:57-4.2(b).

"Commissioner" means the Commissioner of Labor and Industry or his authorized agent.

"Diversified employment." See N.J.A.C. 12:57-3.10(a).

"Employee" means any minor gainfully employed at an occupation coming under the jurisdiction of a wage order.

"Employer" means the employer of minors subject to the provisions of a wage order.

"Laundry cleaning, and dyeing occupation." See N.J.A.C. 12:57-5.2.

"Mercantile occupation." See N.J.A.C. 12:57-3.2(a) and (b).

"Minor" means any person under the age of 18 years.

"N.J.A.C." means the New Jersey Administrative Code.

"N.J.S.A." means the New Jersey Statutes Annotated.

"Occupation" means an industry, trade or business or branch thereof or class of work therein in which minors are gainfully employed but shall not include domestic service in the home of the employer or labor on a farm.

"Office of Wage and Hour Compliance" means Office of Wage and Hour Compliance of the Division of Workplace Standards of the New Jersey State Department of Labor and Industry, P.O. Box 875, Trenton, N.J. 08625.

"Operator." See N.J.A.C. 12:57-4.2(c).

"Regular hourly wage."

1. Beauty culture. See N.J.A.C. 12:57-4.5.

2. Laundry, cleaning and dyeing. See N.J.A.C. 12:57-5.5.

3. Mercantile. See N.J.A.C. 12:57-3.5.

"Senior student permit. See N.J.A.C. 12:57-4.2(d).

"Shall" means a mandatory requirement.

"Temporary permit." See N.J.A.C. 12:57-4.2(e).

"Working time." See N.J.A.C. 12:57-3.2(c).

SUBCHAPTER 3. WAGE ORDER NO. 11, MERCANTILE OCCUPATIONS

12:57-3.1 Scope of subchapter

This subchapter shall apply to the minimum wage rates paid to all minors engaged in mercantile occupations, irrespective of the nature of the business of the employer

or the location of the place where the work is being performed.

12:57-3.2 Definitions

"Mercantile occupation" means:

1. Any employment in or for any industry or business selling or offering for sale any type of merchandise, wares, goods, articles or commodities;

2. All work connected with the soliciting of sales or opportunities for sale and the distributing of such merchandise, wares, goods, articles or commodities and the rendering of services incidental to the sale, use or upkeep of the same whether performed on the employer's premises or elsewhere; or

3. Work performed in the manufacturing of merchandise sold at retail upon the premises where it is manufactured; but

4. Does not mean work performed in the manufacturing of merchandise which is sold at wholesale by the manufacturer.

"Working time" means time for which wages are paid and includes both time worked and time of authorized attendance, whether or not work is provided and time spent in traveling, within the State of New Jersey, from one establishment to another which is authorized or requested by the employer.

12:57-3.3 Minimum wage

(a) Minors under 18 years of age at mercantile occupations shall be paid not less than the minimum wage rate of \$3.10 per hour for each hour of working time, effective April 1, 1980.

12:57-3.4 Overtime rate

Overtime, at the rate of not less than 1½ times the regular rate at which the employee is actually employed, shall be paid to each minor for hours worked in excess of 40 in any one week, except that the overtime rate shall not apply to an executive, professional or administrative employee who is paid for his services in accordance with N.J.A.C. 12:56-7.

12:57-3.5 Regular hourly wage

(a) "Regular hourly wage" means the amount the employee is regularly paid for each hour of work.

(b) The regular rate of pay at which the employee is employed shall not be less than the minimum rate established by N.J.A.C. 12:57-3.4.

(c) When an employee is paid on a piece work basis or any other basis than an hourly rate the regular hourly wage shall be determined by dividing the total of the hours worked during the week into the employee's total earnings exclusive of part time bonuses for the week and exclusive of wages earned at overtime rates as such rates are defined.

(d) The total computed earnings shall include commissions, bonuses and all compensation paid by the employer, except overtime pay.

12:57-3.6 Waiting time

Time during regular working hours and at other periods when employees are required to wait on the premises and no work is provided by the employer shall be counted as working time and paid at such employee's regular hourly wage.

12:57-3.7 Travel time

An employee who is required or authorized to travel, from one establishment to another shall be compensated for the travel time at the same rate as for working time and shall be reimbursed for travel expense.

12:57-3.8 Piece work

(a) Minors employed on a piece work or commission basis shall be employed at rates which yield to each employee not less than the minimum wage established for time workers.

(b) For any week during which a minor is employed on a piece work or commission basis, or any basis whatsoever other than an hourly or time basis, the minimum amount of wage that shall be paid to such employee for such work shall be not less than the amount the employer would be required to pay if such employee were employed on an hourly or time basis.

(c) In the case of commissioned employees, their minimum wage may be charged against the commissions earned.

12:57-3.9 Employment under existing minimum wage orders

Whenever an employee is employed in any week solely in occupations governed by another minimum wage order, such employee may, for such week, be paid not less than the minimum rates required by such other minimum wage order.

12:57-3.10 Diversified employment

(a) "Diversified employment" means employment of an employee by one employer in mercantile occupations and during the same time being employed in occupations either covered or not covered by other minimum wage orders.

(b) An employee who during any payroll period works at diversified employment shall be paid for the full payroll period at the highest minimum wage rate established by any minimum wage order for any occupation in which the employee was engaged during the pay period in question; provided, however, that in cases where the employer has kept an accurate record of the actual time the employee has been engaged in each covered occupation, the employee may be paid not less than the minimum wage earned at such occupation.

12:57-3.11 Handicapped

No minor whose earning capacity has been impaired shall be paid at less than the minimum wage until a special license, in accordance with the provisions of N.J.S.A. 34:11-48, has been obtained by the employer from the Office of Wage and Hour Compliance.

12:57-3.12 Records

(a) Every employer shall keep a record of the name and address of each such employee, together with a record of the ages of all minors, a true and accurate record of the amount paid each pay period to each minor, and such other records as are essential in determining an employee's regular hourly wage and the amount of overtime wages earned.

(b) Employers are required to keep a true and accurate record of the hours worked each day. These records shall include the actual starting and stopping time of each work period and the total hours worked each pay period by each minor.

12:57-3.13 Posting

A notice issued by the Office of Wage and Hour Compliance setting forth the provisions of this subchapter shall be posted in a conspicuous place in every room where minors are employed at mercantile occupations.

SUBCHAPTER 4. WAGE ORDER NO. 12,
BEAUTY CULTURE OCCUPATIONS

12:57-4.1 Scope of subchapter

This subchapter shall apply to the minimum wage rates paid to all minors engaged in beauty culture occupations, irrespective of the nature of the business of the employer or the location of the place where the work is being performed.

12:57-4.2 Definitions

"Beauty culture establishment" means any shop, store, place, room or part thereof, in which services are rendered in a beauty culture occupation, or any branch thereof, and a charge is made to the recipient of such services.

"Beauty culture occupation" means any service, operation or process used or useful in the care, cleansing, or beautification of or in the enhancement of personal appearance, and all service, operation or process, incidental to such care, cleansing, beautification or enhancement, including the service of demonstrators, maids, cashiers, reception or appointment clerks.

"Operator" means any employee duly licensed as an operator, manicurist, manager-operator or demonstrator by the New Jersey Board of Beauty Culture.

"Senior student permit" means a permit issued by the New Jersey Board of Beauty Culture.

"Temporary permit" means a permit issued by the New Jersey Board of Beauty Culture.

12:57-4.3 Minimum wage

(a) Minors under 18 years of age at beauty culture occupations shall be paid not less than the minimum wage rate of \$3.10 per hour for each hour of working time, effective April 1, 1980.

12:57-4.4 Overtime rate

Overtime, at the rate of not less than 1½ times the regular rate at which the employee is actually employed, shall be paid to each minor for hours worked in excess of 40 in any one week, except that the overtime rate shall not apply to an executive, professional or administrative employee who is paid for his services in accordance with N.J.A.C. 12:56-7.

12:57-4.5 Regular hourly wage

(a) Regular hourly wage means the amount the employee is regularly paid for each hour of work.

(b) The regular rate of pay at which the employee is employed shall not be less than the minimum rate established by N.J.A.C. 12:57-4.3.

(c) When an employee is paid on a piece work basis or any other basis than an hourly rate the regular hourly wage shall be determined by dividing the total of the hours worked during the week into the employee's total earnings exclusive of part time bonuses for the week and exclusive of wages earned at overtime rates as such rates are defined.

(d) The total computed earnings shall include commissions, bonuses and all compensation paid by the employer, except overtime pay.

12:57-4.6 Waiting time

Any period of time during which an employee is required to wait on the premises and during which period no work is provided by the employer shall be counted as working time and be paid at such employee's regular hourly wage.

12:57-4.7 Gratuities

In no case shall tips or gratuities from patrons be counted as part of the minimum wage or regular wage rate being paid to an employee.

12:57-4.8 Furnishing equipment

Employers shall furnish all material and equipment pertinent to performance of the work with the exception of personal manicuring and hair cutting tools.

12:57-4.9 Handicapped

No minor whose earning capacity has been impaired by physical or mental deficiency or injury shall be paid at less than the minimum wage, unless a special license, in accordance with the provisions of N.J.S.A. 34:11-48, has been obtained by the employer from the Office of Wage and Hour Compliance.

12:57-4.10 Records

(a) Every employer shall keep the following records for each minor employee:

1. Full name, address, and occupational classification;
2. Date of birth;
3. A true and accurate record of hours worked each day including record of starting and stopping time, meal periods, total daily and weekly hours and amount of wages paid for each pay period;
4. Such other records as are essential in determining an employee's regular hourly wage and the amount of overtime wages earned and paid.

(b) Records shall be dated showing the payroll ending date by month, day and year, and all records shall be kept so as to enable representatives of the Office of Wage and Hour Compliance to determine readily whether or not the employer is complying with the orders of the commissioner.

12:57-4.11 Posting

The notice issued by the Office of Wage and Hour Compliance setting forth the provisions of this subchapter shall be posted in a conspicuous place in every room where minors are employed in a beauty culture occupation.

SUBCHAPTER 5. WAGE ORDER NO. 13, LAUNDRY, CLEANING AND DYEING OCCUPATIONS

12:57-5.1 Scope of subchapter

This subchapter shall apply to the minimum wage rates paid to all minors engaged in laundry, cleaning and dyeing occupations, irrespective of the nature of the business of the employer or the locations of the place where the work is being performed.

12:57-5.2 Definitions

"Laundry, cleaning and dyeing occupation" means, any activity of a minor in any capacity in the marking, sorting, washing, cleansing, collecting, ironing, assembling, packaging, pressing, receiving, shipping or delivery, or any other activity including clerical work, directly incidental or essential to the laundering, cleaning or renovating of any articles of clothing, napery, blanket, rugs, carpets, draperies, bed clothing fabric, textile, fur or leather, when such activity is not performed in the original process of manufacturing.

12:57-5.3 Minimum wage

(a) Minors under 18 years of age at laundry, cleaning and dyeing occupations shall be paid not less than the minimum wage rate of \$3.10 per hour for each hour of working time, effective April 1, 1980.

12:57-5.4 Overtime rate

Overtime, at the rate of not less than 1½ times the regular rate at which the employee is actually employed, shall be paid to each minor for hours worked in excess of 40 in any one week, except that the overtime rate shall not apply to an executive, professional or administrative employee who is paid for his services in accordance with N.J.A.C. 12:56-7.

12:57-5.5 Regular hourly wage

(a) "Regular hourly wage" means the amount the employee is regularly paid for each hour of work.

(b) The regular rate of pay at which the employee is employed shall not be less than the minimum rate established by N.J.A.C. 12:57-5.3.

(c) When an employee is paid on a piece work basis or any other basis than an hourly rate the regular hourly wage shall be determined by dividing the total of the hours worked during the week into the employee's total earnings exclusive of part time bonuses for the week and exclusive of wages earned at overtime rates as such rates are defined.

(d) The total computed earnings shall include commissions, bonuses and all compensation paid by the employer, except overtime pay.

12:57-5.6 Waiting time

Time during regular working hours and at other periods when employees are required to wait on the premises and no work is provided by the employer shall be counted as working time and paid at such employee's regular hourly wage.

12:57-5.7 Travel time

An employee who is required or authorized to travel from one establishment to another after the beginning or before the ending of his or her work day shall be compensated for travel time at not less than the employee's regular hourly wage and shall be reimbursed for travel expense.

12:57-5.8 Piece work

No minor employed on a piece work basis or any basis other than a time basis shall for any week of employment be paid less than the amount that the employee would earn for the hours of employment at the minimum wage applicable.

12:57-5.9 Handicapped

No minor whose earning capacity has been impaired by physical or mental deficiency or injury shall be paid at less than the minimum wage, until a special license, in accordance with the provisions of N.J.S.A. 34:11-48, has been obtained by the employer from the Office of Wage and Hour Compliance.

12:57-5.10 Records

(a) Every employer shall keep the following records for each minor employee:

1. Full name, address, and occupational classification;
2. Date of birth;
3. A true and accurate record of hours worked each day, including a record of starting and stopping time, meal periods, total daily and weekly hours, and amount of wages paid for each pay period;
4. Such other records as are essential in determining an employee's regular hourly wage and the amount of overtime wages earned and paid.

(b) Records shall be dated showing the payroll ending date by month, day and year, and all records shall be kept so as to enable representatives of the Office of Wage and

Hour Compliance to determine readily whether or not the employer is complying with the orders of the commissioner.

(c) Such records shall be open to inspection by the commissioner at any reasonable time, and sworn copies shall be supplied to the commissioner upon demand.

12:57-5.11 Posting

The notice issued by the Office of Wage and Hour Compliance, setting forth the provisions of this subchapter shall be posted in a conspicuous place in every room where minors are employed at laundry, cleaning, and dyeing occupations.

In accordance with the provisions of N.J.S.A. 34:11-56a19, and N.J.S.A. 34:11-52, a public hearing will be held on September 8, 1980 at 9:30 A.M. in Room 1301 of the Labor and Industry Building at John Fitch Plaza, Trenton, N.J. on this rule.

Interested persons or organizations may make oral presentations at the hearing or provide statements or arguments in writing relevant to the proposed action prior to and up to five days after the date of the hearing to:

William J. Clark, Assistant Commissioner
Division of Workplace Standards
Department of Labor and Industry
Post Office Box 2191
Trenton, New Jersey 08625

The Department of Labor and Industry may thereafter adopt rules on these subjects without further notice.

John J. Horn
Commissioner
Department of Labor and Industry

(a)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Proposed Amend Social Affairs Permits and Police Officer Employment

Joseph H. Lerner, Director of the Division of Alcoholic Beverage Control, pursuant to authority of N.J.S.A. 33:1-1 et seq. proposes to amend N.J.A.C. 13:2-5.1 and 23.31 concerning social affairs permit and employment of police officers.

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

13:2-5.1(g) A special permit shall be required for the sale or service of alcoholic beverages to those attending an affair at which there is any charge in connection with the affair, whether the charge be a direct one for drinks, imposed through the sale of tickets or charging of admission, requiring donations or special assessments, or where the charge is made ostensibly for food, entertainment or anything else[.]; except that no special permit shall be required for an affair conducted on either licensed or unlicensed premises by a bona fide not-for-profit organization, when such affair is by subscription or invitation only and not open to the public at large and for which the alcoholic beverages were purchased from a New Jersey licensed retailer by the organization, or donated to the organization by a sponsor to the affair.

13:2-23.31 Law enforcement officers

(a) No license shall be held by any regular police officer, by any peace officer or any other person whose powers or duties include the enforcement of the Alcoholic Beverage Law or Regulations, or by any profit corporation or association in which any such officer or person is interested, directly or indirectly[.].

(b) [nor shall any] No licensee shall employ or have connected with him in any business capacity whatsoever any such officer or person, except that:

1. Nothing herein shall prohibit a licensee from employing in a non-managerial capacity a special police officer who shall not sell, serve or deliver any alcoholic beverages[.], and

2. A licensee, upon prior written application to and written approval by the Director, may employ in a non-managerial capacity a regular police officer, peace officer or other person whose powers and duties include the enforcement of the Alcoholic Beverage Law (other than an officer employed by the Division of State Police) provided that such officer shall not be employed in a jurisdiction in which the officer is officially employed and such officer shall not sell, serve, possess or deliver alcoholic beverages.

(c) Written application pursuant to subsection (b) of this section shall include prior written approval of such employment by the chief law enforcement officer of the jurisdiction where the licensee is located and prior written approval of such employment by the chief law enforcement officer of the jurisdiction which employs said officer or person. In the case of the chief law enforcement officer seeking such employment, the prior written approval must be from the chief executive officer of the governing body of the jurisdiction which employs said chief officer.

[(b) The Director may authorize, upon prior application, the employment of regular police officers, peace officers, or other persons whose powers and duties include the enforcement of the Alcoholic Beverage Laws and Regulations, by licensees who operate race tracks, stadiums, auditoriums, theatres and other such establishments whose primary business does not consist of the sale or service of alcoholic beverages where the use of trained police officers may be required to provide crowd control, traffic control or security for large sums of money located at such establishments. Persons employed in such capacity may not distribute, possess or sell alcoholic beverages and may only accept such employment with the consent of their governmental employer.]

Interested persons may present comments, statements or arguments in writing relevant to the proposed amendments on or before August 27, 1980 to:

Joseph H. Lerner, Director
Division of Alcoholic Beverage Control
Department of Law and Public Safety
Newark International Plaza
U.S. Routes 1-9 (Southbound)
Newark, New Jersey 07114

The Division of Alcoholic Beverage Control may thereafter adopt the proposed rules concerning these subject areas without further notice.

Joseph H. Lerner
Director
Division of Alcoholic Beverage Control
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY DIVISION OF MOTOR VEHICLES

Proposed Amendments Concerning Student Permits

John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-13.1 proposes to amend N.J.A.C. 13:21-7.2 concerning student permits.

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

13:21-7.2 Driving test appointment requirements

(a) Driving test appointments may be granted and recorded on the driver examination student permits prior to the 17th birthday of the applicant; provided[,] that:

1. The student will be at least 17 years of age on the date of appointment;

2. [The student will have completed an approved "behind-the-wheel" training course; 3.] The student [will have] has passed the law-knowledge test administered by a representative of the Division of Motor Vehicles, and submits an [approved] approval certificate indicating that he has passed;

[4. The Snellen eye reading has been recorded on the student permit by the school nurse when presented for the driving test. In the absence of the school nurse, the eye reading may be recorded by a motor vehicle officer;] 3. The student permit, when presented for the driving test, bears the Snellen eye reading recorded by the school nurse or a representative of the Division of Motor Vehicles;

[5. The signatures of the principal, school nurse and student must be on the student permit when appearing for a driving test;] 4. The student permit, when presented for the driving test, bears the signatures of the principal, school nurse and student.

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

John A. Waddington, Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08666

The Division of Motor Vehicles may thereafter adopt rules concerning this subject without further notice.

John A. Waddington, Director
Division of Motor Vehicles
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY DIVISION OF MOTOR VEHICLES

Proposed Amendments Concerning Emergency Vehicle Equipment

John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law and Public Safety,

pursuant to authority of N.J.S.A. 39:3-43 proposes to amend N.J.A.C. 13:24-4.1 concerning emergency vehicle equipment.

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

13:24-4.1 Vehicles eligible

(a) Owners of the following type vehicles may be considered eligible for amber light permits:

1. Wreckers, bearing commercial registration:

[i.] The use of the flashing amber light is restricted to operation [only] at the scene of an accident or breakdown while preparations are being made for vehicle removal[;] and while the wrecker is towing the disabled vehicle from the scene of an accident or breakdown to the place of storage or repair.

ii. Operation of the flashing amber light is not permitted while vehicle is being operated along a public highway.]

2. (No change in text.)

3. (No change in text.)

Interested persons may present statements or arguments in writing relevant to the proposal on or before August 27, 1980 to:

John A. Waddington, Director
Division of Motor Vehicles
Department of Law and Public Safety
25 South Montgomery Street
Trenton, New Jersey 08666

The Division of Motor Vehicles may thereafter adopt rules concerning this subject without further notice.

John A. Waddington, Director
Division of Motor Vehicles
Department of Law and Public Safety

(c)

LAW AND PUBLIC SAFETY DIVISION OF CONSUMER AFFAIRS BOARD OF DENTISTRY

Proposed Amend Advertising

Samuel Furman, D.D.S., President of the Board of Dentistry in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to the authority of N.J.S.A. 45:6-1 et seq., propose to amend N.J.A.C. 13:30-8.6 regarding professional advertising by deleting the current text and adopting new text therefore.

Full text of the proposed new text follows.

(a) Definitions

1. The term "a paid advertisement" shall refer to advertisements which are paid for, sponsored by or may inure to the direct or indirect benefit of the licensee, and shall be identified as such unless it is apparent from the context that it is a "paid advertisement."

2. The term "routine professional service" shall refer to a service which the advertising licensee, professional association or institution providing dental care routinely performs.

3. The term "print media" shall refer to newspapers, magazines, periodicals, professional journals, telephone directories, circulars, handbills, flyers and other comparable publications.

4. The term "electronic media" shall refer to radio and television stations which have been duly licensed by the Federal Communications Commission.

5. The term "range of fees" shall refer to an expressly stated upper and lower limit on the fee charged for a professional service.

(b) Notwithstanding N.J.S.A. 45:6-7(g), a licensee who is actively engaged in the practice of dentistry in the State of New Jersey may provide information which is not false, fraudulent, misleading or deceptive to the public through the use of the print or electronic media. The Board shall determine what is false, fraudulent, misleading and deceptive in accordance with the reasonable expectations of the public.

(c) Advertising which contains the following shall be prohibited under N.J.S.A. 45:6-7(g):

1. Claims that the service performed or the materials used are professionally superior to that which is ordinarily performed or used.

2. Promotion of a professional service which the licensee knows or should know is beyond the licensee's ability to perform.

3. Techniques of communication which appear to intimidate, exert undue pressure or undue influence over a prospective patient.

4. The communication of personally identifiable facts, data, or information about a patient without first obtaining written consent.

5. Offers to give; receive or accept a fee or other consideration to or from a third party for the referral of a patient, which are not in the public interest.

6. Omissions or misrepresentations of material fact or law.

7. Techniques of communication which appear to be essentially noninformational in nature and which appear to be used primarily to gain attention.

(d) Fee advertising shall be limited to that which contains a fixed or a stated range of fees for a specifically described routine professional service. A licensee who advertises fees shall disclose all the relevant variables and considerations which are ordinarily included in such a service so that the fees will not be misunderstood. In the absence of such a disclosure, the stated fees shall be presumed to include everything ordinarily required for such a service. No additional charges shall be made for an advertised service unless the advertisement includes the following disclaimer: "Additional charges may be incurred for related services which may be required in individual cases." This disclaimer cannot be used for treatment where related services are ordinarily required.

(e) Offers of discounts shall indicate the fixed or stated range of fees against which said discount is to be made.

(f) Advertising which contains the name, address or telephone number of a professional service facility shall also include the names of all licensees who are officers or owners of said facility so the public knows at all times with whom it is dealing.

(g) A licensee shall be presumed to have approved and shall be personally responsible for the form and contents of a paid advertisement which contains the licensee's name, office address, or telephone number. A licensee who employs or allows another to employ for his benefit an intermediary source or other agent in the course of advertising shall be personally responsible for the form and contents of said advertisement.

(h) The effective life of fee or discount advertising shall appear on the face of said advertisement.

(i) A video or audio tape of every paid advertisement communicated by electronic media shall be provided to the Board within fifteen (15) days after its first publication so that the Board will have the opportunity to review all such advertising for the special problems they present in deception and misunderstanding.

(j) A licensee shall be required to keep a copy of all paid advertisements for a period of three (3) years. All advertisements in the licensee's possession shall indicate the accurate date and place of publication.

(k) A licensee shall be required to substantiate the truthfulness of all information contained in the advertisement should it become the subject of a complaint or investigation.

(l) Any person violating any provision of this regulation may be liable to a civil penalty of not more than \$2,500.00 for the first offense and not more than \$5,000.00 for the second and each subsequent offense.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before August 29, 1980 to:

Samuel E. Furman, D.D.S., President
New Jersey State Board of Dentistry
150 East State Street

Trenton, New Jersey 08608
Telephone: (609) 292-5416

The New Jersey State Board of Dentistry may thereafter adopt the above amendment substantially as proposed without further notice.

Samuel E. Furman, D.D.S., President
New Jersey State Board of Dentistry
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF OPTOMETRISTS

Proposed Advertising Regulations

Richard Appell, O.D., President of the Board of Optometrists in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:1-21 et seq., proposes to adopt new regulations to be cited as N.J.A.C. 13:38-1.9 and 1.10 concerning advertising by optometrists and related matters.

Full text of the proposal follows.

13:38-1.9 General advertising provisions

(a) An optometrist may, consistent with the provisions set forth herein, advertise to the consuming public the availability for sale and offering of optometric services and ophthalmic goods or merchandise. In any advertising permitted by these regulations, an optometrist shall not use, employ, suffer, permit or condone any practice, statement or format which is false, fraudulent, misleading or deceptive. For the purpose of this regulation the term "advertising" shall mean any attempt directly or indirectly by publication dissemination, circulation or in any other way to induce a consumer to purchase or consider the purchase of optometric services or ophthalmic goods or merchandise.

(b) An optometrist may advertise by means of print or electronic media, including on premise signs, professional cards and appointment cards.

(c) An optometrist may advertise fees for services to be rendered and prices for ophthalmic goods and merchandise offered for sale provided that:

1. The advertised service, goods or merchandise is provided for not more than the advertised amount.

2. All advertised fees or prices are clearly and conspicuously displayed.

3. Where a price is set forth for any optometric or ophthalmic device including, but not limited to, contact lenses, other lenses or eyeglass frames, the advertisement shall also contain the following:

i. A statement of the total dollar amount for the advertised merchandise, said amount to include the cost of all usual and necessary services and goods related thereto, or

ii. A statement of the separate prices for the advertised merchandise and all usual and necessary services and goods related thereto. The sum total of such statement shall equal the total price to be paid for the advertised merchandise and related services and goods.

(d) For the purpose of subsection (c) of this section the term "usual and necessary services and goods" shall include at least the following: optometric examination and, where appropriate, contact lens evaluation fee, storage and sterilizing equipment (heat or cold method) and use instruction and follow-up care. Example:

1. John Doe, Optometrist	OR	John Doe, Optometrist
Designer Frames	\$35.00	Designer Frames \$ 90.00
Optometric Exam	35.00	
Lenses	20.00	
	\$90.00	

2. John Doe, Optometrist	OR	John Doe, Optometrist
Contact Lenses	\$ 50.00	Contact Lenses \$180.00
Contact Lens		
Evaluation	25.00	
Optometric Exam	50.00	
Sterilizing Equipment	30.00	
Instruction and		
Follow-up care	25.00	
	\$180.00	

NOTE: In both examples the total price may be set forth without specifically delineating the component services and goods contained therein. However, a "total price only" advertisement shall contain and offer to the consumer all usual and necessary goods and services or else will be deemed deceptive.

(e) In the event that an advertisement contains a statement with regard to an advertiser's refund policy, such policy shall clearly and conspicuously set forth all material conditions such as relevant time periods and dollar amounts to be refunded.

(f) An advertisement offering frames or lenses shall specifically identify the type of frames or lenses being offered such as single vision, bifocal, trifocal, etc., glass, plastic or other material.

(g) An advertisement shall not directly or indirectly state or imply that the advertiser possesses professional superiority with regard to services or merchandise offered or with regard to apparatus, equipment or technology utilized by such advertiser. The use of such terms as specialist, specialty, expert or words of similar import or a listing of professional affiliation shall be deemed to indicate a claim of professional superiority.

(h) An advertisement shall not contain any statement or listing of an inactive, retired, removed or deceased optometrist or any other ocular practitioner except that for a period of not more than two years from the date of

succession to the practice of another optometrist, an optometrist may use a telephone listing of such prior optometrist together with the words "succeeded by" or "successor to."

(i) An optometrist may be listed in the classified section of any directory under the classification entitled "Optometrist," "Doctors of Optometry," or any other designation which is not misleading. Such listing shall show the address or addresses for which a valid, unrevoked, active certificate has been issued to practice optometry in this State.

(j) It shall be an unlawful advertising practice for an optometrist licensed by the New Jersey Board of Optometrist to:

1. Use or employ any advertisement containing colored, flashing or neon lights.

2. Employ endorsements or personal testimonials attesting to the quality of services rendered or merchandise received.

3. Guarantee that services rendered will result in cures of any optometric or visual abnormality.

4. Utilize any advertising format or presentation which is undignified or unprofessional in nature.

5. Engage in any form or method of advertising wherein the advertised medium limits access thereto to a closed, limited or designated class of optometrists.

6. Fail to retain a copy of any advertisement appearing in the print media and a video or audio tape of every advertisement communicated by electronic media for a period of 3 years following the date of publication or dissemination. Such copies or tapes shall be made available on request by the Board or its designee.

7. Fail to substantiate the truthfulness or accuracy of any assertion or representation set forth in an advertisement.

8. Optometric practice under assumed names and disclosure of practitioner names

(k) Except as may be authorized by the Professional Service Corporation Act, N.J.S.A. 14A:17-1 et seq., a licensed optometrist shall not practice under a name other than his own.

(l) A licensed optometrist who is also an officer of a professional service corporation which renders optometric services or sells ophthalmic merchandise shall:

1. In all advertising placed by such corporation cause to be conspicuously disclosed the names of all corporate officers who are licensed to practice optometry within this State.

2. Cause the names of all optometrists who render optometric services in connection with such corporation to be displayed in a conspicuous place at the entrance to the premises from which optometric services are rendered.

3. File with the Board of Optometrists by March 31 of each year a copy of that report required to be filed pursuant to N.J.S.A. 14A:17-15 showing the names and post office addresses of all shareholders, directors, and officers of such corporation. In addition thereto, the report shall include the names and addresses of all licensed optometrists employed by the corporation.

(m) It shall be the joint and several responsibility of all corporate officers holding licenses to secure compliance with subsection (n) of this section.

(n) In all advertising placed by a sole practitioner of optometry or by a partnership engaged in the practice of optometry, the name of the sole practitioner and the names of all partners shall be conspicuously set forth.

(o) A sole practitioner of optometry and all licensed optometrists offering optometric services as partners in a partnership shall cause the names of all licensees offer-

ing optometric services in connection with the sole proprietorship or the partnership to be displayed in a conspicuous place at the entrance to the premises from which optometric services are rendered.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before October 1, 1980 to:

Jan Flanagan, Executive Secretary
New Jersey Board of Optometrists
1100 Raymond Boulevard, Room 501
Newark, New Jersey 07102
Tel. No. (201) 648-2012

The New Jersey State Board of Optometrists may thereafter adopt the above rule as proposed without further notice.

Richard Appell, O.D., President
Board of Optometrists
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Proposed Elimination of Fee for Transmittal Of Grades or Certification

John T. McCann, President of the State Board of Professional Engineers and Land Surveyors in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8-27 et seq., proposes to repeal in its entirety the current Board of Professional Engineers and Land Surveyors Regulation governing fees for transmitting grades, or certification of registration of licensees to other State boards or the National Council of Engineering Examiners (NCEE).

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

13:40-6.1(a)[7. For the transmitting of grades, or certification as to registration or status to other State boards, or the National Council of Engineering Examiners (NCEE), or to government agencies of employers or to any other parties, there shall be charged for each transmittal or certification a fee of \$10.00.]

Interested persons may present statements or arguments in writing relative to the proposed action on or before August 29, 1980 to:

New Jersey State Board of Professional Planners
Room 317
1100 Raymond Boulevard
Newark, New Jersey 07102

The State Board of Professional Engineers and Land Surveyors may thereafter repeal this regulation without further notice.

John T. McCann, President
Board of Professional Engineers
and Land Surveyors
Department of Law and Public Safety

(b)

LAW AND PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

BOARD OF PLANNERS

Proposed Amendments to Rules Governing The Use of Seals

Louis H. Goettelmann, President of the State Board of Planners in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:14A-1 et seq., proposes to amend current Board of Professional Planners Regulations governing the use of Seals, N.J.A.C. 13:41-1.2 and 1.3.

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

13:41-1.2 Signature and date on seal; location; removal

The planner shall place his signature and the date when signed below the seal. The seal shall be fixed [in the lower left hand corner of] on the first page of [the instrument] a report and on each drawing if submitted separately. If a title block is used, it should be located elsewhere [and be unobtrusive but] and shall be of sufficient size to be legible. No person shall remove a seal or title block from any print or reproduction.

13:41-1.3 Sealing instruments

(a) Every instrument issued by the planner must be signed and sealed except that no seal shall be required on maps of existing land use, existing facilities or similar maps indicating the findings of surveys or studies in mapped form.

(b) Where multiple copies of the instrument are needed, the original copy shall be sealed and all other copies shall include on the title page a statement indicating that the original instrument was appropriately signed and sealed in accordance with law. The original sealed instrument shall be transmitted to the client.

(c) Only map prints shall be signed and sealed and not original tracings.

Interested persons may present statements or arguments in writing relative to the proposed action on or before August 29, 1980 to:

New Jersey State Board of Professional Planners
Room 317
1100 Raymond Boulevard
Newark, New Jersey 07102

The State Board of Professional Planners may thereafter adopt the above amendments as proposed without further notice.

Louis H. Goettelmann, President
Board of Professional Planners
Department of Law and Public Safety

(a)

LAW AND PUBLIC SAFETY

RACING COMMISSION

Emergency Pick-Six Pool

On June 26, 1980, Harold Handel, Acting Deputy Director of the Racing Commission, pursuant to authority of N.J.S.A. 5:5-22 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted a new emergency rule to be cited as N.J.A.C. 13:70-29.56 concerning pick-six pool. This is the same rule proposed in the Notice published July 10, 1980 at 12 N.J.R. 432(b).

An order adopting this rule was filed June 27, 1980 to become effective on July 8, 1980 as R.1980 d.286 (Exempt, Emergency Rule).

Howard H. Kestin
Director
Office of Administrative Law

(b)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Amend Various Rules

On July 3, 1980, Joseph H. Lerner, Director of the Division of Alcoholic Beverage Control, pursuant to authority of N.J.S.A. 33:1-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 13:2-4, -20, -23, -24, -26, -33, -36 and -40 concerning various portions of the rules as proposed in the Notice published June 5, 1980 at 12 N.J.R. 343(b), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

Full text of the changed portions of the amendments follows (additions to existing rules shown in boldface thus; deletions from existing rules shown in brackets [thus]).

13:2-23.8(b) On the last Sunday of October of each year, at 2:00 a.m., the clocks in each licensed premises will be turned one hour back in observance of Eastern Standard Time. In municipalities having a closing hour later than 2:00 a.m., the clocks will be immediately returned to 1:00 a.m. and hours of sale will be calculated accordingly.

13:2-24.5(b) By the first day of the month preceding the month for which they are to become effective, make available to all its wholesalers or distributors its prices, inclusive of all discounts, allowances or differentials, and

(Proposed amendment to N.J.A.C. 13:2-24.6 not adopted.)

13:2-24.7 Marketing initiatives

Subject to the foregoing provisions of this subchapter, a licensed or registered manufacturer, supplier, importer, wholesaler or distributor may furnish or provide advertising or promotional materials to any retail licensee,

except that samples may be provided to retailers, and donations of alcoholic beverages made to qualified industry trade organizations, only within the terms and conditions of a special permit first obtained from the Director, issued upon a petition establishing and defining its need and use and verifying that all taxes have been paid thereon.

13:24.9(b) Except for sales to retailers of malt alcoholic beverages; no wholesale licensee shall offer to sell or sell any alcoholic beverage product in combination with another product. For purposes of this subsection, a sale of products which are identical, except for size, in mixed lots (a mixed size sale) is not a combination sale.

(c) Subject to N.J.S.A. 33:1-12, [N]othing herein shall preclude a retail licensee from selling or offering for sale any product in combination with another product at a single unit price, provided that such unit price shall exceed the cost of the combined products and the individual unit price of each combined product is provided in advertising and shelf pricing.

13:2-26.1(a)6. All purchases on credit through or by cooperative agreement shall [be made only on terms requiring payment upon delivery, or in the case of multiple delivery, upon initial delivery or earlier; and] be reduced to writing, signed by the wholesaler and each individual participating member of the cooperative, and be consistent with the credit provisions of subchapters 24 and 39 of this chapter. Such credit terms shall include adequate assurances of payment by either the posting of a bond by the cooperative member or a provision that each member of the cooperative shall be jointly and severally liable for payment for the purchases made through the cooperative. A copy of such written agreements shall be maintained by the wholesaler in its marketing manual and by the registered buying cooperative; and

(Proposed amendments to N.J.A.C. 13:2-35.2 were not adopted.)

An order adopting this rule was filed and became effective on July 3, 1980 as R.1980 d.304.

Howard H. Kestin
Director
Office of Administrative Law

(c)

ENERGY

THE COMMISSIONER

Repeal of Gas Burning Ignition Devices

On June 25, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted repeal of N.J.A.C. 14A:3-4.2(b) and 4.4(b) concerning ignition devices on gas burning central heaters as proposed in the Notice published September 6, 1979 at 11 N.J.R. 466(c).

An order adopting this rule was filed June 27, 1980 to become effective on September 1, 1980 as R.1980 d.280.

Howard H. Kestin
Director
Office of Administrative Law

(a)

ENERGY

THE COMMISSIONER

Amend Energy Conservation

On June 25, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 14A:3-2.3, 2.11, 8.2, 8.4, 9.2, 9.3 and 9.4 concerning energy conservation as proposed in the Notice published February 7, 1980 at 12 N.J.R. 92(b), but with subsequent, substantive changes not detrimental to the public in the opinion of the department.

An order adopting this rule was filed June 27, 1980 to become effective on September 1, 1980 as R.1980 d.281.

Howard H. Kestin
Director
Office of Administrative Law

(b)

ENERGY

THE COMMISSIONER

Energy Conservation Certificate of Compliance

On June 25, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 14A:3-10 concerning energy conservation certificate of compliance as proposed in the Notice published February 7, 1980 at 12 N.J.R. 93(a) with only subsequent, inconsequential structural or language changes in the opinion of the Department.

An order adopting this rule was filed June 27, 1980 to become effective on September 1, 1980 as R.1980 d.282.

Howard H. Kestin
Director
Office of Administrative Law

(c)

ENERGY

THE COMMISSIONER

Used Oil

On June 25, 1980, Joel R. Jacobson, Commissioner of Energy, pursuant to authority of N.J.S.A. 52:27F-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 14A:3-11 concerning collection, storage, recycling, use and disposal of used oil as proposed in the Notice published May 8, 1980 at 12 N.J.R. 285(b), but with subsequent, substantive changes not detrimental to the public in the opinion of the Department.

An order adopting this rule was filed June 27, 1980 to become effective on September 1, 1980 as R.1980 d.283.

Howard H. Kestin
Director
Office of Administrative Law

(d)

ENERGY

BOARD OF PUBLIC UTILITIES

Amend Utility Bill Form

On June 19, 1980, Gerald A. Calabrese, Secretary to the Board of Public Utilities, pursuant to authority of N.J.S.A. 48:2-12 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 14:3-7.9 concerning statement of taxes on utility bills as proposed in the Notice published April 10, 1980 at 12 N.J.R. 209(f), but with subsequent, substantive changes not detrimental to the public in the opinion of the Board.

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.299.

Howard H. Kestin
Director
Office of Administrative Law

(e)

TRANSPORTATION

THE COMMISSIONER

Public Hearing on Outdoor Advertising

A public hearing concerning proposed amendments to N.J.A.C. 16:41-8 concerning outdoor advertising proposed in the May 8, 1980 New Jersey Register at 12 N.J.R. 288(a) will be held at 10:00 A.M. on August 20, 1980 in Room 1210 (Hearing Room) at the Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey.

Interested persons are invited to participate through written or oral presentations. Comments will be restricted to the rules as proposed. Persons wishing to make oral presentations are requested to notify: Mr. Charles L. Meyers, New Jersey Department of Transportation, Bureau of Management Systems, 1035 Parkway Avenue, Trenton, New Jersey 08625, (tel. (609) 292-0052 or 0053) on or before August 15, 1980.

Louis J. Gambiccini
Commissioner
Department of Transportation

(f)

TRANSPORTATION

THE COMMISSIONER

Public Hearing on Licensing Of Aeronautical Facilities

A public hearing concerning proposed amendments to N.J.A.C. 16:54 concerning licensing of aeronautical facilities as published in the May 8, 1980 New Jersey Register at 12 N.J.R. 289(a) will be held at 10:00 A.M. on August 27, 1980 in Room 110 (Audio Visual Lecture Hall) at the Mercer County Community College, Old Trenton Road, West Windsor, New Jersey.

Interested persons are invited to participate through written or oral presentations. Comments will be restricted to the rules as proposed. Persons wishing to make oral presentations are requested to notify: Mr. James E. Varanyak, New Jersey Department of Transportation, Division of Aeronautics, 1035 Parkway Avenue, Trenton, New Jersey 08625, (tel. (609) 292-3112 or 7869) on or before August 18, 1980.

Louis J. Gambaccini
Commissioner
Department of Transportation

(a)

TRANSPORTATION

THE COMMISSIONER

Amend Restricted Parking on Routes N.J. 35, 17, U.S. 30 and 31

On June 30, 1980, Louis J. Gambaccini, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 16:28A-1.9, 1.21, 1.22 and 1.25 concerning restricted parking on Routes N.J. 35, 17, U.S. 30 and 31 as proposed in the Notice published June 5, 1980 at 12 N.J.R. 349(a).

An order adopting this rule was filed June 30, 1980 to become effective on July 1, 1980 as R.1980 d.289.

Howard H. Kestin
Director
Office of Administrative Law

(b)

TRANSPORTATION

THE COMMISSIONER

Amend Restricted Parking on Routes U.S. 46, 36, 28, 71 and 29

On June 30, 1980, Louis J. Gambaccini, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 16:28A-1.19, 1.20, 1.26, 1.32 and 1.33 concerning restricted parking on Routes U.S. 46, 36, 28, 71 and 29 as proposed in the Notice published June 5, 1980 at 12 N.J.R. 350(a).

An order adopting this rule was filed June 30, 1980 to become effective on July 1, 1980 as R.1980 d.290.

Howard H. Kestin
Director
Office of Administrative Law

(c)

TRANSPORTATION

THE COMMISSIONER

Amend Restricted Parking on Route U.S. 46

On June 30, 1980, Louis J. Gambaccini, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-

138.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted new rules to be cited as N.J.A.C. 16:28A-1.32(b) concerning restricted parking on Route U.S. 46 as proposed in the Notice published June 5, 1980 at 12 N.J.R. 350(b).

An order adopting this rule was filed June 30, 1980 to become effective on July 1, 1980 as R.1980 d.291.

Howard H. Kestin
Director
Office of Administrative Law

(d)

TRANSPORTATION

THE COMMISSIONER

Amend Restricted Parking on Routes U.S. 9, U.S. 9W, 12, 36, 49 and U.S. 202-31

On June 30, 1980, Louis J. Gambaccini, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 16:28A-1.7, 1.26, 1.35 and new rules to be cited as N.J.A.C. 16:28A-1.61 through 1.63 concerning restricted parking on Routes U.S. 9, U.S. 9W, 12, 36, 49 and U.S. 202-31 as proposed in the Notice published June 5, 1980 at 12 N.J.R. 348(e).

An order adopting this rule was filed June 30, 1980 to become effective on July 1, 1980 as R.1980 d.292 and R.1980 d.293.

Howard H. Kestin
Director
Office of Administrative Law

(e)

TREASURY

DIVISION OF PENSIONS

COUNCIL OF THE SUPPLEMENTAL ANNUITY COLLECTIVE TRUST

Proposed Repeal of Reports and Remittances

William J. Joseph, Secretary, Council of the Supplemental Annuity Collective Trust in the Division of Pensions in the Department of the Treasury, pursuant to authority of chapter 123, Public Law 1963 proposes to delete N.J.A.C. 17:8-2.10 and 17:8-2.11 concerning reports and remittances.

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

[17:8-2.10 Contribution remittance and report]

[Contributions of participants through payroll deductions shall be remitted monthly by employers no later than the 15th of the month following the month in which the deductions were made and shall be reported quarterly, in detail.]

[17:8-2.11 Salary reduction remittance and report]

[The salary reductions of participants shall be remitted monthly to the Trust by employers no later than the 15th of the month following the month in which the reductions were made and shall be reported quarterly, in detail.]

Interested persons may present statements or arguments in writing relevant to the proposals on or before August 27, 1980 to:

William J. Joseph, Secretary
Council of the Supplemental Annuity Collective Trust
Division of Pensions
20 West Front Street
Trenton, New Jersey 08625

The Council of the Supplemental Annuity Collective Trust may thereafter adopt rules concerning this subject without further notice.

William J. Joseph, Secretary
Council of the Supplemental Annuity
Collective Trust
Division of Pensions
Department of the Treasury

(a)

TREASURY

TAXATION

Amend Transfer Inheritance Tax

On June 27, 1980, Sidney Glaser, Director of the Division of Taxation, pursuant to authority of N.J.S.A. 54:33-1 et seq. and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 18:26-3.10, 5.14, 5.15, 8.9, 9.14, 10.5, 11.15 and 12.9 concerning transfer and inheritance tax as proposed in the Notice published June 5, 1980 at 12 N.J.R. 352(b).

An order adopting this rule was filed and became effective on June 27, 1980 as R.1980 d.287.

Howard H. Kestin
Director
Office of Administrative Law

(b)

TREASURY

STATE HEALTH BENEFITS COMMISSION

Amend Major Medical Reimbursement

On June 25, 1980, William J. Joseph, Secretary, State Health Benefits Commission, pursuant to authority of N.J.S.A. 52:14-17.27 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:9-2.15 concerning major medical reimbursement as proposed in the Notice published April 10, 1980 at 12 N.J.R. 216(b).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.300.

Howard H. Kestin
Director
Office of Administrative Law

(c)

TREASURY

DIVISION OF PENSIONS

Amend Reporting Requirements

On June 25, 1980, William J. Joseph, Director of the

Division of Pensions, pursuant to authority of P.L. 1955, c. 70 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:1-1.3, 8.7, 8.8 and 8.12 concerning reporting requirements as proposed in the Notice published June 5, 1980 at 12 N.J.R. 351(a).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.301.

Howard H. Kestin
Director
Office of Administrative Law

(d)

TREASURY

DIVISION OF PENSIONS

Amend Cash Discounts of Purchase

On June 25, 1980, William J. Joseph, Director of the Division of Pensions, pursuant to authority of P.L. 1955, c. 70 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:1-4.13 concerning cash discounts of purchase as proposed in the Notice published June 5, 1980 at 12 N.J.R. 352(a).

An order adopting this rule was filed and became effective on July 1, 1980 as R.1980 d.302.

Howard H. Kestin
Director
Office of Administrative Law

(e)

TREASURY

STATE INVESTMENT COUNCIL

Amend Classification of Funds

On July 11, 1980, Clifford Goldman, State Treasurer, on behalf of the State Investment Council, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with the applicable provisions of the Administrative Procedure Act, adopted amendments to N.J.A.C. 17:16-5.5 concerning classification of funds.

Full text of the adopted rule follows (additions indicated in bold face thus).

17:16-5.5(a)8. **Disability Benefit Liability Fund**
Renumber 8 through 39 as 9 through 40.

17:16-5.5(a)41. **Transportation Rehabilitation and Improvement Fund**
Renumber 40 through 42 as 42 through 44.

An order adopting this rule was filed and became effective on July 16, 1980 as R.1980 d.315 (Exempt, Procedural Rule).

Howard H. Kestin
Director
Office of Administrative Law

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OF THE STATE OF NEW JERSEY**

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NINE CODE TITLES UPDATED

Mailing was completed last month for the January/February 1980 update of nine Titles of the New Jersey Administrative Code.

Titles included were: 2—Agriculture, 3—Banking, 7—Environmental Protection, 11—Insurance, 12—Labor and Industry, 13—Law and Public Safety, 14/14A—Energy and Public Utilities, 18—Treasury-Taxation, and 19—Other Agencies.

If subscribers have not received this update, within two weeks they should contact the Division of Administrative Procedure, CN 301, Trenton, New Jersey 08625, or phone (609) 292-6060.

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Early Rules Filing DEADLINE: August 7
