

# NEW JERSEY



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# REGISTER

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

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*\*The New Jersey Register supplements the New Jersey Administrative Code. To complete your research of the latest State agency rule changes, see the Rule Adoptions in This Issue and the Index of Adopted Rules beginning on Page 1675.*

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# RULE PROPOSALS

## COMMUNITY AFFAIRS

(a)

### DIVISION OF HOUSING AND DEVELOPMENT

#### Rooming and Boarding Houses Home Energy Assistance Payments

#### Proposed New Rule: N.J.A.C. 5:27-11.7

Authorized By: John P. Renna, Commissioner, Department of Community Affairs.

Authority: N.J.S.A. 55:13B-4.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Michael L. Ticktin, Esq.  
Administrative Practice Officer  
Division of Housing and Development  
CN 804  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-516.

The agency proposal follows:

#### Summary

The purpose of the Home Energy Assistance Act of 1980 and the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. sect. 8621 et seq.) is to provide Federal grants to states to assist eligible households in meeting home energy costs. The term "household" is defined in 42 U.S.C. sect. 8622 as "any individual or group of individuals who are living together as one economic unit for

whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent." Income-eligible individuals residing in rooming or boarding houses are therefore entitled to receive, and retain as part of their own funds, home energy assistance payments. Nevertheless, there have been many cases in which such individuals have been coerced or otherwise persuaded to surrender their home energy assistance payments to the owners or operators of the facilities in which they live. This proposed new rule is intended to stop that practice and thereby better protect the affected residents.

#### Social Impact

Residents will benefit by having the assistance of the Department in securing the right to have the use of their home energy assistance money. Owners and operators will know what they can and cannot require.

#### Economic Impact

Unjust enrichment of owners and operators at the expense of residents by misappropriation of home assistance payments will result in appropriate sanctions from the Department.

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

#### 5:27-11.7 Home energy assistance payments

Moneys paid to or on behalf of any resident pursuant to the Home Energy Assistance Act of 1980 or the Low-Income Home Energy Assistance Act of 1981 shall be the sole property of such resident. No licensee shall, in any manner whatsoever, directly or indirectly, coerce or induce any resident to give over such moneys to the licensee or to any other person.

## NEW JERSEY REGISTER

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# ENVIRONMENTAL PROTECTION

(a)

## DIVISION OF FISH, GAME AND WILDLIFE

### List of Endangered Species and Status of Indigenous Nongame Wildlife Species

#### Proposed Amendments: N.J.A.C. 7:25-11.1 and 7:25-20.2

Authorized By: Robert E. Hughey, Commissioner,  
Department of Environmental Protection.  
Authority: N.J.S.A. 23:2A-4.

DEP Docket No. 055-83-09.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Russell A. Cookingham, Director  
Division of Fish, Game and Wildlife  
CN 400  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-535.

The agency proposal follows:

#### Summary

The Department of Environmental Protection proposes to amend N.J.A.C. 7:25-11.1 and N.J.A.C. 7:25-20.2 to update and expand the lists of endangered and indigenous nongame wildlife species in New Jersey. These lists are compiled from research and field observations by experts in herpetology, ornithology, ichthyology, and mammalogy and by biologists from the Department.

The information obtained from these studies and observations indicates that particular species' prospects for survival are poor due to loss of or change in habitat, over exploitation, predation, competition, disease and other causes. Including these new species on the endangered species list insures that they will be protected by a departmental permitting requirement as well as penalties and other restrictions in N.J.A.C. 7:25-4 (Nongame and Exotic Wildlife), N.J.A.C. 7:26-11.2 and the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1 et seq.

A summary and source description of the new species' status changes is available at the above address and is on file with the Office of Administrative Law, 88 East State Street, Trenton, NJ.

#### Social Impact

The protection of endangered and nongame species in New Jersey helps preserve these types of creatures for the enjoyment and appreciation of naturalists and other citizens. By listing new species and updating species designations, the Department hopes to raise public awareness and concern for these vital yet rapidly dwindling resources.

#### Economic Impact

No economic impact is foreseen from the adoption of this proposal.

#### Environmental Impact

The quality of our environment is not related solely to the absence of pollution but also derives from the maintenance of a diverse and complex ecosystem. As fewer forms of life inhabit our environment, its natural ability to rejuvenate itself deteriorates. By maintaining as great a variety as possible of indigenous wildlife and the habitat upon which they rely, we work to secure the habitat upon which we rely.

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

7:25-11.1 List of endangered species

(a) (No change.)

(b) In accordance therewith, the following list of species is determined to be endangered:

1.-8. (No change.)

**9. Corn Snake, Elaphe guttata guttata**

[9.] **10. Bald Eagle, Haliaeetus leucocephalus**

[10.] **11. Peregrine Falcon, Falco peregrinus**

[11.] **12. Osprey, Pandion haliaetus**

[12.] **13. Cooper's Hawk, Accipiter cooperii**

**14. Northern Harrier, Circus cyaneus**

**15. Short-eared Owl, Asio flammeus**

**16. Pied-billed Grebe, Podilymbus podiceps**

**17. Upland Sandpiper, Bartramia longicauda**

**18. Cliff Swallow, Petrochelidon pyrrhonota**

**19. Sedge Wren, Cistothorus platensis**

**20. Henslow's Sparrow, Ammodramus henslowii**

**21. Vesper Sparrow, Poocetes gramineus**

**22. Piping Plover, Charadrius melodus**

**23. Roseate Tern, Sterna dougallii**

[13.] **24. Least Tern, Sterna albifrons**

[14.] **25. Black Skimmer, Rynchops niger**

[15.] **Indiana Bat, Myotis sodalis**

[16.] **26. Atlantic Hawksbill, Eretmochelys imbricata imbricata**

[17.] **27. Atlantic Loggerhead, Caretta caretta**

[18.] **28. Atlantic Ridley, Lepidochelys kempi**

[19.] **29. Atlantic Leatherback, Dermochelys coriacea coriacea**

[20.] **30. Sperm Whale, Physeter catodon**

[21.] **31. Blue Whale, Balaenoptera musculus**

[22.] **32. Finback Whale, Balaenoptera physalus**

[23.] **33. Sei Whale, Balaenoptera borealis**

[24.] **34. Humpback Whale, Megaptera novaeangliae**

[25.] **35. Right Whale, Eubalaena glacialis**

7:25-20.2 Defining status of indigenous nongame wildlife species of New Jersey

(a) The following table defines the status of indigenous nongame wildlife species of New Jersey:

AMPHIBIANS	STATUS
.....	
<b>Tremblay's Salamander, Ambystoma tremblayi</b>	<b>E</b>
.....	
<b>Blue-spotted Salamander, Ambystoma laterale</b>	<b>E</b>
.....	
<b>Eastern Tiger Salamander, Ambystoma tigrinum tigrinum</b>	<b>E</b>
.....	
<b>Pine Barrens Treefrog, Hyla andersoni</b>	<b>E</b>
.....	
<b>Southern Gray Treefrog, Hyla chrysoscelis</b>	<b>E</b>
.....	
<b>Carpenter Frog, Rana virgatipes</b>	[U]S
.....	

REPTILES

.....

**ENVIRONMENTAL PROTECTION**

**PROPOSALS**

<b>Bog Turtle, Clemmys muhlenbergi</b>	<b>E</b>
Map Turtle, Graptemys geographica	[U]S
Red-bellied Turtle, Chrysemys rubriventris	[U]S
<b>Atlantic Hawksbill, Eretmochelys imbricata</b>	<b>E</b>
<b>Atlantic Loggerhead, Caretta caretta</b>	<b>E</b>
<b>Atlantic Ridley, Lepidochelys kempi</b>	<b>E</b>
<b>Atlantic Leatherback, Dermochelys coriacea</b>	<b>E</b>
Queen Snake, Natrix septemvittata	[U]P
Eastern Worm Snake, Carphophis amoenus amoenus	[U]S
Northern Black Racer, Coluber constrictor constrictor	[U]S
Corn Snake, Elaphe guttata	[T]E
<b>Timber Rattlesnake, Crotalus horridus horridus</b>	<b>E</b>
<b>BIRDS (Note: "(b)" means breeds in New Jersey.)</b>	
Pied-billed Grebe, Podilymbus podiceps (b)	[T]E
Yellow-crowned Night Heron, Nyctanassa violacca (b)	[D]T
<b>Black Vulture, Coragypus atratus (b)</b>	<b>INC</b>
Golden Eagle, Aquila chrysaetos	[S]E
<b>Bald Eagle, Haliaeetus leucocephalus (b)</b>	<b>E</b>
Northern Harrier, Circus cyaneus (b)	U
(wintering migrant pop.)	[T]U
(breeding pop.)	
<b>Cooper's Hawk, Accipiter cooperii (b)</b>	<b>E</b>
<b>Osprey, Pandion haliaetus (b)</b>	<b>E</b>
<b>Peregrine Falcon, Falco peregrinus (b)</b>	<b>E</b>
<b>Short-billed Dowitcher, Haematopus palliatus (b)</b>	<b>INC</b>
Piping Plover, Charadrius melodus (b)	[U]E
Upland Sandpiper, Bartramia longicauda (b)	[T]E
Roseate Tern, Sterna dougallii (b)	[T]E
<b>Least Tern, Sterna albifrons</b>	<b>E</b>
<b>Black Skimmer, Rynchops niger (b)</b>	<b>E</b>
Short-eared Owl, Asio flammeus (b)	S
(wintering migrant pop.)	[T]E
(breeding pop.)	
Cliff Swallow, Petrochelidon pyrrhonota (b)	[T]E
[Short-billed Marsh Wren, Cistothorus platensis (b)	T]
<b>Sedge Wren, Cistothorus platensis (b)</b>	<b>E</b>
[Short-billed Marsh Wren, Cistothorus platensis (b)	T]
<b>Sedge Wren, Cistothorus platensis (b)</b>	<b>E</b>
Henslow's Sparrow, Ammodramus henslowii (b)	[T]E
Vesper Sparrow, Poocetes gramineus (b)	D
(wintering migrant pop.)	[T]E
(breeding pop.)	
<b>MAMMALS (Note: "(?)" means that although parts of New Jersey are included within the limits of distribution for this species, documentation of its occurrence here is lacking.)</b>	
[Seminole Bat, Lasiurus seminolus	(?)

Evening Bat, Nycticeius humeralis	[(?)U
New England Cottontail, Sylvilagus transitionalis	[(?)U
Snowshoe Hare, Lepus americanus	[P]EX
<b>Sperm Whale, Physeter catodon</b>	<b>E</b>
<b>Blue Whale, Balaenoptera musculus</b>	<b>E</b>
<b>Fin Whale, Balaenoptera physalus</b>	<b>E</b>
<b>Sei Whale, Balaenoptera borealis</b>	<b>E</b>
<b>Humpback Whale, Megaptera novaeangliae</b>	<b>E</b>
<b>Right Whale, Eublaena glacialis</b>	<b>E</b>

... (b) The taking, possession, transportation, exportation, processing, sale or offer for sale or shipment within this State of the above listed species is prohibited without a permit or unless otherwise provided for in regulations adopted pursuant to N.J.S.A. 23:2A-1 et seq.

Eastern Fox Squirrel, Sciurus niger	[(?)EX
[Northern Flying Squirrel, Glaucomys sabrinus	(?)
Marsh Rice Rat, Oryzomys palustris	[U]S
<b>House Mouse, Mus musculus</b>	<b>I</b>
<b>Rock Vole, Microtus chrotorrhinus</b>	<b>U</b>
[Brown] Norway Rat, Rattus norvegicus	I
Porcupine, Erethizon dorsatum	[P]INC
Fisher, Martes pennanti	[(?)EX
Ermine, Mustela erminea	[(?)U

Key:  
D (declining)  
E (endangered)  
EX (extirpated)  
I (introduced)  
INC (increasing)  
P (peripheral)  
S (stable)  
T (threatened)  
U (undetermined)

**HEALTH**

**(a)**

**DIVISION OF HEALTH FACILITIES EVALUATION**

**Health Care Facilities Licensure Licensing Nursing Home Administrators**

**Proposed Readoption with Amendments: N.J.A.C. 8:34**

Authorized By: J. Richard Goldstein, M.D., Commissioner of Health (with approval of the Nursing Home Administrator's Licensing Board).  
Authority: N.J.S.A. 26:2H-1 et seq. specifically 26:2H-5b, 26:2H-27 and 26:2H-28.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

John J. Haney  
Executive Secretary  
Nursing Home Administrator's  
Licensing Board  
Department of Health  
CN 367  
Trenton, NJ 08625

The Department of Health thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). Pursuant to Executive Order No. 66(1978), these rules would otherwise expire on December 12, 1983. The re-adoption of these rules becomes effective upon acceptance by the Office of Administrative Law of a notice of their re-adoption. The concurrent amendments to the existing rules become effective upon publication in the Register of a notice of their re-adoption.

This proposal is known as PRN 1983-533.

The agency proposal follows:

**Summary**

N.J.A.C. 8:34 concerning the Licensing and Regulating of New Jersey Nursing Home Administrators will expire on December 12, 1983, pursuant to the "Sunset" provisions of Executive Order No. 66(1978) which mandates the five-year automatic expiration of a rule.

The Nursing Home Administrator's Licensing Board came into being as a result of Section 1908 of the 1967 Social Security Amendments. The regulation stipulated that a State plan for medical assistance under Title XIX of the Social Security Act must include a State program for the licensure of administrators of nursing homes and such program must include a Nursing Home Administrator's Licensing Board.

Consequently, Chapter 356 P.L. 1968 was enacted and was defined and promulgated pursuant to authority of N.J.S.A. 30:11-13 and 30:11-21. This was later changed to N.J.S.A. 26:2H-27 and 26:2H-28.

Thus the public policy of the State is to provide for the development, establishment and enforcement of basic standards for the training, experience and education of individuals desiring to become administrators of long term care facilities. Also the State wants to ensure safe and adequate treatment of patients in the long term care facilities.

The Board powers include: Exercising such advisory powers as provided by the laws of this State pertaining to the licensing and registration of nursing home administrators; Developing, imposing and enforcing standards which must be met by individuals who are of good character and are otherwise suitable, and who, by training or experience in the field of institutional administrators are qualified to serve as nursing home administrators; Developing and applying appropriate techniques, including examinations and investigations, for determining whether an individual meets such standards; Issuing licenses to individuals determined, after the application of such techniques to meet such standards, and recommend revocation or suspension of licenses previously issued by the Department or Board in any case where the individual holding such license is determined substantially to have failed to conform to the requirements of such standards; Establishing and carrying out procedures designed to insure that individuals licensed as nursing home administrators will, during any period that they serve as such, comply with the requirements of such standards; Receiving, investigating and taking appropriate action with respect to any charge or complaint filed with the Department or Board to the effect that any individual licensed as a nursing home administrator has failed to comply with the requirements of such standards; Conducting a continuing study and investigation of nursing homes

and administrators of nursing homes within the State with a view to the improvement of the standards imposed for the licensing of such administrators and of procedures and methods for the enforcement of such standards with respect to administrators of nursing homes who have been licensed as such.

The regulations were revised in November 1972, improving language and stiffening experience qualifications, and eliminating a Masters Degree requirement by January 1, 1985 for potential applicants along with improving definitions.

In May 1977, another rule was added making it possible for aliens to become licensed if they had registered an intention of becoming a citizen of the United States.

In April 1980, two more amendments were promulgated involving written plans for internships along with quarterly reports being forwarded to the Executive Secretary of the Board. Also, if the applicant was working in the same institution in another capacity, written documentation of who is fulfilling the applicant's primary responsibility while interning, must be secured.

Currently, when an individual has his or her license revoked, there is no policy of how long the individual must wait before the individual can reapply before the Board. The amendment to N.J.A.C. 8:34-1.19 (g) reflects the Board's policy, yet leaves room for special conditions allowing restoration of a revoked license in individual circumstances, if, but only if, that is specifically mentioned in the revocation order. The Board is under no obligation to make any special allowance, but may do so if it finds it warranted in any particular case. Thus, the proposed amendment to the regulation has the result of clearly stating the general rule that revocation of a license is of a permanent nature, yet allows some flexibility for any extraordinary circumstances that may be presented in any individual case. In regard to N.J.A.C. 8:34-1.19 and 8:34-1.20 all other deletions and additions concern the updating of hearing procedures and conduct of hearings to conform with the Administrative Procedure Act.

**Social Impact**

The result of licensing administrators has resulted in more knowledgeable and informed persons being responsible for the care of patients requiring nursing care. Administrators are required to take 20 hours of continuing education a year to keep informed in the nursing home industry in order to be relicensed annually.

By the State policing the nursing home administrators, this helps to ensure that the administrators who commit crimes of moral turpitude, acts of misconduct or are poor administrators will not remain in administrative positions affecting the health, safety and welfare of the patients.

The proposed amendment would give flexibility to the Board in recommending special conditions in special cases since the general rule is the revocation of a license of a permanent nature.

If the State did not have the licensure program, many individuals who require nursing home care would be denied service through the Medicaid program. The Federal Government requires the States to have a licensure program or the States would lose millions of dollars of matching funds. In this case, the Department of Human Services would have to drastically cut back on Medicaid nursing care services.

Since 1970, the licensure program has required the full time employment of an Executive Secretary and a Senior Clerk Stenographer to carry out the mandate of the Law. The re-adoption of this program would continue to require a full time Executive Secretary and a Senior Clerk Stenographer.

**Economic Impact**

Every year, 700 licensed administrators renew their licenses for \$25.00 each, a total of \$17,500. Additionally, 80 to 100 new applications are evaluated each year for a \$25.00 fee for a total of \$2,000 to \$2,500. Legislation is being prepared raising the fee to \$35.00 per year.

The greatest impact if the State does not renew the licensure

program for nursing home administrators would be the millions of dollars of matching Federal funds that would be cut. This would result in increased State expenditures to make up in part or whole the lost Federal funds.

**Full text** of the proposed readoption can be found in the New Jersey Administrative Code at N.J.A.C. 8:34.

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

#### 8:34-1.19 Complaints and hearing procedures

(a)-(c) (No change.)

(d) If the Board or the person thus appointed by it decides that the charges shall be heard, the department shall [designate a hearing officer to determine the charge and] **arrange to** set a time and place for a hearing.

(e)-(f) (No change.)

(g) An order of suspension, denial or revocation may contain such provisions as to reinstatement of the license as the Board shall recommend. **In the absence of any such provisions as to reinstatement in an order of revocation, the revocation shall be deemed to be permanent.**

(h) (No change.)

#### 8:34-1.20 Conduct of hearings

(a) The Board shall afford the licensee an opportunity for a prompt and fair hearing before deciding on the matter of suspension, revocation or denial of any license. The procedure governing such hearing shall be in accordance with the rules of the [department] **Office of Administrative Law, N.J.A.C. 1:1.** [Either party may be represented by counsel of his own choosing, subpoena witnesses and compel their attendance on forms furnished by the department.]

[(b) At any formal hearing conducted pursuant to these rules, if a party shall appear without counsel, the board or person designated as hearing officer shall advise such party of his right to be represented by counsel, and that if he desires to proceed without counsel, that he may call witnesses, cross-examine witnesses, and produce evidence in his behalf.]

(c) Appearances shall be noted on the official record of hearings.

(d) The board or designated hearing officer may grant adjournments upon request of any party to the proceedings, provided that an adjournment shall not be for an indefinite period of time, but shall be set down for a day certain.

(e) If an adjournment is requested in advance of the hearing date, such request shall be submitted to the board in writing and shall specify the reason for such request. In considering an application for adjournment of a hearing, the board or hearing officer shall consider whether the purpose of the hearing shall be affected or defeated by the granting of such adjournment.

(f) The board or hearing officer shall not be bound by the rules of evidence in the conduct of a hearing, but the determination and recommendations of the hearing officer shall be founded upon sufficient legal evidence to sustain it.]

[(g)] **(b)** The Commissioner of the Department shall [arrange for prompt and fair hearings in all such cases] render written decisions stating his conclusions and reasons therefore upon each matter heard, and shall be empowered to enter orders of denial, suspension or revocation consistent with the circumstances in each case.

## HIGHER EDUCATION

(a)

### BOARD OF HIGHER EDUCATION

#### Public Colleges

#### Auxiliary Organization Regulations

#### Proposed Amendment: N.J.A.C. 9:2-13.9

Authorized By: Board of Higher Education, T. Edward Hollander, Chancellor and Board Secretary.  
Authority: N.J.S.A. 18A:64-42 and P.L. 1983 c.23.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Eric M. Perkins  
Administrative Practice Officer  
Department of Higher Education  
225 West State Street  
CN 542  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-531.

The agency proposal follows:

#### Summary

On December 17, 1982 the Board of Higher Education adopted regulations concerning the formation and operation of auxiliary organizations at the four year public colleges in New Jersey (see 14 N.J.R. 1141(a), 15 N.J.R. 91(b)). Subsequently legislation was enacted expanding the auxiliary organization statute to include county colleges (see P.L. 1983 c.23). The proposed amendment would conform the regulations to the provisions of the amended statute and subject county college auxiliary organizations to the regulations.

#### Social Impact

Auxiliary organizations provide non-educational support services to public colleges. Such organizations may operate student centers, bookstores and similar operations for the benefit of the college and its students.

#### Economic Impact

Auxiliary organizations are self-sustaining, requiring no State or county appropriations. Excess revenues over operating costs must be used for the benefit of the college.

**Full text** of the proposal follows (additions indicated in boldface **thus**).

#### 9:2-13.9 Organizational personnel

(a) Employees of auxiliary organizations are within the unclassified service of the State Civil Service system. The Department of Civil Service shall establish job titles and salary schedules for such employees.

(b) **Subsection (a) above shall not apply to auxiliary organizations at public colleges pursuant to P.L. 1983 c.23.**

# HUMAN SERVICES

(a)

## CONTRACT POLICY AND MANAGEMENT UNIT

### Contract Administration Funding Agreement for Renovation, Remodeling, Extension or Other Improvements to Agency-Owned or Leased Community Facilities

#### Proposed Amendment: N.J.A.C. 10:3-2.3

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 30:1-12; P.L. 1980, c. 119.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Office of Intergovernmental  
Relations  
Department of Human Services  
CN 700  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-530.

The agency proposal follows:

#### Summary

The New Jersey Public Purpose Buildings Construction Bond Act of 1980 (P.L. 1980, c. 119) authorized the issuance of \$159 million in State bonds, of which a total of \$75 million was allocated for the improvement, rehabilitation, and construction of community-based facilities to benefit Department of Human Services clients classified as mentally retarded, mentally ill, or children in need of supervision. In response to the Bond Act, the Department established a capital funding program entailing contracting with private and local government agencies to carry out the purposes of the act.

As the capital funding program was instituted, differing contract documents were developed and employed by the Departmental divisions involved in the program. In 1982 a decision was made to consolidate these division-specific documents into standard versions usable across division lines. The standard document for construction, purchase, or purchase and renovation of community-based facilities was revised and finalized after publication in the Register on September 19, 1983 of a notice of adoption.

This proposal represents a consolidated standard contract document for capital funding for renovation, remodeling, extension or other improvements to agency-owned or leased community facilities.

#### Social Impact

This proposal has potential social impact on two segments of the public; first, the community agencies with which the Department contracts for the renovation, remodeling, extension or other improvements to agency-owned or leased community facilities; and secondly, the Department clients who benefit from such facilities.

With regard to community agencies, the social impact, while minimal, can be considered favorable. The contract document reflected in this proposed rule is standardized for use in three divisions. It has been developed with input from and final approval by the Office of the Attorney General, and represents a considerable improvement over its predecessors in terms of consistency and readability. In addition, for agencies with multiple contracts benefitting different divisions, it eliminates the possible confusion engendered by the previous non-standard, division-specific documents. This document incorporates the terms and conditions that are applicable to all divisions and leaves the recording of division-and contract-specific information to separate annexes.

With regard to Department clients, the social impact of the proposed rule is negligible. Clients have no direct involvement with contract documents; and the changes represented by this document are not anticipated to alter the continuing development of community-based facilities for the mentally retarded, mentally ill, or children in need of supervision.

#### Economic Impact

The proposal will have no economic impact on Department clients nor on any other members of the public at large.

The economic impact of this proposal on the Department of Human Services and community agencies, while difficult to quantify, is positive. The consolidated standard document will ensure that contracts are administered and agencies treated consistently across division lines.

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

### CHAPTER 3 CONTRACT ADMINISTRATION

#### SUBCHAPTER 2. CAPITAL FUNDING PROGRAM AND FUNDING AGREEMENTS

10:3-2.1 Capital Funding Program  
(a) (No change.)

10:3-2.2 Capital Funding Agreement for Construction,  
Purchase, or Purchase and Renovation of Community-  
Based Facilities

(a) The Departmental efforts to consolidate heretofore existent division-specific contracts/agreements has culminated in the development of a Standard Contract/Agreement Document for the Construction, Purchase, or Purchase and Renovation of Community-Based Facilities. Copies of the Standard Document and updates may be obtained from:

[Office of Community Management  
Services]  
**Contract Policy and Management  
Unit**  
Department of Human Services  
CN 700  
Trenton, NJ 08625

(b) (No change.)

10:3-2.3 **Capital Funding Agreement for Renovation,  
Remodeling, Extension or Other Improvements  
to Agency-Owned or Leased Community  
Facilities**

(a) **The Department efforts to consolidate heretofore existent division-specific contracts/agreements has culminated in the development of a Standard Contract/Agreement Document for Renovation, Remodeling, Extension or Other Improvements to Agency-Owned or Leased Community Facilities. Copies of the Standard Document and updates may be obtained from:**

**Contract Policy and Management  
Unit  
Department of Human Services  
CN 700  
Trenton, New Jersey 08625**

(b) In the event of conflict between the Standard Document referenced in this subchapter and any other agency rule in title 10, this Standard Document shall prevail. Contract administration rules or documents formerly adopted or adopted in the future pertaining to specific divisions within the Department shall apply to the extent that they are not inconsistent with the Standard Document referenced in this subchapter.

OFFICE OF ADMINISTRATIVE LAW NOTE: A copy of the Standard Contract/Agreement Document was submitted as part of this proposal but is not reproduced herein. This document may be reviewed at Office of Administrative Law, 88 East State Street, Trenton or the Contract Policy and Management Unit, 222 South Warren Street, Trenton. This document will not be reproduced in the New Jersey Administrative Code.

**(a)**

**DIVISION OF PUBLIC WELFARE**

**Assistance Standards Handbook  
Payments of Assistance Other Than Regular  
Grants**

**Proposed Readoption with Amendment:  
N.J.A.C. 10:82-5**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:7-6 and 44:10-3.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Audrey Harris, Acting Director  
Division of Public Welfare  
CN 716  
Trenton, NJ 08625

The Department of Human Services thereafter may adopt this proposal without further notice (see: N.J.A.C. 1:30-3.5). Pursuant to Executive Order No. 66(1978), this rule would otherwise expire on December 6, 1983. The readoption of existing rule becomes effective upon acceptance for filing by the Office of Administrative Law of the notice of readoption. The concurrent amendment to the existing rule becomes effective upon publication in the Register of a notice of adoption.

This proposal is known as PRN 1983-517.

The agency proposal follows:

**Summary**

In accordance with the sunset provisions of Executive Order No. 66, the Department of Human Services proposes to readopt Subchapter 5 of N.J.A.C. 10:82.

On June 15, 1977, Ann Klein, then Commissioner of the Department of Human Services, pursuant to authority of N.J.S.A. 44:10-3 and in accordance with the applicable provision of the Administrative Act, adopted emergency revisions which deleted

the entire text of Chapter 82 in Title 10 of the N.J.A.C. and replaced it with new text. An order adopting the Assistance Standards Handbook (ASH) was filed on June 16, 1977 as R. 1977 d. 211 and became effective on July 1, 1977.

The ASH was published as an integral part of the Public Assistance Manual (N.J.A.C. 10:81), and is to be used and interpreted in conjunction with N.J.A.C. 10:81 and 10:90. Subchapter 5 deals with payments of assistance over and above regular grants. Included are descriptions of the situations in which such payments are authorized as well as specifications as to amounts.

This subchapter is especially significant inasmuch as it presents the one authority pursuant to which emergencies, in compliance with 45 Code of Federal Regulations 233.120, and certain other irregularly occurring circumstances can be addressed under the AFDC program. For that reason, the subchapter is under continual review by staff of the Department's Division of Public Welfare, and its Manual Policy Committee, a group comprised of Division representatives, county welfare agency directors, Legal Services and client advocates. Adjustments in regulatory material are made periodically in response to the changing needs of the community. The Division of Public Welfare recently conducted an internal review and evaluation of all the rules contained in N.J.A.C. 10:82-5 prior to noticing of proposal for readoption. After such review, that agency determined the rules to be adequate, reasonable, and responsive to the purposes for which they were promulgated.

The major element of Subchapter 5 is the section dealing with emergency assistance. This category provides for those families who are made homeless by reason of natural disaster, such as fire or flood, or for other reasons beyond their control and ability to plan in advance. As noted below, included within the definition of emergency assistance, are victims of domestic violence. Also included in the subchapter are provisions to cover the special costs related to child care and training for employment when the training is not a part of a program which pays such costs. A section has also been recently added to cover the special costs of preparing for the return of a child from foster care placement. Other significant changes in this subchapter are described below.

N.J.A.C. 10:82-5.3(d)1-2 was revised in 1981 to establish an interim payment rate for day care services in centers for which the Division of Youth and Family Services (DYFS) of this Department had not established a rate. The section made clear that waiver of DYFS licensing requirements was not included or intended.

N.J.A.C. 10:82-5.4 and 5.5 pertaining to expenses incident to homemaker service and travel costs for health care as AFDC payments, were deleted in 1980 and replaced at N.J.A.C. 10:82-5.4 with the notation that such payments may be available through either Title XX or Medicaid.

N.J.A.C. 10:82-5.10(d), added in 1979, provided for the interface required between the Aid to Families with Dependent Children (AFDC) program and shelters for victims of domestic violence. A proposed amendment to this section is being presented at this time. Heretofore, county welfare agencies were authorized at this time. Heretofore, county welfare agencies were authorized to provide emergency assistance in situations in which AFDC recipients and certain potential recipients are in a state of homelessness due to imminent or demonstrated violence from a member of the household. This proposed change would eliminate the requirement that the perpetrator of the violence be a member of the household.

N.J.A.C. 10:82-5.10(e) was added in 1982 in order to establish a set of clear policy statements authorizing AFDC emergency assistance program payments to facilitate the return, by the Division of Youth and Family Services (DYFS), of children from foster care placement to the home of their parents or other relatives when the barrier to such return is caused solely by insufficiency of shelter, food, clothing and/or house furnishings.

Other minor revisions over the years have served to update, clarify and recodify N.J.A.C. 10:82-5 so as to produce more

streamlined program operation. Those changes individually have produced minor impact; collectively, in combination with the changes described above, they have kept the subchapter current and viable.

**Social Impact**

The major thrust of any public assistance system is the maintenance of income for those who are unable to provide for themselves. Periodically, people encounter situations in which, through no fault of their own, they cannot continue to function even with income maintained at assistance levels. This subchapter primarily provides the regulations and specifications through which needs prompted by those situations can be met. Without this subchapter, even the continuation of regular assistance payments would not meet special or emergent need. The retention of this subchapter is essential since the absence of the provision of emergency assistance to those AFDC families eligible for same would cause intolerable suffering. The amendment to N.J.A.C. 10:82-5.10(d)1i will permit more persons to become eligible for emergency assistance when forced into a state of homelessness because of domestic violence. Although it is expected that there will be few instances of domestic violence perpetrated by persons who are not household members, otherwise eligible families subjected to such violence will, as a result of this amendment, be assisted by county agencies without differentiation as to the origin of the domestic violence.

**Economic Impact**

Emergency assistance funds distributed under the authority of this subchapter amounted to approximately \$3.2 million during fiscal year 1983. Of that amount, with the exception of approximately \$130,000 for which no Federal financial participation is available, 50 percent represents the Federal contributions, 37 1/2 percent is from the State treasury, and the remaining 12 1/2 percent is from the counties. FY 1983 expenditures for other payments addressed in this subchapter such as child care and expenses incident to training, amounted to approximately \$1,650,000. Since it is anticipated that there will be very few situations of domestic violence involving individuals who are not household members, the increase in expenditures due to this change is expected to be negligible.

**Full text** of the proposed readoption can be found in the New Jersey Administrative Code at N.J.A.C. 10:82-5, as amended and supplemented by the New Jersey Register.

**Full text** of the proposed amendment to the readoption follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

10:82-5.10 Emergency assistance

(a)-(c) (No change.)

(d) Rules concerning victims of domestic violence are:

1. In situations where an applicant or recipient indicates that he [ ] or she and his [ ] or her children left their customary residence because of domestic violence, payment of emergency assistance may be authorized under the following conditions:

i. The family is in a state of homelessness due to imminent or demonstrated violence [from a member of the household] which imperils the health and safety of one or more members of the eligible unit.

ii. (No change.)

2.-4. (No change.)

(e) (No change.)

(a)

**DIVISION OF PUBLIC WELFARE**

**General Assistance Manual  
Household Size**

**Proposed Amendment: N.J.A.C. 10:85-3.1**

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:8-111(d).

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Audrey Harris, Acting Director  
Division of Public Welfare  
CN 716  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-518.

The agency proposal follows:

**Summary**

The matter of determination of household size in the General Assistance program has been of concern for some time. Previous attempts to produce workable rules have each encountered some unanticipated difficulty. The amendments proposed here supersede those published at 15 N.J.R. 212(a), as a result of public comments received and objections raised at various meetings and conferences, all expressing concern that the wording was too complicated. One commenter expressed the view that unmarried couples who are living together should not be budgeted separately. While we understand the viewpoint, we are unable to draw an administrative line between such couples and other unrelated pairs or groups such as former mental patients who share their shelter as part of supervised rehabilitation programs. Any effort to draw such a distinction would produce either a regulation which is sexually discriminatory or one which bases public assistance decisions on the sexual practices or preferences of applicants/recipients. Therefore, this proposal has been rewritten for clarification of regulations which are designed to allow unrelated persons to function as households of one with grants calculated accordingly. Revisions to N.J.A.C. 10:85-3.1(b)1 relevant to eligible units were made for clarification purposes only, with no intended change in policy.

**Social Impact**

There will be no social impact on persons who currently constitute a one-person household. Since grants of assistance will be calculated on the basis of one person, without application of an economy of scale concept, there will be a beneficial impact on multiple member households in which the members are not related to each other.

**Economic Impact**

There will be a slight economic impact as a result of minimal upward grant adjustments for those individuals whose needs are budgeted on the basis of single person households. The impact on the public treasury is expected to be imperceptible.

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

10:85-3.1 Persons eligible for General Assistance

(a) (No change.)

(b) Eligibility for general assistance is determined according to the number of persons applying as a unit (eligible unit) and the number of persons with whom such person(s) lives (household size).

1. Eligible unit: The eligible unit shall be comprised of one or more persons. In most cases, it will consist of a single individual, 18 years of age or over, or a couple without children. [Families with children are referred to the county welfare agency for assistance through the AFDC program. General assistance may be granted to such families on an emergency basis only.] **In room and board or residential treatment situations, each person is an eligible unit of one. In all other situations, the eligible unit shall consist of:**

[i. The eligible unit must include the spouse of the person who is applying for assistance when the spouse is living in the home, unless such spouse is receiving SSI or public assistance through another program;

ii. Persons living together and representing themselves to the community as man and wife shall be budgeted as one eligible unit. Other persons, such as brother and sister or parent and adult child, shall be considered as separate eligible units.]

**i. The applicant/recipient;**

**ii. The spouse of the applicant/recipient who lives in the home unless the spouse is receiving SSI or public assistance through another program;**

**iii. The person with whom the applicant/recipient lives as a couple representing themselves to the community as husband and wife unless such person is receiving SSI or public assistance through another program;**

**iv. All children under age 18 of persons identified in (b) i, ii, and iii above who live in the home and who are not receiving SSI or public assistance under another program.**

[2. Household size: The number of persons living together without regard to relationship by blood or marriage or to eligibility for other public assistance programs.

i. Roomers, table-boarders, and roomer-boarders are not counted in the household size. (See N.J.A.C. 10:85-3.3(e)2 regarding income received from such persons.) The household size of roomers, table-boarders, and roomer-boarders, whom they, themselves, are applicants/recipients are separately determined. (See N.J.A.C. 10:85-3.3(f)4.)

ii. Recipients of SSI who are not roomers, roomer-boarders, or table-boarders are counted in the household size though not includable in the eligible unit.

iii. Children in foster placement or otherwise under supervision of the Division of Youth and Family Services for whom payments are received by a member of the household are counted in the household size but not in the eligible unit. (See this subchapter for consideration of the DYFS payment.)]

**2. Household size: Household size is defined as the number of related persons under age 60 living together as a family unit. It is not necessarily the same as eligible unit size. In room and board or residential treatment situations, each person is a household of one. In all other situations, the household shall consist of:**

**i. All members of the eligible unit, and**

**ii. If all members of the eligible unit are under age 60, all other persons who are under age 60 who live in the same home and who are related by blood or marriage to any member of the eligible unit.**

3. (No change.)

(c)-(f) (No change.)

(a)

## DIVISION OF PUBLIC WELFARE

### General Assistance Manual Work Registration Requirements

#### Proposed Amendment: N.J.A.C. 10:85-3.2

Authorized By: George J. Albanese, Commissioner,  
Department of Human Services.  
Authority: N.J.S.A. 44:8-111(d).

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Andrey Harris, Acting Director  
Division of Public Welfare  
CN 716  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-519.

The agency proposal follows:

#### Summary

This amendment would make more specific the requirements dealing with the initial work registration process. It makes clear that for eligibility determination purposes and any receipt of General Assistance, the applicant must have completed the registration form. Further, the municipal welfare director is instructed to submit the form to the appropriate office of the New Jersey Employment Service within one business day. This change is designed to ensure compliance with the statutory requirement (N.J.S.A. 44:8-114) that the director notify the N.J.E.S. "... of persons in receipt of public assistance..."

#### Social Impact

This change will cause a minor realignment in the processing of some new applications. In instances in which MWDs may, for administrative convenience, have delivered an initial assistance check before the registration form is actually received, the order of processing will be revised so as to have the form completed and in hand before release of an initial assistance grant. This may produce a minor inconvenience to some applicants and to some municipal welfare departments. The delivery of the form triggers the "workfare" mechanism for the individual. However, because the actual starting date of "workfare" is determined by the availability of "slots" rather than by arrival of the form, no impact on the "workfare" mechanism or the individual's participation in it is foreseen.

#### Economic Impact

Because it is possible that a person who receives an assistance grant before completing the form might have refused to complete it, such a person would have received a grant to which he or she was not entitled. Further, because it is possible for the more prompt submission of the registration form could result in more prompt placement in employment, a saving in assistance cost could result.

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

10:85-3.2 Application process

(a)-(f) (No change.)

(g) Work requirement: Eligibility for public assistance in New Jersey is directly related to an individual's willingness to work when he or she is able to do so. It is, therefore, a part of the application process to explain the work requirement to the applicant and to record in the case file the reasons for any exemption from this requirement.

1. (No change.)

2. Elements of the work requirement: Unless specifically exempt, all recipients of General Assistance benefits must comply with all parts of this section:

i. Maintain current registration with the New Jersey Division of Employment Services. [All registrations will be accomplished by submittal of Form NJES-511F by the MWD to the appropriate Special Programs Office of the New Jersey Division of Employment Services.] **No person who is subject to this requirement is eligible for any General Assistance payment until after he or she has completed Form NJES-511F and submitted it to the MWD. The MWD will, within one working day thereafter, submit the form to the appropriate Special Programs Office of the New Jersey Division of Employment Services.** Once registered, a GA recipient remains registered as long as he or she remains on assistance.

ii.-vi. (No change.)

3.-8. (No change.)

(h)-(i) (No change.)

## **LAW AND PUBLIC SAFETY**

**(a)**

### **BOARD OF MEDICAL EXAMINERS**

#### **Advertising and Solicitation**

#### **Notice of Pre-Proposal to Amend N.J.A.C. 13:35-6.10**

Authority: N.J.S.A. 45:9-2 and 52:14B-4(e).

A **public hearing** will be held by the Board respecting this pre-proposal on the following date:

October 6, 1983

10:00 A.M.

Office of Administrative Law

185 Washington Street

Newark, N.J.

Persons interested in participating should contact the Board office at 28 West State Street, Trenton, New Jersey 08608 (telephone 609-292-4843) for further information.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before October 28, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Edwin H. Albano, M.D., President

Board of Medical Examiners

28 West State Street

Trenton, NJ 08608

This is a notice of pre-proposal for a rule (see N.J.A.C. 1:30-3.2). Any rule concerning the subject of this pre-proposal must still comply with the rulemaking provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Office of Administrative Law's Rules for Agency Rulemaking,

N.J.A.C. 1:30. The Board will thereafter decide whether, and to what extent, any amendment should be proposed to the present Board rule regulating advertising.

This pre-proposal is known as PPR 1983-5

The agency pre-proposal follows:

#### **Summary**

N.J.A.C. 13:35-6.10 of the rules of the Board of Medical Examiners regulates permissible forms of advertising by Board licensees and registrants. The rule permits the provision of various types of information and prohibits use of radio or television media. It requires inclusion of certain clarifying information and prohibits misleading or potentially deceptive advertisements. The Appellate Division of Superior Court in a recent decision entitled **Davis, D.C. et al. v. Board of Medical Examiners** has ruled that the Board should conduct a public hearing to develop a record containing such factual support as may be available for the current rule or for modifications that the Board should consider. A committee of the Board will therefore conduct a public hearing for this purpose at the Office of Administrative Law. Individuals and representatives of interested organizations are encouraged to present factual or opinion testimony on the subject.

#### **Social Impact**

The Board's present rule regulates permissible forms of advertising for Board licensees and registrants. The rule permits advertisements to be in print (such as newspapers, magazines, and letters but prohibits ads in any other media such as radio or television on the assumption that music, dramatic or glamorous effects, and hastily spoken suggestions appeal to vulnerable persons who may thereby be misled by non-rational factors in the making of important health care decisions. The rule also prohibits printed ads that are deceptive or misleading or flamboyant or that use testimonials or that guarantee cure of disease or satisfaction or make claims of professional superiority. Licensees are permitted to inform the public of their education and special certification or appointments, location and availability of services, fees for routine professional services and other pertinent information about the licensee's practice. In their individual practices, licensees may provide services for which no fee is charged, or may adjust fees for the special circumstances of their patients, but they are not permitted to advertise "discounts" or coupons or to advertise that certain services are free to any one who will come into the office.

At the public hearing, the Board committee will display samples of recent advertising by some chiropractors, physicians, etc., and will raise questions about the nature of the communications transmitted directly or indirectly by those advertisements or others which have come to the attention of the Board. Questions to be considered will include whether the advertisements are perceived or recognized by the public or by knowledgeable professionals as containing inaccurate or misleading or deceptive statements or inferences which are or could be likely to adversely affect the public interest. The Board seeks to elicit opinions from ordinary consumers who have seen or responded to such advertisements, and also to elicit opinions from representatives of consumer organizations or businesses on these subjects. The Board proposes to consider all relevant information in evaluating the status of its current rule and will determine whether any modifications are appropriate.

#### **Economic Impact**

The Board will consider the possible benefits of provision of increased types or sources of information or competition which such increased forms of advertising might have for consumers. Although costs will not be a significant factor in determining permissibility of various types of advertising, the Board will be mindful of the potential for increased costs passed on to consumers where the expenses of licensees spiral due to costs of practice

resulting from advertising pressures where those costs are unrelated to the actual provision of direct professional services to the public.

This pre-proposal is known as PPR 1983-5.

**Full text** of the current rule follows:

#### 13:35-6.10 Advertising and solicitation

(a) All licensees and registrants of the Board of Medical Examiners may provide information to the public by publication in a dignified manner in newspapers or comparable written publications concerning: education, certification or appointments, location and availability of services, fees for routine professional services and other pertinent information about the licensee's practice. On any such publication, license degree must be designated. To the extent that information provided to the public by the licensee may be misleading, the licensee shall provide clarification such as, but not limited to, whether additional charges may be incurred for related services when fees are stated.

(b) Information provided to the public in accordance with (a) above shall not by form, manner or content be such as to solicit patients. Prohibited solicitation shall include, but is not necessarily limited to information provided to the public which may be found by the New Jersey State Board of Medical Examiners as:

1. False, fraudulent, deceptive, misleading or flamboyant;
2. Representing intimidation or undue pressure;
3. Using testimonials;
4. Guaranteeing any service or guaranteeing that satisfaction or cure will result from the professional services offered;
5. Offering gratuitous services or discounts in connection with published services to be offered in any professional office, but this clause shall not be construed to relate to the negotiation of fees between licensees and patients or clients, or to prohibit the rendering of professional services for which no fee is charged;
6. Making claims of professional superiority;
7. Stating or including prices for professional services which are false, deceptive or misleading.

(c) The information which may be provided to the public is limited to the printed media and any such information provided by a licensee in any other form is expressly prohibited.

## TRANSPORTATION

(a)

### TRANSPORTATION OPERATIONS

#### Restricted Parking and Stopping Route 4

#### Proposed Amendment: N.J.A.C. 16:28A-1.4

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6, 39:4-138.1,  
39:4-139 and 39:4-199.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-527.

The agency proposal follows:

#### Summary

The proposed amendment deletes rules previously proposed June 21, 1982 at 14 N.J.R. 637(a) and adopted September 7, 1982 at 14 N.J.R. 982(a), concerning Restricted Parking and Stopping along Route 4 in Fair Lawn Borough, Bergen County, which were not clearly defined. It also amends N.J.A.C. 16:28A-1.4 to effect spelling and other technical changes not in violation of N.J.A.C. 1:30-3.5, and to comply with the request from local officials to establish bus stops for the safe and efficient flow of traffic, the on/off loading of passengers and the enhancement of public safety. Additionally, it outlines the specific areas and distances to which the restrictions apply, thus, eliminating any doubt as to the applicability of the regulations.

Based upon the request from local officials the Department's Bureau of Traffic Engineering conducted engineering studies. The engineering studies proved that the establishment of "no parking" zones were warranted in the areas specified by local officials.

The Department therefore proposes to amend N.J.A.C. 16:28A-1.4 regarding Restricted Parking and Stopping along Route 4 in Fair Lawn Borough, Bergen County in compliance with the request from local officials. Appropriate signs will be installed to advise the motoring public.

#### Social Impact

The proposed amendment will establish "no parking" zones along Route 4 in Fair Lawn Borough, Bergen County for the safe and efficient flow of traffic, on/off loading of passengers and the enhancement of public safety. Additionally, it will remove any confusion caused by the unclear rules and provide a single source of complete information, thus, ensuring the public's confidence in State government's effort to reduce unclear rules.

#### Economic Impact

The proposed amendment will cause the Department and local officials to incur direct and indirect costs for personnel for mileage and equipment requirements. The restrictions imposed will have no economic impact on local businesses in the areas being designated as "no parking" zones. Local officials will bear the costs for the installation and procurement of signs. Motorists, who are violators of the regulation will be levied appropriate fines.

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

#### 16:28A-1.4 Route 4

(a) The certain parts of State highway Route 4 described in [(a) of] this section shall be designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-3. (No change.)

(b) The certain parts of State highway Route 4 described in [(b) of] this section shall be designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is [hereby] granted to erect appropriate signs at the following established bus stops: [and taxi stands:]

- 1.-4. (No change.)
- [5. Along the eastbound side in Fair Lawn Borough, Bergen County:
  - i. Far side bus stops:
    - (1) Whitehall Street (100 feet);
    - (2) Fair Lawn Parkway (100 feet);
    - (3) 34th Street (100 feet);
    - (4) East Amsterdam Avenue (1000 feet);
    - (5) Tunbridge Road (100 feet).
  - ii. Near side bus stops:
    - (1) 26th Street (105 feet);
    - (2) 28th Street (105 feet);
    - (3) 30th Street (105 feet);
    - (4) Bluehill Avenue (105 feet).
  - iii. Taxi Stand:
    - (1) From a point 332 feet east of the centerline of Midland Avenue, to a point 420 feet east of the centerline of Midland Avenue.
- 6. Along the westbound side in Fair Lawn Borough, Bergen County:
  - i. Far side bus stops:
    - (1) Over Route 208 (area provided) (100 feet);
    - (2) Virginia Drive (100 feet);
    - (3) 35th Street (100 feet);
    - (4) Plaza Road (100 feet);
    - (5) 17th Street (100 feet);
    - (6) Lyncrest Avenue (100 feet);
    - (7) Cyril Avenue (100 feet).
  - ii. Near side bus stops:
    - (1) 32nd Street (105 feet);
    - (2) 30th Street (105 feet);
    - (3) 27th Street (105 feet);
    - (4) Hartley Place (105 feet).
  - iii. Mid-block bus stop:
    - (1) From a point 480 feet east of the centerline of 17th Street to a point 610 feet east of the centerline of 17th Street (130 feet).]
- 5. Along the westbound (northerly) side in Fair Lawn Borough, Bergen County:
  - i. Mid-block bus stops:
    - (1) Route 208: Beginning 35 feet west of Route 208 and extending 164 feet westerly thereof.
    - (2) Zink Place: Beginning 100 feet easterly of the curb line of Zink Place and extending 135 feet easterly thereof.
  - ii. Far side bus stops:
    - (1) Virginia Drive: Beginning at the westerly curb line of Virginia Drive and extending 100 feet westerly thereof.
    - (2) 35th Street: Beginning at the westerly curb line of 35th Street and extending 100 feet westerly thereof.
    - (3) Plaza Road: Beginning at the westerly curb line of Plaza Road and extending 100 feet westerly thereof.
    - (4) 17th Street: Beginning at the westerly curb line of 17th Street and extending 100 feet westerly thereof.
    - (5) Cyril Avenue: Beginning at the westerly curb line of Cyril Avenue and extending 100 feet westerly thereof.
  - iii. Near side bus stops:
    - (1) 32nd Street: Beginning at the westerly curb line of 32nd Street and extending 100 feet easterly thereof.
    - (2) 30th Street: Beginning at the easterly curb line of 30th Street and extending 100 feet easterly thereof.
    - (3) 27th Street: Beginning at the easterly curb line of 27th Street and extending 100 feet easterly thereof.
    - (4) Hartley Place: Beginning at the easterly curb line of Hartley Place and extending 100 feet easterly thereof.
- 6. Along the eastbound (southerly) side in Fair Lawn Borough, Bergen County:
  - i. Mid-block bus stop:
    - (1) Between Fair Lawn Parkway and 34th Street: Beginning at a point 103 feet east of the easterly curb line of Fair Lawn Parkway and extending 135 feet easterly thereof.
    - (2) East Amsterdam Avenue: Beginning at the easterly curb

- line of East Amsterdam Avenue and extending 100 feet easterly thereof.
- iii. Near side bus stops:
  - (1) 26th Street: Beginning at the westerly curb line of 26th Street and extending 100 feet westerly thereof.
  - (2) 28th Street: Beginning at the westerly curb line of 28th Street and extending 100 feet westerly thereof.
  - (3) 30th Street: Beginning at the westerly curb line of 30th Street and extending 100 feet westerly thereof.
  - (4) Blue Hill Avenue: Beginning 35 feet west of the westerly curb line of Blue Hill Avenue and extending 135 feet westerly thereof.
- 7.-11. (No change.)

(a)

TRANSPORTATION OPERATIONS

Restricted Parking and Stopping  
Routes 34 and 36

Proposed Amendments: N.J.A.C. 16:28A-1.24  
and 1.26

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6, 39:4-138.1,  
39:4-139 and 39:4-199.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-526.

The agency proposal follows:

Summary

The proposed amendments will establish "no parking" zones along Route 34 in Colts Neck Township, Monmouth County and Route 36 in Middletown Township, Monmouth County, for the efficient flow of traffic and the safe and efficient on/off loading of passengers at established bus stops.

Based upon requests from the local authorities the Department's Bureau of Traffic Engineering conducted engineering studies to consider the best method of traffic control device to regulate the traffic in the areas requested.

The engineering studies which included accidents rates, traffic flow and volume and other data obtained indicated that the installation of signs restricting parking and establishing "no parking" zones were the most efficient method for traffic control, after considering all alternatives. The signs will be installed by the workforce of the local authorities.

The Department therefore proposes to amend N.J.A.C. 16:28A-1.24 regarding "no parking" zones along Route 34 in Colts Neck Township, Monmouth County, and N.J.A.C. 16:28A-1.26

regarding "no parking" zones along Route 36 in Middletown Township, Monmouth County, in compliance with requests from the local officials.

**Social Impact**

The proposed amendments will establish "no parking" zones along Route 34 in Colts Neck Township, Monmouth County, and Route 36 in Middletown Township, Monmouth County for the safe and efficient flow of traffic and the on/off loading of passengers at established bus stops, respectively. Additionally, the regulations will enhance public safety in the respective areas designated and in the interest of mass transit. Appropriate signs will be erected advising the motoring public.

**Economic Impact**

The Department and local authorities will incur direct and indirect costs for personnel for mileage and equipment requirements. There will be no economic impact on any businesses within the areas where parking is being restricted. However, fines will be levied for the motoring public in violation of the law. Local authorities will be responsible for and incur added costs for the installation of signs establishing "no parking" zones.

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

16:28A-1.24 Route 24

(a) The certain parts of State highway Route 34 described in this section shall be designated and established as "no parking" zones where stopping or standing [are] is prohibited at all times except as provided in N.J.S.A. 39:4-139.

1.-4. (No change.)

5. No stopping or standing in Colts Neck Township, Monmouth County:

i. Along both sides:

(1) (No change.)

(2) **Between the northerly curb line of Colts Neck Road-Eatontown Road (Co. Rd. 537) and the southerly curb line of Flock Road-Phalanx Road, (Co. Rd. 54).**

6. (No change.)

16:28A-1.26 Route 36

(a) (No change.)

(b) The certain parts of State highway Route 36 described in (b) of this section shall be [, and hereby are,] designated and established as "no parking" zones where parking is prohibited at all times.[and in] In accordance with the provisions of N.J.S.A. 39:4-199 permission is [hereby] granted to erect appropriate signs at the following established bus stops:

1.-2. (No change.)

3. **Along the eastbound (southerly) side in Middletown Township, Monmouth County:**

i. **Near side bus stops:**

(1) **Thompson Avenue - Beginning at the westerly curb line of Thompson Avenue and extending 105 feet westerly therefrom.**

(2) **Appleton Avenue - Beginning at the westerly curb line of Appelon Avenue and extending 105 feet westerly therefrom.**

ii. **Far side bus stops:**

(1) **Wilson Avenue - Beginning at the easterly curb line of Wilson Avenue and extending 120 feet easterly therefrom.**

(2) **East Road - Beginning at the easterly curb line of East Road and extending 100 feet easterly therefrom.**

iii. **Mid-block bus stops:**

(1) **Main Street (in New Monmouth) - Beginning 220 feet west of the westerly curb line of Main Street and extending 135 feet westerly therefrom.**

(2) **12th Street - Beginning 1,370 feet east of the easterly curb line of 12th Street and extending 140 feet easterly therefrom.**

(3) **Along the westbound (northerly) side in Middletown Township, Monmouth County:**

i. **Near side bus stops:**

(1) **Wilson Avenue - Beginning at the easterly curb line of Wilson Avenue and extending 105 feet easterly therefrom.**

ii. **Far side bus stops:**

(1) **Appleton Road - Beginning at the westerly curb line of Appleton Road and extending 120 feet westerly therefrom.**

(2) **Main Street (in Port Monmouth) - Beginning at the westerly curb line of Main Street and extending 100 feet westerly therefrom.**

(3) **Thompson Avenue - Beginning at the westerly curb line of Thompson Avenue and extending 130 feet westerly therefrom.**

iii. **Mid-block bus stops:**

(1) **Broadway - Beginning 450 feet west of the westerly curb line of Broadway and extending 135 feet westerly therefrom.**

(2) **East Road - Beginning 125 feet east of the easterly curb line of East Road and extending 135 feet easterly therefrom.**

(a)

**TRANSPORTATION OPERATIONS**

**Restricted Parking and Stopping  
Routes 35 and US 9W**

**Proposed Amendments: N.J.A.C. 16:28A-1.25  
and 1.61**

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6, 39:4-138.1,  
39:4-139 and 39:4-199.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-525.

The agency proposal follows:

**Summary**

The proposed amendments will establish additional "no parking" zones along Route US 9W in Fort Lee Borough, Bergen County and Route 35 in Middletown Township, Monmouth County. The "no parking" zones will be at established bus stops for the safe on/off loading of passengers, the enhancement of the safety of the populace and the efficient flow of traffic along the highway system.

Based upon requests from the local officials the Department's Bureau of Traffic Engineering conducted engineering studies to ascertain the best possible traffic control device to be installed to regulate the traffic. The engineering studies which included traffic counts, traffic flow, accident rates and traffic congestion proved that the establishment of "no parking" zones in the areas designated were the most efficient means to regulate the traffic flow.

Appropriate signs will be installed by local authorities to advise the motoring public.

In view of the requests from local authorities and the engineering studies conducted, the Department proposes to amend N.J.A.C. 16:28A-1.61 and 16:28A-1.25.

**Social Impact**

The proposed amendments will establish "no parking" zones at established bus stops along Route US 9W in Fort Lee Borough, Bergen County and Route 35 in Middletown Township, Monmouth County. These "no parking" zones will provide for the safe and efficient on/off loading of passengers, the enhancement of public safety and the efficient flow of traffic along the highways. Additionally, it assures the populace that local government is taking appropriate action to ensure their safety. Appropriate signs will be erected to advise the motoring public.

**Economic Impact**

The proposed amendments will cause the Department and local officials to incur direct and indirect costs for mileage, for personnel and the equipment requirements. The local officials will incur added costs involved in the installation and procurement of signs. These rules will impact on motorists, who are violators of the regulations through the payment of fines allotted.

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

16:28A-1.25 Route 35

(a) (No change.)

1.-20. (No change.)

(b) The certain parts of State highway Route 35 described in this section shall be designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is granted to erect appropriate signs at the following established bus stops:

1.-6. (No change.)

**7. Along the northbound (easterly) side in Middletown Township, Monmouth County:**

**i. Near side bus stops:**

**(1) Pine Street - Beginning at the southerly curb line of Pine Street and extending 110 feet southerly therefrom.**

**(2) Crestview Drive - Beginning at the southerly curb line of Crestview Drive and extending 105 feet southerly therefrom.**

**(3) Tindall Road - Beginning at the southerly curb line of Tindall Road and extending 105 feet southerly therefrom.**

**(4) New Monmouth Road - Beginning at the southerly curb line of New Monmouth Road and extending 105 feet southerly therefrom.**

**(5) Harmony Road - Beginning at the southerly curb line of Harmony Road and extending 105 feet southerly therefrom.**

**(6) Cherry Tree Farm Road - Beginning at the southerly curb line of Cherry Tree Farm Road and extending 105 feet southerly therefrom.**

**ii. Far side bus stops:**

**(1) Chestnut Street - Beginning at the northerly curb line of Chestnut Street and extending 100 feet northerly therefrom.**

**(2) Apple Farm Road - Beginning at the prolongation of the northerly curb line of Apple Farm Road and extending 100 feet northerly therefrom.**

**(3) Woodland Drive - Beginning at the prolongation of the northerly curb line of Woodland Drive and extending 100 feet northerly therefrom.**

**(4) Twin Brooks Avenue - Beginning at the northerly curb line of Twin Brooks Avenue and extending 100 feet northerly therefrom.**

**iii. Mid-block bus stops:**

**(1) Navesink River Road - Beginning 170 feet of the northerly curbline of Navesink River Road and extending 150 feet northerly therefrom.**

**(2) Chapel Hill Road - Beginning 445 feet north of the**

**northerly curb line of Chapel Hill Road and extending 135 feet extending northerly therefrom.**

**(3) Old Country Road - Beginning 155 feet north of the northerly curb line of Old Country Road and extending 135 feet northerly therefrom.**

**8. Along the southbound (westerly) side in Middletown Township, Monmouth County:**

**i. Near side bus stops:**

**(1) New Monmouth Road - Beginning at the northerly curb line of New Monmouth Road and extending 105 feet northerly therefrom.**

**(2) Kings Highway - Beginning at the northerly curb line of Kings Highway and extending 105 feet northerly therefrom.**

**(3) Woodland Drive - Beginning at the northerly curb line of Woodland Drive and extending 120 feet northerly therefrom.**

**(4) Apple Farm Road - Beginning at the northerly curb line of Apple Farm Road and extending 105 feet northerly therefrom.**

**(5) Oak Hill Road - Beginning at the northerly curb line of Oak Hill Road and extending 105 feet northerly therefrom.**

**(6) Pine Street - Beginning at the prolongation of the northerly curb line of Pine Street and extending 105 feet northerly therefrom.**

**(7) Navesink River Road - Beginning at the northerly curb line of Navesink River Road and extending 105 feet northerly therefrom.**

**ii. Far side bus stops:**

**(1) Cherry Tree Farm Road - Beginning at the prolongation of the southerly curb line of Cherry Tree Farm Road and extending 120 feet southerly therefrom.**

**(2) Cherry Tree Lane - Beginning at the southerly curb line of Cherry Tree Lane and extending 100 feet south therefrom.**

**(3) Crestview Drive - Beginning at the southerly curb line of Crestview Drive and extending 100 feet southerly therefrom.**

**iii. Mid-block bus stops:**

**(1) Kings Highway - Beginning 240 feet south of the southerly curb line of Kings Highway and extending 35 feet southerly therefrom.**

**(2) Twin Brook Road - Beginning 885 feet south of the southerly curb line of Twin Brook Road and extending 135 feet southerly therefrom.**

(c) (No change.)

16:28A-1.61 Route US 9W

(a) The certain parts of State highway Route US 9W described in this section shall be designated and established as "no parking" zones where parking is prohibited at all times. In accordance with the provisions of N.J.S.A. 39:4-199 permission is [hereby] granted to erect appropriate signs at the following established bus stops:

1.-5. (No change.)

6. Within Fort Lee Borough, Bergen County:

i. (No change.)

**ii. Along the southbound, (westerly) side:**

**1. Near side bus stop:**

**(1) Myrtle Avenue - Beginning at the northerly curb line of Myrtle Avenue and extending 105 feet northerly therefrom.**

(a)

**TRANSPORTATION OPERATIONS**

**Miscellaneous Traffic Rules  
Route 31 and Relocated Center Street  
Route 23 Southbound Ramp and Newark  
Pompton Turnpike**

**Proposed New Rules: N.J.A.C. 16:30-2.7 and  
2.8**

Authorized By: John P. Sheridan Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6, 39:4-6 and 39:4-140.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-528.

The agency proposal follows:

**Summary**

The proposed new rules will establish and designate intersections as Yield Intersections along Route 31 and Relocated Center Street, in Clinton Township, Hunterdon County and Route 23 southbound ramp and Newark Pompton Turnpike in Wayne Township, Passaic County.

N.J.A.C. 16:30-2.7 governs Route 31 and Relocated Center Street, and N.J.A.C. 16:30-2.8 governs southbound ramp and Newark Pompton Turnpike.

Based upon requests from local officials the Department's Bureau of Traffic Engineering conducted engineering studies to ascertain the best possible traffic control devices to be installed to regulate and effect the most safe and efficient means of traffic flow. The engineering studies which included traffic counts, traffic flow, accident rates and congestion of traffic at the intersections proved that the installation of Yield signs were most efficient in the enhancement of traffic flow and public safety at the intersections designated.

The Department therefore proposes new rules N.J.A.C. 16:30-2.7 and 16:30-2.8, establishing Yield Intersections, in compliance with the engineering studies and the requests from local officials.

**Social Impact**

The proposed new rules will establish and designate intersections along Routes 31 and 23 in the Townships of Clinton and Wayne, Hunterdon and Passaic Counties respectively, as Yield Intersections for the safe and efficient flow of traffic and the enhancement of the safety and welfare of the public. Appropriate signs will be installed to advise the motoring public.

**Economic Impact**

The proposed new rules will cause the Department and local officials to incur direct and indirect costs for mileage, for personnel and equipment requirements. The local officials will incur added costs involved in the placement and procurement of signs. These rules will impact on motorists, who are violators of the regulations through the payment of fines imposed.

Full text of the proposal follows.

16:30-2.7 Route 31 and Relocated Center Street

(a) The certain parts of Route 31 situated in the Township of Clinton, County of Hunterdon and described in this section shall be designated a Yield Intersection.

1. Relocated Center Street and Route 31 Exit Ramp: Yield signs shall be installed on both exits of the Route 31 northbound ramps at Relocated Center Street.

2. Route 31 southbound and Center Street: Yield sign shall be installed on the Route 31 southbound exit ramp at Center Street.

16:30-2.8 Route 23 southbound ramp and Newark Pompton Turnpike

(a) The certain parts of Route 23 situated in the Township of Wayne, County of Passaic and described in this section shall be designated a Yield Intersection.

1. Newark Pompton Turnpike and Route 23 southbound ramp: A yield sign shall be installed on the Route 23 southbound ramp.

2. Route 23 and Newark Pompton Turnpike: A yield sign shall be installed on the Newark Pompton Turnpike.

(b)

**THE COMMISSIONER**

**Regulation of 102-inch-wide Trucks**

**Notice of Pre-Proposal to Amend: N.J.A.C.  
16:32-1.2**

Authorized By: John P. Sheridan, Jr., Commissioner,  
Department of Transportation.  
Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:3-84, as Amended by P.L. 1983 c. 126.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

This is a Notice of Pre-Proposal for a rule (see N.J.A.C. 1:30-3.2). Any rule concerning the subject of this pre-proposal must still comply with the rulemaking provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., as implemented by the Office of Administrative Law's Rules for Agency Rulemaking, N.J.A.C. 1:30.

This pre-proposal is known as PPR 1983-6.

The agency proposal follows:

**Summary**

Under the provisions of N.J.S.A. 27:1A-5 and 27:1A-44, the

Department of Transportation intends to propose amendments to N.J.A.C. 16:32-1.2, defining on which highways 102 inches will be the maximum width permitted for trucks. The purpose of this pre-proposal is to solicit comments on the policy options the Department is considering and suggestions as to which other options, if any, the Department might consider, following which a proposed course of action will be chosen.

N.J.S.A. 39:3-84, as amended by P.L. 1983, c. 126, provides in part that: "No commercial motor vehicle, tractor trailer or semitrailer shall be operated on any highway in this State the outside width of which is more than 102 inches, inclusive of load, except that the Commissioner of Transportation may, in respect of highways where he considers that public safety requires it, specify by regulation a lower maximum width, which shall in no case be lower than 96 inches."

The regulation now in effect, N.J.A.C. 16:32-1.2, provides that: "The maximum width of any truck combination operating on any highway is 96 inches, except that the maximum width permitted on the routes designated in N.J.A.C. 16:32-1.1 is 102 inches." N.J.A.C. 16:32-1.1, referred to above, sets forth the routes designated for use by double-trailer truck combinations.

It should also be noted that the Federal Surface Transportation Assistance Act of 1982, as amended, provides in section 416 that: "No State...shall establish, maintain, or enforce any regulation of commerce which imposes a vehicle width limitation of more or less than 102 inches on any segment of the National System of Interstate and Defense Highways, or any other qualifying Federal-aid highway as designated by the Secretary of Transportation, with traffic lanes designed to be a width of 12 feet or more..." Federal regulations incorporating the Secretary's designations have not yet been adopted.

The Department of Transportation is now reviewing the policy options available for the proper regulation of wider trucks under the State and Federal statutes. The Department desires to strike a proper balance between the needs of commerce and the need for public safety.

On the one hand, Federal law provides for an interstate network of highways available for use by 102-inch-wide trucks, and State law provides for a 102-inch standard maximum width for trucks. There are indications that 102 inches will be adopted as the industry standard for at least some classes of trucks throughout the United States. In addition, it should be noted that most 102-inch-wide trucks will be standard tractor-trailer combinations, which shippers and motor carriers will wish to use for pickups and deliveries at thousands of locations throughout the State. This situation is in clear contrast to the situation of double-trailer combinations, which are suitable for use in terminal-to-terminal operations. Double-trailer combinations would be broken down into shorter combinations at the terminals for local pickup and delivery. These factors lend support to a regulatory plan based on the widest possible legal access for 102-inch-wide trucks.

On the other hand, concern has been expressed both in New Jersey and elsewhere about the safety implications of the wider trucks. The State statute, N.J.S.A. 39:3-84, gives the Commissioner of Transportation explicit authority to: "...in respect of highways where he considers that public safety requires it, specify by regulation a lower maximum width, which shall in no case be lower than 96 inches." The Federal Surface Transportation Assistance Act of 1982 limits the highways eligible for designation by the United States Secretary of Transportation for use by 102-inch-wide trucks to those "designed to be width of 12 feet or more."

The Federal law implicitly recognizes the concern that the operation of 102-inch-wide trucks on roads with inadequate lane widths could increase the possibility of collisions resulting from insufficient clearance between vehicles in adjoining lanes. Modern highways are normally designed with 12-foot lanes. However, there are many miles of older highways in New Jersey, on State, county and municipal systems, with lane widths of 11, 10 and even nine feet. In theory, a 102-inch-wide truck with six-inch mirrors on

both sides, travelling in the center of a nine-foot traffic lane would extend three inches beyond its lane on each side. Two of these trucks travelling in opposite directions on a two-lane roadway would have to extend several inches into the shoulder area to have sufficient clearance to avoid collision.

While it seems self-evident that 102-inch-wide trucks would be a greater hazard on roads with lane widths less than 12 feet than on roads with 12-foot lanes, two qualifications must be made: first, no conclusive research demonstrating this relationship has been completed to date and, second, many roads have variable lane widths, and records of the physical geometry of many roads are imprecise and, in some cases, unavailable.

The Department has formulated four main options for the regulation of wider trucks.

The first option would be to restrict the operation of trucks wider than 96 inches to highways designed with 12-foot lanes. This option would essentially limit the use of these wider trucks to the system designated in N.J.A.C. 16:32-1.1 along with some additional mileage that met the 12-foot-lane standard. This plan would minimize safety concerns and it would also provide for the interstate movement of these vehicles through New Jersey. However, this option would render the provision of access difficult and would therefore deny the benefit of the wider trucks to shippers and motor carriers wishing to provide service to points off the designated system. In fact, if the 12-foot-lane standard were strictly adhered to, access to and from the system would be so restricted that it would probably not meet the requirement of the Surface Transportation Assistance Act of 1982 that "reasonable access" to terminals and other facilities be provided.

The second option would be to restrict through movements of wider trucks to a designated system based on the 12-foot criterion, but to allow access to terminals on specified routes. Under this "reasonable access" plan, specific access routes to terminals would be approved by the Department's Bureau of Traffic Engineering, as in the case of double-trailer truck combinations. This option would permit travel on highways with less than 12-foot lanes, but only under strict controls. There would still be a problem, however, for shippers and motor carriers wishing to reach destinations other than terminals. It would not be administratively feasible for the Department to review specific routes of access for every place that a wide truck might want to go.

The third option would be to allow wider trucks to have freedom of movement on main roads, with some restriction on movement on local roads. For instance, free movement could be permitted on State and county roads, which are generally main roads, or on Federal-aid roads, which must be built and maintained to higher standards than non-Federal aid roads. Off this system of main roads, access could be limited to local delivery purposes or could be restricted on the basis of some system involving local participation, such as municipal petitions with review by the Department of Transportation. This option might promote safer operation of the wider trucks, but also might prove difficult to enforce and burdensome on motor carriers, shippers and local government.

The fourth option would be to allow trucks wider than 96 inches to have freedom of travel throughout the State, except where a specific prohibition has been imposed by the Commissioner of Transportation. This system would be analogous to the regulation of truck weights, where the Commissioner may post specified routes for weight limits below the weight limits established by statute. This option would permit the wider vehicles to be used to the fullest extent by shippers and motor carriers. Specific trouble spots could be addressed by specific prohibitions. This option would likely result in widespread travel by 102-inch-wide trucks on highways with less than 12-foot lanes.

The Department solicits comments on this pre-proposal with a view toward selecting and refining one of the four options discussed above as the basis for amending the present regulations.

## OTHER AGENCIES

(a)

## GARDEN STATE PARKWAY

## Tolls

## Toll-Free Passage

## Proposed Amendment: N.J.A.C. 19:8-3.2

Authorized By: New Jersey Highway Authority, William F. Smith, Executive Director.  
 Authority: N.J.S.A. 27:12B-5(j) and (s) and 27:12B-24.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

William F. Smith, Executive Director  
 New Jersey Highway Authority  
 Garden State Parkway  
 Woodbridge, NJ 07095

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

This proposal is known as PRN 1983-529.

The agency proposal follows:

**Summary**

The proposed amendment will include former Governors of New Jersey and former Commissioners of the New Jersey Highway Authority among those persons permitted toll-free passage on the Garden State Parkway.

**Social Impact**

It is likely that former Governors of the State and former Commissioners of the New Jersey Highway Authority, owing to their experiences and relationship with this Agency, will provide information via suggestions and criticisms that will improve the operations of the New Jersey Highway Authority, thereby improving the service provided by this agency to the traveling public.

**Economic Impact**

Since a limited number of persons will be provided toll-free passage on the basis of this amendment, the economic impact will be negligible.

Full text of the proposal follows.

## 19:8-3.2 Toll-free passage

(a) Unless expressly authorized by the authority, no toll-free passage through toll collection points on the Parkway will be permitted except the following:

1. The Governor of the State of New Jersey, **former Governors of the State of New Jersey**, Commissioners and executive staff members of the Authority and **former Commissioners of the Authority**;

2.-6. (No change.)

(b)

## NEW JERSEY TURNPIKE AUTHORITY

## Traffic Control on New Jersey Turnpike Operations of Vehicles on Turnpike Projects; Care Required; Records

## Proposed Amendments: N.J.A.C. 19:9-1.17 and 1.20

Authorized By: New Jersey Turnpike Authority, William J. Flanagan, Executive Director.  
 Authority: N.J.S.A. 27:23-29.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Flanagan, Executive Director  
 New Jersey Turnpike Authority  
 New Brunswick, NJ 08903

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

This proposal is known as PRN 1983-524.

The agency proposal follows:

**Summary**

These amendments as proposed will clarify Turnpike Authority traffic control rules, and will incorporate existing Federal Regulations regarding interstate commerce into the Turnpike Authority Rules.

Due to an oversight, the text of N.J.A.C. 19:9-1.17(a) and (b) also appears in N.J.A.C. 19:9-1.20. These provisions relate to record keeping by drivers of commercial motor vehicles and so are proposed to be deleted from N.J.A.C. 19:9-1.17, which, by title, concerns the care required in the operation of vehicles on the Turnpike Project. It is proposed to leave N.J.A.C. 19:9-1.20 "Records" intact except for the second sentence, which is to be deleted. N.J.A.C. 19:9-1.17(c) will be retained as the entire subchapter.

The proposed amendment to N.J.A.C. 19:9-1.20 "Records" entails leaving the first sentence intact as subsection (a) of that subchapter. The second sentence of the current N.J.A.C. 19:9-1.20 will be deleted and subsection (b) will be added to that subchapter as a result of the action of the United States Department of Transportation. The Federal Department has amended 49 CFR Parts 395.8 and 395.9 regarding the keeping of records of the day and hour when, and the place where a driver engaged in interstate commerce went on, and was released from duty. The Federal Code has exempted drivers who fall into a certain category from keeping such records. Since the Authority's regulations must comply with all applicable Federal Regulations, it is necessary that subsection (b) of N.J.A.C. 19:9-1.20 be added as the exceptions to subsection (a) of that subchapter.

Finally, following the current N.J.A.C. 19:9-1.17, there is a "Note" reminding the reader that use of the Turnpike Project is also regulated by various Turnpike Authority enabling statutes and by the New Jersey Motor Vehicle Code. That "Note" properly belongs at the very end of Subchapter 1, Traffic Control of New Jersey Turnpike, and so it is proposed that it be relocated following N.J.A.C. 19:9-1.20.

**Social Impact**

There will be no additional social impact since the amendments simply relocate certain provisions of existing Turnpike Authority Rules and incorporate certain parts of the Code of Federal Regulations which are already in effect.

**Economic Impact**

There will be no economic impact since the amendments effect no substantive changes in current Turnpike Authority Rules and Federal Regulations.

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

19:9-1.17 Operations of vehicles on turnpike projects; care required

[(a) Every person driving any commercial motor vehicle, omnibus, motor bus, or tractor in interstate commerce upon the New Jersey Turnpike shall keep records showing the day and hour when, and the place where, he went on and was released from duty, whether in or outside of this State, and in case such driver went on duty at a place outside of this State, he shall immediately upon entering the New Jersey Turnpike certify upon such records that they are correct.

(b) Such records shall be exhibited to any State Police officer who shall demand to see the same.

Note: In addition to these traffic regulations, users of the New Jersey Turnpike are subject to applicable statutory provisions, including among other things penalties for nonpayment of tolls (N.J.S.A. 27:23-25), penalties for violation of the regulations (N.J.S.A. 27:23-32) and, except as otherwise provided hereinabove, the Motor Vehicle and Traffic Acts of New Jersey relating to lights, brakes, weights, and registration and other matters (N.J.S.A. 39:3-1 et seq., 39:4-1 et seq.); also Interstate Commerce Commission regulations as to commercial vehicles in interstate commerce.]

[(c)] No vehicle shall be operated carelessly, without due caution or prudence, or in a manner so as to endanger persons or property, or while the operator is under the influence of intoxicating liquors or any narcotic or habit-forming drug.

19:9-1.20 Records

(a) Every person driving any commercial motor vehicle, omnibus, motor bus, or tractor in interstate commerce upon the New Jersey Turnpike shall keep records showing the day and hour when, and the place where, he went on and was released from duty, whether in or outside of this State, and in case such driver went on duty at a place outside of this State, he shall immediately upon entering the New Jersey Turnpike certify upon such records that they are correct. [Such records shall be exhibited to any State Police officer who shall demand to see the same.]

(b) **Records showing the day and hour when, and the place where the driver went on and was released from duty are not needed, provided:**

- 1. **The driver does not operate beyond the 100-mile radius of the work reporting location more than one time in any seven consecutive day period;**
- 2. **The driver, except a driver salesperson, returns to the work reporting location within 12 hours;**
- 3. **At least eight consecutive hours off-duty separate each 12 hours on duty; and**
- 4. **The motor carrier which employs the driver maintains accurate and true records showing:**
  - i. **The total number of hours the driver is on duty each day;**
  - ii. **The time the driver reports for duty each day;**
  - iii. **The time the driver is released from duty each day; and**
  - iv. **The total on-duty time for the preceding seven days for drivers used for the first time or intermittently.**

**Note: In addition to these traffic regulations, users of the New Jersey Turnpike are subject to applicable statutory provisions, including among other things penalties for nonpayment of tolls (N.J.S.A. 27:23-25), penalties for violations of the regulations (N.J.S.A. 27:23-32) and, except as otherwise provided hereinabove, the Motor Vehicle and Traffic Acts of New Jersey relating to lights, brakes, weights, registration and other matters (N.J.S.A. 39:3-1 et seq., 39:4-1 et seq.); also Interstate Commerce Commission regulations as to commercial vehicles in interstate commerce.**

**(a)**

**NEW JERSEY TURNPIKE AUTHORITY**

**Purchasing and Contracting**

**Proposed Repeal: N.J.A.C. 19:9-2.1**  
**Proposed New Rule: N.J.A.C. 19:9-2**

Authorized By: New Jersey Turnpike Authority, William J. Flanagan, Executive Director.  
Authority: N.J.S.A. 27:23-29.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Flanagan, Executive Director  
New Jersey Turnpike Authority  
New Brunswick, NJ 08903

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

This proposal is known as PRN 1983-523.

The agency proposal follows:

**Summary**

These amendments as proposed will incorporate the requirements of both the Turnpike Authority bidding statute (N.J.S.A. 27:23-6.1) and public bidding case law, and will formalize a more comprehensive scheme regarding all Turnpike Authority purchasing and contracting procedures, including prequalification, and appeal of classification and award, than has heretofore been in effect.

Currently, N.J.A.C. 19:9-2.1 sets forth only very general bid rules and hearing procedures for bidders dissatisfied with their rejection or classification. Due to the increasing number and complexity of bids for products and services which are secured through the Turnpike Authority's Purchasing and Engineering Departments, the need has developed to amend the Authority's bid procedures in order to increase their scope. The proposed amendments do not substantively change existing Turnpike Authority procedures, but rather expostulate those procedures for the benefit of all potential bidders, especially those not familiar with public bidding. In formulating these amendments, the Turnpike Authority's Legal, Purchasing and Engineering Departments have reviewed the existing Authority bidding practices along with regulations of other authorities and agencies.

The Turnpike Authority therefore proposes to repeal the current text of N.J.A.C. 19:9-2.1 and proposes new rules in its place, encompassing a new subchapter 2.

**Social Impact**

The proposed amendments will facilitate notification to interested parties of Turnpike Authority bidding practices, and will help avoid the mistakes and misunderstanding which result from procedures which are less formally drawn.

**Economic Impact**

These comprehensive Turnpike Authority purchasing and contracting rules as proposed will benefit bidders and the Authority alike by helping to minimize costly bidding errors. Also, it is expected that clarification of these procedures will induce a greater number of bids to be properly submitted to the Turnpike Authority, thus enhancing the competitive purpose of public bidding.

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

SUBCHAPTER 2. **\*[CONSTRUCTION CONTRACTS]\* \*  
PURCHASING AND CONTRACTING\***

[19:9-2.1 Procedure for prequalification and award of  
construction contracts

(a) All prospective bidders for construction contracts in excess of \$50,000 shall be prequalified annually into classifications by the Chief Engineer of the New Jersey Turnpike Authority. Prospective bidders will be classified according to the type of work and the amount of work on which they are entitled to bid as set out in Exhibit A (see end of chapter). Proposals submitted by prequalified bidders who have received classification ratings set forth in Exhibit A will be considered for award by the Authority when the total price of the proposal exceeds the maximum limit of the rating by 10 percent or less. The Chief Engineer may, from time to time, add additional Specialized Work categories to Item 24 "Special Classification."

(b) In order to prequalify in classifications, prospective bidders shall submit annually, or at least five working days prior to bid opening for a specific contract, the proof of the following:

1. As to type of work, recent satisfactory experience as a contractor on a contract involving substantially the same or similar work to the classification being sought.

2. As to amount of work, recent satisfactory experience as a contractor on a single contract having a value of at least 60 percent of the maximum limit of the classification rating being sought; or, several contracts performed at or about the same time having a cumulative value of at least 60 percent of the said maximum limit.

3. Satisfactory financial condition of the prospective bidder.

4. Adequate facilities, including plant, equipment and experience of key personnel and officers of the company.

5. Affidavit that the bidder is not now, nor has been involved, directly or indirectly, in any proceeding, conduct or activity relating to, or reflecting upon, the moral integrity of the bidder.

6. A Contractor's Qualifying Statement: The Statement shall show the prospective bidder's status at the end of the month prior to the date of the Statement. Prequalified bidders shall not submit another Qualifying Statement when submitting proposals, but will submit a prequalification recapitulation when submitting proposals.

7. Affidavit that the bidder has not been disqualified from future bidding as set forth under subsection (g) of this section, and paragraph 9 of the Contractor's Qualifying Affidavit.

(c) The Chief Engineer shall review the Statement and other information submitted by prospective bidders, and shall notify them of his decision as to their Classification by Certified Mail. The Classification will be valid for a period of one year from the date of the Chief Engineer's decision, and the prospective bidder will be allowed to bid on all Turnpike contracts within these Classification limits for this one year period without the need of additional prequalification, subject to subsection (d) and (g) of this section. At the end of this one year period, the prequalification of

the bidder will expire and to be renewed, the prospective bidder must meet the requirement of subsection (b) of this section.

(d) The Chief Engineer shall reserve the right to require a bidder to submit such additional evidence of his qualifications as he may deem necessary, and shall consider any evidence available to him of the financial, technical, and other qualifications and ability of a bidder. The Chief Engineer may change or revoke at any time the Classifications of any bidder upon any evidence that said bidder does not meet the financial, technical, moral, or other qualifications of the Classification.

(e) The Chief Engineer may deny prequalification of any bidder who fails to comply with the provisions of subsection (b) of this section, and further, may recommend to the Authority rejection of any bid where the bidder, at such time, has failed to comply with the provisions of subsection (b) of this section.

(f) The Authority reserves the right to waive the prequalification procedures and requirements in contracting in an emergency situation.

(g) A bidder shall be disqualified from future bidding on any Turnpike project if such bidder claims, whether successfully or not, its right to withdraw its bid because of unilateral mistake. Such disqualification shall be effective for a period of six months from the date of opening the bid sought to be withdrawn.

(h) Any prospective bidder rejected for prequalification or dissatisfied with his classification may request a hearing before the Executive Director, including bidders disqualified pursuant to (g) above, and at such hearing may present further evidence to justify prequalification or changing of his classification. The Senior Attorney shall make all arrangements for such hearing.

(i) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of subsections (b)3, 4 and 5 of this section.

(j) The lowest bidder whose bid has been rejected for any reason by the Authority may request, not later than 72 hours after receipt of notice of said rejection, a hearing before the Executive Director of the New Jersey Turnpike Authority. The Executive Director may deny such hearing or grant such hearing before himself or such representatives as he may designate. The Executive Director of his designee shall make all arrangements for such hearing.]

**19:9-2.1 General provisions**

(a) All contracts of the Authority entered into for the performance of any work, or any purchases, or hiring of personal property, services, supplies, equipment or goods, shall be as prescribed in these regulations and procedures. The objective of these regulations is to enable the Authority to accomplish its procurements equitably and expeditiously at the least possible cost. These regulations may be added to or amended by the specific provisions of each bid or proposal specifications or contract documents.

(b) Contracts entered into for the furnishing or performing of services of a professional nature, or for the supplying of any product or the rendering of any service by a public utility subject to the jurisdiction of the Board of Public Utility Commissioners of the State of New Jersey, shall not be subject to these regulations.

**19:9-2.2 Purchases for amounts requiring public advertising**

(a) Rules concerning advertising and awards of bids:

1. Advertisement for competitive bids shall be placed in an appropriate newspaper or journal, having a large circulation in the State. Such advertisement shall be published not less than seven days preceding the date upon which the proposals are to be received and opened. All advertisements will contain:

- i. A brief description of the supplies, materials, equipment or services to be furnished or performed;
- ii. Notice of the place where proposal forms, specifications, terms and conditions may be obtained; and

iii. The place, date and time when the sealed bids shall be publicly opened.

2. In addition to advertising, bids may be solicited from all known interested parties by mail. Such solicitations shall provide prospective bidders with at least the same information contained in the public advertisement.

3. In the event that amendment of any pertinent information supplied to prospective bidders becomes necessary, notice of the change(s) shall be given to all prospective bidders having requested specifications at least three days prior to the opening of the bids. If such notice is given orally, it shall be promptly confirmed by written addendum.

(b) Rules concerning terms and conditions applicable to submission of bids:

1. All bids must be properly signed and executed.

2. Any correction of an entry made on the proposal form should be initialed by a duly authorized representative of the bidder.

3. Bidders may withdraw bids, or withdraw and resubmit bids, at any time up to 15 minutes prior to the public opening, signed by a duly authorized representative of the bidding firm. Bids so withdrawn shall be returned to the bidders unopened.

4. In the case of inconsistencies or errors in unit prices, extensions and totals, the Authority shall have sole discretion to make determinations with regard to same. If the total price is found to be incorrectly computed, discrepancies will be corrected by the Authority on the basis of the written unit prices, and determination of the low bidder will be made on the basis of the correct total price so determined. The Authority shall not be liable for any failure or error in determining or correcting errors or discrepancies.

5. In particular cases where permitted or required by the Authority in the particular bid specifications, bidders may be permitted to submit partial bids. The Authority reserves the right to accept any item or group of items of any bid.

(c) Rules concerning receipt, opening, and award of bids:

1. All bids solicited by advertising or by mail must be submitted in sealed envelopes provided by the Authority on the appropriately signed proposal forms furnished by the Authority on or before the time fixed for the public opening. Any bids received after the bidding has been closed shall be returned to the bidder unopened.

2. The purchasing or bid supervisor shall maintain a secured place for the purpose of receipt and securing bids. When sealed envelopes containing bids are received in the office of the Authority they shall be date-stamped and deposited (unopened) in the appropriate secure location.

3. Bids shall be opened publicly at the time and place designated in the Invitation for Bids or Advertisement for Proposals. The amount of each bid, the identity of each bidder, and such other information relevant to the bid shall be recorded in writing and the bid tabulation shall be open to public inspection.

4. Bids shall be evaluated based on the requirements set forth in the Invitation for Bids or contract documents, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose.

5. Correction or withdrawal of inadvertently erroneous bids after opening, or cancellation of awards or contracts based on such mistakes, may be permitted in the sole discretion and determination of the Authority. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Authority or fair competition shall be permitted and a decision to permit the correction or withdrawal of bids, or to cancel awards or contracts, based on bid mistakes, shall be supported by a written determination made by the Director of Purchasing or the Chief Engineer.

6. The contract shall be awarded with reasonable promptness

by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the Invitation for Bids or other contract documents. The Authority retains the right to reject any or all bids, to waive informalities and minor irregularities, and to rebid the entire contract.

7. When it is determined impractical to initially prepare a purchase description to support an award based on price, an Invitation for Bids or Advertisement for Proposals may be issued requesting the submission of unpriced proposals to be followed by an Invitation for Bids or Advertisement for Proposals limited to those bidders whose unpriced proposals have been determined as qualified for the project by the Director of Purchasing or the Chief Engineer.

8. Bid or proposal guarantees or bid or proposal bonds may be required as part of any bid in the discretion of the Director of Purchasing or Chief Engineer. In that event, the requirement of a bid or proposal guarantee or bond shall be set forth or specified in the bid specifications.

9. Performance bonds or contract bonds may be required in the discretion of the Director of Purchasing or Chief Engineer to insure faithful performance of the contract or for the payment of persons performing work on the project. In that event, the requirement of a performance or contract bond shall be set forth or specified in the bid specifications. The bond shall be submitted by the successful bidder upon notification.

(d) Rules concerning dispensing with public bid procedure:

1. A contract may be awarded for a supply, service, or product without competitive sealed proposals when the Authority upon written recommendation of the Director of Purchasing or the Chief Engineer determines and acts by appropriate resolution that there is only one source for the required supply, service, or product.

2. When the Authority deems that there exists a threat to the health, welfare or safety of the public or of property under emergency conditions, or the exigency of the situation does not allow sufficient time to advertise and award bids by public bidding, the Authority may, by appropriate resolution, acting on the written recommendation of Director of Purchasing or Chief Engineer, waive the requirement of public bidding provided that such emergency requirements shall be made with such competition as is practicable under the circumstances.

19:9-2.3 Purchases under amount requiring public advertising

(a) In the case of purchases of personal property or services, where the aggregate cost or amount involved is less than the minimum amount for which public advertising for bids is required, competitive bidding is not required. As determined in the discretion of the Director of Purchasing or Chief Engineer, price quotations may be solicited from vendors to the extent determined appropriate by the Director of Purchasing or Chief Engineer.

(b) Awards of bids may be to other than the lowest bidder for valid reasons, if specifically recommended by the Director of Purchasing or Chief Engineer.

19:9-2.4 Termination of contract

(a) A contract awarded to the successful bidder may be terminated by the Authority at any time for inadequate or improper performance, or for breach of any terms, conditions, or obligations of the contract, as determined by the Authority, or if the vendor shall make an assignment for the benefit of creditors, or file a voluntary petition in bankruptcy, or if an involuntary petition in bankruptcy is filed against the vendor and the act of bankruptcy therein alleged is not denied by the vendor. Upon termination, the Authority shall be liable only for payment of goods or services properly performed in accordance with the contract. The Authority shall have the right to

purchase non-delivered goods, to replace defective goods and services on the open market and hold the vendor liable for the difference between the price set forth in the contract for such goods or services and the prices paid on the open market. Further, the Authority reserves the right to terminate any contract entered into provided written notice has been given to the contractor at least (15) days prior to such proposed termination date. In addition, the Authority shall have the right, without the necessity of court proceedings, to recover all equipment, material or supplies that are the property of the Authority and have been entrusted with the vendor to be used in the performance of said contract. Nothing in this section is intended to limit the Authority's right to legally pursue all costs which exceed the amount due and owing the vendor under said contract. The list of remedies in this section is not exclusive.

#### 19:9-2.5 Purchases under or in combination with State or other agency contracts

(a) When it is determined to be proper and in the best interest of the Authority, the Authority may purchase equipment, goods, materials and supplies directly, without advertising, from vendors who hold contracts with the State of New Jersey or other State authorities or agencies.

(b) When it is determined to be proper and in the best interests of the Authority, the Authority may contract with and purchase by public bid procedure, services, equipment, goods, materials and supplies, in combination with the requirements of the State of New Jersey or other State authorities or agencies.

(c) In either event, the Director of Purchasing or Chief Engineer will submit a written recommendation to the Authority which shall set forth the details of the proposed acquisition and shall state the reasons for proceeding under or in combination with such State or other State authority contract or requirements.

#### 19:9-2.6 Sale of surplus personal property

(a) Sales of surplus personal property, where the anticipated aggregate proceeds are estimated by the Director of Purchasing or exceed the minimum amount requiring public advertising of purchases, shall be made after public advertisement and competitive bids. The advertising and bid procedures shall be basically as set forth in N.J.A.C. 19:9-2.2(a), (b) and (c). The Authority may by resolution waive the requirement of public advertising on a particular sale.

(b) In the case of sales of surplus personal property, where the anticipated aggregate proceeds are estimated by the Director of Purchasing to be less than the minimum amount requiring public advertising or purchases, competitive bidding is not required. As determined in the discretion of the Director of Purchasing, price quotations may be solicited from vendors to the extent determined appropriate by the Director of Purchasing.

(c) Award of the sale will be made to the highest bidder meeting the terms and conditions of the bid.

(d) In the event no bids, or inadequate or low bids, in the determination of the Director of Purchasing, are received, the Director of Purchasing may in his discretion reject all bids, reoffer for sale, negotiate, trade-in or scrap the sale items.

(e) Upon determination by the Director of Purchasing, surplus personal property or equipment may be sold in conjunction with or as part of an auction or sale proceeding conducted by the State of New Jersey or other State authorities.

#### 19:9-2.7 Procedure for prequalifications and award of construction contracts

(a) All prospective bidders for construction in excess of \$50,000 shall be prequalified annually into classifications by the Chief Engineer. Prospective bidders will be classified according to the type of work and the amount of work on which they are entitled to bid as set out in Exhibit A (See end of Chapter 9).

Proposals submitted by prequalified bidders who have received classification ratings set forth in Exhibit A will be considered for award by the Authority when the total price of the proposal exceeds the maximum limit of the rating by 10 percent or less. The Chief Engineer may, from time to time, add additional specialized work categories to Item 24 "Special Classification."

(b) In order to prequalify in classification, prospective bidder shall submit annually or at least seven working days prior to bid opening for a specific contract, proof of the following:

1. As to type of work, recent satisfactory experience as a contractor on a contract involving substantially the same or similar work to the classification being sought.

2. As to amount of work, recent satisfactory experience as a contractor on a single contract having a value of at least 60 percent of the maximum limit of the classification rating being sought; or, several contracts performed at or about the same time having a cumulative value of at least 60 percent of the said maximum limit.

3. Satisfactory financial condition of the prospective bidder.

4. Adequate facilities, including plant, equipment and experience of key personnel and officers of the company.

5. Affidavit that the bidder is not now, nor has been involved, directly or indirectly, in any proceeding, conduct or activity relating to, or reflecting upon, the moral integrity of the bidder.

6. A Contractor's Qualifying Statement: The statement shall show the prospective bidder's status at the end of the month prior to the date of the statement. Prequalified bidders shall not submit another Qualifying Statement when submitting proposals, but will submit a prequalification recapitulation when submitting proposals.

(c) The Chief Engineer shall review the statement and other information submitted by the prospective bidders, and shall notify them of his decision as to their classification by certified mail. The classification will be valid for a period of one year from the date of the Chief Engineer's decision, and the prospective bidder will be allowed to bid on all Turnpike contracts within its classification limits for this one year period without the need of additional prequalification, subject to subsections (d) and (g) below. At the end of this one year period, the prequalification of the bidder will expire, and to be renewed, the prospective bidder must meet the requirement of subsection (b) above.

(d) The Chief Engineer shall reserve the right to require a bidder to submit such additional evidence of his qualifications as he may deem necessary, and shall consider any evidence available to him of the financial, technical, and other qualifications and ability of a bidder. The Chief Engineer may change or revoke at any time the classifications of any bidder upon any evidence that said bidder does not meet the financial, technical, moral or other qualifications of the classification.

(e) The Chief Engineer may deny prequalification of any bidder who fails to comply with the provisions of subsection (b) above and, further, may recommend to the Authority rejection of any bid where the bidder, at such time, has failed to comply with the provisions of this section.

(f) The Authority reserves the right to waive the prequalification procedures and requirements in contracting in an emergency situation.

(g) A bidder shall be disqualified from future bidding on any Turnpike project if such bidder claims, whether successfully or not, its right to withdraw its bid because of unilateral mistake. Such disqualification shall be effective for a period of six months from the date of opening the bid sought to be withdrawn.

(h) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of subsections (b)3, 4 and 5 above.

19:9-2.8 Procedure to resolve protested solicitations and awards

(a) Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract or its prequalification status or classification may protest to the Authority. The protest shall be submitted in writing within five days after such aggrieved person knows or should have known of the facts giving rise thereto. Failure to file a timely protest shall bar any further action. The written protest shall set forth in detail the facts upon which the protestant bases its protest.

(b) Upon the filing of a timely protest, the Authority's Executive Director shall have the authority to conduct a hearing, to settle and resolve a protest of an aggrieved bidder, offeror or contractor concerning the solicitation or award of a contract or prequalification status or classification. This authority shall be exercised in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(c) If the protest is not resolved by mutual agreement, the Executive Director shall promptly issue a decision in writing. The decision shall state the determination made and reasons for the action taken. The decision shall be mailed or furnished promptly to the protestant and any other interested party.

(d) A decision under subsection (c) above shall be final and conclusive, unless any person adversely affected by the decision commences an action in court.

(e) In the event of a timely protest under subsection (a) above, the Authority shall not proceed further with the solicitation, or with the award of the contract until the decision is rendered under subsection (c) above, or until the Executive Director after consultation with the Director of Purchasing or Chief Engineer makes a written determination that the continued solicitation or award of the contract without delay is necessary to protect the interests of the Authority or the public.

(a)

NEW JERSEY TURNPIKE AUTHORITY

Inspection and Obtaining of Turnpike Authority Records New Jersey State Police Reports

Proposed Amendment: N.J.A.C. 19:9-4.4

Authorized By: New Jersey Turnpike Authority, William J. Flanagan, Executive Director. Authority: N.J.S.A. 27:23-29.

Interested persons may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

William J. Flanagan, Executive Director New Jersey Turnpike Authority New Brunswick, NJ 08903

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

This proposal is known as PRN 1983-522.

The agency proposal follows:

Summary

The proposed amendments are required in order to bring

N.J.A.C. 19:9-4.4 into compliance with State law on obtaining New Jersey State Police Reports. These amendments are not new substantive provisions, but merely reflect changes in State law which have already been enacted and which the Turnpike Authority already abides by. Accordingly, people may apply in person for State Police accident reports as per N.J.S.A. 47:1A-2, and the fees for such reports have been adjusted to comply with the amounts permitted by N.J.S.A. 39:4-131.

Social Impact

There will be no additional social impact since the amendments simply reflect current changes in State laws which have already been put into effect.

Economic Impact

The costs of all State Police accident reports will be greatly reduced as required by State law.

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

19:9-4.4 New Jersey State Police reports

(a) Copies of New Jersey State Police accident reports of Troop D on the New Jersey Turnpike may be obtained by written request addressed to the following:

Commanding Officer, Troop D New Jersey State Police P.O. Box 1121 New Brunswick, New Jersey 08903

1. [Requests must be made by mail. Reports will not be furnished to anyone replying in person.] Requests can be made by mail or by anyone applying in person.

(b) All requests must be accompanied by a check or money order made payable to the New Jersey Turnpike Authority in accordance with the following schedule:

- 1. [One-to-three page report .....\$10.00; All accident reports obtained in person ..... \$ 1.00;]
2. [Each additional page ..... \$2.00;]
3. Over six pages No additional fee.]
(c)-(e) (No change.)

# TRANSPORTATION

(a)

## THE COMMISSIONER

### Designated Routes for Special Categories of Trucks

#### Proposed Amendments: N.J.A.C. 16:32

Authorized By: John P. Sheridan, Jr., Commissioner,  
Department of Transportation.

Authority: N.J.S.A. 27:1A-5, 27:1A-6 and 39:3-84.

**Interested persons** may submit in writing, data, views or arguments relevant to the proposal on or before November 2, 1983. These submissions, and any inquiries about submissions and responses, should be addressed to:

Charles L. Meyers  
Administrative Practice Officer  
Department of Transportation  
1035 Parkway Avenue  
CN 600  
Trenton, NJ 08625

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

This proposal is known as PRN 1983-534.

The agency proposal follows:

#### Summary

On April 6, 1983, the Commissioner of Transportation adopted emergency rules, N.J.A.C. 16:32, entitled "Designated Routes for Special Categories of Trucks." These rules were adopted on a permanent basis on June 7, 1983. This adoption was necessary to implement the provisions of P.L. 1983, c. 126 (amending N.J.S.A. 39:3-84) and the federal Surface Transportation Assistance Act of 1982 concerning the operation of special categories of trucks in New Jersey.

After review of comments received and further deliberation, the Department of Transportation is proposing several amendments to these regulations. The Department is also publishing a pre-proposal concerning the regulation of trucks wider than 96 inches, which will become the basis of subsequent proposed amendments.

The amendments proposed at the present time are as follows:

N.J.A.C. 16:32-1.1 would be amended to add three segments to the system of highways designated for use by double-trailer truck combinations. These segments are: (1) Route 81, connecting the New Jersey Turnpike to Route 1; (2) Route 130, from Route 322 at Bridgeport to Interstate Route 295, and Route 322, from the Commodore Barry Bridge to Route 130, forming a link between the Commodore Barry Bridge and Interstate Route 295; and (3) Route 440, from the New Jersey Turnpike to Outerbridge Crossing. The segments which are proposed for addition are all designed to Interstate freeway standards and will provide improved routings for double-trailer truck combinations. It should be noted that under N.J.A.C. 16:32-1.2, these routes are also designated for use by trucks wider than 96 inches.

N.J.A.C. 16:32-1.3, concerning reasonable access to terminals and other facilities, is proposed to be amended extensively. Subsections (a) through (f), as proposed, would spell out in greater detail than in the current subsection (a) the mechanism for granting reasonable access permits and the standards which are to be used

in evaluating requests for permits. The proposed subsection (g) would grant blanket permission of access from the designated system to facilities for food, fuel, repairs and rest, provided total one-way travel distance from the designated system does not exceed one mile. The current subsection (b) would be relettered to become subsection (h) and would be amended to provide a definition of "household goods carrier."

A new N.J.A.C. 16:32-1.4 is proposed, setting forth both an informal and a formal avenue of appeal for applicants who are dissatisfied with the Department's denial of their application for reasonable access permits. The appeals process is based on standard administrative procedure.

#### Social Impact

The proposed amendments will expand the routes previously restricted for double-trailer truck combinations along the highway system. Strict restrictions of routes will minimize any potential adverse safety effects. However, motorists would be required to exercise due caution while becoming familiarized with longer and wider vehicles.

#### Economic Impact

The proposed amendments would be beneficial to shippers and motor carriers in New Jersey who purchased or had contracted for this type of equipment but were restricted to specific designated routes. It also permits the use of more efficient cargo carrying vehicles and facilitates interstate freight movements through adoption of uniform national standards.

**Current text** of the rule may be found at 15 N.J.R. 643(a), 15 N.J.R. 1102(c).

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

#### CHAPTER 32 DESIGNATED ROUTES FOR SPECIAL CATEGORIES OF TRUCKS

Authority  
N.J.S.A. 39:3-84

#### 16:32-1.1 Double trailers

(a) Except as provided in N.J.A.C. 16:32-1.3, double-trailer truck combinations may be operated in New Jersey only on [Interstate highways, on the New Jersey Turnpike and the Atlantic City Expressway and on Route 42, from Interstate Route 295 to the Atlantic City Expressway.] **the following routes:**

- 1. Interstate highways;**
- 2. New Jersey Turnpike;**
- 3. Atlantic City Expressway;**
- 4. Route 42, from Interstate Route 295 to the Atlantic City Expressway;**
- 5. Route 81;**
- 6. Route 130, from Route 322 at Bridgeport to Interstate Route 295;**
- 7. Route 322, from the Commodore Barry Bridge to Route 130;**
- 8. Route 440, from the New Jersey Turnpike to Outerbridge Crossing.**

(b) (No change.)

#### 16:32-1.2 Wide trucks

The maximum width of any truck combination operating on any highway in New Jersey is 96 inches, except that the maximum width permitted on the routes designated in N.J.A.C. 16:32-1.1 is 102 inches.

#### 16:32-1.3 Reasonable access to terminals and other facilities

(a) Any person who wishes to gain access for a double-trailer truck

combination or [wide] a truck wider than 96 inches but not more than 102 inches in width from the system designated in N.J.A.C. 16:32-1.1 to a terminal [or to a facility for food, fuel, repairs and rest] which is not located on that system [should] must apply in writing for a letter of permission to the Chief, Bureau of Traffic Engineering, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625. The application should be [specific] specific as to the exact location of the terminal [or facility] and the exact route or routes of access requested. [When the Bureau determines that an access route is reasonable and prudent, it will issue a letter of permission, specifying the route of access and any other conditions of operation deemed appropriate. The letter of permission will constitute legal authority for use of the access route under the conditions specified therein.]

[(b) A household goods carrier is deemed to have permission of access from the system designated in N.J.A.C. 16:32-1.1 to a point of loading or unloading.]

(b) The determination of reasonable access and the issuance of a letter of permission for access to a terminal will be made based on an overall review of all of the criteria set forth below which are general guidelines only and are not necessarily of equal weight. Criteria number two, three and four, in the case of double-trailer truck combinations, and criteria number two, three, four and six, in the case of trucks wider than 96 inches, may be relaxed where the Department has made a determination, after a physical inspection of the requested route, that the surrounding circumstances would permit safe travel by these vehicles along the proposed (or alternate) course of travel.

1. A terminal is defined as a facility of which 80 percent of the building area is used for loading, unloading and the breaking down or storing of goods, which can be used in combination with manufacturing facilities on the same site, and shall consist of a minimum dock area to provide the capability of loading and off-loading five trailers simultaneously. For the purpose of this policy, a distribution center or a rail, water-borne, or air terminal shall be considered the same as a terminal.

2. The terminal must be located within five road miles of an exit from a route designated in N.J.A.C. 16:32-1.1.

3. The total travel distance on two-lane roadways from a designated route to the terminal should not exceed one road mile. This distance does not include travel on two-lane roadways which provide the only access to an area zoned industrial.

4. No access from a designated route to a terminal will be permitted through an area considered residential as defined in Title 39 of the New Jersey Statutes (N.J.S.A. 39:1.1).

5. Adequate off-roadway area must exist for the maneuvering of double-trailer truck combinations to provide adequate ingress and egress without backing onto or from a highway, street, road, public alley or other public thoroughfare.

6. Trucks wider than 96 inches will, wherever possible, be confined to roadways with 12-foot lanes.

7. Results of an on-site investigation, conducted by the Bureau of Traffic Engineering, of the routes which can be travelled so as to obtain access to a terminal facility for which a permit is sought. Such investigations will take into consideration items including, but not limited to:

- i. Sight distance at intersections;
- ii. Traffic volumes;
- iii. Roadway geometrics;
- iv. Roadside development or environment;
- v. Accident records;
- vi. The use of the route by other trucks to date;
- vii. Alternate routings.

(c) The Bureau will respond to requests for access within 60 days of receipt of same, unless extenuating circumstances necessitate additional time in which case the applicant will be provided notice thereof.

(d) If the Bureau determines that the requested access route or an alternate route is reasonable and prudent, it will issue a letter of permission, specifying the route of access and any other conditions of operation deemed appropriate. The letter of permission will constitute legal authority for use of the access route under the conditions specified therein and may be photographically or similarly reproduced by the applicant so that proof of permission can be kept in all vehicles utilizing the granted routes. Each permission letter will be given an identification number which will be kept on file in the Bureau of Traffic Engineering.

(e) The Department of Transportation retains the right to rescind permission for access should conditions change or should records indicate that the double-trailer truck combinations or trucks wider than 96 inches are causing specific traffic or safety problems.

(f) The Department reserves the right to restrict hours of ingress or egress to a terminal when either distance, roadway configuration, traffic volumes or other factors preclude unrestricted access or to select an alternate route to the terminal facility for which access is requested.

(g) A double-trailer truck combination or truck wider than 96 inches is permitted access from the system designated in N.J.A.C. 16:32-1.1 to facilities providing food, fuel, repairs and rest, within one mile roadway distance from the designated system except upon those roads, highways, streets, public alleys or other public thoroughfares which cannot safely accommodate a double-trailer truck combination or a truck wider than 96 inches and are so designated by the Department.

1. Designation of those roads upon which travel is prohibited shall be governed by the criteria outlined in (b) above where applicable.

2. Double-trailer truck combinations may only utilize those facilities which provide adequate ingress and egress without the need of backing onto or from a highway, street, road, public alley or other public thoroughfare.

(h) A household goods carrier is deemed to have permission of access from the system designated in N.J.A.C. 16:32-1.1 to a point of loading or unloading. For the purposes of this provision, a "household goods carrier" is defined as a vehicle being used to transport household goods and effects to or from a private residence or to or from a place of storage.

#### 16:32-1.4 Appeals process

(a) An applicant for an access permit under N.J.A.C. 16:32-1.3 whose request is denied in part or in whole may seek an informal review by serving a written request upon the Chief, Bureau of Traffic Engineering within 30 days of receipt of the Department of Transportation's initial determination. The request for review shall clearly state the reasons why the applicant contends the initial Bureau decision should be modified and the manner in which determination should be changed. Additional engineering data or other material relating to the safeness of the proposed route may be submitted at such time. The Bureau will respond to the request in writing within 60 days from receipt of the request and any supporting material submitted unless extenuating circumstances necessitate additional time, in which case the applicant shall be given notice of the need for the additional time.

(b) An applicant for an access permit may seek a formal hearing subsequent to exhaustion of the informal review process by providing the Commissioner of Transportation or designated official with a written appeal of the Bureau of Traffic Engineering's final determination. The appeal shall specify which determination of the Bureau of Traffic Engineering the applicant is appealing and a clear explanation of the nature of the relief sought and the reason or reasons why such relief ought to be granted. The appeal must be served upon the Commissioner or the designated official within 45 days from

the date the Department of Transportation's response to the applicant's request for a review of its initial determination is received by the applicant. The Commissioner may within 45 days from receipt of the appeal schedule a date for a formal hearing if he decides to preside over the matter himself. Otherwise, the Commissioner may request that the matter be heard by the Office of Administrative Law.

(c) The procedural conduct of all such matters whether heard by the Department of Transportation or the Office of Administrative Law shall be governed by the Uniform Administrative Procedure Rules of Practice N.J.A.C. 1:1, where applicable.

OFFICE OF ADMINISTRATIVE LAW NOTE: A Pre-Proposal submitted by the Department of Transportation concerning trucks wider than 96 inches can be found in this Register at 15 N.J.R. 1536(b).

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# RULE ADOPTIONS

## AGRICULTURE

(a)

### DIVISION OF ANIMAL HEALTH

#### Disease Control Program Brucellosis Control and Eradication

#### Readoption: N.J.A.C. 2:2-2

Proposed: August 1, 1983 at 15 N.J.R. 1203(a).  
Adopted: September 6, 1983 by Arthur R. Brown, Jr.,  
Secretary, Department of Agriculture.  
Filed: September 7, 1983 as R.1983 d.411, **without  
change.**

Authority: N.J.S.A. 4:5-93.21-93.51.

Effective Date: September 7, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978):  
September 6, 1988.

Summary of Public Comments and Agency Responses:  
**No comments received.**

(b)

### DIVISION OF REGULATORY SERVICES

#### Commercial Fertilizers and Soil Conditioners General Provisions

#### Readoption with Amendment: N.J.A.C. 2:69

Proposed: August 1, 1983 at 15 N.J.R. 1206(b).  
Adopted: September 6, 1983 by Arthur R. Brown, Jr.,  
Secretary, Department of Agriculture.  
Filed: September 7, 1983 as R.1983 d.412, **without  
change.**

Authority: N.J.S.A. 4:9-15.33.

Effective Date (Readoption): September 7, 1983.  
Effective Date (Amendment): October 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978):  
September 6, 1988.

Summary of Public Comments and Agency Responses:  
**No comments received.**

## CIVIL SERVICE

(c)

### CIVIL SERVICE COMMISSION

#### Commission Review and Appeals Hearing Rules

#### Readoption as New Rule: N.J.A.C. 4:1-5 Adopted Repeal: N.J.A.C. 4:1-5, 4:2-5, 4:3-5

Proposed: July 18, 1983 at 15 N.J.R. 1148(a).  
Adopted: September 8, 1983 by the Civil Service  
Commission, Eugene J. McCaffrey, Sr., President.  
Filed: September 16, 1983 as R.1983 d.421, **with  
substantive and technical changes** not requiring  
additional public notice and comment (see N.J.A.C.  
1:30-3.5).

Authority: N.J.S.A. 11:1-11, 11:1-12, 11:1-25, 11:1-26,  
11:1-27, 11:2A-1, 11:5-1, 11:15-2, 11:15-4, 11:15-6,  
11:22-38.

Effective Date: October 3, 1983 for New Rule and Repeal.  
September 16, 1983 for Readoption.

Expiration Date pursuant to Executive Order No. 66(1978):  
September 15, 1988.

Summary of Public Comments and Agency Responses:

AFSCME requested that the word "shall" in N.J.A.C. 4:1-5.1(a)1 be changed to "may" in order to extend the 10 day time period for requesting a departmental hearing where circumstances warrant such action. This proposal has been reflected in the changes, since additional time may be provided at the employer's option or with his/her agreement where it is justified. CWA requested that any reference to fines as a disciplinary sanction be deleted; however, in the alternative, if such a sanction were to be retained, it was asserted that a one day fine should be considered as a two day suspension. In determining whether a fine qualifies as a major disciplinary sanction each day's fine is considered to be equal to a one day suspension. Moreover, the use of fines is statutorily permitted and regulations dealing with the administration of such matters must be included within Title 4 of the Administrative Code.

In addition, CWA requested that the Commission be prohibited from increasing a penalty and denying back pay or modifying such an award. By statute, Commission review of disciplinary charges sanctions is **de novo** and the ability to determine penalty and back pay is necessary to decide cases and fashion an appropriate remedy. The Office of Administrative Law has submitted several comments concerning language and stylistic changes, of which many have been incorporated in the adopted rule.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

## SUBCHAPTER 5. COMMISSION REVIEW AND APPEALS

## 4:1-5.1 Time limitations

(a) In appeals concerning disciplinary actions set forth in N.J.A.C. 4:1-5.2(a)1, 2, 3, the affected employee must be served with a Preliminary Notice of Disciplinary Action setting forth the charges.

1. The employee may request a departmental hearing within 10 days of receipt of the Notice. If no request is made within this time **\*or such additional time as agreed to by the appointing authority,\*** the departmental hearing **\*[will]\* \*may\*** be considered to have been waived and the appointing authority may then issue a Final Notice of Disciplinary Action.

2. In cases where a departmental hearing is requested, such hearing shall be held within 30 days of the request unless adjourned by consent of the parties or stayed pending a criminal complaint or indictment pursuant to N.J.A.C. 4:1-5.7. Within 20 days of the hearing, the appointing authority shall make a final disposition of the charges and furnish the employee either by personal service or certified mail with a Final Notice of Disciplinary Action.

3. An employee may file an appeal with the Civil Service Commission from a Final Notice of Disciplinary Action for a hearing as set forth in N.J.A.C. 4:1-5.2 and 4:1-5.3 within 20 days of receipt of the Notice. If the appointing authority fails to provide the employee with a Final Notice of Disciplinary Action, an appeal may be made directly to the Commission within a reasonable time.

(b) All other petitions or requests to the Commission for a hearing or other relief, unless otherwise required by law or these rules, must be filed with the Commission within 20 days after receipt of the notice by the petitioner of the order, ruling or other action for which the hearing or other relief is requested.

## 4:1-5.2 Hearings

(a) Permanent employees and employees in their working test period are entitled to a Civil Service Commission hearing in the following **\*[categories]\* \*situations\*:**

1. Removal;

2. Suspension or fine of more than five days at one time. The last suspension or fine of an employee for five days or less shall be reviewable where an employee's aggregate number of days suspended or fined in any one calendar year is 15 days or more. Where an employee receives more than three suspensions or fines of five or less days in a calendar year, the last suspension or fine is reviewable;

3. Disciplinary demotion;

4. Good faith of a layoff; and

5. Release at the end of the working test period for unsatisfactory performance.

(b) All other appeals shall be decided on a review of the written record unless otherwise provided by law or directed by the Commission.

## 4:1-5.3 Request for a Civil Service hearing

(a) A request for a hearing shall:

1. Be in writing, signed by the employee or his/her representative and include the address of the person appealing;

2. State the action which is being appealed, the basis and reason for the appeal, and the specific relief requested. The person filing the appeal must provide any additional information requested. Failure to provide such information may result in a dismissal of the appeal.

(b) The Commission shall review requests for a hearing and either grant or deny the request.

(c) Hearings, unless otherwise provided, will be conducted by the Commission, a Commission member or an Administrative Law Judge. **\*See N.J.A.C. 1:1-1 et seq.\***

## 4:1-5.4 Findings and decisions

(a) In hearings conducted by the Commission or a Commission

member, the decision shall announced either orally or in writing, upon the conclusion of the hearing or as soon as possible after the conclusion of the hearing. If an oral decision is initially rendered, a written decision reflecting this determination shall be prepared and forwarded to each party.

(b) In hearings conducted by the Office of Administrative Law, the assigned Administrative Law Judge shall issue a recommended report and decision which contains recommended findings of fact and conclusions of law **\*[not]\* \*no\*** later than 45 days after the hearing is concluded.

1. Exceptions may be filed by any party within 10 days of receipt of the **\*Administrative Law Judge's\*** recommended report and decision. A copy of the exceptions must be served on all parties and a statement that such service has been made is to be submitted to the Commission. The Commission may extend the period for filing exceptions for good cause.

2. Cross-exceptions or replies may be filed by a party within five days of receipt of exceptions. A copy of the cross-exceptions or replies must be served on all parties and a statement that such service has been made is to be submitted to the Commission. The Commission may extend the period for filing cross-exceptions or replies for good cause.

3. The Commission may adopt, reject or modify the recommended report and decision. Copies of all Commission decisions shall be served personally or by regular mail upon each party to the proceeding and shall be included in the minutes of the Commission meeting in which the decision was rendered.

## 4:1-5.5 Awarding back pay

(a) The Civil Service Commission may award back pay for persons who have been improperly removed, suspended, laid off\* **\*[or]\* \*or\*** demoted **\*[or fined]\*** and are restored to employment by order of the Commission **\*or may order restitution of a fine to persons who have been improperly fined.\***

(b) Unless otherwise ordered, an award of back pay shall be calculated from the effective date of the appointing authority's improper action to the date of the employee's actual reinstatement to the payroll.

(c) An award of back pay shall include but not be limited to unpaid salary, including regular wages and cost of living increments, that the employee would have received if not for the adverse action.

(d) The award of back pay may be reduced by the amount of taxes, social security payments, dues, pension payments, and any other sums normally withheld.

(e) The award of back pay shall be reduced by the amount of money which was actually earned or could have been earned during the separation.

1. If an employee also held other employment at the time of the adverse action, **\*the earnings from such other employment would not be subtracted from the back pay award. However, if the employee increased his or her work hours at the other employment during the back pay period, earnings from such additional hours would be subtracted from the back pay award.\*** **\*[the back pay award shall be reduced only by the increase in income resulting from the additional amount of work time available in such other employment as a result of the action.]\***

2. Funds that must be repaid by the employee shall not be considered when calculating back pay.

(f) An award of back pay shall not include items such as interest, overtime pay, overlap shift time and uniform allowance. The employee **\*[would]\* \*shall\*** also not **\*be awarded\*** **\*[receive additional]\*** allowances for vacation time, holiday time and administrative leave **\*which would have normally accrued\*** during the separation period.

(g) When the Commission awards back pay, **\*[settlement]\* \*determination\*** of the actual amount **\*[is to]\* \*shall\*** be **\*[determined]\* \*settled\*** by the parties **\*whenever possible\*.**

(h) If **\*settlement on\*** an **\*agreed\*** amount cannot be reached either party may request, in writing, Commission review of the back pay issue. In a Commission review:

1. The appointing authority shall submit information on the salary the employee was earning at the time of the adverse action plus across the board adjustments and increments that the employee would have received during the separation period; and

2. The employee shall submit an affidavit delineating all income received during the separation except as excluded in (c)2 above.

#### 4:1-5.6 Awarding reasonable counsel fees

(a) The Civil Service Commission may award reasonable counsel fees where an employee has **\*[mitigated]\* \*reduced\*** his/her back pay award **\*due to other earnings\*** and, in disciplinary cases, has been fully exonerated of the charges. Such award shall be limited to the amount of **\*[mitigation]\* \*reduction\*** and in no case shall the award of back pay and reasonable counsel fees exceed the back pay amount without mitigation. However, in cases where a municipal firefighter or a municipal police officer has been fully exonerated of disciplinary charges, reasonable counsel fees will be awarded pursuant to N.J.S.A. 40A:14-28 or N.J.S.A. 40A:14-155, whichever is applicable.

(b) When the Commission awards reasonable counsel fees, **\*[settlement on]\* \*determination of\*** the actual amount **\*[is to]\* \*shall\*** be **\*[determined]\* \*settled\*** by the parties **\*whenever possible\***.

(c) If **\*settlement on\*** an **\*[agreed]\*** amount cannot be reached, either party may request, in writing, Commission review of the counsel fee issue. In such cases:

1. The employee shall submit an affidavit and record of attorney services; and

2. The parties shall submit information as to the reasonableness of the fees requested.

#### 4:1-5.7 Pending criminal complaint or indictment

(a) When an appointing authority imposes a disciplinary action against an employee based on a pending criminal complaint or indictment **\*,\*** the employee must be served with a Preliminary Notice of Disciplinary Action.

(b) **\*[Unless waived the appointing authority shall conduct a hearing within 30 days of serving the employee with the Preliminary Notice of Disciplinary Action. At this hearing]\* \*The employee may request a departmental hearing within 10 days of receipt of the Notice. If no request is made within this time, or such additional time as agreed to by the appointing authority, the departmental hearing may be considered to have been waived and the appointing authority may then issue a Final Notice of Disciplinary Action. However, if the hearing is conducted\*** the issue should not be the merits of the indictment or complaint, but whether the charges warrant the finding that the public interest would best be served by suspending the employee until disposition of the criminal complaint or indictment.

1. The appointing authority may impose an indefinite suspension to extend beyond six months but not beyond the date of disposition of the criminal complaint or indictment. This provision is an exception to N.J.A.C. 4:1-16.7(a)5.

2. Where the appointing authority determines that an indefinite suspension should be imposed, a Final Notice of Disciplinary Action shall be issued stating that the employee has been indefinitely suspended pending disposition of the criminal complaint or indictment.

(c) **\*[If the]\* \*Where an\*** employee has been suspended indefinitely, the appointing authority shall issue a second Preliminary Notice of Disciplinary Action specifying any charges against the employee upon final disposition of the criminal complaint or indictment. The appointing authority shall then conduct a departmental hearing on the merits of the charges as provided for in N.J.A.C. 4:1-5.1(a)1 and 2.

#### 4:1-5.8 Subpoenas

The Commission may subpoena and require the attendance of witnesses in this State and the production of evidence, documents or other items relevant to any Commission proceeding.

#### 4:1-5.9 Adjournments

(a) Any party may request an adjournment of a hearing or a review conducted by the Commission. The party requesting the adjournment must establish good and sufficient reason for such request. Good and sufficient reason may include, but is not limited to:

1. Unavoidable appearance by one of the attorneys in any court of this State or the United States;

2. Illness of a party evidenced by an affidavit and a doctor's certificate of illness.

(b) Where an adjournment is found to be for reasons not proven to be good and sufficient cause, the Commission may impose such penalty and fine as provided by law.

#### 4:1-5.10 Burden of proof

(a) In appeals concerning disciplinary actions, as set forth in N.J.A.C. 4:1-5.2(a)1, 2 and 3, the burden of proof shall be on the appointing authority.

(b) In appeals concerning an employee's release at the end of a working test period or the good faith issue of a layoff, the burden of proof shall be on the employee.

(c) In all other appeals, the burden of proof shall be on the appellant.

#### 4:1-5.11 Interim relief

(a) Upon the filing of a timely request for a hearing or other relief, a party may petition the Civil Service Commission for a stay or modification of the action from which the appeal is brought pending final disposition of the matter. The President<sup>\*,[,]</sup> **\*of the\*** Civil Service Commission<sup>\*,[,]</sup> may decide such petitions when the Commission is not meeting.

(b) A request for interim relief shall:

1. Be in writing, signed by the party requesting such relief;

2. State the action for which interim relief is requested and the basis and reason for such relief. The person filing the petition for interim relief must provide any additional information requested. Failure to provide such information may result in a dismissal of the petition.

(c) The following factors may be considered in reviewing such requests:

1. **\*[Substantial possibility]\* \*Clear likelihood\*** of success on the merits by the petitioner;

2. Danger of immediate or irreparable harm;

3. **\*[No]\* \*Absence of\*** substantial injury to other parties; **\*[or]\* \*and\***

4. **\*[Required by]\* \*Requirements of\*** the public interest.

(d) The filing of a petition for interim relief will not stay the processing of the case.

(e) Each party must serve copies of all materials submitted on all other parties.

#### 4:1-5.12 Reconsideration of Commission decisions

(a) Upon receipt of a Civil Service Commission decision, a party to the appeal may petition the Commission for reconsideration of the determination.

(b) A petition for reconsideration shall:

1. Be in writing, signed by the party or his/her representative;

2. State the action from which reconsideration is requested and the basis and reason for such request. The party filing the petition for reconsideration must provide any additional information requested. Failure to provide such information may result in a dismissal of the petition.

(c) In reviewing such petitions, the following standard is generally applied:

1. The Commission will reconsider a decision if new evidence and/or new argument is presented which if accepted would change the outcome. Before **\*[reconsideration is considered]\* \*the Commission will reconsider the decision\***, the proponent must satisfy the Commission that it was not possible to present these

matters during the original pending of the appeal or that a clear error has occurred.

(d) Each party must serve copies of all materials submitted on all other parties.

**4:1-5.13 Public hearing and investigations**

The Commission may conduct public hearings \*[and determine the procedural aspects of such hearings, which are generally]\* of a fact-finding nature.

**4:1-5.14 Compliance with order**

Upon the issuance of a Commission order, the parties shall immediately proceed to comply with the terms and provisions of the order. Failure to comply with the requirement of the order shall subject the non-complying party to the remedies and penalties provided by law.

**(a)**

**CIVIL SERVICE COMMISSION**

**Position Classification  
Modification of Sheriff's Officer Series**

**Adopted Repeal: N.J.A.C. 4:3-6.7**

Proposed: June 6, 1983 at 15 N.J.R. 820(b).  
Adopted: September 8, 1983 by the Civil Service Commission, Eugene J. McCaffrey, Sr., President.  
Filed: September 15, 1983 as R.1983 d.419, **without change**.

Authority: N.J.S.A. 11:1-7, 11:5-1a.

Effective Date: October 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978): None.

**Summary of Public Comments and Agency Responses:**

A comment was received from the Middlesex County Administrator questioning certain provisions concerning the duties of a Sheriff's Officer. A letter of response was sent to him explaining that the duties of a Sheriff's Officer are not regulated by legislation.

**ENVIRONMENTAL PROTECTION**

**(b)**

**DIVISION OF WATER RESOURCES**

**Water Supply Bond Loan Regulations  
Interconnection of Water Supply Systems**

**Adopted New Rule: N.J.A.C. 7:1G**

Proposed: September 20, 1982 at 14 N.J.R. 1012(a).  
Adopted: September 19, 1983 by Robert E. Hughey, Commissioner, Department of Environmental Protection.

Filed: September 19, 1983 as R.1983 d.425, **with technical and substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: Water Supply Bond Act of 1981, P.L. 1981, c.261, section 4.

Effective Date: October 3, 1983.  
DEP Docket No. 039-82-08.

Expiration Date pursuant to Executive Order No. 66(1978): October 3, 1988.

**Summary of Public Comments and Agency Responses:**

Public hearings were conducted on the proposal on October 6, 1982 at the Wayne Municipal Building, October 7, 1982 at Hammonton Municipal Building, and on October 14, 1982 at Trenton State College. Approximately 15 people attended these hearings. The Department also received two written comments during the comment period which ended on October 20, 1982. The Department reviewed the comments and incorporated some of the recommended changes into the adopted rules. As a result of its experience with the loan program for the rehabilitation of water supply facilities, the Department made some other changes to the rules in order to make the interconnection loan program more effective. The following are the main points raised during the comment period and the Department's response to those comments:

Comment: There should be no loan awards to any governmental entity which is delinquent in any other loan program administered by the Department.

Response: This would be an unnecessarily arbitrary requirement. Any delinquent accounts can be taken into account in evaluating ability of the public entity to repay the loan.

Comment: Make the loans applicable to new interconnections as well as rehabilitation of existing interconnections.

Response: This suggestion is in accordance with the intent of the Water Supply Master Plan, and the rules as adopted have been adjusted accordingly.

Comment: The rules should encourage interconnections relying on different sources rather than those involving systems served by a single source.

Response: Although this suggestion has some merit, it is considered that there is value to interconnections in any case, because of possible failure of distribution systems. The added complexity of introducing this refinement would outweigh its advantages.

Comment: Final design should not be required unless a loan is confirmed.

Response: So long as the applicant fulfills its responsibilities there is very little uncertainty remaining after the Notice of Intent to Award a loan has been sent.

Comment: The Department should base priorities on water use rather than on population served.

Response: The existing system is designed to give priority to people rather than to industry, and to encourage the prudent use of water.

In addition to the changes made as a result of comments received from the public, the Department has made the following changes

as a result of its experience with the loan program for the rehabilitation of water supply facilities.

In grant and loan programs, the Department has often found that it has sufficient appropriations and time each year to process more applications than it receives with only one application period. For this reason, the rules now make provision for announcing multiple application periods by putting a notice of each application period and its closing date in the New Jersey Register. The closing date for the first application period is January 31, 1984.

Tied closely to the application period change described above is the change set out at N.J.A.C. 7:1G-2.12(a)5 which states that if there are more funds available in a category than applications for loans in that category in an application period, projects will only have to receive the minimum priority points required for the category. This change will expedite the review of applications while at the same time it will ensure that the applications are for worthwhile projects.

The Department has reduced the minimum residential size requirement for the largest size category in N.J.A.C. 7:1G-2.12(a), (c) and (e) from 75,000 residents served to 50,000 residents served. This change will more than double the number of water supply systems eligible for a loan up to a maximum of \$600,000.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

#### 7:1G-1.1 Scope and construction of rules

(a) The following shall constitute the rules governing \* [disposition of appropriations for the purposes of providing loans for local projects for the rehabilitation, repair or consolidation of antiquated, damaged or inadequately operating water supply interconnections]\* **\*loans for local projects for the interconnection of unconnected or inadequately connected water supply systems\*** pursuant to the Water Supply Bond Act of 1981, P.L. 1981, c.261, and as recommended by the New Jersey Statewide Water Supply Master Plan. These rules prescribe procedures, minimum standards of conduct for borrowers, and standards for \*[the rehabilitation of]\* interconnections between water supply systems.

(b) (No change from proposal.)

#### 7:1G-1.2 Purpose of \*[rules]\* **\*chapter\***

(a) These rules are promulgated for the following purposes:

1. (No change from proposal.)
2. To establish policies and procedures for administration of funds appropriated pursuant to the Act for the purpose of making State loans for local projects for the interconnection of **\*unconnected or\*** inadequately connected water supply systems;
- 3.-6. (No change from proposal.)

#### 7:1G-2.1 Scope

This subchapter shall prescribe procedures and requirements for the award of State loans for the \*[rehabilitation of interconnection between]\* **\*interconnection of\*** water supply systems pursuant to section 4 of the Water Supply Bond Act of 1981, P.L. 1981, c.261, and as recommended by the New Jersey Statewide Water Supply Master Plan. Loan procedures include an application for a loan, the determination by the Department of **\*project\*** priority and notification of intent to award a loan, the submission by the applicant of all permits, final designs and cost estimates, and the confirmation of final award by the Department, or, alternatively, determination that the cost estimate must be revised, and the project priority reconsidered accordingly.

#### 7:1G-2.2 Definitions

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

“Eligible Project Scope” means the construction, repair, replacement or reconstruction of parts of an inadequate **\*or non-existent\*** water supply system interconnection, the costs of which are eligible project costs. The applicant’s project scope must conform to this definition to be funded pursuant to this chapter.

#### 7:1G-2.3 Eligibility and criteria

(a) Any applicant whose system includes an antiquated, damaged, or inadequate water supply interconnection in need of rehabilitation, or repair or consolidation, or whose system \*[has]\* **\*lacks\*** interconnections which \*[fail to]\* qualify either as Class A or as Class B interconnections, as further defined in N.J.A.C. 7:1G-2.12, is eligible for a loan in any \*[year]\* **\*application period\*** where it satisfactorily completes the loan application process in a timely manner, meets the eligibility criteria set forth in this subchapter, receives the minimum priority score, and ranks high enough on the priority list to be funded. An applicant may apply for interconnections with privately owned as well as publicly owned systems. To receive a loan the project shall meet the following criteria to the satisfaction of the Department:

1. **\*[The]\* **\*Except for the Great Notch and New Brunswick-South River area interconnection projects, the\*** minimum priority score set out in N.J.A.C. 7:1G-2.12;**
2. (No change from proposal.)
3. The project shall have as its basic purpose the \*[rehabilitation of interconnections between]\* **\*interconnection of\*** water supply systems. It shall not be excessively expensive or cause **\* [unacceptably high]\* **\*unacceptable\*** environmental damage.**
- 4.-7. (No change from proposal.)

#### 7:1G-2.5 Application procedures

(a) (No change from proposal.)

(b) An applicant for a water supply interconnection loan shall submit:

- 1.-7. (No change from proposal.)
8. An estimate of preliminary, developmental, and construction costs **\*by unit prices\*** for the project. Costs of labor, equipment,\* materials, supplies, overhead and contractor’s and consultant’s profit **\*[shall be included.]\* **\*with supporting background and summary sheets may be requested by the Department to substantiate the estimates of unit costs.\*** Total project costs and those project costs that the applicant anticipates to be eligible for a bond loan shall be separately summarized;**
- 9.-10. (No change from proposal.)
11. All documentation and other information as may be necessary for the Division to adequately determine the applicant’s priority point total pursuant to N.J.A.C. 7:1G-2.12\*[.1]\*; and
12. (No change from proposal.)

(c) Applications shall be signed for the applicant by a person **\*or persons\*** authorized by resolution or ordinance to file an application for a State loan and to obligate the applicant to the terms and conditions of the loan.

**\*1. The resolution or ordinance shall authorize the person or persons to represent the applicant in all matters relating to the application process.\***

\*[1.]\* **\*2.\*** (No change in text from proposal.)

(d) Applications should be submitted in advance of the application closing date for the \*[year]\* **\*application period\*** in which the applicant wishes to be awarded a loan. The application closing date for the \*[year 1983]\* **\*initial application period\*** shall be **\*[90 days after the effective date of this chapter.]\* **\*January 31, 1984.\*** \*[For all subsequent application years, the application closing date shall be the same month and day as the 1983 application closing date.]\***

**\*1. There shall be at least one application period in each fiscal year and the Department may establish additional application periods in a fiscal year.**

2. The Department shall establish the annual application period, its closing date, and any additional application periods deemed necessary by publishing a notice containing the details necessary for the application period in the New Jersey Register at least 90 days before the closing date for any application period.

3. Any application period may be extended, if deemed necessary by the Department, upon publication of a notice of extension in the New Jersey Register.\*

(e)-(f) (No change from proposal.)

7:1G-2.8 Department approval or disapproval

(a) (No change from proposal.)

(b) The applicant shall be promptly notified in writing of any [approval or] disapproval. A disapproval of an application shall not preclude its reconsideration or resubmittal in the next application [year.] \*period if resubmitted by the applicant.\*

7:1G-2.9 Amount and terms of loan

(a) (No change from proposal.)

(b) The interest rate[, term, and repayment schedules]\* for water supply interconnection loans shall be established by the State Treasurer at a rate [no greater than the State's interest cost on its most recent sale of General Obligation Bonds.] \*deemed appropriate by the Department of Treasury.\*

\*(c) The term of the loan and repayment schedules shall be established by the Department in conjunction with the Department of Treasury. Principal and accrued interest may be prepaid by the borrower prior to the end of the loan maturity period without penalty.\*

\*[(c)]\* \*(d)\* The 10 percent withholding requirement of N.J.A.C. 7:1G-2.21 shall not be considered as the last loan advance for the purpose of determining the time for repaying the loan.

\*[(d)]\* \*(e)\* When applicable, a New Jersey Board of Public Utilities approved rate schedule setting forth the amounts charged for the sale of water by the borrower shall be established. A percentage of these receipts, as stipulated by the loan award document, shall be dedicated to a specific fund for the purpose of assuring repayment of the loan by the borrower. The Department may require additional collateral to secure the loan when deemed necessary.

\*(f) All other financial loan terms shall be established by agreement between the Department and the Department of Treasury. Loan terms shall be made available to all applicants by the Department in all cases prior to execution of any loan award document.\*

7:1G-2.12 Priority determination

(a) Each project shall be assigned priority points in accordance with the provisions outlined in this section. A project shall be ranked by the number of priority points it receives.

1. (No change from proposal.)

2. A water supply system serving between 10,001 and \*[75,000]\* \*50,000\* residents shall be eligible for a loan if it receives at least 12 priority points.

3. A water supply system serving more than \*[75,000]\* \*50,000\* residents shall be eligible for a loan if it receives at least 20 points.

4. (No change from proposal.)

\*5. If in any application period there shall be less eligible projects than funds available for any of the three size categories, the eligible projects shall only be required to receive the minimum number of priority points set forth in this subsection and the remainder of the competitive priority ranking provisions of this section shall be waived.\*

(b) (No change from proposal.)

(c) Three separate priority lists shall be established in each [program year]\* \*application period\* according to the size of the water supply system as set forth in (a) above. Appropriations for each of the priority lists shall be determined as a percentage of the

total periodic appropriations by the Legislature to the Department for the purpose of implementing this chapter. An interconnection shall be placed into its appropriate category according to the size of the smaller of the systems interconnected.

1. (No change from proposal.)

2. Thirty percent of the total Department appropriation for the purposes of implementing this \*[regulation]\* \*chapter\* shall be appropriated for those eligible water supply systems that serve between 10,001 through \*[75,000]\* \*50,000\* residents; and

3. Thirty percent of the total Departmental appropriation for the purposes of implementing this chapter shall be appropriated for those eligible water supply systems that serve greater than \*[75,000]\* \*50,000\* residents.

(d) If in any [program year]\* \*application period\* there are an insufficient number of eligible projects on any of the priority lists, the excess of funds designated for that category shall be disbursed to eligible projects on the other priority lists in the same proportions as set forth in (c) above.

(e) A maximum loan amount for each project shall be set for each of the three categories of projects as follows:

1. (No change from proposal.)

2. A water supply system serving between 10,001 and \*[75,000]\* \*50,000\* residents may receive a loan of up to \$300,000 maximum;

3. A water supply system serving greater than \*[75,000]\* \*50,000\* residents may receive a loan of up to \$600,000 maximum;

4. (No change from proposal.)

(f)-(g) (No change from proposal.)

(h) Priority points shall be governed by the following:

1.-2. (No change from proposal.)

3. Priority points shall be awarded in the amount of 10 priority points for any administrative order issued by the Department to the applicant requiring an interconnection, provided that the applicant's project scope provides for the implementation of the actions ordered by the Department in such relevant administrative order. Priority points shall also be awarded in the amount of five priority points for any directive or recommendation to provide and improve an interconnection provided that the applicant's project scope provides for the implementation of the actions directed by the Department in such relevant directive or recommendation letter.

\*i. No administrative order, directive or recommendation issued subsequent to September 20, 1982 may be counted towards the applicant's priority point total except for those orders issued in accordance with the procedures established by N.J.S.A. 58:1A-15e.\*

4. (No change from proposal.)

5. A second ratio will be estimated of the residents served divided by 10,000 for small systems, \*[75,000]\* \*50,000\* for intermediate systems, and 500,000 for the largest systems.

6. (No change from proposal.)

(i) (No change from proposal.)

(j) The applicant receiving a Notice of Intent to Award a Loan shall proceed with the Project Development phase as set forth in N.J.A.C. 7:1G-2.13 prior to award of a loan. Failure to complete the Project Development phase within the required time period shall make the project ineligible for a [grant]\* \*loan\* for that [year]\* \*application period\* unless prior approval for an extension has been granted by the Department pursuant to N.J.A.C. 7:1G-2.13(g).

(k) Any applicant receiving a Notice of Intent to Award a Loan who decides not to proceed with a project shall notify the Department within 30 days of the date of the notice. Failure to notify the Department within this time period will result in the applicant being removed from consideration for a loan in the subsequent [year]\* \*application period\*

(l) Applicants with approved projects on a priority list that are not awarded loans in a given [year,]\* \*application period,\* but who wish to apply for a position on the priority list in any subsequent [year,]\* \*application period\* may apply by a timely filing of a new Water Supply Interconnection Loan Application Form and by

## ADOPTIONS

updating the other application documents required by N.J.A.C. 7:1G-2.5. This application will be treated as a new application for a Water Supply Interconnection Loan and evaluated and approved in accordance with this chapter.

### 7:1G-2.13 Project development phase of water supply bond loan program

(a)–(b) (No change from proposal.)

(c) The applicant shall submit the following materials, prepared in accordance with accepted engineering practice\*,\* within the time period specified in (f), (g) or (h) below:

1.–2. (No change from proposal.)

3. The construction specifications for the water supply interconnection project, including but not limited to:

i.–ii. (No change from proposal.)

**\*iii. All other provisions, submissions and certifications as deemed necessary by the Department or required in the loan award document.\***

4.–7. (No change from proposal.)

(d)–(f) (No change from proposal.)

(g) Any applicant who fails to submit the required materials prepared in a proper manner and the required permits within the specified period shall lose its eligibility for a loan during that \* [year]\* **\*application period\*** unless the time period is extended by the Department.

(h) (No change from proposal.)

### 7:1G-2.14 Eligible project costs

(a) Project costs shall be allowed to the extent permitted by this subchapter and the loan award document. Eligible project costs shall be those costs set forth below:

1. Repair, replacement, or reconstruction of all or part of any obsolete or antiquated water supply interconnection or construction of \* [new parts of already existing interconnections that is deemed by the Department to be necessary or useful and convenient therefor or in connection therewith;]\* **\*a new interconnection;\***

2.–7. (No change from proposal.)

(b) Ineligible project costs shall be those costs set forth below:

1. (No change from proposal.)

2. Project design and development costs incurred prior to \* [November 3, 1981;]\* **\*application for a loan;\***

3.–4. (No change from proposal.)

**\*5. Interest expenses.\***

(c)–(d) (No change from proposal.)

(e) Project **\*application,\*** design and development costs shall not be reimbursed until construction contracts have been awarded.

**\* (f) Prior to any final award of bids for construction contracts, the borrower shall submit for Departmental review and approval the final construction contracts with work specifications detailing any changes made since previous Departmental design approval. The borrower shall name the party to be awarded the construction contract for the project. The Department reserves the right to require the borrower to readvertise the bid specifications for the project if the certifications required below are deemed unsatisfactory by the Department. The borrower shall also certify to the Department the following:**

1. Certification of the borrower's compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

2. Certification that all contracts for the project were awarded to the qualified bidder submitting the lowest responsive and acceptable bid; and

3. Certification that the bid prices included in the bid specification are reasonably balanced.

(g) The borrower shall forward copies of the executed construction contracts, subcontracts and associated documents to the Department within 10 days of their execution.\*

## ENVIRONMENTAL PROTECTION

### 7:1G-2.16 Recycling of funds

Funds from repayment of principal on the loans issued under the authority of the Act and this chapter shall be deposited in the Water Supply Fund created pursuant to the Act and shall remain available for further \*[disbursements as]\* **\*appropriations for\*** new loans to be awarded pursuant to \*[these regulations.]\* **\*this chapter.\***

### 7:1G-2.18 Loan conditions

(a) The following requirements, in addition to such other statutes, rules, terms and conditions as may be applicable to particular loans, are conditions of each loan and conditions precedent to each payment under a loan award document;

1. The **\*borrower shall certify that the\*** project or phase of the project \*[must have]\* **\*has\*** been initiated and completed in accordance with the time schedule specified in the loan award document;

2.–7. (No change from proposal.)

**\*8. Bid specifications shall require that interconnection project elements which constitute ineligible project costs be bid separately as separate line items from interconnection project elements which constitute eligible project costs; and**

**9. Bid specifications shall require that each general contractor bidding on the interconnection project name the principal subcontractors at the time of his bid submission to the borrower.\***

### 7:1G-2.20 Access

**\* (a) \* The borrower and its contractor and subcontractors shall provide access to Department personnel and any authorized representative of the Department to the facilities, premises and records related to the project.**

**\*1. All contracts executed by the borrower and its contractor and subcontractors shall contain provisions allowing for Departmental access to any facilities, premises and records related to the project.\*** The borrower shall submit to the Department such documents and information as requested by the Department.

**\*2.\*** All borrowers, contractors and subcontractors may be subject to a financial audit. Records shall be retained and available to the Department for a minimum of one year after the receipt of the final repayment by the Department.

### 7:1G-2.35 Administrative hearings

(a) (No change from proposal.)

(b) A borrower may request a hearing **\*in writing\*** within 15 days of a decision by the Director of the Division. **\*The request for a hearing shall specify in detail the basis for the appeal. For 30 days following receipt of the request for a hearing, the Department shall attempt to settle the dispute by conducting such proceedings, meetings and conferences as deemed appropriate.\*** \*[Where required by law the Department shall hold a hearing based upon such request.]\*

(c) **\*If the borrower raised a substantial and meritorious issue and such efforts at settlement fail, the Department shall file the request for a hearing with the Office of Administrative Law.\*** \*[The Commissioner shall grant and conduct such hearings]\* **\* Such hearings shall be granted and conducted\*** in accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. and any rules promulgated pursuant to those Acts.

(a)

DIVISION OF COASTAL RESOURCES

Wetlands Management  
Wetlands Maps

Notice of Correction: Executive Order No. 66(1978) Expiration Date, N.J.A.C. 7:7A-1

An error appears in the September 19, 1983 New Jersey Register at 15 N.J.R. 1576(b) and (c) concerning the expiration date of wetlands maps adopted at N.J.A.C. 7:7A-1.13. The Expiration Date pursuant to Executive Order No. 66(1978) should read **July 11, 1985.**

(b)

DIVISION OF WATER RESOURCES

Water Pollution Control  
Installation of Sewerage Facilities in Critical Areas

Adopted Repeal: N.J.A.C. 7:9-10

Proposed: July 18, 1983 at 15 N.J.R. 1155(a).  
Adopted: September 9, 1983 by Robert E. Hughey, Commissioner, Department of Environmental Protection.  
Filed: September 19, 1983 as R.1982 d.423, **without change.**

Authority: N.J.S.A. 13:1D-9 and 58:11-47.

Effective Date: October 3, 1983.

Summary of Public Comments and Agency Responses:  
**No comments received.**

HEALTH

(c)

DIVISION OF HEALTH PLANNING AND RESOURCES DEVELOPMENT

Renal Disease Services  
Standards and General Criteria for the Planning and Certification of Need for Regional End-Stage Renal Disease Services

Adopted Amendments: N.J.A.C. 8:33F

Proposed: August 1, 1983 at 15 N.J.R. 1221(a).  
Adopted: September 16, 1983 by J. Richard Goldstein, M.D., Commissioner, Department of Health (with approval of Health Care Administration Board).

Filed: September 19, 1983 as R.1983 d.431, **with substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 26:2H-5 and 26:2H-8.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): January 18, 1985.

Summary of Public Comments and Department Responses:

Written comments were received during the comment period. Commentors included:

- Central Jersey Health Planning Council, Inc.
- Overlook Hospital
- National Medical Care, Inc. (on behalf of the six free-standing facilities which they own in New Jersey)
- State of New Jersey Department of the Public Advocate
- Advisory Committee to the N.J. State Renal Disease Program

COMMENT: The Central Jersey Health Planning Council (CJHPC) strongly supported the specific revisions which give preference to presently approved hospital ESRD centers or facilities over non-approved applicants whenever the non-approved applicant is within 20 straight miles from a presently approved service. The CJHPC, Inc. also supported the element that approved services having a 25 percent or more patient load on home or self dialysis should be given preference over all applicants approved to offer these services.

Overlook Hospital noted that the preference given to presently approved hospital ESRD dialysis centers or ESRD dialysis facilities over non-approved applicants, whenever the non-approved applicant is within 20 straight miles from the presently approved service, is biased toward existing providers to the exclusion of other providers who may have acceptable reasons for wanting to begin providing ESRD services. Although it is assumed that the reason for this bias is based on the desire to contain costs, Overlook believes that "it is quite conceivable that a new applicant may be able to meet the need for additional stations at a cost lower than that of an existing facility." "It should not be assumed that existing facilities would automatically be able to provide additional stations cheaper than a new applicant."

RESPONSE: The amendments to the Regional ESRD Services Regulations offer, by design, a preference to presently approved hospital ESRD dialysis centers or dialysis facilities over non-approved applicants, whenever the non-approved applicant is within a radius of 20 straight miles from the presently approved service. Although a preference is given to presently approved applicants, this is not to be interpreted as absolute approval in all instances. As with the review of any Certificate of Need application, an evaluation of need in relation to cost and quality of care issues would always be considered among the critical deciding factors in the final approval or denial of a CN application.

COMMENT: While the CJHPC, Inc. expressed its support for the regulations, it felt that the need methodology unduly inflates the number of stations required in 1985 to handle the anticipated patient load. They recommend using an "exponential smoothing" statistical method, instead of the "constant growth" approach advocated by the New Jersey Department of Health. "Exponential

smoothing" assigns greater weight to the most recent observations as compared to the "constant growth" model which gives equal weight to all time periods. It is alleged that the Health Department projections, which do not allow for adjustments for the increase at a decreasing rate which took place in December, 1982, are nearly 25 percent inflated. This according to the CNHPC, Inc., will translate into an additional 108 unnecessary machines. It is recommended that the capital and operating expenses be carefully considered prior to the formal adoption of the need methodology.

National Medical Care, Inc., objected to the need methodology as outlined in Appendix B and feels that the proposed methodology addresses capacity of dialysis services, but fails to address "need for dialysis."

RESPONSE: Health Data Services within the Department of Health projected renal patient load using four methodologies and recommended using the "constant growth" model. This method gives equal weight or significance to all time periods for data reporting.

The number of renal dialysis patients has steadily increased annually since the inception of the Department of Health's Renal Program in New Jersey. Data for December 1982 shows that, for the first time, the number of new renal patients increased at a slightly lower rate than in previous years.

It is difficult to assess whether one isolated data figure is indicative of a developing future trend or not. Therefore, the Department recommends continued use of the "constant growth" model to determine renal patient projections and resultant station need. If a continuing reduction in the annual increase of new patients is reflected in future data reports, or if new medical technology reduces the need for hemodialysis machines and treatment as we know it, then the variables in the methodology or the methodology itself can be adjusted as the regulation is periodically updated.

In contrast to the opinion of National Medical Care, Inc., the need methodology as presented in Appendix B addresses the projected 1985 dialysis patient projections in relation to the capacity of dialysis services.

COMMENT: Overlook Hospital suggested that the need methodology presented in Appendix B assumes the interchangeability of isolation stations with other stations. The inclusion of isolation stations in the utilization calculations may make it more difficult to meet the Standards for those facilities who choose not to interchange isolation stations. It was recommended that this issue should be taken into consideration during the Certificate of Need process.

RESPONSE: The need methodology as presented in Appendix B does assume the interchangeability of isolation stations in the utilization calculation. A regulation, however, is designed to address the major contingencies and operations within an area, and cannot, by any means, address every nuance that will possibly be encountered. If an applicant has chosen not to interchange isolation stations, this decision may be individually reviewed during the certificate of need process. In any event, isolation stations are a small proportion of all stations and should have little impact on utilization statistics.

COMMENT: It was felt by Overlook Hospital and National Medical Care, Inc., that the employment of a distance restriction detracts from the goal of improving patient access and choice. Added travel time places an unnecessary, continual hardship upon long-term maintenance patients.

RESPONSE: In regards to the travel distance of 20 straight miles affecting patient access and choice of services, it must be remembered that ESRD services are "regional" services. By definition, and due to concerns regarding quality of care as well as

cost issues, every hospital cannot realistically offer these services.

The concept of 20 straight miles travel distance was recommended to replace the 60 minute travel time because the latter was found to be difficult to measure since it was dependent on numerous variables which could repeatedly change. The Statewide Health Coordinating Council and the public agreed that 20 straight miles is a measurable and acceptable alternative to travel time, and would not be detrimental to patient access.

COMMENT: The Department of the Public Advocate has recommended that, "based on the need to contain cost, maintain high standards of quality and use our scarce resources in as efficient and appropriate manner as possible, the utilization rate used in determining need for increasing renal dialysis services be raised from 85 percent to 95 percent." It is the Public Advocate's opinion that the utilization rate for determining need should be higher, and at least no lower, than the medical/surgical services rate (90 percent).

RESPONSE: Testimony originally presented by the Health System Agencies and others addressing the utilization rate used in determining need for increasing renal dialysis services called for an 80 percent or lower utilization. The Plan Development and Implementation Committee of the Statewide Health Coordinating Council originally thought that an analogy to the acute care hospital bed utilization rate of 80 percent would be appropriate. However, it was concluded that a hospital having two or 300 acute care beds has much greater leeway and margin of error concerning unforeseen contingencies affecting its utilization rate than does a 10 to 20 station dialysis unit. The Department of Health continues to believe that the 85 percent utilization rate is acceptable criteria to be used in the determination of need for increasing renal dialysis services.

COMMENT: National Medical Care indicated that the stabilization of renal program costs in New Jersey will be achieved by the recent changes to the Medicare reimbursement regulations, and not through the proposed amendments to New Jersey's renal regulations which claim that home dialysis can achieve as much as a 50 percent savings on the cost of providing care. The Medicare regulations establish similar reimbursement rates for both home and in-center dialysis and will create the incentive for facilities to use home dialysis to obtain cost efficiencies.

RESPONSE: The Department of Health agrees that the changes in the Medicare regulations establish similar reimbursement rates for both home and in-center dialysis patients. The increased use of home dialysis may be the treatment modality employed in order for hospitals and facilities to realize the greatest cost efficiencies. The proposed New Jersey Regional ESRD Services Regulations, which encourage home dialysis, compliment the prospective Medicare reimbursement changes.

COMMENT: National Medical Care, Inc. indicates that the requirement that 12.5 or more dialysis per station per week be performed by both hospital dialysis centers and by free-standing facilities eliminates the discriminatory aspects of the earlier regulations and recognizes the service delivered, regardless of setting.

RESPONSE: The Department of Health agrees that this requirement will eliminate the discriminatory aspects of the earlier regulations concerning utilization. It is rational to expect a reasonable level of utilization after a designated period of operation.

COMMENT: It is recommended by National Medical Care, Inc. that the Department of Health review and establish separate standards of utilization for chronic peritoneal dialysis to allow for

the generally longer treatment time that this modality requires. "Available data suggests that integration of peritoneal dialysis capacity into a chronic hemodialysis unit will impact upon the efficiency and utilization of that unit."

**RESPONSE:** The utilization formula, as presented in Appendix C of the proposed regulations, includes peritoneal dialysis in establishing the total number of chronic renal dialysis performed by a center in a 24 month period. Originally it was suggested that there be the performance of two peritoneal dialysis shifts per day, six days per week, and 104 weeks in a two year period. But public comments were received indicating the temporal difficulty with performing two peritoneal dialysis shifts in one day. The Department recognized the validity of this concern and reduced the required number of peritoneal dialysis shifts per day to one, thereby allowing for the generally longer treatment times that this modality requires.

**COMMENT:** National Medical Care, Inc. indicates that the proposed amendments to the New Jersey Regional ESRD Services Regulations, are in direct conflict with the Federal Medicare Regulations concerning "back-up" services.

**RESPONSE:** "Back-up", in the Federal sense of the term as used in the Medicare regulations covering End-Stage Renal Disease Services, refers to a transfer agreement existing between facilities. It typically ensures that a hospital dialysis center will accept chronic dialysis patients from a free-standing dialysis facility when those patients are in need of acute hospitalization.

In the proposed amendments to the Regional ESRD Services Regulations the concept of "back-up" refers more specifically to patients and their needs. Arrangements can be made for chronic hemodialysis patients to receive dialysis treatment during hospitalization in a non-ESRD approved hospital when that hospitalization is for problems or conditions other than those related to their dialysis need. After the patient's acute hospital stay, they would be required to return to their chronic regional center or facility.

**COMMENT:** National Medical Care, Inc. objects to the inclusion of acute hemodialysis standards into criteria and standards for End-Stage Renal Disease Services.

**RESPONSE:** Since 1972, only one set of Regional Disease Standards and Guidelines has traditionally been utilized. This has been both useful and convenient to the providers of renal services, as many providers offer both chronic and acute dialysis services within their treatment configuration. In view of the complimentary nature of the services being offered, the use of one set of regulations is considered pragmatic and suitable.

**COMMENT:** The Advisory Committee to the Renal Disease Program recommends that Interhospital Hemodialysis Outreach Programs should require Certificate of Need for either a new service or expansion of an existing service.

**RESPONSE:** The Department agrees with this recommendation although it would not require a change in the proposed regulations. Considering that a Certificate of Need is required for the addition of even one dialysis machine, it is reasonable to expect that the development or expansion of a service that will involve additional hospitals, patients and equipment would similarly require a Certificate of Need.

**COMMENT:** The Renal Advisory Committee recommends the change of the word "approval" to "opening date" in N.J.A.C. 8:33F-1.2(a)2i and 3i.

**RESPONSE:** The Department agrees that this change from

"approval" to "opening date" will more accurately reflect the intent regarding minimum utilization.

**COMMENT:** In N.J.A.C. 8:33F-1.2(a)2vi, the Renal Advisory Committee advises that an addition be made "to incorporate into the 75 percent an allowance for seasonal fluctuation due to care needs of short-term transient patients."

**RESPONSE:** The Department understands the concern of the Renal Advisory Committee regarding utilization and seasonal fluctuations in units due to the needs of short-term transient patients. However, utilization is reviewed on the basis of a 24 month period which, in the Department's estimation, is a sufficient period of time to compensate for any seasonal fluctuations in utilization that may be experienced.

**Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*, deletions from proposal shown in brackets with asterisks \*[thus]\*):**

#### 8:33F-1.2 Utilization standards

(a) The following minimum utilization rates shall apply for the initiation of new ESRD services.

1. (No change from proposal.)

2. Hospital ESRD dialysis center:

i. Each applicant for a certificate of need for a hospital ESRD dialysis service must provide written evidence of a minimum proposed utilization rate of six or more dialysis stations with performance of an average of 12.5 or more dialyses per station per week during the first six months after \*[approval]\* **\*opening date\***

ii.-vi. (No change from proposal.)

3. ESRD dialysis facility:

i. Each applicant for a certificate of need for an ESRD dialysis service must provide written evidence of a minimum proposed utilization rate of six or more dialysis stations with performance on an average of 12.5 or more dialyses per station per week during the first six months after \*[approval]\* **\*opening date\***.

ii.-vi. (No change from proposal.)

4.-8. (No change from proposal.)

(b) (No change from proposal.)

#### 8:33F-1.4 Acute hemodialysis standards

(a) (No change from proposal.)

(b) Applications for Certificate of Need from non-ESRD approved facilities proposing to offer only acute hemodialysis services will be considered only under the following conditions:

1. (No change from proposal.)

2.i. (No change from proposal.)

2.ii. That **\*it\*** is able to provide the service with its own resources....

3.-5. (No change from proposal.)

(a)

## HEALTH PLANNING AND RESOURCES DEVELOPMENT

### Certificate of Need: Reviews of Long-Term Care Facilities and Services Long-Term Care Bed Need Methodology

#### Adopted New Rule: N.J.A.C. 8:33H-3.10

Proposed: August 1, 1983 at 15 N.J.R. 1226(a).

Adopted: September 16, 1983 by J. Richard Goldstein,

M.D., Commissioner, Department of Health (with approval of Health Care Administration Board).  
 Filed: September 19, 1983 as R.1983 d.429, **without change.**

(a)

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5b.

Effective Date: October 3, 1983.  
 Expiration Date pursuant to Executive Order No. 66(1978):  
 September 18, 1985.

**Summary of Public Comments and Department Responses:**

Two written comments were received during the comment period. Commentors included:

Ocean County Health Department  
 New Jersey Department of  
 Community Affairs,  
 Division on Aging

COMMENT: The Public Health Coordinator for the Ocean County Health Department noted that a "methodology used to determine long-term care bed needs has been a controversial issue since the adoption of the Certificate of Need for long-term care facilities. In my opinion, it would be in the best interests of the public to discontinue the Certificate of Need process for such facilities -- and control them through licensure standards and through the establishment of the rate for third party reimbursement."

RESPONSE: This comment basically states a philosophical position regarding the Certificate of Need process for long-term care beds and does not directly relate to the proposed guidelines. By legislation and regulation, long-term care facilities are included in the Certificate of Need process. The Department notes that enormous amounts of public monies have been and will continue to flow into long-term care facilities. This alone would strongly suggest that it is in the public interest to scrutinize how many facilities should be constructed, where they should be constructed, and the client groups which will have access to them. Far from serving the public interest, elimination of the Certificate of Need requirement for long-term care beds would deprive certain groups access and would jeopardize financing of needed facilities.

It should also be noted that the Department currently "controls" long-term care facilities through its licensing and inspection programs and through the nursing home rate-setting program.

COMMENT: The Division on Aging of the New Jersey Department of Community Affairs "appreciates this opportunity to comment on your proposed rule and is pleased to support it. We believe this new rule is consistent with the long-range goal of the State to develop long-term community care and lessen the need for long-term institutional care."

RESPONSE: In its recent report, the Nursing Home Bed Supply Committee of the State Nursing Home Task Force noted that one reason for accepting this methodology was to ensure that the ratios "encourage a shift in growth towards home and community-based care and towards group and protective living arrangements." In its comments the Department of Community Affairs, too, has acknowledged the importance of this goal.

**DIVISION OF HEALTH FACILITIES**

**Standards for Licensure of Residential Health Care Facilities  
 Fire Protection; 20 or More Beds**

**Adopted Amendment: N.J.A.C. 8:43-3.22**

Proposed: June 20, 1983 at 15 N.J.R. 991(a).  
 Adopted: September 16, 1983 by J. Richard Goldstein,  
 M.D., Commissioner, Department of Health (with  
 approval of Health Care Administration Board).  
 Filed: September 19, 1983 as R.1983 d.426, **without change.**

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5.

Effective Date: October 3, 1983.  
 Expiration Date pursuant to Executive Order No. 66(1978):  
 August 6, 1986.

**Summary of Public Comments and Agency Responses:**

COMMENT: The Department received one comment from the New Jersey Association of Non-Profit Homes for the Aging, Inc., suggesting the substitution of the Fire Safety Evaluation System developed by the Federal government for an automatic sprinkler system.

RESPONSE: The Department contends that the Fire Safety Evaluation System was developed by the Federal government for use in hospitals and nursing homes. In most instances, the Fire Safety Evaluation System requires the building to have a sprinkler system or to have construction of non-combustible material. The Department contends that the safety of the residents in the Residential Health Care Facilities outweighs the expense involved in the installation of sprinklers.

COMMENT: The Department received a comment from the New Jersey Catholic Conference in support of the regulation. However, they requested a delay in the implementation of the regulation beyond January 1, 1985, for a particular facility.

RESPONSE: The question of delaying the implementation date of the regulation for a particular facility can be considered independently after the adoption of the regulation. Therefore, no changes were made in the regulation.

(a)

## DIVISION OF HEALTH FACILITIES EVALUATION

### Standards for Licensure of Residential Health Care Facilities Resident Rights, Facility Responsibilities, Policies, Procedures

#### Adopted New Rule: N.J.A.C. 8:43-7 Adopted Repeal: N.J.A.C. 8:43-4.14

Proposed: June 20, 1983 at 15 N.J.R. 992(a).  
Adopted: September 16, 1983 by J. Richard Goldstein,  
M.D., Commissioner, Department of Health (with  
approval of Health Care Administration Board).  
Filed: September 19, 1983 as R.1983 d.428, with  
substantive and technical changes not requiring  
additional public notice and comment (see N.J.A.C.  
1:30-3.5).

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5  
and 55:13B-17.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order 66(1978):  
October 3, 1988.

#### Summary of Public Comments and Agency Responses:

The Department received comments and recommendations on the proposed new rule concerning resident rights for residents of residential health care facilities from the New Jersey Association of Health Care Facilities, the Office of the Ombudsman for the Institutionalized Elderly, the Division of Medical Assistance and Health Services, and the Monmouth County Board of Social Services.

In general, the commentors were pleased that a chapter on resident rights was being proposed for residential health care facilities and that it closely followed N.J.S.A. 30:31-1 et seq., P.L. 1976, Chapter 120. Another commentor applauded the Department efforts in establishing these rights for residents in residential health care facilities.

The Department has compiled these comments, responded to them individually, and sent a copy of the compiled document to each respondent. This listing of the comments and the Department's responses is on file at the Office of Administrative Law and the Department of Health. The following is a summary of the comments and Departmental responses.

The Department received a comment that was "conditionally supportive" of the adoption of the proposed regulations, however, the commentor recommended that the exact wording of N.J.S.A. 55:13B-17 et seq., P.L. 1979, Chapter 500, be utilized to avoid "unnecessary confusion" and complicatedness. The Department does not concur with the recommendation and has added detail to the extent of developing rules which are more measurable and objective.

A suggestion was received to also require the facility to provide to each resident and post the statutory bill of rights, N.J.S.A. 55:13B-17 et seq., in addition to the requirement of providing and posting the facility's policies and procedures regarding resident rights (N.J.A.C. 8:43-7.1(a)). The Department accepted the comment and revised the rule to reflect the recommendation.

A recommendation was made to require the facility to have

available in the business office during business hours the statement of charges of the facility rather than "conspicuously posting" the statement (N.J.A.C. 8:43-7.2(a)2). The Department deleted the reference to "conspicuously posting" the statement of charges. The Department maintained that since the resident is given a written statement of charges, any further posting of the statement of charges would be redundant and duplicative.

Two recommendations were received regarding N.J.A.C. 8:43-7.2(a)3. The first recommendation regarded the proposed rule as conditioning the right of a resident to refuse medication and treatment upon the ability of the resident to understand the consequences of the refusal. The Department contends that the rule as proposed does not deny the resident's right to refuse medication and treatment of any kind and honors the absolute and unchallenged right of the resident to refuse medication and treatment. The Department maintains that the resident should be informed of the effects of medication and treatment. The word "consequences" was changed to "effects" to remove the negative connotation. The second recommendation regarding N.J.A.C. 8:43-7.2(a)3 sought the deletion of the term "consequences" and the insertion of the term "medical implications". The rule was rewritten to change "consequences" to "effects" rather than "medical implications", since the term "medical implications" has a limited connotation.

A recommendation for N.J.A.C. 8:43-7.2(a)4 requested the inclusion of the phrase "after written notice of each such violation" regarding the transfer or discharge of a resident for violation of the facility's written rules and regulations. The Department accepted the comment and revised the rule to reflect the recommendation. Another commentor requested in N.J.A.C. 8:43-7.2(a)4 the inclusion of the specific reasons for the Department's removal of a resident from a facility and the inclusion of a referral mechanism to community social service agencies. The Department cannot specifically identify all the reasons for removal of a resident from a residential health care facility. However, the Department would remove a resident under certain circumstances, for example: if resident care or safety was jeopardized; if the facility closed; if the facility's license was suspended, thus creating imminent peril; and if the resident required a higher level of care. Each referral would be considered on an individual basis and be dependent upon various community resources. All residents would not necessitate a referral to a community social service agency. Therefore, the rule was not revised.

One commentor requested the State to supply the appropriate forms to be posted concerning N.J.A.C. 8:43-7.2(a)5. The Department is, however, unaware of the forms that the commentor is referring to. The rule remained as proposed, since no recommendation was made for revising the rule.

A recommendation was made to add the phrase "if mutually agreed to by the facility and the resident" to N.J.A.C. 8:43-7.2(a)7 concerning the storing of personal possessions. The rule was rewritten as recommended according to N.J.S.A. 55:13B-17 et seq., P.L. 1979, Chapter 500.

One commentor recommended the deletion of the exception in N.J.A.C. 8:43-7.2(a)8 concerning maintaining the privacy of the resident's body. The rule was not rewritten, since the rule does not refer to whether a resident does or does not need assistance with care, but rather with maintaining privacy for the resident. Another commentor recommended in N.J.A.C. 8:43-7.2(a)8 concerning personal hygiene the inclusion of the resident's responsibility to maintain personal hygiene that would not be offensive to other residents. The Department did not revise the rule, since the requested change is already included in rule N.J.A.C. 8:43-7.2(a)1.

A recommendation was made in N.J.A.C. 8:43-7.2(a)10 to substitute the phrase "shall have the right" for the word "may" for consistency with N.J.S.A. 55:13B-19. The Department maintains that it is not the intent of this rule that the facility be accorded the freedom of choice rather than the resident. The rule was not revised, since "shall" appears in N.J.A.C. 8:43-7.2(a) which is the beginning statement for N.J.A.C. 8:43-7.2(a)10.

The Department received a comment requesting that the statutory language of N.J.S.A. 55:13B-19(d) replace the language in proposed rule N.J.A.C. 8:43-7.2(a)13 regarding the resident's right to retain and use personal possessions. The rule was rewritten as recommended according to N.J.S.A. 55:13B-17 et seq., P.L. 1979, Chapter 500.

A recommendation for N.J.A.C. 8:43-7.2(a)12 regarding the residents leaving the facility requested the inclusion that the resident inform the person in charge where he/she is going and what time he/she will return to the facility. The Department does not consider the recommendation to reflect a resident right. The Department would not have legal recourse in enforcing such a regulation. The rule does not preclude the facility from requiring a resident to inform the person in charge of his/her intentions when leaving and returning to the facility.

A recommendation requested that in N.J.A.C. 8:43-7.2(a)14 regarding the resident's unrestricted communication and personal visitations an addition be added to include the opportunity for interaction between members of the opposite sex, and provision for married residents' privacy in visits and in sharing of living arrangements. The Department did not revise the rule, since the requested changes are included in rules N.J.A.C. 8:43-7.2(a)10 and N.J.A.C. 8:43-7.2(a)21.

One recommendation for N.J.A.C. 8:43-7.2(a)15 requested the inclusion of the term "conservator" regarding the list of people entitled to manage the resident's financial affairs or receive a quarterly statement of financial transactions. The rule was rewritten as recommended according to N.J.S.A. 3B:13A-1 through 13A-36, Laws of 1983, Chapter 192. A second recommendation for N.J.A.C. 8:43-7.2(a)15 lauded the inclusion of a rule concerning the management of the resident's personal financial affairs, but questioned the increase in the facility's administrative costs as "a major impediment". The rule was not revised, since the management of a resident's personal financial affairs has been included as a regulation at the urging of several governmental agencies. This rule has been in existence, for example, in the Manual of Standards for Licensure of Long-Term Care Facilities for at least the past five years, and the Department is unaware of problems with the implementation of the regulation. The rule has been in existence in residential health care facilities for at least the past two years. A third recommendation for N.J.A.C. 8:43-7.2(a)15i concerning the written delegation of responsibility for management of the resident's personal financial affairs sought to delete the entire section. The Department does not concur with the suggested deletion of the entire section as recommended by the commentor. However, the rule was rewritten to delete the annual review of the delegation of responsibility for managing the resident's personal financial affairs. The Department maintains that the need for a review would be based upon the advice of the resident's legal counsel.

One commentor requested the deletion of the reference to ill residents receiving visitors in N.J.A.C. 8:43-7.2(a)16. The Department agrees with the commentor's concept that residential health care facilities are not licensed to care for seriously ill residents. However, the rule was not rewritten, since the Department maintains that there are times when residents are ill and they should be allowed visitors.

The Department received three comments regarding N.J.A.C. 8:43-7.2(a)18. One commentor requested the phrase "unless it would infringe upon the rights of other residents" be added to the rule which as proposed does not require residents to go to bed. The Department did not revise the rule, since it does not concur that this rule would infringe upon the rights of other residents. Another commentor recommended that the phrase "at any specified hour" be added regarding the residents not being required to go to bed, that the phrase "is allowed bed rest during the day" be added, and that the phrase "at any hour" be added to the right of the resident to be outside of his/her bedroom. The rule was not rewritten, since the rule does not preclude a resident from getting bed rest during

the day or at any time he/she wishes. The third commentor requested the inclusion of the phrase "as long as he/she does not infringe on others right to undisturbed rest". The rule was not rewritten for the reasons given above. In addition, the resident already has the responsibility to respect the rights of other residents as in N.J.A.C. 8:43-7.2(a)1.

A recommendation was made to add the phrase "with proper notification" to N.J.A.C. 8:43-7.2(a)21 concerning the resident's right to move to a different living arrangement. The Department has no control over residents if they choose to leave the facility. The facility could attend to a resident's proper notification of transfer or discharge in their contractual agreement with the resident. Therefore, the rule was not rewritten.

One commentor requested clarification in the interpretation of N.J.A.C. 8:43-7.2(a)22 concerning where the resident would obtain a written release to discharge him/herself from the facility. The Department explained that the facility may provide the written release form or the resident may write a letter of release for him/herself. The question did not require revision of the rule.

A general comment was received recommending the inclusion of a rule regarding penalties that would be imposed for violation of resident rights as is included in N.J.S.A. 30:13-1 et seq., P.L. 1976, Chapter 120. The Department's jurisdiction comes under Chapters 136 and 138, P.L. 1971, Health Care Facilities Planning Act, N.J.S.A. 26:2H-1 et seq., and amendments thereto. Therefore, the suggested inclusion of a statement concerning penalties for violations would be redundant, since there is already provision for assessing fines in N.J.S.A. 26:2H-1 et seq., and amendments thereto.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks \*[thus]\*).

#### 8:43-7.1 Facility's responsibilities

(a) The facility shall establish written policies regarding the rights and responsibilities of residents, and shall be responsible for developing and adhering to procedures implementing such policies. These policies and procedures **\*and a copy of N.J.S.A. 55:13B-17 et seq.\*** shall be given to residents and their next of kin and/or sponsors and/or guardians, and to each member of the facility's staff. These policies and procedures **\*and N.J.S.A. 55:13B-17 et seq.\*** shall also be conspicuously posted in the facility at a location accessible to and seen by residents and the public and be made available to the public.

(b) - (c) (No change from proposal.)

#### 8:43-7.2 Policies and procedures

(a) Resident rights, policies, and procedures shall ensure that, as a minimum, each resident admitted to the facility:

1. (No change from proposal.)

2. Is informed, and is given a written statement prior to or at the time of admission and during stay, as documented in the resident's record, of services available in the facility and of all charges including room, board, laundry, and personal services, and is given written notification at least 30 days prior to any change in charges. This statement shall include the payment, fee, deposit, and refund policy of the facility **\*[and shall be conspicuously posted in the facility at a location accessible to and seen by residents and the public]\***;

3. Is allowed to retain the services of his/her personal physician at his/her own expense or under a third-party payment system; is assured of assistance in obtaining medical care; may refuse medication and treatment, after being informed of the **\* [consequences]\* \*effects\*** of such actions; and may refuse to participate in research projects (but if he/she chooses to participate, his/her informed written consent shall be obtained);

4. Is, except in the case of an emergency, transferred or discharged only for medical reasons or for his/her welfare or that of other

residents upon the written order of the resident's physician, who shall document the reason for the transfer or discharge in the resident's record, or for nonpayment for the resident's stay, or for repeated violations of the facility's written rules and regulations **\* after being advised of them in writing\***, or if required by the Department.

i. (No change from proposal.)

5.-6. (No change from proposal.)

7. Is assured security in storing personal possessions \*, in accordance with N.J.S.A. 55:13B-17 et seq.,\* and confidential treatment of his/her personal and health/social records; and has the opportunity to examine such records. The written consent of the resident shall be obtained for release of his/her records to any individual outside the facility, except in the case of the resident's transfer to another health care facility, or as required by law or third-party payor;

8.-12. (No change from proposal.)

13. May retain and use personal **\*property in his/her immediate living quarters, so as to maintain individuality and personal dignity, except where the facility can demonstrate that such would be unsafe, impractical to do so, infringes upon the rights of others and that mere convenience is not the facility's motive to restrict this right\*** [possessions as space permits, unless to do so would infringe upon rights of other residents]\*. If the resident has property on deposit with the facility, he/she shall have daily access to such property during specific periods established by the facility, and at a reasonable hour;

14. (No change from proposal.)

15. Is allowed, or his/her next of kin and/or sponsor and/or guardian **\*and/or conservator, as defined in N.J.S.A. 3B:13A-1 through 13A-36, Laws of 1983, Chapter 192,\*** is allowed, to manage the resident's personal financial affairs, or is given at least a quarterly written statement of financial transactions made on his/her behalf should the facility accept his/her written delegation of this responsibility:

i. The written delegation of responsibility shall be **\*[reviewed annually and]\*** witnessed by a person who is unconnected with the facility, its operations, and its personnel, and shall be included in the resident's record;

ii.-iii. (No change from proposal.)

16.-22. (No change from proposal.)

(a)

## DIVISION OF HEALTH FACILITIES EVALUATION

### Standards for Licensure of Residential Health Care Facilities

### Health Maintenance and Monitoring Services

### Adopted New Rule: N.J.A.C. 8:43-8

Proposed: March 7, 1983 at 15 N.J.R. 309(b).

Adopted: September 16, 1983 by J. Richard Goldstein, M.D., Commissioner, Department of Health (with approval of Health Care Administration Board).

Filed: September 19, 1983 as R.1983 d.430, **with substantive changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5.

Effective Date: October 3, 1983.

Operative Date: January 1, 1984.

Expiration Date pursuant to Executive Order No. 66(1978):  
October 3, 1988.

### Summary of Public Comments and Department Response:

Thirteen written comments were received during the comment period. Commentors included:

Ocean Grove Nursing Home  
Department of Community Services, County of Bergen  
Department of Community Affairs (DCA), State of New Jersey  
Office of the Ombudsman for the Institutionalized Elderly, State of New Jersey  
Home Health Agency Assembly of New Jersey (HHAA)  
Association of Residential Care Homes of New Jersey (ARCH)  
Glenlora Nursing Home  
New Jersey Association of Health Care Facilities (NJAHCF)  
New Jersey Association of Non-Profit Homes for the Aging (NJANPHA)  
Department of Health and Social Services, City of Asbury Park  
Personnel Pool of America, Inc.  
Home Health Services and Staffing Association  
Office of Policy, Planning, and Advocacy, Department of Human Services (DHS), State of New Jersey

COMMENT: Three of the commentors (Ocean Grove and Glenlora Nursing Homes and NJAHCF) suggested that the rules provide the option of providing the health maintenance and monitoring services either by a registered professional nurse (R.N.) or a licensed practical nurse (L.P.N.). NJAHCF pointed out that such an option "would give the facilities greater flexibility in securing the services of a nurse while still ensuring that the needs of the resident are being adequately monitored and maintained."

The Glenlora Nursing Home pointed out that a L.P.N. "is trained in a very comprehensive program and is taught health teaching, health counseling, observation skills, recording, reporting and administering health care to consumers. Since L.P.N.'s provide approximately 80 percent of the bedside care in the United States, they are the ones who do most of the observation and reporting of changes in a patient's condition. Also, since L.P.N.'s receive approximately 75 percent of the R.N.'s wages, it would be cost effective to utilize the skills of this health care worker in a non-acute care setting--."

In addition, the NJAHCF and the DHS suggested that required staffing be computed in a more understandable way. DHS noted that since "the proposed standards translate into 17.49 minutes of the service per resident per week -- simply state that the facility provide an **average** of 18 minutes (or 15 or 20, etc.) of health maintenance and monitoring per week for each resident."

The NJAHCF "strongly recommends that nursing hours be measured per resident, as is the case in nursing homes, and not per 24 residents. A less complicated and more reasonable approach would be to require .25 or .30 nursing hours per week for each resident in the facility."

RESPONSE: This new rule was proposed to promote the expanded availability of appropriate residential health care as a significant system component in the continuum of long-term care services. The concept of upgraded residential health care facilities (RHCF) providing health maintenance and monitoring services provides us with a logical and cost-effective way of meeting this goal.

The comments outlined above relate to the actual provision of care - who should provide it or how often. The suggestion for a more readily understood method of computing required nursing hours appears appropriate to the goals of the proposed rule and is acceptable to the Department.

However, the use of a L.P.N. to provide health maintenance and monitoring services cannot be accepted. While L.P.N.'s may provide a good deal of "bedside care in the United States," the purpose and intent of these rules is not the provision of routine bedside care, but periodic health maintenance, monitoring, assessment, and education by a registered professional nurse. Under provisions of the Nurse Practice Act, a L.P.N. is required to provide care only under the supervision of a R.N. or a physician. It is unlikely that a RHCf will have a physician available to appropriately supervise a L.P.N.; and it appears unnecessarily cumbersome and expensive to have a facility employ both a L.P.N. and a R.N. "supervisor."

Therefore, it is recommended that proposed N.J.A.C. 8:43-8.1(g) be changed from:

"The facility shall have at least one registered professional nurse on the premises for seven hours per week for each 24 residents; 14 hours per week for 48 residents; etc." to:

"The facility shall provide a minimum of .20 hours of registered professional nursing care per resident per week."

COMMENT: Several commentors disagreed with the last sentence of 8:43-8.1(e) which states: "The director may be on staff as a direct employ by the facility or on a contractual basis with local home health agencies." The commentors argued that the sentence should stop with the word "basis."

The NJAHCF was "adamantly" opposed to this section and noted that "while we agree that the facility should have the option of contracting with a home health agency, it should not be a requirement thereby creating a type of monopoly for home health agencies. Mandated use of home health agencies also could severely threaten the financial feasibility of nurse presence in residential health care facilities."

The Home Health Services and Staffing Association also commented that under the proposed rule, "residential health care facilities would only be able to contract with home health agencies and not with other types of agencies who are in business to provide supplemental professional nursing services. We believe that residential health care facilities should not be denied the opportunity to utilize the services of professional nurses employed by supplemental nursing service agencies."

Writing on behalf of the 22 members of the Home Health Services and Staffing Association of New Jersey and the Medical Personnel Pool's nine New Jersey offices, the Personnel Pool of America, Inc., also took issue with this same section. "Our RN employees are fully qualified for the prescribed duties in RHCf's, particularly those of them with nursing home experience. We contend we can provide these services under contract to RHCf's less expensively. Licensed home health agencies reimburse their nurses much more than \$8.00 to \$12.00 for patient visits of an hour or less. We strongly recommend the words "with local home health agencies" be deleted—."

On the other hand, the HHAANJ notes that "an unaffiliated part-time RN may have had little or no training or experience in community health nursing. Indeed, she may not have been involved in any nursing service, or only marginally involved for a number of years. The lack of a relationship with an agency which can provide in-service education, peer review, accountability, and community affiliations is a real weakness in the plan.

"The success of the health maintenance and monitoring intervention depends on the nurse's ability to conduct a thorough physical and pscho/social health assessment, develop a health maintenance plan appropriate to the client's needs, and provide the education and counseling direction and assure compliance with the plan. We suspect that a nurse not trained and oriented to this service will find herself heavily engaged in personal care services and the thrust of health maintenance and monitoring will be lost. The implications of this option are serious and should be very thoughtfully considered.

"We agree that a home health agency is uniquely qualified to provide health maintenance and monitoring services to RHCf residents. Home health agencies have a long standing commitment to community health service. Home health agency staff are trained and have experience in the specific specialized skills of health assessment in home settings and health promotion and health education. In addition, the agencies provide a professional context for service which assures quality of care through professional supervision, peer review, and in-service training and the guarantee of availability of staff. The contracting of service with a home health agency would meet the requirements of professionalism specified in both Section (e) and Section (a) of Subchapter 8."

RESPONSE: The concerns for quality of care expressed in the comments of the HHAANJ also remain the concerns of the Department. It goes without saying that the Department of Health will monitor the quality of the health maintenance and monitoring services during its licensing and inspection processes.

While the Department is cognizant of the concern for quality, it is evident that home health agencies may not be the only possible contractor able to provide health maintenance and monitoring services. Therefore, the Department believes it is inappropriate to specifically name and mandate one class of possible contractors in the regulation itself. The Department intends that facilities have the option of exploring all possible contractual relationships to obtain the one that best meets the needs of its residents.

While the Department recommends deleting the words "with local home health agencies," it also recommends adding language to encourage continuity of care - a quality concept implicit in many comments.

Therefore, it is recommended that the last sentence in proposed N.J.A.C. 8:43-8.1(e) be changed from:

"The director may be on staff as a direct employ by the facility or on a contractual basis with local home health agencies." to:

"The director may be on a staff as a direct employ by the facility or employed on a contractual basis. The facility should recognize that continuity of care is a prime requisite for ensuring the continued well-being of the residents. The Department, therefore, encourages that the nurse staffing in the facility be maintained in an appropriate manner in order to meet this need."

COMMENT: ARCH commented on several aspects of the proposed rule. They noted that the rule "does not make clear the kinds of classifications of patients who would be eligible for a lower level of care. In effect, the regulation could result in RHCf's being asked to take former Nursing Home Level B patients whose health and welfare requirements are far in excess of the added care provided by the R.N." In addition, the rules do not distinguish those who need "physical care and those who require social or psychological after care." ARCH also questioned whether there were sufficient qualified nurses available to meet the requirements of the regulations and was concerned with the effect of the requirements on RHCf's with primarily private pay patients. Finally, ARCH (and the Office of the Ombudsman) were concerned because "the rules do not stipulate an existing source of revenues which can be used to cover the additional mandated costs."

RESPONSE: It must be noted that under current licensure regulations, persons admitted to RHCf's are those certified by a physician to be free from communicable disease and not in need of nursing care. In addition, these regulations also require that each resident have an annual medical examination to determine the status of the resident's health. Thus, a person requiring continuing nursing care, for example, would not be appropriate for admission even under these new rules. In addition, Department of Health surveyors routinely check for inappropriate admission.

Furthermore, the Department of Human Services will continue to provide psychological and social services to residents of RHCf's. We believe these rules will generally enhance the care given to all

residents.

In terms of the availability of nursing staff to implement these rules, the comments received from the HHAANJ, the Personnel Pool of America, and the Home Health Services and Staffing Association indicate there are a number of organizations willing to supply staff to meet the proposed requirements.

Finally, it must be reiterated that as N.J.A.C. 8:43-8.2 states, the proposed rule will not be implemented until sufficient funds are allocated to cover the increased SSI costs. Although private pay residents may have to pay more for care because of these proposed rules, the Department feels the increased quality and the increased professionalism are worth it. The Department of Health notes that the Department of Human Services passed through a special one time increase in SSI on July 1, 1983, so that all SSI residents in RHCFS will receive a \$20.00 per month increase. This is significant because the State could have retained \$10.00 of this increase. In passing through this extra \$10.00, the intent of the Department of Human Services was that these funds be available to pay for the provision of health maintenance and monitoring services in RHCFS. In addition to the preceding, there will be a further \$2.08 increase in SSI on October 1, 1983, and another \$10.00 increase per month on January 1, 1984. Thus, in a six month period of time, SSI payment will have been increased by more than \$30.00 per month per recipient.

COMMENT: The Department of Health and Social Services, City of Asbury Park and the Office of the Ombudsman were concerned that "part-time nurses" could be used to implement this regulation and this would lead to a loss of continuity of care.

RESPONSE: The Department is also concerned with the issue of continuity. As noted previously, we are recommending additional language to N.J.A.C. 8:43-8.1(e) to encourage staffing so as to provide continuity of care. This aspect of quality will be closely monitored by the Department in its licensing and inspection processes and if problems are noted revisions to these proposed regulations may be required.

COMMENT: DCA was concerned "that a probable consequence of imposing this requirement upon RHCFS owners will be that many of the owners of more marginal facilities will choose to relinquish their RHCFS licensure and thereby become automatically subject to licensure by us as Class C boarding houses. Our workload will thereby be increased, without the benefit of any additional funding, while you will have rid yourselves of responsibility for the facilities which probably gave you the most trouble, without any loss of funding. This is, quite frankly, grossly unfair and contrary to the spirit of cooperation which should prevail among departments of the same State government."

RESPONSE: The Department believes that the contention that the proposed new rule allows us to shift responsibility for some unspecified and undocumented number of "marginal" facilities to DCA is speculation, certainly not the intent of the rule, and highly unlikely. In fact, the oral and written comments received from current owners and the NJAHCF and NJANPHA have been strongly supportive of the rule, indicating that they do not feel that large numbers of facilities would be impelled to relinquish their RHCFS licensure. If anything, the C Level facility may want to convert to a RHCFS because of the higher rate of SSI reimbursement. This is especially true for those Class C's which have used Life Safety Improvement Loan Program funds to upgrade their physical plants and now may meet the building code requirements for RHCFS.

COMMENT: All the commentors welcomed this proposal as a necessary step to making RHCFS part of the continuum of long-term care services; or, at least, supported the concept of health maintenance and monitoring services while differing with some

aspects of the proposal.

RESPONSE: As noted in the Summary and Impact Statements attached to the proposed rule, the Department strongly believes that an upgraded RHCFS, offering health maintenance and monitoring services, will become a necessary appropriate, cost-effective, and humane part of the continuum of long-term care services for our growing elderly population.

In addition, the Department does not intend that these rules be the final step in "upgrading" RHCFS. In the future, as funding permits, we will look toward increasing the nursing hours required by this proposal; requiring annual physical examinations by a physician to check the progress of the condition which originally required RHCFS admission; requiring the provision of health services such as health education, wellness, and exercise programs; and, finally, study the feasibility of developing a rate-setting system for RHCFS in order to insure a more stable and adequate reimbursement mechanism.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*, deletions from proposal shown in brackets with asterisks \*[thus]\*:

#### 8:43-8.1 Health maintenance and monitoring services

(a)-(d) (No change from proposal.)

(e) The director of health maintenance and monitoring services shall be responsible for the direction, provision and quality of health maintenance and monitoring services. He/she shall be responsible for developing and implementing written objectives, standards of practice, policies and procedure manual and an organization plan for the health maintenance and monitoring service. \*The director may be on staff as a direct employ by the facility or on a contractual basis with local home health agencies.]\* **\*The director may be on staff as a direct employ by the facility or employed on a contractual basis. The facility should recognize that continuity of care is a prime requisite for ensuring the continued well being of the residents. The Department, therefore, encourages that the nurse staffing in the facility be maintained in an appropriate manner to meet this need.\***

(f) (No change from proposal.)

(g) The facility shall provide health maintenance and monitoring services per the following schedule:

\*[1. The facility shall have at least one registered professional nurse on the premises for seven hours per week for each 24 residents; fourteen hours per week for 48 residents; etc.]\*

**\*1. The facility shall provide a minimum of .20 hours of registered professional nursing care per resident per week.\***

#### 8:43-8.2 Funding

(No change from proposal.)

(a)

## DIVISION OF HEALTH FACILITIES EVALUATION

### Ambulatory Care Facilities Standards for Licensure

#### Readoption with Amendment: N.J.A.C. 8:43A

Proposed: June 20, 1983 at 15 N.J.R. 994(a).

Adopted: September 16, 1983 by J. Richard Goldstein,  
M.D., Commissioner, Department of Health (with  
approval of Health Care Administration Board).

## ADOPTIONS

Filed: September 19, 1983 as R.1983 d.427, **without change**.

Authority: N.J.S.A. 26:2H-1 et seq., specifically, 26:2H-5.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): August 9, 1984.

### Summary of Public Comments and Agency Responses:

**COMMENT:** The Department received comments from two family planning agencies – New Jersey Family Planning Forum and New Jersey Family Planning League, Inc. – opposing the Proposed Readoption with Amendment of N.J.A.C. 8:43A and urging the development of new regulations for family planning services on the grounds of cost containment and efficient delivery of quality care to patients.

**RESPONSE:** The Department does not concur with the comments requesting the revision of a single subchapter of N.J.A.C. 8:43A. The Department is in the process of revising the entire text and the organization and format of N.J.A.C. 8:43A, Standards for Licensure of Ambulatory Care Facilities. The current text contains rules for the licensure of various medical and health care services provided by ambulatory care facilities in the State. These services include family practice services including as a minimum internal medicine, pediatrics, obstetrics and gynecology, surgery, and psychiatry, health maintenance organization services, computerized axial tomography services, family planning services, prenatal and postpartum services, pediatric services, surgical services, drug abuse treatment services, dialysis services, radiology services, electrocardiogram services, health education and counseling, dental services, and emergency medical care. N.J.A.C. 8:43A also incorporates rules regarding organization and delivery of health services and medical care services, staffing patterns, patient flow, continuity of care, medical records, patient care statistics, financial data, audit and evaluation, infection control, housekeeping services, physical plant, definitions and/or qualifications, licensure, procedure, general requirements, auspices, administration, and laboratory tests and diagnostic procedures. Because of the organization and format of the current text of N.J.A.C. 8:43A, these rules are interlinked and interrelated. A viable, workable, and acceptable rule for any of the specific services provided in an ambulatory care setting can be developed only by the revision of the entire chapter. Since the subchapter on Family Planning Services is an integral part of N.J.A.C. 8:43A, its revision depends upon the revision of the entire chapter.

The Department contends that the recommendations to revise one subchapter in isolation are an oversimplification of the process of developing and promulgating new rules and would result in fragmentation, duplication, and over generalization of the rules. This, in turn, could lead to poor judgment and conflicting decisions regarding patient care on the part of the providers of care. When developing new rules, the Department must consider many variables which affect patient care in an ambulatory care facility. These variables include staffing patterns, advances in medicine and technology, complexities of the organizational structure, and utilization of other available resources. Proper exploration of all these factors is necessary for the development of realistic and enforceable rules. Due to the extensiveness of the rules, the Department has established a one year expiration date. The extension period will be utilized in seeking comments from interested parties, analyzing and interpreting them, and incorporating them into the rules as far as practicable to make them functional. The Department contends that if the rules are not extended, the health and safety of the citizens of the State would

## HIGHER EDUCATION

be adversely affected and reimbursement of ambulatory care services might be jeopardized.

(a)

### DRUG UTILIZATION REVIEW COUNCIL

#### Drug Evaluation and Acceptance Criteria

#### Readoption: N.J.A.C. 8:70

Proposed: June 6, 1983 at 15 N.J.R. 845(a).

Adopted: September 16, 1983 by Drug Utilization Review Council, Leroy L. Schwartz, M.D., Chairman.

Filed: September 16, 1983 as R.1983 d.422, **without change**.

Authority: N.J.S.A. 24:6E-6g.

Effective Date: September 16, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): September 16, 1988.

### Summary of Public Comments and Agency Responses:

**No comments received.**

## HIGHER EDUCATION

(b)

### HIGHER EDUCATION ASSISTANCE AUTHORITY

#### Student Loans: Procedures and Policies

#### Readoption with Amendments: N.J.A.C. 9:9

Proposed: April 4, 1983 at 15 N.J.R. 475(a).

Adopted: September 9, 1983 by New Jersey Higher Education Assistance Authority, Jerome Lieberman, Chairman.

Filed: September 8, 1983 as R.1981 d.413, **without change**.

Authority: N.J.S.A. 18A:72-10.

Effective Date: September 8, 1983 for readopted rules; October 3, 1983 for amendments.

Expiration Date pursuant to Executive Order No. 66(1978): September 8, 1988.

### Summary of Public Comments and Agency responses:

**No comments received.**

# HUMAN SERVICES

(a)

## DIVISION OF MENTAL RETARDATION

### Standards for Public Institutions for the Mentally Retarded

#### Readoption with Amendments: N.J.A.C.10:44

Proposed: July 18, 1983 at 15 N.J.R. 1156(a).  
Adopted: September 19, 1983 by George J. Albanese,  
Commissioner, Department of Human Services.  
Filed: September 19, 1983 as R.1983 d.432, with  
**substantive changes** not requiring additional public  
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 30:4-1 et seq.

Effective Date (Readoption): September 19, 1983.

Effective Date (Amendments): October 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978):  
September 19, 1988.

#### Summary of Public Comments and Agency Responses:

In the July 18, 1983 New Jersey Register, the Department of Human Services proposed the readoption, with amendments, of the Standards for Public Institutions for the Mentally Retarded. Comments on the proposal were received from the Division of Advocacy for the Developmentally Disabled, in the Department of the Public Advocate and the New Jersey Developmental Disabilities Council.

Both respondents objected to the elimination of certain staffing ratios. These ratios were eliminated because they did not reflect an accurate measure of the staff necessary to conduct adequate programs and services. As is recognized in both Intermediate Care Facilities for Mentally Retarded (ICF-MR) and Accreditation Council for Services for Mentally Retarded and other Developmentally Disabled Persons (A.C.M.R.D.D.) standards it is not possible to stipulate professional staff ratios that are uniformly applicable to all institutions. The number of personnel required to provide sufficient and adequate programs and service are dependent upon a number of facts:

1. The needs of individuals served vary from one institution to another.
2. The needs of individuals may be met through a variety of program and service approaches. Each institution may exercise options concerning the types of programs it will use to meet client needs.

For these reasons the number of specific professional staff must be determined by each institution in accordance with the needs of the individuals served and the programs utilized to meet their needs.

The Public Advocate suggested that the standards contain an annual inspection requirement. The text will be amended to incorporate this suggestion.

The Public Advocate also suggested that the Division of Mental Retardation establish a program of regular inspections by A.C.M.R.D.D. (Accreditation Council for Services for Mentally Retarded and Other Developmentally Disabled Persons). At this time, the Division of Mental Retardation has not yet adequately studied the full impact of the A.C.M.R.D.D. standards. Currently

the Vineland Developmental Center is attempting to meet these standards. This experience will be studied by the Division of Mental Retardation to determine the actions and resources necessary for the accreditation process.

The Public Advocate further states that the proposal as written fails to bring the standards into conformity with current thought on providing habilitation and care in an institutional setting, eg. no mention of Individualized Habilitation Plans. He also states that the standards fail to accurately reflect present statutory requirements, e.g. N.J.A.C. 10:44-2.10 is inconsistent with the Developmentally Disabled Rights Act (N.J.S.A. 30:60-5).

The text will be amended to include standards for individualized evaluation and program planning. With respect to the comment regarding N.J.A.C. 10:44-2.10 (Reward and Restriction), the text will be amended to incorporate appropriate language.

The Developmental Disabilities Council questioned whether the elimination of "isolation" at N.J.A.C. 10:44-2.10 implied that it was still permissible but now without medical authority. Furthermore, the Developmental Disabilities Council suggested that if isolation or restraints are used there should be documented evidence that less restrictive measures have been fully attempted and such evidence should be documented in the client's individual treatment record. Additionally, the Developmental Disabilities Council suggests that responsibilities of medical authorities in monitoring the use of restrictive measures be detailed in their professional manuals and in procedure for record content.

Isolation as a form of treatment is prohibited by the Division of Mental Retardation. The use of restraint may only be ordered in emergency circumstances when less restrictive measures have been futilely attempted. Documentation of the medical order for restraint, the reason for such restraint, and a record of 15 minute checks of the restrained client are required by Division policy. The text will be amended to reflect these policies.

The Developmental Disabilities Council suggests that standards be added to:

1. Require adequate space for familial visitation.
2. Stipulate that residents will not be denied visitation rights.

N.J.A.C. 10:44-12.5 of the proposed text for readoption requires space be provided for familial visitation. The text will be amended to include a requirement prohibiting denial of residents visitation rights as a punitive action.

The Developmental Disabilities Council also suggests that the institution's evaluation committee be responsible for documenting the justification and appropriateness of all admissions. Division of Mental Retardation placement decisions are initially made by the regional Community Services Intake component which admits clients to placement. Actual admission to institutions can only be arranged following review by the Divisions Admissions Committee. Division policy in accordance with N.J.S.A. 30:6D-9 requires all clients be placed in a setting and manner least restrictive of each person's liberty.

Comments made by the Developmental Disabilities Council regarding N.J.A.C. 10:44-3.1(b) suggested notifying the parents/guardians and the residents of their rights. The comments are well taken. The text will be amended to incorporate the recommendations. With regard to including resident staff in the 30 day evaluation process, requirements specified for participation on the evaluation committee provides for the inclusion of resident staff. The evaluation committee also conducts the 30 day evaluation.

The comments offered by the Developmental Disabilities Council which suggested including the client and parent or guardian in the 30 day evaluation process and re-evaluations, will be incorporated in the text to reflect the Division's existing practice.

Under N.J.A.C. 10:44-5.4 the Developmental Disabilities Council suggests the establishment of minimum time frames for all evaluations. The text will be amended to incorporate this recommendation which also reflects the existing practice.

The Developmental Disabilities Council commented regarding

N.J.A.C. 10:44-7.1 that the term "suitable measures" be more clearly specified. The text will be amended to reference N.J.S.A. 30:6D-5 which delineates residents' rights.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

10:44-1.1-1.2 (No change from proposal.)

**\*10:44-1.3 Annual inspection**

(a) The institution shall be subject to inspection by the Program Management Component of the Division of Mental Retardation at least annually, to inquire into and report on the care, treatment and training afforded residents, and the facilities, equipment, sanitary conditions, accommodations, and overall management.

(b) The institution shall correct any violations of standards within 30 days of receiving the inspection report. There will be a follow-up inspection to verify corrections.

(c) If in the judgement of the inspection team extensive changes are required, the institution shall submit a plan of correction to the inspection team within 30 days of receiving the inspection report. The plan of correction shall include:

1. Details of plans to correct the violations; and
2. Target dates for compliance.\*

10:44-2.10 Reward and restriction

(a) (No change from proposal.)

1. (No change from proposal.)

\*2. [Isolation or] Restraints shall be used only upon medical authority.\*

\*2. Restraints shall be used only in emergency situations for the control of violent, disturbed or depressed behavior which may immediately result in or has resulted in harm to such person or other person, or in substantial property damage.

i. Restraints shall only be used upon written authority of the Administrator or his designee.

ii. Such order shall be effective for not more than 24 hours.

iii. While in restraint, such persons shall be checked by an attendant every 15 minutes and bathed every 24 hours.

iv. Such restraints shall be terminated at any time if an attending physician shall find such restraint to be medically contraindicated.

v. The nature, duration of, reasons for and notations of attendant checks shall be properly recorded in the client's medical record.

3. Isolation, defined as locking a person alone in a room shall be prohibited.\*

10:44-2.11 Vacation and visiting

\* (a) Procedures and criteria shall be established for the effective implementation of a vacation and visiting program.

\* (b) Residents will not be denied visitation rights as a punitive action.\*

10:44-3.1 Admission and release

(a)-(e) (No change from the proposal.)

\* (f) The institution must have written policies and procedures that insure the civil rights of residents.

1. Parents/guardians and the resident must be informed, before or at the time of admission of their rights and responsibilities.\*

10:44-2.14 Evaluation committee\*s\*

\* (a) \* [A resident evaluation] \* **Interdisciplinary** \* committee \* s\* shall be created with responsibility for the comprehensive evaluation of all new admissions and the \*routine\* \* **annual** \* re-evaluation of residents in accordance with the schedule established by the institution. The minimal professional personnel for \*[this]\*

\* **these** \* committee \* s\* shall include a qualified physician, clinical psychologist, social worker \* [s] \* , and representatives from \* [education and training and] \* [cottage life] **resident living**. Additional specialists shall participate in response to the needs of the individual. \* **These teams shall:**

1. Evaluate each resident's needs;
2. Plan and develop an individualized habilitation program to meet each resident's identified needs;
3. Periodically review each resident's response to his program and revise the program accordingly.

(b) Parents, guardian and the client, if appropriate shall be notified in advance of the time and place of the evaluation meeting and invited to attend and participate.\*

\*10:44-2.15 Training and habilitation

(a) The institution must provide training and habilitation services to all residents regardless of age, degree of retardation or accompanying disabilities or handicaps.

(b) These services must be based upon valid individualized evaluations that provide the basis for prescribing an appropriate program of training experiences for each resident.

(c) Training and habilitation objectives for each resident must be stated in specific behavioral terms that permit the progress of each resident to be assessed.

(d) The institution must provide evidence of services designed to meet the training and habilitation objectives of each resident.

(e) The institution must maintain a complete, current functional training and habilitation record for each resident.\*

10:44-7.1 Method

(a)-(b) (No change from proposal.)

(c) All research projects shall be processed and conducted in a manner consistent with the appropriate [Administrative Order] **departmental policies** \* [.] \* **and N.J.S.A. 30:6D-5.** The procedure to be followed in all services shall be developed and implemented.

(a)

**DIVISION OF YOUTH AND FAMILY SERVICES**

**Rooming Houses**

**County Welfare Agency Responsibility**

**Adopted Amendment: N.J.A.C. 10:123-2.4**

Proposed: July 18, 1983 at 15 N.J.R. 1168(a).

Adopted: September 16, 1983, by George J. Albanese, Commissioner, Department of Human Services.

Filed: September 16, 1983 as R. 1983, d. 420, **without change.**

Authority: N.J.S.A. 44:7-87.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): August 31, 1984.

Summary of Public Comments and Agency Responses:  
**No comments received.**

# INSURANCE

(a)

## DIVISION OF ADMINISTRATION

### Automobile Insurance

#### Automobile Rate Filers: Flattening of Premium Taxes and Assessments made for the Unsatisfied Claim and Judgment Fund

#### Adopted New Rule: N.J.A.C. 11:3-12

Proposed: July 18, 1983 at 15 N.J.R. 1170(a).

Adopted: September 16, 1983 by Joseph F. Murphy, Commissioner, Department of Insurance.

Filed: September 19, 1983 as R.1983 d.424, with **substantive and technical changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 17:1-8.1, 17:1C-6(e) and the New Jersey Automobile Insurance Reform Act of 1982, P.L. 1983, c.65, N.J.S.A. 17:29A-33 et al.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): October 3, 1988.

#### Summary of Public Comments and Agency Responses:

The Department received several comments, primarily from insurers and rating organizations, concerning the proposed new rule on the flattening of premiums, taxes and assessments made for the Unsatisfied Claim and Judgment Fund (UCJF). Most commenters offered recommendations for modifying several of the rule's requirements or requested clarification of certain provisions.

Two writers, however, also expressed concern regarding the apparent disparity between the flattening requirements of N.J.S.A. 17:29A-37 and this implementing subchapter and the premium tax requirements set forth under N.J.S.A. 54:18A-1 et seq. One insurer complained that there is a conflict between these laws which require an insurer to collect premium taxes from its insureds based upon a flat fee per automobile, but to remit such taxes to the State based upon a percentage of premium. This writer further argued that in moving toward equalization of the premium tax charge, an insurer will be required to overcharge policyholders in lower rated territories in order to subsidize policyholders in higher rated territories.

The Department recognizes that the provisions of N.J.S.A. 17:29A-37 and 54:18A-1 et seq. require an insurer to collect premium taxes from insureds on a basis which is distinct from the basis upon which its tax liability to the State is calculated. However, rather than providing a "subsidy" for urban insureds, the Department believes that the flattening requirements of the statute and this rule will promote a more equitable distribution among all policyholders of the premium taxes and UCJF assessments payable by insurers.

A rating organization requested clarification of language set forth in both N.J.S.A. 17:29A-37 and the proposed rule which specifies that insurers shall collect premium taxes "on a flat and uniform fee basis **per insured automobile** statewide" (emphasis added). This commenter stated that the collection of the tax and assessment fee on a "per automobile" basis would be inconsistent with the existing

approach used in collecting other flattened expenses. The current procedure incorporates flattened expenses in a single fee applied on a per automobile, per coverage basis. Collection of premium taxes and UCJF assessments on a per automobile basis would, therefore, be cumbersome to implement. Further, the commenter argued that this approach would force policyholders who have not purchased physical damage coverages to pay the same fee as those purchasing these coverages.

The language of the statute with respect to this requirement seems quite explicit and specific and, accordingly, there appears to be little to justify a view that the Legislature may have intended that the uniform tax and assessment fee be collected from insureds on a per automobile, per coverage basis. In view of this express legislative mandate, the language of this subchapter, which simply parallels that of the statute, has been retained.

Two writers requested clarification concerning the flattening of assessments made for the UCJF. The flattening requirements of N.J.S.A. 17:29A-37 apply to assessments made, pursuant to N.J.S.A. 39:6-64, 66 and 67, but exclude those: assessments made to reimburse an insurer for medical benefits payable under N.J.S.A. 39:6A-4 (Personal Injury Protection Coverage) in excess of \$75,000. The UCJF assessment is calculated on an annual basis by the Director of the Division of Motor Vehicles and apportioned among insurers in the proportion that the net direct written premium of each bears to the net direct written premium of all insurers, pursuant to N.J.S.A. 39:6-63.

Insurers, as these writers noted, are not presently provided with a breakdown which distinguishes between the pure UCJF assessments to which flattening requirements apply and the assessments made for medical expenses in excess of \$75,000. In order to effect compliance with N.J.S.A. 17:29A-37 and this subchapter, this information must be made available to filers.

The Department is aware of this problem and is working in conjunction with the Division of Motor Vehicles to provide the necessary breakdown between the two categories of UCJF assessments. It is expected that this information will be available to insurers in advance of the effective date of this rule.

Several commenters expressed concern regarding certain provisions contained in section 4 of the proposed rule relating to the treatment of newly acquired automobiles, replacement automobiles and policy cancellations. The proposal provided, for example, that the uniform fee would be charged on an additional automobile acquired during the policy period and that no refund of the fee would be made in the event of a policy termination. The commenters recommended that the rule be modified in order to permit insurers to pro-rate the fee in such instances. It was argued that provision for proration of the fee would not only be more equitable to consumers, but would also be consistent with current insurer practices which utilize proration for other flattened expenses, such as the policy constant. The Department concurs with this view and has revised the rule accordingly.

Finally, some commenters questioned the need for the filing requirement set forth in the proposed rule at N.J.A.C. 11:3-12.5(b). This provision specifies that each filer on an annual basis, shall submit to the Commissioner for approval its calculation of the tax and assessment fee to be used in that year. These commenters complained that a separate filing for this purpose would be cumbersome and unnecessary. Further, it was argued that since tax rates and rate changes are not necessarily effective on January 1, a revised calculation should be submitted to the Commissioner only when the fee is changed. It was therefore recommended that the rule be amended to allow filers to submit any necessary revisions in the fee in conjunction with a regular rate filing. The Department has accepted this recommendation and modified the rule eliminating the specific annual filing requirement. The adopted rule provides that all initial filings designed to effect compliance with flattening requirements, as well as subsequent amendments or supplements thereto, must be submitted to the Commissioner for approval.

Full text of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks \*thus\*; deletions from proposal shown in brackets with asterisks \*[thus]\*).

11:3-12.4 Tax and assessment fees; general provisions

(a) (No change.)

(b) The fee shall be charged on any additional automobile which is acquired during the policy period. **\*The amount of the fee shall be proportional to the remainder of the policy term.\***

\*[(c) The fee shall not be charged on any replacement automobile acquired during the policy period.]\*

\*[(d)]\* **\*[(c)]\*** In the event of the cancellation of the policy or the deletion of the an automobile from a policy, **\*[no refund of the fee shall be made]\*** **\*the fee shall be refunded in proportion to the earned premium for the period that the policy or coverage on the deleted automobile was in force\***.

11:3-12.5 Filing and reporting requirements

(a) **\*[Within 30 days of the effective date of this subchapter,]\*** Each automobile filer shall submit to the commissioner for approval a rate filing designed to place the premium structure of the filer in compliance with the requirements of the New Jersey Automobile Insurance Reform Act of 1982 and this subchapter.

1. The rate filing submitted to the Commissioner shall include the uniform tax and assessment fee to be used by the filer **\*[in the calendar year commencing on January 1, 1984]\***.

**\*2. Each filer shall submit to the Commissioner for approval any alteration, amendment or supplement to the rate filing specified in (a) above.\***

(b) **\*[Effective for calendar years commencing January 1, 1985 and thereafter, every automobile filer shall submit to the Commissioner for approval its calculation of the tax and assessment fee to be used in that calendar year by October 1 of the preceeding year.]\*** **\*Within 30 days of the effective date of this subchapter, every automobile filer shall submit to the Commissioner for approval the rate filing specified in (a) above including the uniform tax assessment fee to be used by the filer in the calendar year commencing January 1, 1984.\***

(c)-(e) (No change.)

## LAW AND PUBLIC SAFETY

(a)

### BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

#### Examination Fees

#### Readoption: N.J.A.C. 13:40-6

Proposed: July 5, 1983 at 15 N.J.R. 1077(a).

Adopted: September 1, 1983 by Board of Professional Engineers and Land Surveyors, Edward Taratko, President.

Filed: September 15, 1983, as R.1983 d.418, **without change.**

Authority: N.J.S.A. 45:1-3.2.

Effective Date: September 15, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): September 13, 1988.

Summary of Public Comments and Agency Responses:

No comments received.

(b)

### BOARD OF CERTIFIED SHORTHAND REPORTING

#### Certified Shorthand Reporting Fee Schedule

#### Adopted New Rule: N.J.A.C. 13:43-4

Proposed: June 6, 1983 at 15 N.J.R. 873(a).

Adopted: August 11, 1983 by New Jersey Board of Certified Shorthand Reporting, Terence E. Headd, President.

Filed: September 8, 1983 as R.1983 d.414, **without change.**

Authority: N.J.S.A. 45:1-3.2.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): September 8, 1988.

Summary of Public Comments and Agency Responses:

A comment was received from the Professional Association in New Jersey. The Association did not oppose the proposal. They suggested that a clarification of the summary be included so it would be clear that licensed Certified Shorthand Reporters would not be required to take an examination. Since the suggested word change refers to language not contained in the regulation itself no such clarification is necessary.

## PUBLIC UTILITIES

(c)

### BOARD OF PUBLIC UTILITIES

#### Ethical Conduct and Ex Parte Communications

#### Adopted Amendment: N.J.A.C. 14:1-3.3

Proposed: October 18, 1983 at 14 N.J.R. 1148(a).

Adopted: September 7, 1983 by Board of Public Utilities, Barbara A. Curran, President.

Filed: September 12, 1983 as R.1983 d.415, **without change.**

Authority: N.J.S.A. 48:2-12 and 48:2-13.

Effective Date: October 3, 1983.

Expiration Date pursuant to Executive Order No. 66(1978): October 3, 1988.

BPU Docket No. 829-788.

Summary of Public Comments and Agency Responses:

One comment was received from Howard H. Kestin, Director

and Chief Administrative Law Judge, after the close of the comment period. He commended the Board for the intent of the proposal. At the same time, however, he stated that it should be clear that the rule at N.J.A.C. 1:1-3.8 is required by statute to control any proceeding which falls within the statutory definition of a "contested case" (N.J.S.A. 52:14B.-2(b)), even if that proceeding is conducted by the Board (N.J.S.A. 52:14F-5e., f. and g.). He further stated that to the extent that this jurisdictional question is not clear in the proposal, he thought that the proposal should be clarified prior to adoption.

It is not the intent of this amendment to encroach upon the authority of the Office of Administrative Law to adopt rules governing the conduct of cases pending before it. Indeed, paragraph (d) of the amendment states that in matters pending before that office the provisions of N.J.A.C. 1:1-3.8 shall apply to the extent applicable. In any event, the amendment which applies only to the Board's activities in any proceeding is complementary to N.J.A.C. 1:1-3.8 and not in conflict therewith. Accordingly, the Board is of the opinion that the application of the amendment is clear and poses no conflict of jurisdiction or authority between it and the Office of Administrative Law.

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**TRANSPORTATION**

**(a)**

**ADMINISTRATION**

**Award of Contracts for Professional Services**

**Readoption: N.J.A.C. 16:2**

Proposed: July 18, 1983 at 15 N.J.R. 1176(a).  
Adopted: August 24, 1983 by Michael F. Barrett, Assistant Commissioner for Management, Department of Transportation.  
Filed: September 6, 1983 as R.1983 d.410, **without change.**

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 27:2-1.

Effective Date: September 6, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978): August 1, 1988.

Summary of Public Comments and Agency Responses:  
**No comments received.**

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**(b)**

**FISCAL MANAGEMENT**

**Contract Administration**

**Readoption: N.J.A.C. 16:65**

Proposed: July 5, 1983 at 15 N.J.R. 1080(b).  
Adopted: August 18, 1983 by Michael F. Barrett, Assistant Commissioner for Management, Department of Transportation.  
Filed: September 6, 1983 as R.1983 d.409, **without change.**

Authority: N.J.S.A. 27:1A-5, 27:1A-6, 27:2-1, 14A:1-1 and 14:15-2.

Effective Date: September 6, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978): July 5, 1988.

Summary of Public Comments and Agency Responses:  
**No comments received.**

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**TREASURY-GENERAL**

**(c)**

**DIVISION OF PENSIONS**

**Claims and Credit  
Purchases; Computation; Employee Pay-All**

**Adopted Amendment: N.J.A.C. 17:1-4.11**

Proposed: August 1, 1983 at 15 N.J.R. 1238(a).  
Adopted: September 13, 1983 by William J. Joseph, Director, Division of Pensions.  
Filed: September 14, 1983 as R.1983 d.416, **without change.**

Authority: N.J.S.A. 52:18A-96.

Effective Date: October 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978): May 15, 1988.

Summary of Public Comments and Agency Responses:  
**No comments received.**

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# MISCELLANEOUS NOTICES

## HEALTH

(a)

### DIVISION OF HEALTH PLANNING AND RESOURCES DEVELOPMENT

#### Change in Regional End-Stage Renal Disease Equipment and Services Certification of Need Batching Cycle

#### Public Notice

**Take notice** that the Commissioner of Health in cooperation with the Health Care Administration Board, has changed for one time only the batching cycle, scheduled to begin October 15, 1983, for certificate of need applications for additions to and new Regional End-Stage Renal Disease equipment and services.

The batching cycle for certificate of need applications scheduled to begin on October 15, 1983, is changed to November 15, 1983. The deadline for the initial submission of new or revised applications for certificate of need is changed from September 30, 1983 to October 31, 1983.

These changes are for one time only and shall have no effect on subsequent batching cycles for certificate of need applications for Regional End-Stage Renal Disease equipment and/or services. During 1984, the Fall batching cycle for renal certificate of need applications will once again commence on October 15.

This one-time change in the cycle for the review of certificate of need applications for Regional ESRD equipment and services is being implemented in order to allow sufficient time for certificate of need applicants to develop or revise their applications to conform to changes in the newly adopted Regional End-Stage Renal Disease Services Regulations, N.J.A.C. 8:33F, adopted pursuant to the authority of N.J.S.A. 26:2H-5 and 26:2H-8.

Any inquiries should be addressed to:

John A. Calabria, Coordinator  
Health Planning Services  
Department of Health  
Room 403  
CN 360  
Trenton, NJ 08625

## HUMAN SERVICES

(b)

### COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

#### Petition for Rulemaking: Vending Facility Program

Petitioners: National Federation of the Blind of New Jersey, Inc.

Authority: N.J.S.A. 52:14B(f) and N.J.A.C. 10:1-2 adopted May 5, 1983 at 15 N.J.R. 924(c).

**Take notice** that the Commission for the Blind and Visually Impaired on August 17, 1983 received a petition for rulemaking from the National Federation of the Blind of New Jersey, Inc. to set forth the administrative requirements governing the Vending Facility Program (N.J.A.C. 10:97-1 and 2).

The petition for rulemaking from the National Federation of the Blind of New Jersey, Inc. proposes the following:

1. Definitions

a. **Blind Operator** – A blind person, not an employee of the State, licensed by the Commission.

b. **Active Participation** – An ongoing process of negotiations between the Commission and the Committee of Blind Vendors to achieve joint planning and approval of program policies, standards and procedures affecting the overall operation of the Vending Facilities Program, prior to their implementation by the Commission. It is understood that the Commission bears full authority and responsibility for the administration and operation of the Vending Facilities Program, including the continuing assurance of active participation with the Committee. (Throughout this petition, the term Committee refers to the Committee of Blind Vendors).

c. **Committee** – The Committee of Blind Vendors is an officially constituted body within the administrative structure of the Vending Facilities Program. The Committee shall be: 1) fully representative of all blind licensees; 2) elected biannually; and 3) established, constituted and maintained in accordance with 34 CFB 395.14.

2. **Selection and Training:** Every blind person who has been certified eligible by the Vocational Rehabilitation Program and still wishes to enter the Vending Facilities Program must meet written criteria established through active participation by the Committee and the Commission.

3. **Completion of Probation and License:** When the probationary period has been successfully completed, a license will be issued for an indefinite period, but subject to suspension or revocation if, after affording the operator an opportunity for a full evidentiary hearing, the Commission finds that the vending facility is not being operated in accordance with this chapter.

4. **Operating Agreement:** The Operating Agreement shall be developed through active participation by the Committee and the Commission.

5. **Loans:** Exceptions to the maximum loans and extension of payments granted upon written request of the licensee, approval of the Committee of Blind Vendors and approval of the Executive Director of the Commission.

6. Absences: In the event of a short term absence, the operator shall select and compensate a qualified substitute. Advance notice to the Commission is not necessary unless the absence would involve closing of the business during any period of absence.

7. Payment for Supplies Purchased: The operator may take advantage of any credit extended by suppliers provided that the Commission shall have no liability. The Commission may impose restrictions on the use of credit by an operator in the event of a pattern of abuse.

8. Maintenance of Equipment: The Commission shall purchase equipment as needed. If an operator wishes to purchase his own equipment, a written request must be submitted to the Commission. The Commission must answer each request in writing. The Commission may not deny permission to purchase equipment without good cause and shall furnish the licensee the reasons for denial in writing.

9. Weekly Sales Reports: The Sales report shall be submitted in such form and shall contain such information as the Committee and the Commission shall jointly determine to be necessary.

10. Commission Right of Inspection: The Commission staff, qualified and assigned for that purpose, shall make periodic site visits to each vending facility. Each time an assigned representative conducts a site visit, a report will be completed and read to the operator. The operator shall have the opportunity to make comments on the report and shall retain a copy of the report at the time of its writing. The report may contain recommendations for consideration by the operator. If the report cites a specific violation of the rules, the operator shall remedy the situation within the time specified on the report. In the event that the violation is not remedied, the operator may be placed on disciplinary probation.

11. Disciplinary Probation: Disciplinary probation shall be for a period of 15 days. During this time, the operator shall have the opportunity to correct any violation from the site visit report contained in the disciplinary probation notice. In the event that the violation is not corrected during the period of disciplinary probation, the Commission may issue to the operator a notice of termination. This notice must cite any specific violations remaining unresolved after the period of disciplinary probation. Termination may be effective 15 days after the notice provided that an operator shall be given an opportunity for a full evidentiary hearing prior to final termination action.

12. Vending Facility Program Fund: The proceeds from the vending facility fund may be used for any purposes as determined to be necessary after active participation by the Committee and the Commission.

13. Sanitation: All recommendations concerning sanitation made in the site review report must be implemented within the time frame established in the recommendation. Such recommendations must be based on and cite specific health code requirements.

14. Stock: The type of article to be sold shall be in conformity with any requirement set forth in the permit. The licensee, Commission and responsible property managing officials shall negotiate agreements.

15. Pricing: The retail price of merchandise in a facility shall not exceed the general price pattern prevailing in the immediate locality. Prices shall be set by the licensee who may consult with the Commission.

16. Notification of Critical Incidents: The licensee shall immediately notify the Commission of any critical incident. A critical incident is an event involving legal action or threat of legal action; any claim brought against the business, or an occurrence which may interrupt the normal course of the operation over a period of time.

17. Operator Owned or Leased Vending Machines: The Commission may disapprove a proposal for ownership or lease of vending machines only upon good cause submitted in writing to the licensee.

18. Vending Facility for Training: Any vending facility may be used for evaluation and training under terms and conditions

established and approved jointly by the Committee and the Commission except when the vendor can show justification that such use will cause losses to the operator.

19. Promotions: The supervisor of the vending facilities program will circulate a letter to all operators announcing a vacancy. This letter shall contain location, financial information, scheduled hours of operation and other significant information about the vacancy. Financial information shall include annual gross sales for a period of the past two years provided the facility has been in operation for that period. If a two year experience is not available, the gross sales of one year or other specified period may be provided.

Other information supplied for all locations shall include employee wages, cost of maintenance, contracts on equipment and facilities and building population.

Selection shall be based on seniority with the most senior manager to be awarded the location unless the Committee or the Commission can show that the applicant does not qualify for the promotion. Decisions concerning qualification must be based on written criteria for the operation of each vending facility which is to be established jointly by the Committee and the Commission. In the event that the most senior manager is found not qualified, the manager with the next highest seniority shall be awarded the location if qualified.

The supervisor of the vending facilities program shall submit to the Committee the names, seniority rank and all evidence. The Committee shall review the evidence and the supervisor's recommendation for approval or disapproval, transmitting its decision to the Commission within seven working days. In the event that the Committee does not respond within this time period, the supervisor's recommendation, the final decision shall be made by the Executive Director of the Commission based on a review of the evidence considered by the supervisor and the Committee. The decision of the Executive Director shall be in writing and set forth the reasons for the action taken.

20. Vending Machine Income for Vendors: The Commission shall pay an interest penalty to any licensee in the event that the vending machine income due the licensee and received by the Commission has not been remitted to the licensee within 10 days after its receipt by the Commission. Interest charges for this purpose shall be paid in accordance with amounts to be established and approved jointly by the Committee and the Commission.

21. Disciplinary Probation: If the Commission finds that the vending facility is not being operated in accordance with applicable provisions law or these rules, the Commission shall notify the operator of any such violation and place the licensee on disciplinary probation for the grounds specified. Disciplinary probation shall be in effect until all violations cited in the notice are corrected, but not longer than 30 days. If the cause or causes of the disciplinary probation remain after the close of the 30 day period of disciplinary probation, the Commission shall issue a notice of intent to revoke or suspend the operator's license. The notice shall be issued 40 days in advance of the proposed action and shall specify any violation which constitute grounds. Revocation or suspension shall take effect 30 days following the issuance of the notice unless the licensee invokes the grievance procedure. In the event that any violation cited in the notice involves conditions posing a hazard to the operator, employees or the public, as determined by federal, state, county or municipal authorities having jurisdiction over matters of health, fire or public safety, the Commission may temporarily remove the operator based on the evidence provided that the Committee and the Commission concur that such action is justified.

22. Grievance Procedure: The first step which is the administrative review should be optional. A full evidentiary hearing should be conducted by the Office of Administrative Law. Such a grievance before this office shall be regarded as a contested case giving rights to counsel, subpoena power, right to inspect and copy documents and all other features associated with contested cases.

If the decision of a full evidentiary hearing calls for a specific

action to be taken, a request for arbitration, appeal from the decision within the state, or instituting of a law suit in state court will stay the action called for in the decision.

23. Uniform Application: The provisions of this chapter shall be in effect uniformly throughout the Vending Facilities Program. Unless specifically stated otherwise, all rights, privileges, requirements and obligations of this chapter shall apply without regard to the location of the vending facility on federal or nonfederal property.

24. Election of the Committee of Blind Vendors: Election for positions on the Committee of Blind Vendors shall be held at the annual meeting of the Committee and shall be supervised by an official from the Office of the Public Advocate.

25. Duties of the Committee of Blind Vendors: The Committee shall have all of the responsibilities, powers and bids inferred upon it by these regulations.

26. Complaints: A complaint from a customer received by the Commission shall be referred to the licensee for resolution. Complaints other than those that are written and signed by the complainant shall not be kept on file. Complaints by property managing officials shall first be referred to the licensee for resolution in cooperation with such officials. However, if a resolution is not possible, the complaint may be referred to the Commission for resolution through negotiations with property managing officials and the licensee.

The Commission for the Blind and Visually Impaired is in the process of completely revising N.J.A.C. 10:97-1 and 2 and will consider the concerns raised by the National Federation of the Blind of New Jersey, Inc., as well as other relevant concerns, as the Commission moves forward with the rulemaking process for the Vending Facility Program. The rulemaking process entails publication of the proposed regulations for public comment prior to official adoption.

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## LABOR

### (a)

## DEPARTMENT REORGANIZATION PLAN

### Public Notice

**Take notice** that a Reorganization Plan of the Department of Labor was filed by the Governor with the Legislature on June 28, 1982 pursuant to the Executive Reorganization Act of 1969 and became effective September 26, 1982. The text of the Plan is as follows:

#### REORGANIZATION PLAN OF THE DEPARTMENT OF LABOR

The Department of Labor, formerly known as the Department of Labor and Industry, is presently organized and administered pursuant to the provisions of the Reorganization Plan of the Department of Labor and Industry, which took effect in July 1972. Significant portions of the 1972 Plan have been superseded or obsolete by the Department of Commerce and Economic Development Act, L. 1981, c. 122, N.J.S.A. 52:27H-1 et seq. That law among other things gave the Department of Labor its present name and transferred certain divisions, offices, commissions, authorities and public corporations to the newly created Department of Commerce and Economic Development from the Department of Labor and Industry. The provisions of the 1972 Plan do not fulfill the present needs of the Department of Labor for an organizational

structure facilitating efficient operational and fiscal management. These needs, and proposals for meeting them, have been identified and recommended by various bodies that have had occasion in recent years to review the operations of this Department. The principal recommendations made by these reviewers, and incorporated in this Plan, are a creation of the position of Deputy Commissioner to serve as the Department's chief operating officer, and establishment of the title of Assistant Commissioner for Finance and Controller to administer the Department's fiscal, business and tax functions. The creation of these positions, as well as the other provisions of this Plan, are deemed necessary to accomplish the purposes set forth in section 2 of the Executive Reorganization Act of 1969, L. 1969, c. 203, N.J.S.A. 52:14C-2.

1. The executive and administrative head of the Department of Labor is the Commissioner. His administrative and executive powers shall be those set forth in L. 1948, c. 446, §3, N.J.S.A. 34:1A-3, as these powers may be modified or supplemented by law.

2. There is hereby created an office of the Deputy Commissioner, who, under the direction and supervision of the Commissioner, shall be responsible for day-to-day operations of the Department, for long-term planning, budgeting and policy implementation, and for monitoring and evaluation of Department programs.

3. There is hereby created an office of Assistant Commissioner for Finance and Controller, who, under the supervision of the Deputy Commissioner, shall implement and administer the Department's fiscal, tax budget operations.

4. There is hereby created an office of Assistant Commissioner for Administrative Services, who, under the supervision of the Deputy Commissioner, shall develop and implement policies and procedures governing the organization, administration and management of the Department except for financial affairs.

5. There is hereby created an office of Assistant Commissioner for Human Resources, who, under the supervision of the Deputy Commissioner, shall implement and administer all employment, training and rehabilitation programs operated by the Department.

6. There is hereby created an office of Assistant Commissioner for Labor Relations and Workplace Standards, who, under the supervision of the Deputy Commissioner, shall implement and administer all wage and hour and workplace health and safety programs operated by the Department.

7. There is hereby created an office of Assistant Commissioner for Income Security, who, under the supervision of the Deputy Commissioner, shall implement and administer unemployment insurance, disability insurance and workers' compensation programs operated by the Department.

8. The Deputy Commissioner and the Assistant Commissioner shall be appointed by the Commissioner to serve at his pleasure. The Commissioner shall delegate to the Assistant Commissioners responsibility for specific programs for functions operated or performed by the Department.

9. The Commissioner shall have authority to delegate responsibility for the employment service program and the unemployment insurance program to the same Assistant Commissioner if he shall deem this necessary to improve administrative efficiency of these programs in light of a recent similar consolidation of responsibility at the Federal level by the United States Department of Labor.

10. All divisions, offices, bureaus, commissions, councils, boards, services and committees that shall be in, or in but not of, the Department of Labor at the time this Plan takes effect, whether created or continued by the 1972 Reorganization Plan of the Department of Labor and Industry or by administrative order, shall, consistent with law and the provisions of this Plan, continue in existence under this Plan as provided in the 1972 Plan or in such administration order; provided that the Commissioner, pursuant to authority granted him by L. 1948, c. 446, §3, N.J.S.A. 34:1A-3, shall have power, consistent with law and the provisions of this Plan, to administer such divisions, offices, bureaus, commissions, councils, boards, services and committees, and to modify or rescind

such administrative orders, as he may deem necessary or appropriate.

11. The 1972 Reorganization Plan of the Department of Labor and Industry is hereby abolished.

12. All acts and parts of acts inconsistent with any of the provisions of this Reorganization Plan are superseded to the extent of such inconsistencies.

13. Any provisions of this Plan that conflict with Federal law shall be null and void, and shall be severable from the rest of the Plan.

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## **LAW AND PUBLIC SAFETY**

**(a)**

### **DIVISION OF CRIMINAL JUSTICE**

#### **Office of the State Medical Examiner Death Investigations**

**Proposed Amendments: N.J.A.C. 13:49-1, 2,  
3**

**Proposed New Rules: N.J.A.C. 13:49-1.5,  
2.3, 3.3, 13:49-4 through 8**

**Take notice** that the Division of Criminal Justice in the Department of Law and Public Safety has extended the comment period concerning the proposed amendments and proposed new rules concerning the Office of the State Medical Examiner, Death Investigations (see 15 N.J.R. 1351(a) in the August 15, 1983 issue of the New Jersey Register) from September 14, 1983 to **October 14, 1983**.

# LATE FILING

## PUBLIC UTILITIES

(a)

### OFFICE OF CABLE TELEVISION

#### Rules of Cable Television Common Tariff

#### Adopted Amendment: N.J.A.C. 14:17-18

Proposed: August 15, 1983 at 15 N.J.R. 1356(a).  
Adopted: September 27, 1983 by John P. Cleary, Director,  
Office of Cable Television.  
Filed: September 27, 1983 as R.1983 d.435, with  
**substantive changes** not requiring additional public  
notice and comment (see N.J.A.C. 1:30-3.5).

Authority: N.J.S.A. 48:5A-10b, and -11.

Effective Date: October 3, 1983.  
Expiration Date pursuant to Executive Order No. 66(1978):  
October 3, 1988.

#### Summary of Public Comments and Agency Response:

In 1978, after extensive hearings, the Board of Public Utilities lead the nation in adopting common tariff regulations for the cable television industry. N.J.A.C. 14:17-18. Those rules established an optional procedure for rate adjustments whereby participating cable systems could adjust their basic service rates up to a maximum set by the Board without resorting to costly ratemaking proceedings.

Pursuant to the Board's 1978 mandate, a thorough review of the rules and tariff began in 1980. The Board subsequently initiated proposal PRN 1982-144 to renew the tariff with certain modifications based on the first three years' experience with the common tariff rules. That proposal expired pursuant to N.J.A.C. 1:30-4.2(d). It was revived in identical form as PRN 1983-404 (see 15 N.J.R. 1356(a)). At a hearing held on August 31, 1983 all prior records on common tariff rulemaking were incorporated under this record.

The proposed text is the procedural frame around which the common tariff ceiling rates are to be designed and to operate. The actual maximum rate for each service level must be formulated upon notice and hearing in compliance with N.J.S.A. 48:5A-11. The Board's action in adopting these rules, establishes the underlying regulations, so that hearings on the ratemaking phase of this docket can commence.

The proposal was published in the New Jersey Register and hearings were held on May 19, 1982 and March 4, 1983. Several interested parties submitted written comments. Among those comments are objections by the Public Advocate, Division of Rate Counsel, which challenge the Board's underlying authority to set rates under a common tariff.

In both written and oral comments, the Public Advocate, Division of Rate Counsel, has questioned the Board's authority under the Cable Television Act (N.J.S.A. 48:5A-11, -6, -28(g)) to establish rates in an aggregate proceeding. The Board finds that the Cable Television Act purposely contains language in the sections

governing rates which allow more flexible approaches to rates than in the ratemaking provisions governing public utilities. Rate Counsel declined to offer comments on the substantive text of the rules.

Other comments were filed by the New Jersey Cable Television Association Clear TV Cable Corp. and NYT Cable. Their statements favored the tariff rules, noting that they had worked well for the public and had resulted in more extensive service at a lower cost than anywhere else. NYT recommended the rules include cost recovery incentives to introduce innovations.

Their comments sought clarification or modification regarding the following:

1. Clearer definitions of "basic" and "tiered" service.
2. Alternatives to notice by bill insert.
3. Changes to allow a multi-franchise system to charge uniform rates.
4. Thirty days' implementation of rate changes instead of sixty days.
5. Either permitting a greater allowable first year increment in light of the two year gap between the old and new ceiling rates, or else remove limits on initial increments entirely.
6. Systems with a grade B contour, as well as those within Grade A, should be considered "competitive" systems rather than "classical".
7. Removal of waiting period for common tariff participants filing individual rate petitions to allow for changed economic conditions.

The definition of "basic service" in the originally proposed rules is not necessarily the same as the service provided at the maximum charge under the consent ordinances and company tariffs. The difference results from non-mandatory broadcast signals, satellite superstations, cable networks, and programming received by all subscribers in the system without additional charge. Examples are C-SPAN, ARTS, USA, CBN, ESPN, MSG, MTV, CNN, Nickelodeon and the Weather Channel. These services either have been included under franchise terms, or have been added subsequently by the cable operator. Because these offerings of the extra "cable channels" vary considerably, a common tariff should account for these variations in service levels, based on the type and cost of these additional channels. Service level increments will be designed as an incentive to offer a broader minimum number of channels to all subscribers.

Accordingly, the Board clarified the language proposal for N.J.A.C. 14:17-18.2(b).

With respect to other topics of comment, the Board of Public Utilities and Office of Cable Television are satisfied with the present proposal. Notice by bill insert maximizes subscriber awareness and opportunity to comment. A prepayment discount is, in effect, a rate guarantee for the state period, and would be unaffected by a proposed increase until that period had expired. Companies using coupon books would have to notify subscribers of the increase and issue new coupon books or advise them of the new rate.

Disparate rates within a system arising from different municipalities' anniversary dates are not a major problem. In fact, the proposed rules would allow more flexibility to a system acquiring several different franchises to effectuate a uniform rate.

A review of the common tariff operation and pre-proposal survey responses in April, 1980, led the Office to recommend 60 days for implementation of rate changes in the newer rules. The Board finds no reason to depart from those recommendations.

Nor is there sufficient reason for adopting Grade B contours as the basis for distinguishing "classical" from "competitive" systems.

The quality of Grade B signal pictures is not sufficient to be considered a competitive substitute for the picture quality provided over a cable system.

The transition from the old common tariff to the new leaves an apparent two year gap in the rates. Because of the two-year period, most companies will have passed the initial two-year limitations on increases. Only the participants joining recently or in the future are affected by N.J.A.C. 14:17-18.3(a)1 and 2. Should the rate hearings manifest a broader scale transition problem, the Board would consider recommendations for amendments consistent with the final tariff design.

Proposed N.J.A.C. 14:17-18.3(a)6 (pre-existing higher rates) is not self-contradicting. It merely states that a company with a pre-existing rate which is higher than the ceiling for its category will not be precluded from applying the common tariff rules to rates in other categories which are below their respective ceilings. For example, if the pre-existing installation charge already exceed the ceiling for installation, and the preexisting basic monthly rate is lower, the company may participate to adjust its basic rates.

Pending rate hearings to fix new rate ceilings and categories, the 1978 tariff ceilings shall continue to be in effect. Where the new rules necessitate classification changes, the Office shall process filings and apply the appropriate rates from the old tariff until the new tariff rates become effective.

The comments and responses are on file at the Office of Cable Television as Docket No. 832C-6969.

**Full text** of the changes between proposal and adoption follows (additions to proposal shown in boldface with asterisks **\*thus\***; deletions from proposal shown in brackets with asterisks **\*[thus]\***).

14:17-18.2 Rate structures

(a) (No change from proposal.)

(b) For the purpose of establishing a maximum ceiling rate for each level of service **\*[for each cable television system]\*** the Office, with the approval of the Board, shall establish, subject to modification after full public hearing, maximum rates for each additional channel of service to be provided in **\*[a tiered]\*** **\*the minimum\*** cable television service package **\*to be received by all cable television subscribers\*** such package to always include basic service.

(c) (No change from proposal.)

# INDEX OF ADOPTED RULES

The *Index of Adopted Rules* contains rules which have been promulgated subsequent to the most recent update of the New Jersey Administrative Code. **Rules which are being promulgated in this Register, and which appear in the Table of Rules in this issue, do not appear in this index. These rules will appear in next month's Index of Adopted Rules.**

The rules in this index are listed in order of their N.J.A.C. citations. Accompanying the N.J.A.C. citation for each rule is a brief description of the rule's content, the Register citation for its proposal notice, its Office of Administrative Law (OAL) document citation (which should be used if ordering a copy of the rule from OAL), and the Register citation for its adoption. At the bottom of the listing for each Title is the date of the most recent Code update for that Title.

The *Index of Adopted Rules* appears in the first Register of each month, complementing the *Index of Proposed Rules* which appears in the second Register of each month. Together, these indices make

available to a Code and Register subscriber all legally effective rules, and enable the subscriber to keep track of all State agency rulemaking activities from the initial proposal through final promulgation.

For any rule not yet published in a Code update, the full text of the proposal notice as published in the Register, plus the full text of any changes published with the adoption notice in the Register, constitute an official copy of the promulgated rule. If the full text of either the proposed rule or any changes does not appear in the Register, it is available for a fee from:

Administrative Filings  
CN 301  
Trenton, New Jersey 08625

**To be certain that you have a copy of each proposed rule which may have been adopted but which does not yet appear in the most recent Code update, you should retain each Register beginning with October 5, 1979.**

## HOW TO USE THE TABLE OF CITATIONS

Generally, the key to locating a particular adopted rule is to find, under the appropriate Administrative Code Title, the N.J.A.C. citation of the rule you are researching. If you do not know the exact citation, scan the column of rule descriptions for the subject of your research.

The N.J.A.C. citation itself indicates the extent of the changes to a rule. Every citation includes, at a minimum, the numerical designation of the title and chapter (**1:30**), and may include subchapter and section designations (**1:30-1.1**). In general, the less specific the citation, the more extensive the rule change. For example, 1:30 means that much or all of chapter 30 of title 1 has been modified; 1:30-1 means that several sections of subchapter 1 of 1:30 have been revised; and 1:30-1.1 means that only section 1 of 1:30-1 has been changed.

An N.J.A.C. citation that includes several section numbers (1:30-1.1, 1.3, 1.4) or several different subchapter and section numbers (1:30-1.1, 2.1, 4.3) means that similar or related changes have been made to those provisions. Additionally, a citation may designate an entirely new rule rather than an amended one.

In general, each rule is listed separately and chronologically. However, where an adoption notice contained several related rule adoptions or amendments within a single chapter, all of those changes may be under a single entry. Therefore, to be certain that you have found all of the changes to a given rule, be sure to scan the citations above and below that rule to find any entries which might contain related rule adoptions, including the one you are researching.

### N.J.A.C. CITATION

### PROPOSAL NOTICE DOCUMENT (N.J.R. CITATION) CITATION (N.J.R. CITATION)

#### ADMINISTRATIVE LAW—TITLE 1

1:1-2.2	Contested cases and OAL jurisdiction	14 N.J.R. 486(a)	R. 1982 d. 467	15 N.J.R. 23(a)
1:1-3.3	Pre-hearing conferences and tape-recording	14 N.J.R. 606(a)	R. 1982 d. 297	14 N.J.R. 975(a)
1:1-3.11	Succession of parties in contested cases	14 N.J.R. 606(b)	R. 1982 d. 295	14 N.J.R. 975(b)
1:1-9.1, 9.2, 9.6, 9.7	Interlocutory review and emergency relief	14 N.J.R. 1182(a)	R. 1982 d. 472	15 N.J.R. 25(a)
1:1-10.1	Pre-hearing conferences by telephone	15 N.J.R. 582(a)	R. 1983 d. 268	15 N.J.R. 1093(a)
1:1-13.2, 13.3, 14.5	Interlocutory review and emergency relief	14 N.J.R. 1182(a)	R. 1982 d. 472	15 N.J.R. 25(a)
1:1-14.1	Consolidation of cases	14 N.J.R. 674(b)	R. 1982 d. 296	14 N.J.R. 975(c)
1:1-16.5	Substantiation of final decisions	14 N.J.R. 608(a)	R. 1982 d. 292	14 N.J.R. 975(d)
1:2-2	Conference hearings and Civil Service cases	15 N.J.R. 66(a)	R. 1983 d. 87	15 N.J.R. 435(a)
1:2-3	"Hearings on the papers" and MV cases	15 N.J.R. 68(a)	R. 1983 d. 86	15 N.J.R. 436(a)
1:2-3.1	Correction: MV cases and "hearings on the papers"	15 N.J.R. 68(a)	R. 1983 d. 86	15 N.J.R. 1243(a)
1:6A	Special Education Program hearing rules	14 N.J.R. 930(a)	R. 1982 d. 462	15 N.J.R. 25(b)
1:6A-2.2, 4.2, 5.5	Special Education Program hearing rules	15 N.J.R. 2(a)	R. 1983 d. 88	15 N.J.R. 437(a)
1:6A-3.3, 4.4, 4.5	Special Education Program hearing rules	15 N.J.R. 451(a)	R. 1983 d. 253	15 N.J.R. 1015(a)
1:6A-5.3	Special Education Program: appeals of ALJ decisions	15 N.J.R. 978(a)	R. 1983 d. 358	15 N.J.R. 1467(a)
1:20	Representation fee hearings before PERC Appeal Board	14 N.J.R. 862(a)	R. 1983 d. 305	15 N.J.R. 1243(b)
1:30	Agency rulemaking	14 N.J.R. 780(a)	R. 1982 d. 466	15 N.J.R. 29(a)
1:30-2.7	Correction: Agency rulemaking	14 N.J.R. 780(a)	R. 1982 d. 466	15 N.J.R. 543(a)
1:30-3.7	Correction: Agency rulemaking	14 N.J.R. 780(a)	R. 1982 d. 466	15 N.J.R. 101(a)
1:31	Organization of OAL	Organizational	R. 1982 d. 291	14 N.J.R. 976(a)
15:15-8.1, 8.2	Repeal rules on Register and Code	14 N.J.R. 366(a)	R. 1982 d. 339	14 N.J.R. 1163(b)

(Title 1, Transmittal 2 dated June 21, 1982)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
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2:2-2.1, 2.6, 2.10, 2.13, 2.14, 2.15, 2.17, 2.18	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d.237	14 N.J.R. 833(a)
2:2-2.3	Calfhood brucellosis vaccination	14 N.J.R. 487(a)	R. 1982 d.234	14 N.J.R. 833(b)
2:2-2.19	Brucellosis testing for intrastate movement	14 N.J.R. 865(a)	R. 1982 d.360	14 N.J.R. 1154(a)
2:3-3.7	Swine brucellosis control	14 N.J.R. 487(b)	R. 1982 d.237	14 N.J.R. 833(a)
2:3-6.2	Goats for exhibition: Disease testing	14 N.J.R. 489(a)	R. 1982 d.235	14 N.J.R. 833(c)
2:3-6.2	Goats for exhibition: Disease testing	14 N.J.R. 489(a)	R. 1982 d.235	14 N.J.R. 833(c)
2:23	Voluntary Gypsy-Moth Suppression Program	15 N.J.R. 370(a)	R. 1983 d.267	15 N.J.R. 1093(b)
2:32-2	Sire Stakes Program	15 N.J.R. 69(a)	R. 1983 d.84	15 N.J.R. 439(a)
2:50-1.1	Dairy farmers and relief from notice of intent	14 N.J.R. 489(b)	R. 1982 d.238	14 N.J.R. 833(d)
2:68-1	Commercial feeding stuffs: Association standards	15 N.J.R. 583(a)	R. 1983 d.325	15 N.J.R. 1372(a)
2:69-1.11	Commercial values of fertilizers	14 N.J.R. 402(a)	R. 1982 d.236	14 N.J.R. 833(e)
2:71-1	Readopted: Quality of Individual Shell Eggs	15 N.J.R. 1050(a)	R. 1983 d.394	15 N.J.R. 1574(a)
2:71-2	Readopted: Grades of Fruits and Vegetables	15 N.J.R. 1051(a)	R. 1983 d.395	15 N.J.R. 1574(b)
2:71-2.28	Fruits and vegetables: rates for inspection services	15 N.J.R. 462(a)	R. 1983 d.312	15 N.J.R. 1245(a)
2:72-1.1	Readopted: Bonding Requirement of Commission Merchants, Dealers, Brokers, Agents	15 N.J.R. 1051(b)	R. 1983 d.396	15 N.J.R. 1574(c)
2:73-2	Readopted: State Seal of Quality for eggs	15 N.J.R. 584(a)	R. 1983 d.313	15 N.J.R. 1245(b)
2:74-1	Readopted: Controlled Atmosphere Storage for Apples	15 N.J.R. 1052(a)	R. 1983 d.397	15 N.J.R. 1574(d)
2:85-1	Repealed: Agricultural Preserve Demonstration Program (Title 2, Transmittal 19 dated June 21, 1982)	15 N.J.R. 371(a)	R. 1983 d.169	15 N.J.R. 889(a)
<b>BANKING—TITLE 3</b>				
3:1-9	Readopted: Home Mortgage Disclosure rules	15 N.J.R. 1146(a)	R. 1983 d.379	15 N.J.R. 1575(a)
3:9.4-9.21	Home mortgage disclosure	15 N.J.R. 4(a)	R. 1983 d.85	15 N.J.R. 439(b)
3:1-10.1	Real property transactions: Executive officer defined	14 N.J.R. 490(a)	R. 1982 d.242	14 N.J.R. 834(a)
3:1-11	"Executive officer" and affiliated persons	14 N.J.R. 490(b)	R. 1982 d.243	14 N.J.R. 834(b)
3:1-14	Revolving Credit Equity Loans	15 N.J.R. 1147(a)	R. 1983 d.378	15 N.J.R. 1575(b)
3:2-2	Repealed: Plain language review of contracts	14 N.J.R. 454(a)	R. 1982 d.213	14 N.J.R. 755(a)
3:6-3	Standardization of executive officer classification	14 N.J.R. 491(a)	R. 1982 d.244	14 N.J.R. 834(c)
3:6-7.1-7.8	Mutual savings banks: Investment restatement accounting	14 N.J.R. 676(a)	R. 1982 d.307	14 N.J.R. 988(a)
3:6-13	Automated teller machines	15 N.J.R. 190(a)	R. 1983 d.286	15 N.J.R. 1179(a)
3:6-14	Foreign banks: Biennial certification fee	15 N.J.R. 6(a)	R. 1983 d.42	15 N.J.R. 330(a)
3:7-4	Readopted: Notice of Maturity on Long Term Time Deposits	15 N.J.R. 1053(a)	R. 1983 d.363	15 N.J.R. 1467(b)
3:7-5, 5.1-5.5	Statement of interest: Officers defined	14 N.J.R. 492(a)	R. 1982 d.245	14 N.J.R. 834(d)
3:11-1.1	Readopted: Approval of banks to exceed 10% limitation on investments	15 N.J.R. 658(b)	R. 1983 d.264	15 N.J.R. 1094(a)
3:11-2.1	Commercial bank lending: Approved subsidiaries	15 N.J.R. 110(a)	R. 1983 d.108	15 N.J.R. 622(a)
3:11-7.2, 7.8, 7.9	Expanded lending limitations	15 N.J.R. 192(a)	R. 1983 d.133	15 N.J.R. 688(a)
3:11-7.7	Time deposit balances and 10 percent limitation	14 N.J.R. 608(b)	R. 1982 d.263	14 N.J.R. 909(a)
3:17-7.1, 7.3	Small loan lenders and second mortgage purchases	15 N.J.R. 111(a)	R. 1983 d.120	15 N.J.R. 622(b)
3:23-2.1	License fees for credit sales and loan businesses	15 N.J.R. 463(a)	R. 1983 d.183	15 N.J.R. 889(b)
3:26-3.1	Readopted: Action upon Detection of Crime	15 N.J.R. 372(a)	R. 1983 d.184	15 N.J.R. 889(c)
3:28-5.1-5.7	Mutual savings and loan: Investment restatement accounting	14 N.J.R. 678(a)	R. 1982 d.306	14 N.J.R. 989(a)
3:38-1	Licensing of mortgage bankers and brokers	14 N.J.R. 571(a)	R. 1982 d.302	14 N.J.R. 977(a)
3:38-2, 3, 4, 5, 6	Mortgage bankers and brokers: Rules of operation (Title 3, Transmittal 18 dated June 21, 1982)	14 N.J.R. 493(a)	R. 1982 d.303	14 N.J.R. 977(b)
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4:1-5.11	Hearings: Decision notification	15 N.J.R. 111(b)	R. 1983 d.100	15 N.J.R. 543(b)
4:1-7.11	Hours of work and compensation	14 N.J.R. 938(a)	R. 1983 d.159	15 N.J.R. 801(a)
4:1-8.3	Notice of examinations	15 N.J.R. 726(a)	R. 1983 d.307	15 N.J.R. 1245(c)
4:1-8.8B	Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d.326	14 N.J.R. 1089(b)
4:1-10.1, 10.2, 10.3, 10.5	Noncompetitive and labor titles	14 N.J.R. 1186(a)	R. 1982 d.496	15 N.J.R. 83(a)
4:1-12.10	Notifying eligibles of certification	14 N.J.R. 940(a)	R. 1983 d.17	15 N.J.R. 141(a)
4:1-13.4	Police and firefighters: Working test periods	14 N.J.R. 115(a)	R. 1982 d.204	14 N.J.R. 709(a)
4:1-15.2	Lateral title change	14 N.J.R. 940(b)	R. 1983 d.340	15 N.J.R. 1372(a)
4:1-16.13	Request for reemployment (local)	15 N.J.R. 272(b)	R. 1983 d.222	15 N.J.R. 1015(b)
4:1-17.16	Advancing of sick leave (State)	14 N.J.R. 299(a)	R. 1982 d.300	14 N.J.R. 978(a)
4:1-18.2, 18.6-18.8	Hours of work and compensation	14 N.J.R. 938(a)	R. 1983 d.159	15 N.J.R. 801(a)
4:1-18.4	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d.18	15 N.J.R. 141(b)
4:1-18.5	Inclement weather emergency policy (State)	15 N.J.R. 273(a)	R. 1983 d.196	15 N.J.R. 889(d)

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4:1-25.1	Public inspection of records	14 N.J.R. 942(a)	R. 1983 d. 134	15 N.J.R. 689(a)
4:2-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326	14 N.J.R. 1089(b)
4:2-6.8	Repealed: (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d. 496	15 N.J.R. 83(a)
4:2-7.1	Repealed (see 4:1-7.11, 18.8)	14 N.J.R. 938(a)	R. 1983 d. 159	15 N.J.R. 801(a)
4:2-10.1, 10.2	Repealed (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d. 496	15 N.J.R. 83(a)
4:2-15.2	Repealed (see 4:1-15.2)	14 N.J.R. 940(b)	R. 1983 d. 340	15 N.J.R. 1372(a)
4:2-17.14	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d. 300	14 N.J.R. 978(a)
4:2-18.1	Repealed (see 4:1-18.5)	15 N.J.R. 273(a)	R. 1983 d. 196	15 N.J.R. 889(d)
4:2-18.4	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d. 18	15 N.J.R. 141(b)
4:2-20.3	Granting of increments after denial	15 N.J.R. 112(a)	R. 1983 d. 164	15 N.J.R. 890(a)
4:2-20.9	Repealed (see 4:1-20.9)	15 N.J.R. 274(a)	R. 1983 d. 306	15 N.J.R. 1246(a)
4:2-20.12	Repealed (see 4:1-25.1)	14 N.J.R. 942(a)	R. 1983 d. 134	15 N.J.R. 689(a)
4:3-2.1	Repealed: Veterans' age reduction	14 N.J.R. 455(a)	R. 1982 d. 326	14 N.J.R. 1089(b)
4:3-6.9	Repealed (see 4:1-10)	14 N.J.R. 1186(a)	R. 1982 d. 496	15 N.J.R. 83(a)
4:3-13.1	Repealed: Formerly CSPM (Local) 13-4.101	14 N.J.R. 115(a)	R. 1982 d. 204	14 N.J.R. 709(a)
4:3-17.6	Repealed: Sick leave advance	14 N.J.R. 299(a)	R. 1982 d. 300	14 N.J.R. 978(a)
4:3-18.1	Repealed: Dual employment rules	14 N.J.R. 941(a)	R. 1983 d. 18	15 N.J.R. 141(b)
4:6	Overtime Committee Rules	14 N.J.R. 1126(a)	R. 1983 d. 158	15 N.J.R. 801(b)

(Title 4, Transmittal 16 dated June 21, 1982)

### COMMUNITY AFFAIRS—TITLE 5

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5:10-1.3	State-local cooperative housing inspection	15 N.J.R. 1054(a)	R. 1983 d. 389	15 N.J.R. 1575(c)
5:10-1.4	Row houses and multiple dwelling jurisdiction	15 N.J.R. 375(a)	R. 1983 d. 156	15 N.J.R. 803(a)
5:10-1.4, 1.6	Row house and retirement community fire safety	15 N.J.R. 1054(b)	R. 1983 d. 388	15 N.J.R. 1576(a)
5:10-1.17	Readopted: Hotel and multiple dwelling inspection fees	14 N.J.R. 909(b)	R. 1982 d. 334	14 N.J.R. 1089(c)
5:10-2.2	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363	13 N.J.R. 704(a)
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5:10-25.3	Hotels and multiple dwellings	13 N.J.R. 387(b)	R. 1981 d. 363	13 N.J.R. 704(a)
5:11-2.1	Emergency relocation benefits	15 N.J.R. 6(b)	R. 1983 d. 59	15 N.J.R. 330(b)
5:11-3.2	Duplicate rental assistance	14 N.J.R. 72(a)	R. 1982 d. 71	14 N.J.R. 278(a)
5:11-3.11	Emergency relocation benefits	15 N.J.R. 6(b)	R. 1983 d. 59	15 N.J.R. 330(b)
5:11-9.2	Relocation assistance hearings	13 N.J.R. 186(d)	R. 1981 d. 183	13 N.J.R. 332(a)
5:11-9.2	Parties to relocation assistance hearing	14 N.J.R. 1188(a)	R. 1982 d. 487	15 N.J.R. 83(b)
5:12	Repeal State aid for urban renewal projects	13 N.J.R. 187(a)	R. 1981 d. 180	13 N.J.R. 333(a)
5:12	Plain language review of residential leases	13 N.J.R. 473(a)	R. 1981 d. 424	13 N.J.R. 782(b)
5:12	Repealed: Plain language review of leases	14 N.J.R. 222(a)	R. 1982 d. 139	14 N.J.R. 426(a)
5:13-1.1, 1.5, 1.19, 1.20, 1.25, 1.27	Limited dividend and nonprofit housing corporations	15 N.J.R. 193(a)	R. 1983 d. 145	15 N.J.R. 803(b)
5:13-1.3, 1.21-1.24, 1.26	Repealed	15 N.J.R. 193(a)	R. 1983 d. 145	15 N.J.R. 803(b)
5:17	Expiration date for retirement community disclosure	13 N.J.R. 560(d)	R. 1981 d. 425	13 N.J.R. 782(c)
5:21	Repealed: Uniform standards for mobile homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:22-1.4	Residential tax exemptions: additions and improvements	15 N.J.R. 586(a)	R. 1983 d. 258	15 N.J.R. 1094(b)
5:22-2.6	Multiple dwelling exemptions and tax list designations (joint adoption, see 18:12-6A.8)	14 N.J.R. 72(b)	R. 1982 d. 78	14 N.J.R. 278(b)
5:23	Readopted: Uniform Construction Code	14 N.J.R. 1247(a)	R. 1983 d. 144	15 N.J.R. 803(c)
5:23-1.4	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-1.4, -2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d. 134	13 N.J.R. 258(b)
5:23-2.5	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-2.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d. 462	13 N.J.R. 885(d)
5:23-2.6	Uniform Construction Code inspections	13 N.J.R. 187(b)	R. 1981 d. 182	13 N.J.R. 333(b)
5:23-2.8	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-2.38	Licensing	14 N.J.R. 734(a)	R. 1982 d. 436	14 N.J.R. 1449(a)
5:23-3	Uniform Construction Code	13 N.J.R. 121(a)	R. 1981 d. 132	13 N.J.R. 258(d)
5:23-3.2	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-3.3	Uniform Construction Code interpretations	13 N.J.R. 561(a)	R. 1981 d. 454	13 N.J.R. 886(a)
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5:23-3.8A	Products violating the Uniform Construction Code	15 N.J.R. 587(a)	R. 1983 d. 296	15 N.J.R. 1247(a)
5:23-3.9	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-3.14, 3.15	Building and plumbing subcode supplements	14 N.J.R. 1326(a)	R. 1983 d. 12	15 N.J.R. 141(c)
5:23-4.3	Temporary appointments of municipal code officials	13 N.J.R. 863(a)	R. 1982 d. 23	14 N.J.R. 142(b)
5:23-4.6	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d. 7	14 N.J.R. 142(a)
5:23-4.8	Uniform Construction Code	13 N.J.R. 120(a)	R. 1981 d. 133	13 N.J.R. 258(c)
5:23-4.8	Interlocal Construction Code enforcement (recodified as 5:23-4.17(d))	14 N.J.R. 495(a)	R. 1982 d. 401	14 N.J.R. 1300(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
5:23-4.8(c)	Now codified as 5:23-4.19	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.8, 4.10	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.7	14 N.J.R. 142(a)
5:23-4.10A	Manufactured homes	13 N.J.R. 717(a)	R. 1982 d.42	14 N.J.R. 233(a)
5:23-4.10A	Recodified as 5:23-4.25A	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-4.15, 4.26	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-4.17, 4.20	UCC enforcing agency fees	14 N.J.R. 943(a)	R. 1982 d.402	14 N.J.R. 1300(b)
5:23-4.19	Remitting of UCC training fees	14 N.J.R. 456(a)	R. 1982 d.220	14 N.J.R. 755(b)
5:23-4.20	Uniform Construction Code: Periodic inspection fees	14 N.J.R. 1129(a)	R. 1982 d.463	15 N.J.R. 32(a)
5:23-4.20	Correction: UCC periodic inspection fees	14 N.J.R. 1129(a)	R. 1982 d.463	15 N.J.R. 84(a)
5:23-4.25A	Manufactured homes standards	14 N.J.R. 496(a)	R. 1982 d.232	14 N.J.R. 834(e)
5:23-5.2	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:23-5.2, 5.9, 5.11	Licensing	14 N.J.R. 734(a)	R. 1982 d.436	14 N.J.R. 1449(a)
5:23-5.3, 5.5	Uniform Construction Code	13 N.J.R. 390(a)	R. 1981 d.462	13 N.J.R. 885(d)
5:23-5.5	Uniform Construction Code	13 N.J.R. 635(a)	R. 1981 d.463	13 N.J.R. 886(c)
5:23-5.5	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.5	Fire subcode officials and construction licensing	14 N.J.R. 8(a)	R. 1982 d.56	14 N.J.R. 234(a)
5:23-5.5, 5.6, 5.7	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.8, 5.9	Licensing of Code officials	13 N.J.R. 801(a)	R. 1982 d.10	14 N.J.R. 143(b)
5:23-5.11	Code enforcement (provisional) licensees	13 N.J.R. 799(b)	R. 1982 d.8	14 N.J.R. 143(a)
5:23-5.11	Uniform Construction Code	13 N.J.R. 119(a)	R. 1981 d.134	13 N.J.R. 258(b)
5:24-1.3	Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 258(e)
5:24-1.3	Correction: Condominium and cooperative conversion	13 N.J.R. 70(a)	R. 1981 d.131	13 N.J.R. 333(c)
5:24-1.4, 1.5, 1.12	Condominium and cooperative conversion	13 N.J.R. 392(a)	R. 1981 d.354	13 N.J.R. 562(a)
5:24-2	Protected tenancy for disabled and seniors	13 N.J.R. 802(a)	R. 1982 d.9	14 N.J.R. 144(a)
5:25-2.8	Restoration of builders' registrations	14 N.J.R. 9(a)	R. 1982 d.55	14 N.J.R. 234(b)
5:25-3.1	New home warranty and mixed use property	13 N.J.R. 863(b)	R. 1982 d.22	14 N.J.R. 145(a)
5:25-5.5	New home warranties and builders' registration	13 N.J.R. 187(c)	R. 1981 d.181	13 N.J.R. 333(d)
5:25-5.5	Warranty coverage claims	14 N.J.R. 944(a)	R. 1982 d.386	14 N.J.R. 1210(a)
5:26	Planned real estate development full disclosure	12 N.J.R. 631(b)	R. 1981 d.130	13 N.J.R. 259(a)
5:26-2.4	Registration fees for planned developments	14 N.J.R. 609(a)	R. 1982 d.260	14 N.J.R. 912(a)
5:26-2.4	Planned real estate development registration fees	15 N.J.R. 1059(a)	R. 1983 d.370	15 N.J.R. 1468(a)
5:26-2.4, 3.1, 10.5	Planned real estate development full disclosure	13 N.J.R. 474(a)	R. 1981 d.365	13 N.J.R. 704(b)
5:27	Rooming and boarding houses	13 N.J.R. 393(a)	R. 1981 d.359	13 N.J.R. 704(c)
5:27-1.5	Certificate of occupancy for boarding house change of use	15 N.J.R. 821(a)	R. 1983 d.342	15 N.J.R. 1468(b)
5:27-1.6	Rooming and boarding houses: License fees	15 N.J.R. 7(a)	R. 1983 d.60	15 N.J.R. 330(c)
5:27-1.6, 2.1	Multi-building rooming and boarding houses	14 N.J.R. 1075(a)	R. 1982 d.422	14 N.J.R. 1365(a)
5:27-1.6	Rooming and boarding houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435	13 N.J.R. 842(e)
5:27-2.1	Fire safety in boarding houses;	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:27-3.2	Rooming houses and discrimination	13 N.J.R. 562(b)	R. 1981 d.435	13 N.J.R. 842(e)
5:27-3.5	Boarding houses: Non-ambulatory residents	14 N.J.R. 499(a)	R. 1982 d.379	14 N.J.R. 1211(a)
5:27-3.12	Limited tenure residents and boarding houses	15 N.J.R. 375(b)	R. 1983 d.157	15 N.J.R. 804(a)
5:27-4.8, 5.1, 5.3, 5.8, 5.9	Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:27-5.1	Fire drills in rooming houses	14 N.J.R. 1248(a)	R. 1982 d.490	15 N.J.R. 84(b)
5:27-5.3	Correction: Fire safety in boarding houses	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1300(c)
5:27-10.6	Boarding houses: self-administration of medicine	14 N.J.R. 499(a)	R. 1982 d.379	14 N.J.R. 1211(a)
5:27-12	Safety improvement loans	14 N.J.R. 496(b)	R. 1982 d.378	14 N.J.R. 1210(b)
5:27-12.2	Boarding houses: rental assistance agreements	15 N.J.R. 587(b)	R. 1983 d.251	15 N.J.R. 1015(c)
5:29	Petitions for rules	13 N.J.R. 259(b)	R. 1981 d.242	13 N.J.R. 395(a)
5:30	Readopted: Local Finance Board rules	15 N.J.R. 463(b)	R. 1983 d.277	15 N.J.R. 1180(a)
5:30	Correction: Local Finance Board rules	15 N.J.R. 463(b)	R. 1983 d.277	15 N.J.R. 1373(b)
5:30-1.11	Realized revenue analysis report	13 N.J.R. 475(a)	R. 1981 d.381	13 N.J.R. 755(a)
5:30-3.3	"Dedication by rider" to local budgets	14 N.J.R. 301(a)	R. 1982 d.186	14 N.J.R. 654(a)
5:30-3.4	Filing of municipal budget amendments	13 N.J.R. 188(a)	R. 1981 d.216	13 N.J.R. 395(b)
5:30-9.2	Form of tax collection record	13 N.J.R. 121(b)	R. 1981 d.122	13 N.J.R. 260(a)
5:30-9.3	Tax collector examination	13 N.J.R. 70(d)	R. 1981 d.121	13 N.J.R. 260(b)
5:70	Congregate Housing Services Program	14 N.J.R. 609(b)	R. 1982 d.272	14 N.J.R. 912(b)
5:71	County offices on aging	13 N.J.R. 395(c)	R. 1981 d.356	13 N.J.R. 563(a)
5:80-4.1	NJHFA: Debarment and suspension	12 N.J.R. 385(a)	R. 1981 d.255	13 N.J.R. 397(a)
5:80-5	Housing Finance Agency: transfer of ownership interests	15 N.J.R. 822(a)	R. 1983 d.315	15 N.J.R. 1373(c)
5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d.288	14 N.J.R. 983(a)
5:100-1.5, 1.6	Ombudsman for institutionalized elderly	15 N.J.R. 588(a)	R. 1983 d.215	15 N.J.R. 1016(a)
5:100-2	Ombudsman for institutionalized elderly	15 N.J.R. 588(a)	R. 1983 d.215	15 N.J.R. 1016(a)

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#### EDUCATION--TITLE 6

6:2-1.1, 1.2,	Filing appeals before State Board	14 N.J.R. 261(a)	R. 1982 d.268	14 N.J.R. 913(a)
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N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
1.7-1.19				
6:3-1	School districts: general provisions	15 N.J.R. 376(a)	R. 1983 d. 248	15 N.J.R. 1016(b)
6:3-1.10	School districts: standards for determining seniority	15 N.J.R. 464(a)	R. 1983 d. 255	15 N.J.R. 1017(a)
6:3-3	Readopted: Withdrawal from Limited Purpose Regional School Districts	15 N.J.R. 728(a)	R. 1983 d. 368	15 N.J.R. 1468(c)
6:11-3.3	Fees for certificates and transcript evaluation	14 N.J.R. 1188(b)	R. 1983 d. 40	15 N.J.R. 244(a)
6:11-3.12, 4.7	County substitute certification: School nurse, athletic coach	14 N.J.R. 1010(a)	R. 1982 d. 486	15 N.J.R. 84(c)
6:11-7	Repealed existing subchapter	14 N.J.R. 456(b)	R. 1982 d. 269	14 N.J.R. 914(a)
6:11-7.1	State Approval of Teacher Education	14 N.J.R. 456(b)	R. 1982 d. 269	14 N.J.R. 914(a)
6:20-3.1	Building use charge by receiving districts	14 N.J.R. 499(b)	R. 1982 d. 270	14 N.J.R. 914(b)
6:20-3.1	Correction: Operative date of building use charge	14 N.J.R. 499(b)	R. 1982 d. 270	14 N.J.R. 978(b)
6:20-4.1, 4.2	Tuition for private schools for handicapped	15 N.J.R. 730(a)	R. 1983 d. 369	15 N.J.R. 1469(a)
6:21-5.1-5.12	Standards for school buses	15 N.J.R. 383(a)	R. 1983 d. 247	15 N.J.R. 1019(a)
6:21-6, 18, 19	Repealed: see 6:21-5.1-5.12	15 N.J.R. 383(a)	R. 1983 d. 247	15 N.J.R. 1019(a)
6:28	Readopted: Special Education rules	15 N.J.R. 732(a)	R. 1983 d. 348	15 N.J.R. 1470(a)
6:28-5.10, 5.11, 6.10, 6.11	Approval of auxiliary services for private school students	14 N.J.R. 617(a)	R. 1982 d. 316	14 N.J.R. 1054(a)
6:29-6.3	County substitute certification: Athletic coach	14 N.J.R. 1010(a)	R. 1982 d. 486	15 N.J.R. 84(c)
6:53	Vocational education safety standards	14 N.J.R. 619(a)	R. 1982 d. 368	14 N.J.R. 1154(b)
6:64-2.1-2.4	County library reorganization	15 N.J.R. 194(a)	R. 1983 d. 199	15 N.J.R. 890(b)
6:66	Archives and History and Records Management: transferred to Department of State by Governor's Reorganization Plan			15 N.J.R. 818(a)
6:66-2.15, 2.17, 2.20, 2.21, 3.12, 3.13	Records Management: microfilm systems and standards	15 N.J.R. 590(a)	R. 1983 d. 241	15 N.J.R. 1019(b)
6:68-4.1-4.9	Library Construction Incentive Act rules	15 N.J.R. 196(a)	R. 1983 d. 198	15 N.J.R. 890(c)
6:72-77	State Museum: transferred to Department of State by Governor's Reorganization Plan			15 N.J.R. 270
6:79-1.9, 1.11	Child nutrition program changes	14 N.J.R. 1248(b)	R. 1983 d. 71	15 N.J.R. 440(a)
<b>(Title 6, Transmittal 18 dated June 21, 1982)</b>				
<b>ENVIRONMENTAL PROTECTION-TITLE 7</b>				
7:1A	Water Supply Bond Act loans	14 N.J.R. 10(a)	R. 1982 d. 167	14 N.J.R. 573(c)
7:1A	Extension of application closing date	Public Notice	R. 1982 d. 167	14 N.J.R. 1172(a)
7:1A-2.5, 2.12, 2.13	Water Supply Bond Act loans	14 N.J.R. 499(c)	R. 1982 d. 281	14 N.J.R. 915(a)
7:1A-3	Emergency interim repair of water systems	14 N.J.R. 1075(b)	R. 1983 d. 26	15 N.J.R. 141(d)
7:1C-1.5	Fees for 90-day construction permits	13 N.J.R. 123(c)	R. 1981 d. 187	13 N.J.R. 334(b)
7:1C-1.5	Maximum fees for waterfront development permits	13 N.J.R. 564(a)	R. 1981 d. 473	13 N.J.R. 943(b)
7:1C-1.13	90-day construction permits	Procedural	R. 1981 d. 48	13 N.J.R. 128(b)
7:1H-3.4	County fees for solid waste enforcement activities	14 N.J.R. 1328(a)	R. 1983 d. 50	15 N.J.R. 330(d)
7:2	Readopted: State Park Service rules	15 N.J.R. 822(b)	R. 1983 d. 320	15 N.J.R. 1373(d)
7:6-1.37	Water skiing events on private lakes	15 N.J.R. 765(a)	R. 1983 d. 280	15 N.J.R. 1180(b)
7:7-2	Waterfront development permits	13 N.J.R. 73(c)	R. 1981 d. 355	13 N.J.R. 564(b)
7:7A-1.13	Correction to Code: Wetlands maps			14 N.J.R. 1403(a)
7:7A-1.13	Wetlands maps in Atlantic County	15 N.J.R. 119(a)	R. 1983 d. 335	15 N.J.R. 1374(a)
7:7A-1.13	Wetlands maps in Cape May County	15 N.J.R. 119(a)	R. 1983 d. 401	15 N.J.R. 1576(b)
7:7A-1.13	Wetlands maps in Cumberland County	14 N.J.R. 1330(a)	R. 1983 d. 402	15 N.J.R. 1576(a)
7:7D-2.3, 2.5, 2.8	CAFRA procedural rules	13 N.J.R. 75(a)	R. 1981 d. 267	13 N.J.R. 401(b)
7:7E	Coastal Management Program: "Routine implementation" determination			14 N.J.R. 1467(b)
7:7E-5.3, 5.6, 5.7	Coastal resource and development	14 N.J.R. 1129(b)	R. 1983 d. 27	15 N.J.R. 142(a)
7:7F	Shore Protection Program	14 N.J.R. 865(b)	R. 1982 d. 421	14 N.J.R. 1365(b)
7:8	Storm water management	14 N.J.R. 1022(a)	R. 1983 d. 24	15 N.J.R. 142(b)
7:9-2	Readopted: rules on individual subsurface disposal systems	15 N.J.R. 591(a)	R. 1983 d. 243	15 N.J.R. 1042(a)
7:9-4, -5, -6	Water quality standards	12 N.J.R. 108(c)	R. 1981 d. 80	13 N.J.R. 194(b)
7:9-8, -11, -14	Repealed	12 N.J.R. 108(c)	R. 1981 d. 80	13 N.J.R. 194(b)
7:9-10.2, 10.3, 10.9	Pinelands and coastal area sewerage approval	14 N.J.R. 504(a)	R. 1982 d. 298	14 N.J.R. 979(a)
7:9-10.4, 10.5, 10.6	One-year suspension of rules	14 N.J.R. 504(a)	R. 1982 d. 298	14 N.J.R. 979(a)
7:9-13.3, 13.5, 13.6	Sewer extension ban	12 N.J.R. 639(b)	R. 1981 d. 224	13 N.J.R. 402(a)
7:10	Readopted: Safe Drinking Water Act rules	15 N.J.R. 592(a)	R. 1983 d. 244	15 N.J.R. 1019(c)
7:10-8	Repealed: See 7:18	13 N.J.R. 260(d)	R. 1981 d. 279	13 N.J.R. 481(c)
7:11-2	Consolidated Rate Schedule: D&R Canal and Spruce Run-Round Valley	15 N.J.R. 122(a)	R. 1983 d. 191	15 N.J.R. 891(a)
7:11-2, -4	Water rate schedule: D and R, Spruce Run-Round Valley	14 N.J.R. 681(a)	R. 1982 d. 455	14 N.J.R. 1449(b)
7:11-4	Repealed (see 7:11-2)	15 N.J.R. 122(a)	R. 1983 d. 191	15 N.J.R. 891(a)
7:12	Readopted: Shellfish-Growing Water Classification	15 N.J.R. 595(a)	R. 1983 d. 249	15 N.J.R. 1020(a)

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7:12-1.1, 1.3	Condemnation of certain shellfish beds	13 N.J.R. 191(b)	R. 1981 d. 190	13 N.J.R. 339(b)
7:12-1.2-1.5	Shellfish beds: Reclassification	14 N.J.R. 310(a)	R. 1982 d. 182	14 N.J.R. 655(a)
7:12-1.3	Condemnation of certain shellfish areas	13 N.J.R. 566(a)	R. 1981 d. 431	13 N.J.R. 755(b)
7:12-2	Shellfish waters condemnation	13 N.J.R. 191(b)	R. 1981 d. 190	13 N.J.R. 339(b)
7:13-1.11(b)7	Flood plain delineation of Great Egg Harbor River	12 N.J.R. 506(a)	R. 1981 d. 88	13 N.J.R. 194(d)
7:13-1.11(b)8	Flood plain delineation of Mullica River and tributaries	12 N.J.R. 506(b)	R. 1981 d. 7	13 N.J.R. 194(e)
7:13-1.11(d)49	Flood hazard area delineations	12 N.J.R. 640(b)	R. 1981 d. 144	13 N.J.R. 339(c)
7:13-1.11(d)50	Flood hazard area delineations	12 N.J.R. 640(a)	R. 1981 d. 145	13 N.J.R. 340(a)
7:13-1.11(c)17	Delaware Basin floodway delineations	13 N.J.R. 805(a)	R. 1982 d. 154	14 N.J.R. 472(b)
7:13-1.11(b)9	Floodway delineations along Tuckahoe River	13 N.J.R. 921(a)	R. 1982 d. 155	14 N.J.R. 473(a)
7:13-1.11(d)47	Floodway delineations in Hackensack basin	14 N.J.R. 19(a)	R. 1982 d. 156	14 N.J.R. 473(b)
7:13-1.11(d)39	Floodway delineations: Woodbridge and Rahway rivers	13 N.J.R. 920(a)	R. 1982 d. 157	14 N.J.R. 473(c)
7:13-1.11(b)5	Delineated streams along Upper Mullica River	14 N.J.R. 367(b)	R. 1982 d. 209	14 N.J.R. 755(c)
7:13-1.11(d)31	Delineated streams in Somerset County	14 N.J.R. 367(a)	R. 1982 d. 392	14 N.J.R. 1211(b)
7:13-1.11(d)42	Floodway delineations in Union County	14 N.J.R. 870(a)	R. 1982 d. 428	14 N.J.R. 1365(c)
7:13-1.11(b)6	Floodway delineations along Cedar Creek, Lacey Twp.	14 N.J.R. 683(a)	R. 1982 d. 430	14 N.J.R. 1365(d)
7:13-1.11(c)2	Floodway delineations along Big Timber Creek	14 N.J.R. 505(a)	R. 1982 d. 431	14 N.J.R. 1366(a)
7:13-1.11(c)27	Floodway delineations along Pond Run, Mercer County	14 N.J.R. 506(a)	R. 1982 d. 432	14 N.J.R. 1366(b)
7:13-1.11(d)48	Floodway delineations in Morris County	14 N.J.R. 870(b)	R. 1982 d. 453	14 N.J.R. 1451(a)
7:13-1.11(d)48	Floodway delineations in Essex County	14 N.J.R. 1027(a)	R. 1982 d. 478	15 N.J.R. 322(b)
7:13-1.11(d)1	Floodway delineations in Hunterdon County	14 N.J.R. 1131(b)	R. 1983 d. 109	15 N.J.R. 622(c)
7:13-1.11(c)28	Floodway delineations in Burlington County	14 N.J.R. 1434(a)	R. 1983 d. 135	15 N.J.R. 689(b)
7:13-1.11(d)42	Floodway delineations in Somerset-Union counties	14 N.J.R. 1131(a)	R. 1983 d. 136	15 N.J.R. 690(a)
7:13-1.11(c)29	Floodway delineations in Monmouth County	14 N.J.R. 1134(a)	R. 1983 d. 168	15 N.J.R. 893(a)
7:13-1.11(b)10	Flood delineations in Ocean-Monmouth counties	14 N.J.R. 1189(a)	R. 1983 d. 197	15 N.J.R. 894(a)
7:13-1.11(d)47	Floodway delineation along Mill Brook in Montvale	15 N.J.R. 989(a)	R. 1983 d. 405	15 N.J.R. 1576(d)
7:13-1.11	Readopted: Delineated Floodway rules	15 N.J.R. 839(a)	R. 1983 d. 321	15 N.J.R. 1374(b)
7:14	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:14-2	Construction of wastewater treatment facilities	14 N.J.R. 75(a)	R. 1982 d. 338	14 N.J.R. 1155(b)
7:14-2.12	Correction: Select trench backfill payment width	14 N.J.R. 75(a)	R. 1982 d. 338	15 N.J.R. 440(b)
7:14-5, App. A	Statewide septage management	13 N.J.R. 124(a)	R. 1982 d. 82	14 N.J.R. 336(c)
7:14A	Conditions for users of DTW	12 N.J.R. 569(f)	R. 1981 d. 84	13 N.J.R. 194(c)
7:14A	Readopted: NJPDES permit program rules	15 N.J.R. 606(a)	R. 1983 d. 260	15 N.J.R. 1094(c)
7:14A-1.8, 1.9, 2.1	Fee schedule for NJPDES permittees	14 N.J.R. 684(a)	R. 1982 d. 495	15 N.J.R. 85(a)
7:14A-1.9	Water quality: Underground injection control	14 N.J.R. 1136(a)	R. 1983 d. 9	15 N.J.R. 145(a)
7:14A-4	Industrial waste management facilities	12 N.J.R. 569(f)	R. 1981 d. 373	13 N.J.R. 705(a)
7:14A-4.2, 4.3	Hazardous waste management	14 N.J.R. 1137(a)	R. 1983 d. 25	15 N.J.R. 146(a)
7:14A-4.3	"Wastewater treatment unit" defined	14 N.J.R. 506(b)	R. 1982 d. 310	14 N.J.R. 1054(b)
7:14A-5.11, 5.13, 5.15, 5.16	Underground injection control	14 N.J.R. 1136(a)	R. 1983 d. 9	15 N.J.R. 145(a)
7:14A-11, 13.1	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d. 97	14 N.J.R. 338(a)
7:14A-13.4	Pollutant discharge and waste management	13 N.J.R. 89(a)	R. 1981 d. 214	13 N.J.R. 403(a)
7:17	Hard clam depuration pilot plant program	12 N.J.R. 253(a)	R. 1981 d. 56	13 N.J.R. 194(a)
7:18	Laboratory certification and standards of performance	13 N.J.R. 260(d)	R. 1981 d. 279	13 N.J.R. 481(c)
7:19	Water diversion and water supply allocation permits	13 N.J.R. 639(a)	R. 1981 d. 488	14 N.J.R. 42(a)
7:19-3	Water diversion fees for non-growing use	14 N.J.R. 459(a)	R. 1982 d. 239	14 N.J.R. 834(f)
7:19-3.9	Annual review: fee schedule for water supply allocation			15 N.J.R. 950(a)
7:19-4	Diversion assessment and payment for public water supply	15 N.J.R. 276(a)	R. 1983 d. 400	15 N.J.R. 1577(a)
7:21	Water policy and supply council	Organizational	R. 1981 d. 366	13 N.J.R. 705(b)
7:22	Natural Resources Bond Fund	13 N.J.R. 481(d)	R. 1981 d. 456	13 N.J.R. 886(d)
7:23-2	Flood control bond grants	13 N.J.R. 192(a)	R. 1981 d. 223	13 N.J.R. 403(b)
7:24	Dam restoration grants	13 N.J.R. 9(a)	R. 1981 d. 104	13 N.J.R. 195(b)
7:25-2	Use of Wildlife Management Areas	15 N.J.R. 840(a)	R. 1983 d. 336	15 N.J.R. 1374(c)
7:25-2.14	Field trials and horseback riding permits	15 N.J.R. 387(a)	R. 1983 d. 185	15 N.J.R. 894(b)
7:25-4.6	Nongame and exotic wildlife inspection	13 N.J.R. 806(a)	R. 1981 d. 513	14 N.J.R. 102(a)
7:25-5	Game Code	13 N.J.R. 262(a)	R. 1981 d. 253	13 N.J.R. 403(c)
7:25-5	1982-83 Game Code	14 N.J.R. 402(b)	R. 1982 d. 212	14 N.J.R. 755(d)
7:25-5.13, 5.28, 5.29	1982-83 Game Code changes	14 N.J.R. 871(a)	R. 1982 d. 351	14 N.J.R. 1158(a)
7:25-5	1983-1984 Game Code	15 N.J.R. 771(a)	R. 1983 d. 302	15 N.J.R. 1247(b)
7:25-6	1982-1983 Fish Code	13 N.J.R. 483(a)	R. 1981 d. 470	13 N.J.R. 887(a)
7:25-6	1983 Fish Code	14 N.J.R. 872(a)	R. 1982 d. 429	14 N.J.R. 1366(c)
7:25-7.2	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d. 189	13 N.J.R. 340(b)
7:25-7.10	Taking of oysters	13 N.J.R. 125(a)	R. 1981 d. 199	13 N.J.R. 403(d)
7:25-7.10	Senior citizen's oyster license	14 N.J.R. 629(a)	R. 1982 d. 337	14 N.J.R. 1158(b)
7:25-7.13	Crab dredging	13 N.J.R. 125(b)	R. 1981 d. 200	13 N.J.R. 404(a)
7:25-9.1	Taking of hard clams: size tolerance control	14 N.J.R. 689(a)	R. 1983 d. 270	15 N.J.R. 1095(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7:25-9.2	Hard clam harvest penalties	13 N.J.R. 404(b)	R. 1981 d.362	13 N.J.R. 706(a)
7:25-9.4	Bay scallops	13 N.J.R. 126(a)	R. 1981 d.256	13 N.J.R. 404(c)
7:25-12.1	Sea clam harvesting	Emergency	R. 1981 d.448	13 N.J.R. 843(a)
7:25-12.1	Harvest of sea clams	13 N.J.R. 613(a)	R. 1981 d.486	13 N.J.R. 943(c)
7:25-12.1	1982 sea clam harvest limits	Emergency	R. 1982 d.80	14 N.J.R. 288(a)
7:25-12.1	Sea clam harvest	14 N.J.R. 881(a)	R. 1982 d.393	14 N.J.R. 1213(a)
7:25-14	Atlantic Coast crabbing	13 N.J.R. 262(b)	R. 1981 d.299	13 N.J.R. 546(a)
7:25-14	Crab pots	15 N.J.R. 388(b)	R. 1983 d.291	15 N.J.R. 1181(a)
7:25-14.8-14.10	Crab harvesting	13 N.J.R. 645(a)	R. 1982 d.169	14 N.J.R. 578(a)
7:25-15.1	Hard clam relay program	13 N.J.R. 645(b)	R. 1982 d.117	14 N.J.R. 387(a)
7:25-15.1	Readopted: Relay of hard clams	14 N.J.R. 1055(a)	R. 1982 d.411	14 N.J.R. 1300(d)
7:25-16.1	Upstream line revisions	13 N.J.R. 484(a)	R. 1981 d.469	13 N.J.R. 887(b)
7:25-16.1	Upstream fishing lines	14 N.J.R. 882(a)	R. 1982 d.454	14 N.J.R. 1451(b)
7:25-18A	Readopted: Fisheries closures and advisories	15 N.J.R. 39(a)	R. 1983 d.102	15 N.J.R. 543(c)
7:25-21	Terrapin	13 N.J.R. 126(b)	R. 1981 d.198	13 N.J.R. 405(a)
7:25-22.1	Marine finfish: Menhaden season	14 N.J.R. 945(a)	R. 1983 d.137	15 N.J.R. 690(b)
7:25A-1.1	Emergency: Oyster dredging license moratorium	Emergency	R. 1981 d.94	13 N.J.R. 195(a)
7:25A-1.1, 1.2	Oyster dredging licenses	13 N.J.R. 192(b)	R. 1981 d.188	13 N.J.R. 340(c)
7:25A-1.1, 1.2, 2.1, 2.3-2.5	Oyster dredging and management	15 N.J.R. 990(a)	R. 1983 d.351	15 N.J.R. 1473(a)
7:25A-2.1-2.7	Oyster management in Delaware Bay	13 N.J.R. 192(c)	R. 1981 d.197	13 N.J.R. 405(b)
7:25A-3.1	Oyster seed beds recodification	13 N.J.R. 193(a)	R. 1981 d.189	13 N.J.R. 340(b)
7:25A-3.1	1982 seed oyster season	14 N.J.R. 264(a)	R. 1982 d.148	14 N.J.R. 426(b)
7:25A-3.1	1983 oyster seed bed season	15 N.J.R. 200(a)	R. 1983 d.161	15 N.J.R. 804(b)
7:26-1	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)
7:26-1	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-1.1	Pollutant discharge and waste management	12 N.J.R. 569(f)	R. 1981 d.84	13 N.J.R. 194(c)
7:26-1.1, 1.4	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-1.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d.324	14 N.J.R. 1089(d)
7:26-1.4	Correction: Hazardous waste management	14 N.J.R. 1137(a)	R. 1983 d.25	15 N.J.R. 333(a)
7:26-1.4	Sanitary landfill closure and post-closure	14 N.J.R. 883(a)	R. 1983 d.192	15 N.J.R. 894(c)
7:26-1.4	Hazardous waste: gas cylinder facility exemption	15 N.J.R. 390(a)	R. 1983 d.350	15 N.J.R. 1474(a)
7:26-1.7	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-1.8	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:26-2.9, 2.13	Sanitary landfill closure and post-closure	14 N.J.R. 883(a)	R. 1983 d.192	15 N.J.R. 894(c)
7:26-2.14	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-3.2,4.7	Solid waste collection and haulage	Procedural	R. 1981 d.49	13 N.J.R. 129(a)
7:26-3.8	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-4	Readopted: solid waste fee schedules	15 N.J.R. 662(a)	R. 1983 d.269	15 N.J.R. 1095(b)
7:26-4.7	Registration of hazardous waste collector/haulers	14 N.J.R. 368(a)	R. 1982 d.289	14 N.J.R. 979(b)
7:26-4.10	County fees for solid waste enforcement activities	14 N.J.R. 1328(a)	R. 1983 d.50	15 N.J.R. 330(d)
7:26-5.5	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-6	Interdistrict and intradistrict solid waste flow	14 N.J.R. 1027(b)	R. 1982 d.434	14 N.J.R. 1368(a)
7:26-6	Correction: Interdistrict and intradistrict solid waste flow	14 N.J.R. 1027(b)	R. 1982 d.434	15 N.J.R. 900(a)
7:26-7, -8	Solid waste administration	12 N.J.R. 511(a)	R. 1981 d.281	13 N.J.R. 484(b)
7:26-7.4	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d.324	14 N.J.R. 1089(d)
7:26-7.4, 7.5, 7.7	Waste oil management as hazardous material	14 N.J.R. 20(a)	R. 1982 d.494	15 N.J.R. 88(a)
7:26-7.6	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-8.13, 8.15	Waste oil management	14 N.J.R. 20(a)	R. 1982 d.494	15 N.J.R. 88(a)
7:26-8.13, 8.16	Dioxin and dibenzofuran contamination	Emergency	R. 1983 d.292	15 N.J.R. 1184(a)
7:26-8.16	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-9	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-9.1, 9.5, 9.9	Hazardous waste management	14 N.J.R. 1138(a)	R. 1982 d.433	14 N.J.R. 1367(a)
7:26-9.1, 9.2, 9.4,-10, 11.2, 11.3, 11.5, 11.7, 12.1, 12.2	Hazardous waste management	13 N.J.R. 567(a)	R. 1982 d.324	14 N.J.R. 1089(d)
7:26-9.1, 12.1	Gas cylinder facility exemption	15 N.J.R. 390(a)	R. 1983 d.350	15 N.J.R. 1474(a)
7:26-11, -12	Hazardous waste management	12 N.J.R. 511(a)	R. 1981 d.370	13 N.J.R. 706(b)
7:26-12.2	Hazardous waste management	13 N.J.R. 724(a)	R. 1982 d.97	14 N.J.R. 338(a)
7:26-12.3	Permits for existing hazardous waste facilities	15 N.J.R. 1063(a)	R. 1983 d.403	15 N.J.R. 1578(a)
7:26-13	Siting of new hazardous waste facilities	15 N.J.R. 113(a)	R. 1983 d.276	15 N.J.R. 1096(a)
7:26-13.7	Siting of commercial hazardous waste facilities	15 N.J.R. 1064(a)	R. 1983 d.406	15 N.J.R. 1579(a)
7:26-14	Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d.184	13 N.J.R. 340(d)
7:26-14	Codification correction: Resource recovery grants	13 N.J.R. 9(a)	R. 1981 d.184	15 N.J.R. 147(a)
7:26-15	Recycling of municipal solid waste (joint adoption, see 14A:6)	13 N.J.R. 865(a)	R. 1982 d.32	14 N.J.R. 206(b)

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7:26-15.8	Recycling grants and loans: Supplementary projects	14 N.J.R. 1346(a)	R. 1983 d. 119	15 N.J.R. 622(d)
7:27-2	Control and prohibition of open burning	12 N.J.R. 690(a)	R. 1981 d. 135	13 N.J.R. 264(a)
7:27-9	Sulfur in fuels	13 N.J.R. 870(a)	R. 1982 d. 456	14 N.J.R. 1452(a)
7:27-10	Sulfur in coal	12 N.J.R. 571(a)	R. 1981 d. 185	13 N.J.R. 341(a)
7:27-15.1	Specifications for Exhaust Gas Analytical System	Emergency	R. 1983 d. 407	15 N.J.R. 1607(a)
7:27-16	Air pollution control: Volatile organic substances	13 N.J.R. 127(a)	R. 1982 d. 3	14 N.J.R. 145(b)
7:28-24	Licensing of nuclear medicine technologists	14 N.J.R. 507(a)	R. 1982 d. 457	14 N.J.R. 1455(a)
7:28-41	Mercury vapor lamps	13 N.J.R. 9(b)	R. 1981 d. 464	13 N.J.R. 887(c)
7:29B	Noise measurement	13 N.J.R. 127(b)	R. 1982 d. 81	14 N.J.R. 339(a)
7:30-1, -2, -4, -8	State Pesticide Control Code	14 N.J.R. 787(a)	R. 1982 d. 435	14 N.J.R. 1385(a)
7:30-3, -5, -6, -7	State Pesticide Control Code	14 N.J.R. 787(a)	R. 1983 d. 166	15 N.J.R. 915(a)
7:30-10	State Pesticide Control Code: Pesticide use	14 N.J.R. 787(a)	R. 1983 d. 63	15 N.J.R. 333(b)
7:36-3.1	Green Acres reimbursement	14 N.J.R. 461(a)	R. 1982 d. 231	14 N.J.R. 835(a)
7:38-1.17	Wild and scenic rivers addition	13 N.J.R. 568(a)	R. 1982 d. 2	14 N.J.R. 147(a)
7:50	Pinelands management	13 N.J.R. 569(a)	R. 1982 d. 131	14 N.J.R. 388(a)
7:50	Pinelands Comprehensive Management Plan and Sunset Provision	Public Notice		14 N.J.R. 1102(b)

(Title 7, Transmittal 16 dated January 14, 1981; 7:7E, Transmittal 17 dated June 21, 1982)

### HEALTH-TITLE 8

8:13-2.1, 2.3, 2.4, 2.7-2.9, 2.11, 2.13-2.15	Soft-shell clam depuration	14 N.J.R. 415(a)	R. 1982 d. 241	14 N.J.R. 835(b)
8:18-1	Repealed: Children's boarding home rules	14 N.J.R. 1436(b)	R. 1983 d. 101	15 N.J.R. 544(a)
8:21-2.34	Repealed (see 8:21-12)	14 N.J.R. 1265(a)	R. 1983 d. 115	15 N.J.R. 623(a)
8:21-3.23	Legal animal repellants	14 N.J.R. 79(a)	R. 1982 d. 123	14 N.J.R. 389(a)
8:21-3.24	Ingredients for human self-defense sprays	14 N.J.R. 1029(a)	R. 1982 d. 451	14 N.J.R. 1456(a)
8:21-3.25	Sale and possession of nitrous oxide	14 N.J.R. 1190(a)	R. 1983 d. 41	15 N.J.R. 244(b)
8:21-9	Readopted: Licensing rules for food and cosmetic plants	15 N.J.R. 609(a)	R. 1983 d. 345	15 N.J.R. 1475(a)
8:21-10	Designated fluid milk products	12 N.J.R. 643(c)	R. 1980 d. 539	13 N.J.R. 13(f)
8:21-12	Nonalcoholic beverages and bottled water	14 N.J.R. 1265(a)	R. 1983 d. 115	15 N.J.R. 623(a)
8:21-12.5	Correction: labeling of bottled water	15 N.J.R. 623(a)		15 N.J.R. 809(a)
8:22-1	State Sanitary Code-Campgrounds	13 N.J.R. 130(a)	R. 1981 d. 161	13 N.J.R. 342(a)
8:22-2	Repeal mobile home park rules	12 N.J.R. 577(d)	R. 1980 d. 499	13 N.J.R. 13(c)
8:23-1.4	Psittacosis testing of quarantined birds	15 N.J.R. 466(a)	R. 1983 d. 207	15 N.J.R. 918(a)
8:24	Retail food establishments; vending machines	14 N.J.R. 509(a)	R. 1983 d. 98	15 N.J.R. 544(b)
8:24	Correction: retail food establishments		R. 1983 d. 98	15 N.J.R. 809(b)
8:25	Readopted: Youth Camp Safety rules	15 N.J.R. 467(a)	R. 1983 d. 186	15 N.J.R. 918(b)
8:25-6.12	Youth camp certification fees	14 N.J.R. 1191(a)	R. 1982 d. 476	15 N.J.R. 33(a)
8:30	Expiration date	13 N.J.R. 265(a)	R. 1981 d. 283	13 N.J.R. 485(b)
8:30	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d. 205	14 N.J.R. 709(b)
8:30	Repealed (see 8:39)	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
8:30-1.4	Health care facilities licensure fees	14 N.J.R. 1273(a)	R. 1983 d. 66	15 N.J.R. 336(a)
8:30-14	Recodified as 8:39-27	15 N.J.R. 279(a)	R. 1983 d. 236	15 N.J.R. 1022(b)
8:31-22.1	Doctors' offices in medical facilities	13 N.J.R. 807(a)	R. 1982 d. 273	14 N.J.R. 915(b)
8:31-23.1	Parking garage standards	13 N.J.R. 807(b)	R. 1982 d. 274	14 N.J.R. 916(a)
8:31-24.1	Hospital personnel housing	13 N.J.R. 808(a)	R. 1982 d. 275	14 N.J.R. 916(b)
8:31-25.1	Mobile intensive care paramedics: Approved	14 N.J.R. 1331(a)	R. 1983 d. 28	15 N.J.R. 147(b)
8:31-26.1	Health care facilities: ownership by convicted persons	15 N.J.R. 307(a)	R. 1983 d. 235	15 N.J.R. 1021(a)
8:31-26.3	All health care facilities: Employee physicals	14 N.J.R. 1274(a)	R. 1983 d. 69	15 N.J.R. 337(a)
8:31-26.3	Health care facilities: employee physical exams	15 N.J.R. 470(a)	R. 1983 d. 234	15 N.J.R. 1022(a)
8:31-26.4	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 342(b)
8:31-26.4	Correction: Child abuse reporting	13 N.J.R. 12(a)	R. 1981 d. 157	13 N.J.R. 756(a)
8:31-26.5	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d. 66	15 N.J.R. 336(a)
8:31-27	Megavoltage radiation (recodified as 8:331)	13 N.J.R. 406(b)	R. 1981 d. 406	13 N.J.R. 756(b)
8:31-28.1, 28.3	Need and designation of regional services	12 N.J.R. 515(a)	R. 1980 d. 528	13 N.J.R. 13(d)
8:31-30.1	Plan Review Fee multiplier	13 N.J.R. 265(b)	R. 1981 d. 284	13 N.J.R. 486(a)
8:31A-7	1982 SHARE regulations	13 N.J.R. 266(a)	R. 1981 d. 325	13 N.J.R. 571(c)
8:31A-7	SHARE Manual: 1983 rate review guidelines	14 N.J.R. 887(a)	R. 1982 d. 452	14 N.J.R. 1456(b)
8:31A-7	SHARE Manual: relief from overspending challenge	15 N.J.R. 200(b)	R. 1983 d. 201	15 N.J.R. 918(c)
8:31A-8.1	Hospital reporting: medical discharge abstract	15 N.J.R. 470(b)	R. 1983 d. 338	15 N.J.R. 1374(d)
8:31A-9.2	Correction to Code: SHARE Manual	10 N.J.R. 534(c)	R. 1979 d. 25	14 N.J.R. 44(a)
8:31A-10.1	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d. 38	14 N.J.R. 208(a)
8:31B-2.2, 2.4	Uniform Bill-Patient Summary (Inpatient)	13 N.J.R. 410(a)	R. 1981 d. 404	13 N.J.R. 756(c)
8:31B-3	Hospital procedural and methodological regulations	12 N.J.R. 515(b)	R. 1980 d. 455	12 N.J.R. 645(c)
8:31B-3	Procedural and methodological regulations	13 N.J.R. 486(b)	R. 1981 d. 494	14 N.J.R. 45(a)
8:31B-3	Nursing Management Report: RIM Methodology	14 N.J.R. 737(a)	R. 1982 d. 427	15 N.J.R. 43(a)

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8:31B-3	Hospital rate setting: RIM and other 1983 changes	14 N.J.R. 737(a)	R. 1982 d.427	14 N.J.R. 1389(a)
8:31B-3.19	Hospital rate setting: Patient care cost finding	14 N.J.R. 737(a)	R. 1983 d.194	15 N.J.R. 919(a)
8:31B-3.20D	Rate of return: For-profit hospitals	13 N.J.R. 266(b)	R. 1981 d.290	13 N.J.R. 486(c)
8:31B-3.26, 3.72	Hospital rate setting: economic factor; periodic adjustments	15 N.J.R. 471(a)	R. 1983 d.206	15 N.J.R. 920(a)
8:31B-3.27, 3.73	Hospital rate setting: capital facilities; reconciliation	15 N.J.R. 201(a)	R. 1983 d.200	15 N.J.R. 920(b)
8:31B-4	Hospital financial elements and reporting regulations	12 N.J.R. 516(a)	R. 1980 d.453	12 N.J.R. 645(a)
8:31B-4.44, 4.66	1983 Financial Elements and Reporting	14 N.J.R. 946(b)	R. 1982 d.449	14 N.J.R. 1457(a)
8:31B-4.62	Excluded health care services	12 N.J.R. 643(d)	R. 1981 d.10	13 N.J.R. 92(a)
8:31B-5.1,5.2,5.3	Diagnostic related groups	13 N.J.R. 726(b)	R. 1982 d.27	14 N.J.R. 147(b)
8:31B-6.1-6.5	Mobile unit rate guidelines	13 N.J.R. 647(a)	R. 1982 d.38	14 N.J.R. 208(a)
8:33	Certificate of Need application changes	13 N.J.R. 267(a)	R. 1981 d.296	13 N.J.R. 487(b)
8:33-2.2	Batching cycle for long-term care facilities	15 N.J.R. 307(b)	R. 1983 d.205	15 N.J.R. 920(c)
8:33D-1.3	Regional hemophilia care centers	13 N.J.R. 727(a)	R. 1982 d.26	14 N.J.R. 147(c)
8:33E-1.1	Cardiac diagnostic facilities	13 N.J.R. 649(a)	R. 1982 d.24	14 N.J.R. 147(d)
8:33E-2.2	Cardiac surgical centers	13 N.J.R. 651(a)	R. 1982 d.25	14 N.J.R. 147(e)
8:33F-1.1-1.4, 1.6, 1.7	Regional end-stage renal services	13 N.J.R. 922(b)	R. 1982 d.143	14 N.J.R. 426(c)
8:33G	Certificate of Need reviews: CT scanners	13 N.J.R. 487(c)	R. 1981 d.472	13 N.J.R. 944(a)
8:33G-1.2, 1.4	CT scanners: Need review	14 N.J.R. 1275(a)	R. 1983 d.64	15 N.J.R. 337(b)
8:33H-3.3	Medicare and Medicaid beds in long-term care	14 N.J.R. 191(a)	R. 1982 d.180	14 N.J.R. 578(b)
8:33H-3.3	Long-term care: expansion and new construction	15 N.J.R. 473(a)	R. 1983 d.195	15 N.J.R. 921(a)
8:33I	Megavoltage radiation units (recodified from 8:31-27)	13 N.J.R. 406(b)	R. 1981 d.406	13 N.J.R. 756(b)
8:37	Expiration date	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:37	Intermediate care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:37	Repealed (see 8:39)	15 N.J.R. 279(a)	R. 1983 d.236	15 N.J.R. 1022(b)
8:37-4.7	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:39	Licensure of long-term care facilities	15 N.J.R. 279(a)	R. 1983 d.236	15 N.J.R. 1022(b)
8:39-Foreword	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:39-1	Foreword: Amend operational dates	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:39-1.1	Long term care standards	13 N.J.R. 268(a)	R. 1981 d.285	13 N.J.R. 495(a)
8:39-1.1, 1.16-1.21	Long-term care facilities: Licensure standards	14 N.J.R. 193(a)	R. 1982 d.146	14 N.J.R. 427(a)
8:39-1.4	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:39-1.33	LTC facilities: Construction standards	13 N.J.R. 809(a)	R. 1982 d.276	14 N.J.R. 916(c)
8:39-1.34	LTC facilities: Additional standards	13 N.J.R. 809(b)	R. 1982 d.277	14 N.J.R. 916(d)
8:39-1.35	Operational dates	13 N.J.R. 265(a)	R. 1981 d.283	13 N.J.R. 485(b)
8:39-1.35	Long-term care facilities	14 N.J.R. 417(a)	R. 1982 d.205	14 N.J.R. 709(b)
8:40	Repealed: interim rules for abortion facilities	15 N.J.R. 308(a)	R. 1983 d.202	15 N.J.R. 922(a)
8:42-1.4, 2.4	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:42-1.8	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
8:42-2	Readopted: Inpatient drug treatment facilities	14 N.J.R. 812(a)	R. 1982 d.391	14 N.J.R. 1214(a)
8:42-2	Repealed (see 8:42B)	15 N.J.R. 397(a)	R. 1983 d.309	15 N.J.R. 1248(a)
8:42A	Alcoholism treatment facilities	13 N.J.R. 217(b)	R. 1981 d.236	13 N.J.R. 411(a)
8:42A-2.2	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:42B	Drug treatment facilities: licensure	15 N.J.R. 397(a)	R. 1983 d.309	15 N.J.R. 1248(a)
8:43-1.4	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
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8:43-3.22	Fire safety in residential care homes	14 N.J.R. 194(a)	R. 1982 d.145	14 N.J.R. 427(b)
8:43-4.13	Residential care facilities: personal needs allowance	15 N.J.R. 309(a)	R. 1983 d.204	15 N.J.R. 923(a)
8:43-4.13, 4.14	Residential health care standards	13 N.J.R. 268(b)	R. 1981 d.297	13 N.J.R. 495(b)
8:43-6.9	Licensure of Residential Health Care Facilities	12 N.J.R. 644(a)	R. 1980 d.529	13 N.J.R. 13(e)
8:43-7.1	Residential health care facilities	15 N.J.R. 8(a)	R. 1983 d.90	15 N.J.R. 440(c)
8:43A-1.5	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:43A-2.1, 2.2	Ambulatory care facilities: Construction standards	13 N.J.R. 810(a)	R. 1982 d.278	14 N.J.R. 916(e)
8:43A-3.1	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
8:43A-8.1	Ambulatory care facilities: Surgical services	15 N.J.R. 9(a)	R. 1983 d.92	15 N.J.R. 440(d)
8:43A-9.4, 9.7, 9.11	Drug abuse treatment centers	14 N.J.R. 529(a)	R. 1982 d.390	14 N.J.R. 1214(b)
8:43A-9.9	Outpatient drug abuse counseling	15 N.J.R. 10(a)	R. 1983 d.91	15 N.J.R. 441(a)
8:43B-1.8	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
8:43B-1.13	Child abuse and neglect	13 N.J.R. 12(a)	R. 1981 d.157	13 N.J.R. 342(b)
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8:43B-8.3	Early detection of biochemical disorders in newborn infants	15 N.J.R. 311(a)	R. 1983 d.203	15 N.J.R. 923(b)
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8:43B-15.12, 15.12A	Renal dialysis services: Construction standards	13 N.J.R. 812(a)	R. 1982 d.280	14 N.J.R. 917(a)

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8:43F-2.3	Licensure fees	14 N.J.R. 1273(a)	R. 1983 d.66	15 N.J.R. 336(a)
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8:57-1.1	Reportable diseases	14 N.J.R. 1277(a)	R. 1983 d.67	15 N.J.R. 338(b)
8:57-1.1-1.18	Reportable disease rules	12 N.J.R. 577(c)	R. 1980 d.498	13 N.J.R. 13(b)
8:57-4	Readopted: Immunization of Pupils in Schools	15 N.J.R. 781(a)	R. 1983 d.311	15 N.J.R. 1253(a)
8:57-4.5, 4.10, 4.12, 4.13, 4.15, 4.16	Immunization of pupils in school	13 N.J.R. 738(a)	R. 1981 d.502	14 N.J.R. 45(c)
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8:65-7.14, 7.18	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d.124	14 N.J.R. 389(b)
8:65-8.7	Controlled dangerous substances	13 N.J.R. 131(a)	R. 1981 d.238	13 N.J.R. 411(b)
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8:65-10.1, 10.3, 10.4	Controlled dangerous substances	14 N.J.R. 195(a)	R. 1982 d.124	14 N.J.R. 389(b)
8:65-10.4, 10.8	Controlled dangerous substances	Emergency	R. 1981 d.50	13 N.J.R. 132(b)
8:65-10.5	Loperamide removed from Controlled Substances	15 N.J.R. 126(a)	R. 1983 d.171	15 N.J.R. 924(a)
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8:71	Interchangeable drug products	12 N.J.R. 465(a)	R. 1980 d.454	12 N.J.R. 645(b)
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8:71	Interchangeable drug products	12 N.J.R. 465(b)	R. 1981 d.26	13 N.J.R. 131(c)
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8:71	Interchangeable drug list	12 N.J.R. 644(b)	R. 1981 d.405	13 N.J.R. 757(a)
8:71	List of interchangeable drugs	13 N.J.R. 354(a)	R. 1981 d.403	13 N.J.R. 757(b)
8:71	Interchangeable drug products	13 N.J.R. 654(a)	R. 1981 d.503	14 N.J.R. 45(d)
8:71	Correction: Generic drug list	13 N.J.R. 654(a)	R. 1981 d.503	14 N.J.R. 102(b)
8:71	Generic drug list additions	13 N.J.R. 217(c)	R. 1982 d.58	14 N.J.R. 235(a)
8:71	Amitriptyline addition	14 N.J.R. 22(b)	R. 1982 d.106	14 N.J.R. 342(a)
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8:71	Generic drug list changes	14 N.J.R. 690(a)	R. 1982 d.374	14 N.J.R. 1160(b)
8:71	Generic drug list changes	14 N.J.R. 690(a)	R. 1982 d.426	14 N.J.R. 1392(a)
8:71	Correction: Generic drug list	14 N.J.R. 690(a)	R. 1982 d.426	15 N.J.R. 33(b)
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8:71	Generic drug list additions	14 N.J.R. 690(a)	R. 1982 d.489	15 N.J.R. 91(a)
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8:71	Generic drug list addition	14 N.J.R. 690(a)	R. 1983 d.273	15 N.J.R. 1100(b)
8:71	Generic drug list changes	15 N.J.R. 126(b)	R. 1983 d.274	15 N.J.R. 1100(c)

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**HIGHER EDUCATION—TITLE 9**

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9:2-2.25	Correction: State college retirement	14 N.J.R. 947(a)	R. 1982 d.444	15 N.J.R. 809(c)
9:2-13.1-13.12	State college auxiliary organizations	14 N.J.R. 1141(a)	R. 1982 d.493	15 N.J.R. 91(b)

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9:4-1.5	County colleges: Chargebacks to sending counties	14 N.J.R. 690(b)	R. 1982 d.335	14 N.J.R. 1099(a)
9:4-1.6	County colleges: General education requirements	15 N.J.R. 203(a)	R. 1983 d.147	15 N.J.R. 805(a)
9:4-3.1, 3.10	County college annual audit	14 N.J.R. 318(a)	R. 1982 d.218	14 N.J.R. 757(a)
9:4-3.4	Correction: Assets to be capitalized by county colleges			15 N.J.R. 700(b)
9:4-5	County colleges reduction in force rules	15 N.J.R. 128(a)	R. 1983 d.146	15 N.J.R. 805(b)
9:5-1.5	State funding for senior citizens	15 N.J.R. 73(b)	R. 1983 d.118	15 N.J.R. 625(a)
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9:7-2.10	Student Assistance Programs: minimum academic progress	15 N.J.R. 205(a)	R. 1983 d.261	15 N.J.R. 1101(a)
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9:11-1	Educational Opportunity Fund Program	14 N.J.R. 691(a)	R. 1982 d.385	14 N.J.R. 1214(c)
9:11-1.5, 1.16	Educational Opportunity Fund financial aid rules	15 N.J.R. 206(b)	R. 1983 d.170	15 N.J.R. 924(b)
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10:43	Readopted: Need for Guardianship rules	15 N.J.R. 1111(a)	R. 1983 d.390	15 N.J.R. 1581(a)
10:44A	Group homes and supervised apartments for developmentally disabled	14 N.J.R. 531(a)	R. 1983 d.23	15 N.J.R. 149(b)
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10:49-1.2	Medicaid ID: Special Status Card	14 N.J.R. 418(a)	R. 1982 d.261	14 N.J.R. 917(b)
10:49-1.3	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
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10:49-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
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10:49-1.17	Suspension of provider from Medicaid program	12 N.J.R. 581(a)	R. 1980 d.501	13 N.J.R. 17(a)
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10:49-1.17	Provider participation	13 N.J.R. 496(c)	R. 1981 d.393	13 N.J.R. 758(c)
10:49-1.24	Medical day care in hospital-affiliated facilities	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
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10:49-6	Readopted: Medicaid Administrative Provisions	15 N.J.R. 1075(a)	R. 1983 d.349	15 N.J.R. 1475(c)
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10:50	Readopted: Transportation Services Manual	15 N.J.R. 999(a)	R. 1983 d.375	15 N.J.R. 1582(b)
10:50-2.7	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
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10:51-1.13, 1.14	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-1.14, 1.17	Pharmaceutical Services: Fees and delivery	14 N.J.R. 1336(a)	R. 1983 d.56	15 N.J.R. 339(b)
10:51-1.17	Legend drug dispensing fee	13 N.J.R. 575(c)	R. 1981 d.411	13 N.J.R. 758(d)
10:51-1.19	Emergency amendment: "Less than effective" drugs	Emergency	R. 1981 d.476	13 N.J.R. 945(a)
10:51-1.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
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10:51-1(App. B, D)	Non-legend drugs and legend services	13 N.J.R. 739(a)	R. 1981 d.505	14 N.J.R. 46(a)
10:51-1(App. E)	Pharmacy Manual: Protein replacements	14 N.J.R. 418(b)	R. 1982 d.211	14 N.J.R. 757(b)
10:51-1(App. B, C, D)	Pharmaceutical Services	14 N.J.R. 1142(a)	R. 1982 d.458	14 N.J.R. 1458(b)
10:51-1(App. B, D, E)	Pharmaceutical Services	15 N.J.R. 664(a)	R. 1983 d.293	15 N.J.R. 1253(b)
10:51-2	Pharmacy Manual billing procedures	13 N.J.R. 274(b)	R. 1981 d.247	13 N.J.R. 415(a)
10:51-2.6	Reporting chemotherapy injectable drugs	14 N.J.R. 813(a)	R. 1982 d.340	14 N.J.R. 1161(a)
10:51-3	Pharmaceutical services in LTC facilities	13 N.J.R. 415(b)	R. 1981 d.344	13 N.J.R. 577(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
10:51-3.15	Capitation of fee for legend drugs dispensed by LTC pharmacy providers	13 N.J.R. 577(b)	R. 1981 d.465	13 N.J.R. 887(d)
10:51-3.15	Pharmacy Manual: capitation rates	Emergency	R. 1983 d.333	15 N.J.R. 1386(a)
10:51-4.5	Repeal payments for pharmaceutical consultants	12 N.J.R. 410(a)	R. 1981 d. 101	13 N.J.R. 228(c)
10:51-5	Readopted: PAAD in Pharmacy Manual	15 N.J.R. 209(a)	R. 1983 d.155	15 N.J.R. 806(a)
10:51-5.9, 5.12	Prescription policies; telephone orders	15 N.J.R. 209(a)	R. 1983 d.155	15 N.J.R. 806(a)
10:51-5.16, 5.19	"Less than effective" drugs: Reimbursement	13 N.J.R. 873(a)	R. 1982 d.28	14 N.J.R. 158(a)
10:51-5.28-5.33	Pharmaceutical Assistance to the Aged	13 N.J.R. 289(a)	R. 1981 d.248	13 N.J.R. 415(c)
10:51-6	Expired: Institutional Pharmacy Permits	15 N.J.R. 209(a)	R. 1983 d.155	15 N.J.R. 806(a)
10:52	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:52-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.1	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)
10:52-1.1	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:52-1.3	Non-covered hospital services	13 N.J.R. 14(d)	R. 1981 d.126	13 N.J.R. 291(a)
10:52-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:52-1.3	Second opinion requirement on certain surgery	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:52-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:52-1.9	Out-of-State hospital care	13 N.J.R. 654(b)	R. 1982 d.52	14 N.J.R. 235(b)
10:52-1.9	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:52-1.17	Out-of-State inpatient hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 358(b)
10:52-1.17	Correction: Out-of-State hospital services	13 N.J.R. 15(a)	R. 1981 d.162	13 N.J.R. 416(b)
10:52-1.18	Out-of-State hospital services	13 N.J.R. 359(a)	R. 1981 d.293	13 N.J.R. 497(a)
10:52-2.2	Uniform billing of hospital services	13 N.J.R. 93(a)	R. 1982 d.13	14 N.J.R. 158(b)
10:52-2.8A	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:52-2.13	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:52-3.6	Outpatient dental services	13 N.J.R. 416(c)	R. 1981 d.479	13 N.J.R. 946(a)
10:53	Hospital and special hospital manuals	13 N.J.R. 416(a)	R. 1981 d.327	13 N.J.R. 578(a)
10:53-1.1	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.1	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:53-1.3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:53-1.3	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:53-1.4	Professional Standards Review Organization	12 N.J.R. 661(c)	R. 1981 d.51	13 N.J.R. 147(c)
10:53-1.15	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:53-2.18	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-1	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-1.2	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-1.2	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-1.2	Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:54-1.3	Record keeping by providers	12 N.J.R. 520(b)	R. 1981 d.329	13 N.J.R. 574(b)
10:54-1.5	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:54-1.6	Reimbursement for anesthesia time	12 N.J.R. 413(a)	R. 1981 d.220	13 N.J.R. 417(b)
10:54-1.20	Physicians Services: Sterilization by hysterectomy	14 N.J.R. 1337(a)	R. 1983 d.55	15 N.J.R. 339(c)
10:54-1.22	Routine chest X rays	13 N.J.R. 94(a)	R. 1981 d.125	13 N.J.R. 292(b)
10:54-2.1	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-2.4, 2.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:54-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:54-3	Procedure Code Manual	12 N.J.R. 520(c)	R. 1980 d.511	13 N.J.R. 17(e)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 95(a)	R. 1981 d.111	13 N.J.R. 299(a)
10:54-3	Physician's Services Manual: Procedure codes	13 N.J.R. 223(a)	R. 1981 d.211	13 N.J.R. 418(c)
10:54-3	Procedure codes for pacemakers	13 N.J.R. 297(a)	R. 1981 d.251	13 N.J.R. 430(a)
10:54-3	Procedure codes for physicians services	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:54-3	Physician services procedure codes	13 N.J.R. 298(b)	R. 1981 d.314	13 N.J.R. 578(c)
10:54-3	Procedure Code Manual	13 N.J.R. 578(d)	R. 1981 d.475	13 N.J.R. 946(b)
10:54-3	Surgical procedures requiring second opinion	13 N.J.R. 292(a)	R. 1982 d.73	14 N.J.R. 278(c)
10:54-3	Procedure codes: Second opinion requirement	14 N.J.R. 1143(a)	R. 1982 d.459	14 N.J.R. 1458(c)
10:54-3	Procedure codes: Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)
10:55	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:56-1.8, 1.12	Dental Services Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:56-1.14, 1.15	Limitations on diagnostic dental services	13 N.J.R. 875(a)	R. 1982 d.403	14 N.J.R. 1301(a)
10:56-3.15	Orthodontics	13 N.J.R. 134(b)	R. 1981 d.113	13 N.J.R. 299(b)
10:57-1.4	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-1.9	Podiatry services	13 N.J.R. 360(a)	R. 1981 d.300	13 N.J.R. 579(a)
10:57-1.20, 2.5-2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:57-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:58	Nurse-midwife services	14 N.J.R. 889(a)	R. 1982 d.415	14 N.J.R. 1393(a)
10:59	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:59-1.7, 1.8	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)

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10:59-1.9	Medical Supplier Manual	13 N.J.R. 430(c)	R. 1981 d.376	13 N.J.R. 707(a)
10:59-1.10	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-1.10	IPPB equipment	13 N.J.R. 223(b)	R. 1981 d.328	13 N.J.R. 579(b)
10:59-1.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:59-2.6-2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:59-2.11	Repair of durable medical equipment	12 N.J.R. 25(a)	R. 1980 d.510	13 N.J.R. 17(d)
10:60	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:60-1, 2, 1-2.3	Home Health Services Manual revisions	14 N.J.R. 264(b)	R. 1982 d.199	14 N.J.R. 656(a)
10:60-1.3	Covered home health services: medical supplies	15 N.J.R. 610(a)	R. 1983 d.266	15 N.J.R. 1102(a)
10:60-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:61-1.4	Record retention requirements	13 N.J.R. 95(b)	R. 1981 d.110	13 N.J.R. 299(c)
10:61-1.4	Physician orders for laboratory services	13 N.J.R. 430(d)	R. 1981 d.342	13 N.J.R. 579(c)
10:61-2.3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:61-2.6	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:62	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:62-1.5	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:62-1.7	Procedure codes for ophthalmologists and optometrists	13 N.J.R. 299(d)	R. 1981 d.280	13 N.J.R. 497(b)
10:62-3	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.2	Rehabilitation in long-term care	14 N.J.R. 420(a)	R. 1982 d.210	14 N.J.R. 757(c)
10:63-1.4	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.4	Special equipment in long-term care	13 N.J.R. 877(a)	R. 1982 d.110	14 N.J.R. 391(a)
10:63-1.5	Inspection of long-term care	14 N.J.R. 81(a)	R. 1982 d.72	14 N.J.R. 279(a)
10:63-1.5	Medical Evaluation Team (LTC) and alternate care option	15 N.J.R. 485(a)	R. 1983 d.304	15 N.J.R. 1254(a)
10:63-1.6	Level III care in LTC facilities	14 N.J.R. 462(a)	R. 1982 d.264	14 N.J.R. 917(c)
10:63-1.8	Long Term Care Manual	12 N.J.R. 700(a)	R. 1981 d.219	13 N.J.R. 430(b)
10:63-1.8	Clinical records in long-term care facilities	12 N.J.R. 701(a)	R. 1981 d.33	13 N.J.R. 146(c)
10:63-1.11	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:63-1.14	Retention of records in LTC facilities	13 N.J.R. 431(a)	R. 1981 d.345	13 N.J.R. 579(d)
10:63-1.19	LTCSM: Termination of Medicaid eligibility	13 N.J.R. 15(b)	R. 1981 d.62	13 N.J.R. 225(b)
10:63-1.21	Three-year audit cycle	12 N.J.R. 701(a)	R. 1981 d.23	13 N.J.R. 146(a)
10:63-1.22	LTC: "Field audit" defined	14 N.J.R. 1031(a)	R. 1983 d.5	15 N.J.R. 155(a)
10:63-2	Readopted: Billing Procedures in long-term care	15 N.J.R. 421(a)	R. 1983 d.182	15 N.J.R. 925(a)
10:63-3.1	Reimbursement to Long Term Care Facilities	12 N.J.R. 702(a)	R. 1981 d.87	13 N.J.R. 227(a)
10:63-3.2	LTC: Related-party lease costs	14 N.J.R. 742(a)	R. 1983 d.74	15 N.J.R. 442(b)
10:63-3.8	LTC's nursing care costs	13 N.J.R. 360(b)	R. 1981 d.326	13 N.J.R. 579(e)
10:63-3.10	LTC: Capital Facilities Allowance rate	14 N.J.R. 743(a)	R. 1983 d.73	15 N.J.R. 443(a)
10:63-3.20	Long-term care facilities: Reimbursement appeals	14 N.J.R. 269(a)	R. 1983 d.11	15 N.J.R. 156(a)
10:63-3.21	Rescission: Long-term care per diem reduction	13 N.J.R. 498(a)	R. 1981 d.375	13 N.J.R. 707(b)
10:64	Hearing Aid Services Manual	14 N.J.R. 413(a)	R. 1982 d.74	14 N.J.R. 279(b)
10:65	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:65-1.2-1.8, 2.1, 2.4-2.7	Medical day care	14 N.J.R. 1332(a)	R. 1983 d.75	15 N.J.R. 442(a)
10:65-2.1	Medical day care rates	13 N.J.R. 362(a)	R. 1981 d.318	13 N.J.R. 580(a)
10:66	Patient certification	13 N.J.R. 413(a)	R. 1981 d.331	13 N.J.R. 575(a)
10:66-1.5, 1.6	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-2.10	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:66-3.1-3.3	Independent clinic services procedure codes	13 N.J.R. 363(a)	R. 1981 d.313	13 N.J.R. 580(b)
10:66-3.3	Procedure codes for Medicaid	12 N.J.R. 662(b)	R. 1981 d.112	13 N.J.R. 299(e)
10:66-3.3	Independent Clinic Services Manual	13 N.J.R. 224(a)	R. 1981 d.212	13 N.J.R. 431(b)
10:66-3.3	Mental health partial care services	13 N.J.R. 662(a)	R. 1982 d.19	14 N.J.R. 158(c)
10:66-3.3	Family planning procedure codes	13 N.J.R. 663(a)	R. 1982 d.84	14 N.J.R. 343(b)
10:66-3.3	Independent Clinic Services: procedures code revisions	14 N.J.R. 1339(a)	R. 1983 d.386	15 N.J.R. 1583(a)
10:67-1.2	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-1.8	Physicians and Psychologist Manual	12 N.J.R. 662(a)	R. 1981 d.374	13 N.J.R. 706(d)
10:67-2.5, 2.8	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:67-2.10	Psychological services procedure codes	13 N.J.R. 298(a)	R. 1981 d.305	13 N.J.R. 578(b)
10:68-2.5, 2.7	HCFA-1500 claim form	13 N.J.R. 293(a)	R. 1981 d.249	13 N.J.R. 417(a)
10:68-2.8	Automated Data Exchange Billing	13 N.J.R. 296(a)	R. 1981 d.250	13 N.J.R. 418(a)
10:69A	Readopted: Pharmaceutical Assistance Manual (PAAD)	15 N.J.R. 211(a)	R. 1983 d.154	15 N.J.R. 806(b)
10:69A-2.1	Pharmaceutical Assistance for Aged and Disabled	14 N.J.R. 321(b)	R. 1982 d.198	14 N.J.R. 659(a)
10:69A-5.6	PAA eligibility determinations	13 N.J.R. 432(a)	R. 1981 d.332	13 N.J.R. 580(c)
10:69A-7.1	PAA: Payment recovery from estates	14 N.J.R. 80(a)	R. 1982 d.147	14 N.J.R. 427(c)
10:81	PAM: Readopted Federal requirements	13 N.J.R. 759(a)	R. 1981 d.518	14 N.J.R. 102(c)
10:81-1.14	PAM: Welfare board minutes	13 N.J.R. 877(b)	R. 1982 d.151	14 N.J.R. 473(d)
10:81-2, 3	PAM: readopted AFDC application and eligibility rules	15 N.J.R. 933(a)	R. 1983 d.319	15 N.J.R. 1375(c)
10:81-2.6, 2.17, 2.18	PAM: AFDC changes	14 N.J.R. 1078(a)	R. 1982 d.482	15 N.J.R. 92(a)

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10:81-2.7	PAM: Deprivation of parental support in AFDC-C	12 N.J.R. 703(a)	R. 1981 d.28	13 N.J.R. 146(b)
10:81-3.1, 3.5, 3.11, 3.13, 3.18	PAM: AFDC changes	14 N.J.R. 1078(a)	R. 1982 d.482	15 N.J.R. 92(a)
10:81-3.17	PAM: Readopted revisions	14 N.J.R. 1168(a)	R. 1982 d.441	14 N.J.R. 1459(a)
10:81-3.35	PAM: Legally responsible relatives	14 N.J.R. 814(a)	R. 1982 d.352	14 N.J.R. 1161(b)
10:81-3.38	PAM: Liquidation and transfer of resources	14 N.J.R. 1437(a)	R. 1983 d.94	15 N.J.R. 443(b)
10:81-4.5-4.11, 4.13, 4.14, 4.16, 4.18, 4.19	PAM: Vendor payments	14 N.J.R. 1034(a)	R. 1982 d.424	14 N.J.R. 1395(a)
10:81-5.2	PAM: Periodic redetermination	14 N.J.R. 1341(a)	R. 1983 d.54	15 N.J.R. 340(a)
10:81-5.9	PAM: corrections to Administrative Code			15 N.J.R. 1388(c)
10:81-6.17, 7.18	PAM: Replacement of lost or stolen checks	14 N.J.R. 373(a)	R. 1982 d.419	14 N.J.R. 1396(a)
10:81-7.1	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d.262	13 N.J.R. 432(b)
10:81-7.13	PAM: Request and authorization for records disposal	14 N.J.R. 947(b)	R. 1982 d.417	14 N.J.R. 1397(a)
10:81-7.22	AFDC: Funeral or burial payments for children	13 N.J.R. 580(d)	R. 1981 d.447	13 N.J.R. 845(d)
10:81-7.22	PAM: Funeral and burial contributions	14 N.J.R. 462(b)	R. 1982 d.286	14 N.J.R. 980(b)
10:81-7.26	PAM: Veterans' funeral expenses	14 N.J.R. 374(a)	R. 1982 d.228	14 N.J.R. 836(b)
10:81-7.26, 8.4	PAM: RSDI lump sum benefits	13 N.J.R. 925(a)	R. 1982 d.90	14 N.J.R. 344(a)
10:81-8.22	PAM: Extension of Medicaid benefits	14 N.J.R. 893(a)	R. 1982 d.357	14 N.J.R. 1161(c)
10:81-8.22	PAM revisions	14 N.J.R. 1168(a)	R. 1982 d.441	14 N.J.R. 1459(a)
10:81-8.23, 8.24, 8.25	PAM: AFDC changes	14 N.J.R. 1078(a)	R. 1982 d.482	15 N.J.R. 92(a)
10:81-10	PAM: Refugee programs	14 N.J.R. 948(a)	R. 1982 d.425	14 N.J.R. 1397(b)
10:81-10.7	PAM: corrections to Administrative Code			15 N.J.R. 1388(c)
10:81-App. A	Repealed: See 10:81-10	14 N.J.R. 948(a)	R. 1982 d.425	14 N.J.R. 1397(b)
10:82	ASH: Readopted Federal requirements	13 N.J.R. 763(a)	R. 1981 d.519	14 N.J.R. 102(d)
10:82-1, 2, 3	ASH: readopted rules on AFDC eligible units, monthly grants, resources	15 N.J.R. 935(a)	R. 1983 d.318	15 N.J.R. 1377(a)
10:82-1.2, 1.4, 1.5, 1.7, 2.1-2.6, 2.8- 2.10, 2.13, 2.19	ASH: Federal requirements	14 N.J.R. 952(a)	R. 1982 d.443	14 N.J.R. 1459(b)
10:82-2.1, 2.2, 2.18, 2.20	ASH: Readopted revisions	14 N.J.R. 1169(a)	R. 1982 d.440	14 N.J.R. 1461(a)
10:82-2.9	Correction: Stepparent's income in AFDC-C	13 N.J.R. 763(a)	R. 1981 d.519	14 N.J.R. 281(a)
10:82-2.14	ASH: Established monthly earnings	13 N.J.R. 16(a)	R. 1981 d.47	13 N.J.R. 147(b)
10:82-2.14	AFDC: New or changed income	13 N.J.R. 300(a)	R. 1981 d.262	13 N.J.R. 432(b)
10:82-3.1, 3.2, 3.4	ASH: Resources	14 N.J.R. 1438(a)	R. 1983 d.93	15 N.J.R. 443(c)
10:82-3.2	Correction to ASH: Exemption resources			15 N.J.R. 346(c)
10:82-3.2	ASH: HUD community development block grant	13 N.J.R. 96(a)	R. 1981 d.96	13 N.J.R. 227(b)
10:82-3.2, 4.5	Exempt resources and disregard of earned income	13 N.J.R. 224(b)	R. 1981 d.282	13 N.J.R. 499(a)
10:82-3.8	ASH: Relatives as a resource	14 N.J.R. 814(b)	R. 1982 d.353	14 N.J.R. 1161(d)
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10:82-3.13, 4.1, 4.3, 4.4, 4.15	ASH: Federal requirements	14 N.J.R. 952(a)	R. 1982 d.443	14 N.J.R. 1459(b)
10:82-4.9	ASH: Foster care rates	14 N.J.R. 374(b)	R. 1982 d.208	14 N.J.R. 709(c)
10:82-4.11, 4.13	ASH: Corrections to Administrative Code			15 N.J.R. 1389(a)
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10:82-5.3	ASH: Care for unwed mothers	13 N.J.R. 134(c)	R. 1982 d.43	14 N.J.R. 235(c)
10:82-5.3	ASH: Federal requirements	14 N.J.R. 952(a)	R. 1982 d.443	14 N.J.R. 1459(b)
10:82-5.3, 5.10	ASH: Child care; emergency assistance	14 N.J.R. 1169(a)	R. 1982 d.440	14 N.J.R. 1461(a)
10:82-5.7	ASH: corrections to Administrative Code			15 N.J.R. 1389(a)
10:82-5.10	ASH: Emergency assistance	12 N.J.R. 584(a)	R. 1980 d.552	13 N.J.R. 101(a)
10:82-5.10	ASH: Emergency house furnishings allowance	14 N.J.R. 375(a)	R. 1982 d.207	14 N.J.R. 709(d)
10:82-5.10	ASH: Return of child from foster care placement	14 N.J.R. 698(a)	R. 1982 d.376	14 N.J.R. 1215(a)
10:83	Repeal Medical Assistance for Aged	14 N.J.R. 1081(a)	R. 1982 d.460	14 N.J.R. 1462(a)
10:85-1, 2, 3 4, 5, 6, 10	Readopted: portions of General Assistance Manual	15 N.J.R. 938(a)	R. 1983 d.328	15 N.J.R. 1378(a)
10:85-1.2, 1.5, 2.2	General Assistance and Faulkner Act municipalities	13 N.J.R. 301(a)	R. 1982 d.61	14 N.J.R. 281(b)
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10:85-3.1	GAM: Common living quarters	13 N.J.R. 927(a)	R. 1982 d.102	14 N.J.R. 344(b)
10:85-3.1	GAM: Eligibility of young people	14 N.J.R. 815(a)	R. 1982 d.355	14 N.J.R. 1162(a)
10:85-3.1	Correction to Code: General Assistance eligibility			14 N.J.R. 1103(b)
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10:85-3.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d. 547	13 N.J.R. 100(a)
10:85-3.3	GAM: Financial eligibility	12 N.J.R. 16(b)	R. 1981 d. 46	13 N.J.R. 147(a)
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10:85-3.3	GAM: Boarding rate for residential care	13 N.J.R. 879(a)	R. 1982 d. 53	14 N.J.R. 235(d)
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10:85-4.6	GAM: Emergency grants	12 N.J.R. 585(a)	R. 1980 d. 538	13 N.J.R. 18(d)
10:85-4.6	GAM: Emergency grants	14 N.J.R. 124(a)	R. 1982 d. 135	14 N.J.R. 428(b)
10:85-4.6	GAM: Emergency house furnishings	14 N.J.R. 1342(a)	R. 1983 d. 58	15 N.J.R. 340(b)
10:85-4.8	GAM: Funeral and burial contributions	14 N.J.R. 463(a)	R. 1982 d. 287	14 N.J.R. 980(c)
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10:85-5.2	GAM-Payments for inpatients hospital care	13 N.J.R. 433(b)	R. 1981 d. 394	13 N.J.R. 768(a)
10:85-5.3	Submission of Form GA-18	12 N.J.R. 586(a)	R. 1980 d. 531	13 N.J.R. 18(c)
10:85-5.3	GAM: Recipients in residential health care facilities	12 N.J.R. 662(c)	R. 1980 d. 547	13 N.J.R. 100(a)
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10:85-6.6	GAM: Food Stamps and medical payments	13 N.J.R. 225(a)	R. 1981 d. 263	13 N.J.R. 433(a)
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10:85-8.2	GAM: Eligibility of refugee groups	14 N.J.R. 815(b)	R. 1982 d. 356	14 N.J.R. 1162(b)
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10:85-9.1	GAM: Legally responsible relatives	14 N.J.R. 543(a)	R. 1982 d. 284	14 N.J.R. 980(d)
10:85-9.3, 9.5	GAM: Corrections to Administrative Code			15 N.J.R. 1389(b)
10:85-10.3, 10.6, 10.8	GAM: Workfare compliance	13 N.J.R. 929(a)	R. 1982 d. 104	14 N.J.R. 344(d)
10:87	Emergency amend Food Stamp Manual	Emergency	R. 1981 d. 64	13 N.J.R. 226(b)
10:87	Student participation in Food Stamps	13 N.J.R. 96(c)	R. 1981 d. 97	13 N.J.R. 228(a)
10:87	Food Stamp Manual	13 N.J.R. 364(a)	R. 1981 d. 316	13 N.J.R. 581(a)
10:87	FSM: Readopted Federal requirements	13 N.J.R. 769(a)	R. 1981 d. 517	14 N.J.R. 103(a)
10:87	Correction: FSM-Federal requirements	13 N.J.R. 769(a)	R. 1981 d. 517	14 N.J.R. 208(b)
10:87-2.2, 2.3, 2.21	Readopted Food Stamp Program revisions	15 N.J.R. 97(a)	R. 1983 d. 72	15 N.J.R. 444(a)
10:87-2.3, 2.21	Food Stamp Program: readopted revisions	15 N.J.R. 629(a)	R. 1983 d. 223	15 N.J.R. 1033(a)
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10:87-2.7	Food stamp participants and job search	14 N.J.R. 1041(a)	R. 1982 d. 437	14 N.J.R. 1462(b)
10:87-2.32, 2.34, 2.35	FSP: Readopted emergency revisions	15 N.J.R. 247(a)	R. 1983 d. 121	15 N.J.R. 625(b)
10:87-2.34	Extension of food stamp eligibility	14 N.J.R. 1037(a)	R. 1982 d. 473	15 N.J.R. 34(a)
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10:87-3.15-3.21	Food stamp participants and job search	14 N.J.R. 1041(a)	R. 1982 d. 437	14 N.J.R. 1462(b)
10:87-3.19	Readopted FSP revisions	15 N.J.R. 97(a)	R. 1983 d. 72	15 N.J.R. 444(a)
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10:87-4.8, 4.12, 5.5	Food Stamp Program: Resource exclusions	15 N.J.R. 212(a)	R. 1983 d. 141	15 N.J.R. 692(b)
10:87-5.4, 5.6	FSP: readopted revisions	15 N.J.R. 629(a)	R. 1983 d. 223	15 N.J.R. 1033(a)
10:87-5.5	FSP: Readopted emergency revisions	15 N.J.R. 247(a)	R. 1983 d. 121	15 N.J.R. 625(b)
10:87-5.10	Readopted FSP revisions	15 N.J.R. 97(a)	R. 1983 d. 72	15 N.J.R. 444(a)
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10:87-6.14, 6.15	FSP: Readopted emergency revisions	15 N.J.R. 97(a)	R. 1983 d.72	15 N.J.R. 444(a)
10:87-7.14, 7.15	FSP: readopted revisions	15 N.J.R. 629(a)	R. 1983 d.223	15 N.J.R. 1033(a)
10:87-7.16, 7.17	Extension of food stamp eligibility	14 N.J.R. 1037(a)	R. 1982 d.473	15 N.J.R. 34(a)
10:87-7.18	FSP: Readopted emergency revisions	15 N.J.R. 247(a)	R. 1983 d.121	15 N.J.R. 625(b)
10:87-9.7	Extension of food stamp eligibility	14 N.J.R. 1037(a)	R. 1982 d.473	15 N.J.R. 34(a)
10:87-9.7	FSP: readopted revisions	15 N.J.R. 629(a)	R. 1983 d.223	15 N.J.R. 1033(a)
10:87-9.16	Replacement of food stamp benefits	14 N.J.R. 1081(b)	R. 1982 d.474	15 N.J.R. 35(a)
10:87-11.1-11.12, 11.15, 11.16, 11.20-11.29	Food Stamp Program: readopted revisions	15 N.J.R. 633(a)	R. 1983 d.224	15 N.J.R. 1034(a)
10:87-12.1	Readopted FSP revisions	15 N.J.R. 97(a)	R. 1983 d.72	15 N.J.R. 444(a)
10:87-12.1, 12.2	Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:87-12.1, 12.3, 12.4, 12.6	Readopted: Food Stamp Program adjustments	14 N.J.R. 757(d)	R. 1982 d.318	14 N.J.R. 1057(a)
10:87-12.1, 12.2, 12.6	Food Stamp Program: Readopted revisions	14 N.J.R. 1170(a)	R. 1982 d.442	14 N.J.R. 1463(a)
10:87-12.3	Food Stamp Program maximum net income levels	13 N.J.R. 500(a)	R. 1981 d.400	13 N.J.R. 772(a)
10:87-12.3, 12.4	Food Stamp income levels	Emergency	R. 1981 d.278	13 N.J.R. 500(a)
10:87-12.3, 12.4, 12.7	FSP: maximum income eligibility limits	15 N.J.R. 1185(a)	R. 1983 d.382	15 N.J.R. 1583(b)
10:87-12.4	Food Stamp Manual	Emergency	R. 1980 d.558	13 N.J.R. 100(e)
10:87-12.5, 12.6	FSP: Readopted emergency revisions	15 N.J.R. 247(a)	R. 1983 d.121	15 N.J.R. 625(b)
10:87-12.7	Readopted FSP revisions	15 N.J.R. 247(a)	R. 1983 d.72	15 N.J.R. 444(a)
10:88	Repealed: Food Stamp Plan of Operation Manual	15 N.J.R. 611(a)	R. 1983 d.246	15 N.J.R. 1034(b)
10:89	Readopted Home Energy Assistance rules	13 N.J.R. 888(a)	R. 1982 d.62	14 N.J.R. 281(c)
10:89-2.3, 3.1, 3.2, 3.4, 3.5, 3.6, 4.1, 5.2, 5.3	Readopted: Home Energy Assistance Handbook	14 N.J.R. 1311(a)	R. 1982 d.497	15 N.J.R. 92(c)
10:89-3.6	Emergency rule on Home Energy Assistance	Emergency	R. 1980 d.548	13 N.J.R. 100(b)
10:90	Monthly Reporting Policy Handbook	14 N.J.R. 958(a)	R. 1982 d.399	14 N.J.R. 1302(a)
10:90-2.2, 2.4 4.1-4.4, 4.6, 5.3, 5.6, 6.1	Monthly Reporting Policy Handbook	15 N.J.R. 1162(a)	R. 1983 d.398	15 N.J.R. 1584(a)
10:90-2.3	Monthly Reporting Policy Handbook	15 N.J.R. 849(a)	R. 1983 d.326	15 N.J.R. 1381(a)
10:91	Repealed: Services to families and children	14 N.J.R. 744(a)	R. 1982 d.317	14 N.J.R. 1057(b)
10:93	Repealed: obsolete rules on refugee assistance programs	15 N.J.R. 611(b)	R. 1983 d.245	15 N.J.R. 1035(a)
10:94-3	Medicaid Only: readopted nonfinancial eligibility criteria	15 N.J.R. 948(a)	R. 1983 d.317	15 N.J.R. 1382(a)
10:94-4,-5	Medicaid Only: Income and resource eligibility	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:94-4,-5	Medicaid Only: readopted financial eligibility standards	15 N.J.R. 999(b)	R. 1983 d.373	15 N.J.R. 1477(a)
10:94-4.4, 5.3	Medicaid Only: exclusion of burial spaces and funds	15 N.J.R. 422(a)	R. 1983 d.167	15 N.J.R. 925(b)
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10:94-5.4, 5.5, 5.6	Correction: Medicaid Only computation amounts	13 N.J.R. 501(a)	R. 1981 d.385	13 N.J.R. 846(a)
10:94-5.4, 5.5, 5.6	Readopted: Medicaid Only computation amounts	14 N.J.R. 758(a)	R. 1982 d.314	14 N.J.R. 1058(a)
10:94-5.4, 5.5, 5.6	Medicaid Only: eligibility computation amounts	15 N.J.R. 1187(a)	R. 1983 d.381	15 N.J.R. 1585(a)
10:94-7.5	Medicaid Only: Burial and funeral expenses	14 N.J.R. 816(a)	R. 1982 d.354	14 N.J.R. 1162(c)
10:94-8	Medicaid Only	12 N.J.R. 663(a)	R. 1981 d.177	13 N.J.R. 364(b)
10:94-9	Medical Assistance for Aged Continuation	14 N.J.R. 1084(a)	R. 1982 d.461	14 N.J.R. 1463(b)
10:98	State Plan for blind and visually impaired	14 N.J.R. 745(a)	R. 1982 d.311	14 N.J.R. 1058(b)
10:98	State Plan for Vocational Rehabilitation Services	14 N.J.R. 1193(a)	R. 1983 d.149	15 N.J.R. 807(b)
10:100-1.23	Readopt SSI payment levels	13 N.J.R. 502(a)	R. 1981 d.386	13 N.J.R. 773(b)
10:100-1.23	Readopted: SSI payment levels	14 N.J.R. 760(a)	R. 1983 d.315	14 N.J.R. 1059(a)
10:100-1.23	SSI payment levels (recodified as 10:100-App. A)	Emergency	R. 1982 d.290	15 N.J.R. 1188(a)
10:100-3.6	Special Payments Handbook: Funeral contributions	14 N.J.R. 463(b)	R. 1982 d.285	14 N.J.R. 981(a)
10:100-App. A	SSI payment levels	15 N.J.R. 1188(a)	R. 1983 d.383	15 N.J.R. 1586(a)
10:109-1	Ruling 11	13 N.J.R. 581(b)	R. 1981 d.445	13 N.J.R. 846(b)
10:109-1.4	Ruling 11: Tuition Aid	14 N.J.R. 375(b)	R. 1982 d.227	14 N.J.R. 837(b)
10:109-3.2, 3.4	Ruling 11-Sick leave and leave without pay	13 N.J.R. 515(a)	R. 1981 d.395	13 N.J.R. 774(a)
10:109-App. I, II	Ruling 11: Salary increases for CWA employees	13 N.J.R. 741(a)	R. 1981 d.498	14 N.J.R. 46(b)
10:109-App. II	County welfare agencies: Salary parity with State	14 N.J.R. 630(a)	R. 1982 d.319	14 N.J.R. 1060(a)
10:121-2	Adoption subsidy	14 N.J.R. 746(a)	R. 1982 d.321	14 N.J.R. 1060(b)
10:121-5.1	Medical information form	12 N.J.R. 703(c)	R. 1981 d.63	13 N.J.R. 226(a)
10:121A	Adoption agency practices	13 N.J.R. 99(a)	R. 1981 d.298	13 N.J.R. 516(a)
10:122-1.1-1.3, 2.1, 2.2, 3.2, 3.3	Combined standards for child care centers	15 N.J.R. 850(a)	R. 1983 d.372	15 N.J.R. 1586(b)
10:122-1.1-1.3, 2.1, 2.2, 2.4,	Child care centers for ages 2 1/2-5	15 N.J.R. 214(a)	R. 1983 d.179	15 N.J.R. 926(a)

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10:122-4.2	Standards for child care centers	14 N.J.R. 82(a)	R. 1982 d. 136	14 N.J.R. 428(c)
10:122-4.2-4.7, 5.1-5.4, 6.1-6.6, 6.9, 7.3	Combined standards for child care centers	15 N.J.R. 850(a)	R. 1983 d. 372	15 N.J.R. 1586(b)
10:122-4.4, 4.6, 5.1-5.4, 6.1-6.9, 7.1, 7.2, 7.6, 7.7	Child care centers for ages 2 1/2-5	15 N.J.R. 214(a)	R. 1982 d. 179	15 N.J.R. 926(a)
10:122-7.1-7.7	Child care centers	14 N.J.R. 82(a)	R. 1982 d. 136	14 N.J.R. 428(c)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d. 423	13 N.J.R. 774(b)
10:123-3.1, 3.2	Personal needs allowance	13 N.J.R. 595(a)	R. 1981 d. 423	14 N.J.R. 287(a)
10:123-3.1, 3.2	Personal needs allowance: Residential health care	14 N.J.R. 699(a)	R. 1982 d. 301	14 N.J.R. 981(b)
10:124	Children's shelter facilities and homes	14 N.J.R. 125(a)	R. 1982 d. 222	14 N.J.R. 761(a)
10:127	Residential child care facilities	15 N.J.R. 486(a)	R. 1983 d. 393	15 N.J.R. 1597(a)
10:130	Shelters for victims of domestic violence	14 N.J.R. 197(a)	R. 1982 d. 138	14 N.J.R. 429(a)
10:130	Repealed: Children's shelters manual	14 N.J.R. 125(a)	R. 1982 d. 222	14 N.J.R. 761(a)
10:130-3	Funding of shelters for victims of domestic violence	15 N.J.R. 1169(a)	R. 1983 d. 399	15 N.J.R. 1603(a)
10:131	Adoption assistance and child welfare	14 N.J.R. 744(a)	R. 1982 d. 317	14 N.J.R. 1057(b)
10:132	Court actions and proceedings	13 N.J.R. 595(b)	R. 1981 d. 434	13 N.J.R. 846(c)
10:140	1982 State Plan for Services to Developmentally Disabled	14 N.J.R. 699(b)	R. 1982 d. 320	14 N.J.R. 1060(c)

(Title 10, Transmittal 15 dated November 10, 1980)

### CORRECTIONS--TITLE 10A

(Title 10A, Transmittal 7 dated June 21, 1982)

### INSURANCE--TITLE 11

11:1-5.5	Notice of Cancellation and Nonrenewal: property and casualty insurance			15 N.J.R. 810(a)
11:1-14	Licensees: Address change; process serving	14 N.J.R. 748(a)	R. 1982 d. 336	14 N.J.R. 1099(b)
11:2-17.7	Claims settlement practices	14 N.J.R. 966(a)	R. 1982 d. 400	14 N.J.R. 1307(b)
11:2-18	Readable policies	14 N.J.R. 967(a)	R. 1982 d. 410	14 N.J.R. 1307(c)
11:2-18.4	Correction: Readable policies	14 N.J.R. 1308	R. 1982 d. 410	14 N.J.R. 1398(b)
11:3-7.3, 7.7	Additional personal injury protection	14 N.J.R. 543(b)	R. 1982 d. 246	14 N.J.R. 917(d)
11:3-8	Nonrenewal of automobile policies	15 N.J.R. 231(a)	R. 1983 d. 190	15 N.J.R. 927(a)
11:13	Commercial lines insurance	14 N.J.R. 1045(a)	R. 1982 d. 423	14 N.J.R. 1398(c)

(Title 11, Transmittal 17 dated June 21, 1982)

### LABOR--TITLE 12

12:15-1.3	Maximum weekly benefit rates	13 N.J.R. 602(b)	R. 1981 d. 419	13 N.J.R. 777(a)
12:15-1.3	Correction: Operative date	13 N.J.R. 602(b)	R. 1981 d. 419	13 N.J.R. 894(b)
12:15-1.3	1983 unemployment and disability benefits	14 N.J.R. 969(a)	R. 1982 d. 383	14 N.J.R. 1218(b)
12:15-1.4	Taxable wage base for unemployment compensation	13 N.J.R. 602(c)	R. 1981 d. 421	13 N.J.R. 777(b)
12:15-1.4	Correction: Operative date	13 N.J.R. 602(c)	R. 1981 d. 421	13 N.J.R. 894(b)
12:15-1.4	1983 wage base for unemployment contributions	14 N.J.R. 970(a)	R. 1982 d. 382	14 N.J.R. 1219(a)
12:15-1.5	Unemployment compensation contribution rates	13 N.J.R. 603(a)	R. 1981 d. 418	13 N.J.R. 777(c)
12:15-1.5	1983 contribution rates for government entities	14 N.J.R. 970(b)	R. 1982 d. 381	14 N.J.R. 1219(b)
12:17-10.3, 10.4	Repayment of unemployment benefits	15 N.J.R. 74(a)	R. 1983 d. 83	15 N.J.R. 447(a)
12:45	Vocational Rehabilitation Services: legal authority	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:46	Vocational Rehabilitation Services: Administration	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:47	Vocational Rehabilitation Services: advisory councils	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:48	Vocational Rehabilitation Services: potential, eligibility, economic need	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:49	Vocational Rehabilitation Services: appeals	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:50	Repealed: Disability Determinations Service	14 N.J.R. 1438(b)	R. 1983 d. 82	15 N.J.R. 693(a)
12:51	Vocational rehabilitation facilities	13 N.J.R. 230(a)	R. 1981 d. 289	13 N.J.R. 517(a)
12:56-3.2	Correction to Code: Exemptions from minimum wage rates			15 N.J.R. 43(b)
12:56-7.2	Wage and hour: "Administrative" defined	14 N.J.R. 1145(a)	R. 1982 d. 468	15 N.J.R. 36(a)
12:57	Wage orders for minors	13 N.J.R. 307(a)	R. 1981 d. 226	13 N.J.R. 441(c)
12:190	Safety standards for explosives	13 N.J.R. 517(b)	R. 1982 d. 229	14 N.J.R. 837(c)
12:191	Repealed	13 N.J.R. 517(b)	R. 1982 d. 229	14 N.J.R. 837(c)
12:192	Repealed	13 N.J.R. 517(b)	R. 1982 d. 229	14 N.J.R. 837(c)
12:193	Repealed	13 N.J.R. 517(b)	R. 1982 d. 229	14 N.J.R. 837(c)
12:195	Carnival-amusement rides	13 N.J.R. 441(d)	R. 1981 d. 321	13 N.J.R. 603(b)
12:195	Readopted: rules on Carnival-Amusement Rides	15 N.J.R. 1002(a)	R. 1983 d. 364	15 N.J.R. 1477(b)
12:235-1.5	Workers' compensation benefit rates	13 N.J.R. 604(a)	R. 1981 d. 420	13 N.J.R. 777(d)
12:235-1.5	1983 workers' compensation benefits	14 N.J.R. 971(a)	R. 1982 d. 380	14 N.J.R. 1219(c)

(Title 12, Transmittal 14 dated January 14, 1981)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
<b>LAW AND PUBLIC SAFETY—TITLE 13</b>				
13:1	Readopted: Police Training Commission rules	15 N.J.R. 866(a)	R. 1983 d. 316	15 N.J.R. 1382(b)
13:2-24.11	ABC: manufacturers' rebates and coupons	15 N.J.R. 1003(a)	R. 1983 d. 361	15 N.J.R. 1478(a)
13:3-1.2, 1.11	Amusement games control	15 N.J.R. 680(a)	R. 1983 d. 303	15 N.J.R. 1254(b)
1.14, 1.16, 1.17				
13:3-1.10, 1.14, 2.2, 3.9, 4.3	Amusement games licensing forms, fees	14 N.J.R. 1194(a)	R. 1982 d. 498	15 N.J.R. 93(a)
13:3-2.2, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.15, 4.3, 7.1, 7.2, 7.9	Amusement games control	15 N.J.R. 680(a)	R. 1983 d. 303	15 N.J.R. 1254(b)
13:3-8.1-8.7	Repealed	14 N.J.R. 1194(a)	R. 1982 d. 498	15 N.J.R. 93(a)
13:4-2.3	Fact-finding conferences on discrimination complaints	15 N.J.R. 500(a)	R. 1983 d. 385	15 N.J.R. 1604(a)
13:4-12.1	Discrimination complaints and hearings before OAL	15 N.J.R. 501(a)	R. 1983 d. 347	15 N.J.R. 1481(a)
13:18-10	Readopted: Unsatisfied claim and Judgment Fund rules on excess medical benefits	15 N.J.R. 872(a)	R. 1983 d. 387	15 N.J.R. 1604(b)
13:19-2	Repealed: Probationary Driver Licenses	15 N.J.R. 501(b)	R. 1983 d. 242	15 N.J.R. 1035(b)
13:19-10	Point system; motorized bicycle offenses	15 N.J.R. 1004(a)	R. 1983 d. 360	15 N.J.R. 1481(b)
13:19-11	Out-of-state conviction for drunk driving	15 N.J.R. 1009(a)	R. 1983 d. 352	15 N.J.R. 1481(c)
13:20-7.3, 7.4	Readopted: Motor vehicle inspection	14 N.J.R. 918(a)	R. 1982 d. 364	14 N.J.R. 1162(e)
13:20-7.4	Motor vehicle inspection: repeal odd-even system	Emergency	R. 1983 d. 294	15 N.J.R. 1261(a)
13:20-17.3	Attendance fee for driver improvement school	14 N.J.R. 1145(b)	R. 1982 d. 485	15 N.J.R. 93(b)
13:20-31.3	Fee for driver alcohol education program	14 N.J.R. 1195(a)	R. 1983 d. 19	15 N.J.R. 156(b)
13:20-32.4, 32.14, 32.15	Motor vehicle reinspection centers: mechanic certification	Emergency	R. 1983 d. 404	15 N.J.R. 1608(a)
13:20-32.6, 32.9, 32.11	Motor vehicle reinspection centers: Fees	14 N.J.R. 1196(a)	R. 1983 d. 20	15 N.J.R. 156(c)
13:21-4.5	Repealed: "Title only" motor vehicle certification	14 N.J.R. 632(a)	R. 1982 d. 370	14 N.J.R. 1163(a)
13:21-9.3	Restoration fee for motor vehicle license	14 N.J.R. 1146(a)	R. 1982 d. 484	15 N.J.R. 94(a)
13:25-6	Repeal (see 13:19-10)	15 N.J.R. 1004(a)	R. 1983 d. 360	15 N.J.R. 1481(b)
13:27-3.13	Board of Architects examination fees	15 N.J.R. 502(a)	R. 1983 d. 271	15 N.J.R. 1102(b)
13:27A	Price posting in barber shops	14 N.J.R. 749(a)	R. 1982 d. 387	14 N.J.R. 1219(d)
13:28-2	Correction: Expiration date for N.J.A.C. 13:28-2			15 N.J.R. 347(a)
13:29-1.6	CPA qualifying requirements	14 N.J.R. 749(b)	R. 1982 d. 405	14 N.J.R. 1309(a)
13:29-1.7	Board of Accountancy: conditional credit	14 N.J.R. 1279(a)	R. 1983 d. 211	15 N.J.R. 1035(c)
13:29-3.1-3.9, 3.12-3.18	Board of Accountancy: Professional misconduct	14 N.J.R. 895(a)	R. 1982 d. 407	14 N.J.R. 1309(b)
13:32-1.8	Pressure seal on plumbing permit applications	14 N.J.R. 750(a)	R. 1982 d. 388	14 N.J.R. 1219(e)
13:33-1.1-1.7, 1.9-1.13, 1.15-1.19, 1.25, 1.34, 1.39, 1.42	Licensure of ophthalmic dispensers and technicians	14 N.J.R. 545(a)	R. 1983 d. 15	15 N.J.R. 157(a)
13:33-1.38	Minimum standards for eyeglass dispensing	14 N.J.R. 1085(a)	R. 1983 d. 81	15 N.J.R. 447(b)
13:35-1-6	Board of Medical Examiners: standards and rules	15 N.J.R. 503(a)	R. 1983 d. 314	15 N.J.R. 1255(a)
13:35-6.5	Responsibility for pronouncement of death	14 N.J.R. 90(a)	R. 1982 d. 214	14 N.J.R. 767(a)
13:35-6.5	Correction: Responsibility for pronouncement of death	14 N.J.R. 767(a)	R. 1982 d. 214	14 N.J.R. 918(b)
13:35-7.9, 9.10	Repealed (see 13:35-1-6)	15 N.J.R. 503(a)	R. 1983 d. 314	15 N.J.R. 1255(a)
13:35-9	Certified Nurse-Midwife and lay midwife practice	14 N.J.R. 632(b)	R. 1982 d. 416	14 N.J.R. 1400(a)
13:35-11	In-State clinical training by foreign medical schools	15 N.J.R. 75(a)	R. 1983 d. 97	15 N.J.R. 550(b)
13:36-3.4	Mortuary science examination subjects	14 N.J.R. 897(a)	R. 1982 d. 409	14 N.J.R. 1309(c)
13:36-4.1	Mortuary science: License renewals	14 N.J.R. 751(a)	R. 1982 d. 333	14 N.J.R. 1110(a)
13:36-5.12	Mortuary advertising requirements	14 N.J.R. 898(a)	R. 1982 d. 404	14 N.J.R. 1309(d)
13:37-9.2	Practical nursing licensure by examination	14 N.J.R. 701(a)	R. 1982 d. 406	14 N.J.R. 1309(e)
13:37-12.1	Board of Nursing: Licensure fees	14 N.J.R. 635(a)	R. 1982 d. 408	14 N.J.R. 1310(a)
13:38-6.1	Optometric practices: readopted rule on patient records	15 N.J.R. 1011(a)	R. 1983 d. 359	15 N.J.R. 1481(d)
13:39-6.4, 6.5, 6.7, 6.8, 9.13	Computerized recordkeeping in pharmacies	14 N.J.R. 1343(a)	R. 1983 d. 22	15 N.J.R. 157(b)
13:39-8.14, 9.14	Pharmacist-in-Charge; in-store pharmacies	14 N.J.R. 898(b)	R. 1983 d. 341	15 N.J.R. 1482(a)
13:39-9.16	Board of Pharmacy examination fee	14 N.J.R. 1280(a)	R. 1983 d. 21	15 N.J.R. 157(c)
13:39-9.16	Board of Pharmacy fees	15 N.J.R. 78(a)	R. 1983 d. 95	15 N.J.R. 553(a)
13:40-1.1, 2.1	Engineers and surveyors: Sealing of documents	14 N.J.R. 1345(a)	R. 1983 d. 36	15 N.J.R. 157(d)
13:40-3.1	Engineers and land surveyors: Misconduct	14 N.J.R. 1196(b)	R. 1983 d. 16	15 N.J.R. 158(a)
13:40-6.1	Examination fees for engineers and surveyors	15 N.J.R. 78(b)	R. 1983 d. 148	15 N.J.R. 807(c)
13:41-3.2	Professional planning examination fees	15 N.J.R. 79(a)	R. 1983 d. 114	15 N.J.R. 626(a)
13:43-3.3	Certified Shorthand Reporter disclosure	15 N.J.R. 80(a)	R. 1983 d. 122	15 N.J.R. 626(b)
13:44-2.9	Veterinary board: Temporary permits	15 N.J.R. 130(a)	R. 1983 d. 113	15 N.J.R. 626(c)
13:44-4.1	Veterinary Medical Examiners fee schedule	14 N.J.R. 1281(a)	R. 1982 d. 502	15 N.J.R. 94(b)
13:44-4.1	Veterinary Medical Examiners: registration fees	15 N.J.R. 612(a)	R. 1983 d. 252	15 N.J.R. 1035(d)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
13:45A-18.1	Fee for consumer contract review	14 N.J.R. 464(a)	R. 1982 d.221	14 N.J.R. 767(b)
13:46-1.1	Boxing and wrestling programs: Definitions	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-1.2-1.4	Weights and classes: Recodified as subchapter 1A	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-4	Boxing and wrestling programs: Licenses and permits	14 N.J.R. 751(b)	R. 1982 d.389	14 N.J.R. 1220(a)
13:46-15.15-15.18	Complimentary tickets for boxing and wrestling events	14 N.J.R. 971(b)	R. 1982 d.398	14 N.J.R. 1220(b)
13:46-18.12, 18.18	Repealed	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:46-18.15	Same day boxing programs	14 N.J.R. 635(b)	R. 1982 d.271	14 N.J.R. 919(a)
13:47A-3.1	Securities industry: Nonduplication of fingerprinting	14 N.J.R. 550(a)	R. 1982 d.304	14 N.J.R. 981(c)
13:47A-5.2	Broker-dealer registration	14 N.J.R. 551(a)	R. 1982 d.265	14 N.J.R. 919(b)
13:47A-9.13	Repealed exemption restriction for private offering to sophisticated investors	14 N.J.R. 552(a)	R. 1982 d.266	14 N.J.R. 919(c)
13:47B-1.1	Correction to Code: Liquid measuring devices	_____	_____	14 N.J.R. 1315(b)
13:70-3, 14, 15, 29, 29	Readopted: Thoroughbred rules	15 N.J.R. 685(a)	R. 1983 d.295	15 N.J.R. 1256(a)
13:70-3.47	Thoroughbred rules	14 N.J.R. 1146(b)	R. 1983 d.14	15 N.J.R. 158(b)
13:70-4.1	Thoroughbred racing: License fees	14 N.J.R. 1444(a)	R. 1983 d.103	15 N.J.R. 553(b)
13:70-6.55, 6.56, 18.6	Thoroughbred rules	14 N.J.R. 1146(b)	R. 1983 d.14	15 N.J.R. 158(b)
13:70-19.43	Repealed (see 13:70-3, 14, 15, 19, 29)	15 N.J.R. 685(a)	R. 1983 d.295	15 N.J.R. 1256(a)
13:71-1.23	Harness racing: No smoking in barn areas	15 N.J.R. 873(b)	R. 1983 d.337	15 N.J.R. 1383(a)
13:71-5, 9, 21, 23	Readopted: Harness rules	15 N.J.R. 685(a)	R. 1983 d.295	15 N.J.R. 1256(a)
13:71-6.24, 11.9	Harness racing: Vaccination; respiratory bleeding	14 N.J.R. 1147(a)	R. 1983 d.13	15 N.J.R. 158(c)
13:71-7.1	Harness racing: License fees	14 N.J.R. 1445(a)	R. 1983 d.104	15 N.J.R. 554(a)
13:76	Arson investigators: training requirements (Title 13, Transmittal 18 dated June 21, 1982)	15 N.J.R. 1078(a)	R. 1983 d.365	15 N.J.R. 1482(b)
<b>PUBLIC UTILITIES—TITLE 14</b>				
14:18-11	Readopted: CATV application for municipal consent and certification rules (Title 14, Transmittal 16 dated June 21, 1982)	15 N.J.R. 874(a)	R. 1983 d.346	15 N.J.R. 1483(a)
<b>ENERGY—TITLE 14A</b>				
14A:3	Correction: Expiration date of N.J.A.C. 14A:3, Energy Conservation	_____	_____	15 N.J.R. 701(a)
14A:3-1, 2, 3, 4, 6, 7, 8, 9	Readopted: Energy Conservation rules	15 N.J.R. 789(a)	R. 1983 d.298	15 N.J.R. 1256(b)
14A:3-11.3, 11.5	Designation of used oil collection sites	13 N.J.R. 681(a)	R. 1982 d.262	14 N.J.R. 919(d)
14A:3-15.8	Recycling grants and loans: Supplementary projects	14 N.J.R. 1346(a)	R. 1983 d.119	15 N.J.R. 622(d)
14A:12-1	Computing cost savings in shared-savings contracts (Title 14A, Transmittal 8 dated June 21, 1982)	14 N.J.R. 820(a)	R. 1983 d.10	15 N.J.R. 158(d)
<b>STATE—TITLE 15</b>				
15:2	Commercial recording: Expedited information services	15 N.J.R. 14(a)	R. 1983 d.61	15 N.J.R. 340(d)
15:15-8.1, 8.2	Repeal rules on Register and Code (Title 15, Transmittal 13 dated March 19, 1981)	14 N.J.R. 366(a)	R. 1982 d.339	14 N.J.R. 1163(b)
<b>PUBLIC ADVOCATE—TITLE 15A</b> (Title 15A, Transmittal 1 dated March 20, 1978)				
<b>TRANSPORTATION—TITLE 16</b>				
16:22-1.1, 1.2, 1.4	Transportation Rehabilitation and Improvement funds	14 N.J.R. 97(a)	R. 1982 d.68	14 N.J.R. 284(a)
16:25-13	Railroad crossing and bridge cases	14 N.J.R. 1197(a)	R. 1983 d.45	15 N.J.R. 341(a)
16:26-1.1	Traffic signal information	13 N.J.R. 152(b)	R. 1981 d.164	13 N.J.R. 372(a)
16:27-1.4	Repeal traffic and parking on NJDOT property	13 N.J.R. 153(a)	R. 1981 d.165	13 N.J.R. 372(b)
16:28-1.2	Speed limit on Route 1-80	13 N.J.R. 153(b)	R. 1981 d.150	13 N.J.R. 372(c)
16:28-1.15	Speed limits along Route 13	13 N.J.R. 155(a)	R. 1981 d.152	13 N.J.R. 372(d)
16:28-1.16	Speed rates on I-95	14 N.J.R. 323(a)	R. 1982 d.172	14 N.J.R. 580(a)
16:28-1.17	Speed limits on Route 147	13 N.J.R. 239(a)	R. 1981 d.196	13 N.J.R. 451(a)
16:28-1.23	Speed limits along Route 18	13 N.J.R. 744(b)	R. 1981 d.484	13 N.J.R. 947(d)
16:28-1.23	School speed zone on Route 18 in Old Bridge	Emergency	R. 1982 d.465	15 N.J.R. 41(a)
16:28-1.23	Speed rate on Route 18 in East Brunswick	14 N.J.R. 1446(a)	R. 1983 d.51	15 N.J.R. 341(b)
16:28-1.23	Readopted school zone on Route 18 in Old Bridge	15 N.J.R. 41(a)	R. 1983 d.70	15 N.J.R. 448(a)
16:28-1.23	Speed limits on Route 18 in Monmouth and Middlesex Counties	15 N.J.R. 519(a)	R. 1983 d.232	15 N.J.R. 1036(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28-1.41	US 9 and 35 speed changes in Atlantic County	13 N.J.R. 838(a)	R. 1982 d. 11	14 N.J.R. 160(c)
16:28-1.49	Speed limits on Route 35	13 N.J.R. 451(b)	R. 1981 d. 333	13 N.J.R. 612(a)
16:28-1.56	Speed rates on US 40 and 322	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US 130	14 N.J.R. 323(a)	R. 1982 d. 172	14 N.J.R. 580(a)
16:28-1.69	Speed rates on US130 in Gloucester County	14 N.J.R. 824(a)	R. 1982 d. 323	14 N.J.R. 1060(d)
16:28-1.69	Speed rates on US 130 in North Brunswick	14 N.J.R. 1197(b)	R. 1982 d. 499	15 N.J.R. 94(c)
16:28-1.72	Speed limits on US 206 and 130 in Bordentown	14 N.J.R. 324(a)	R. 1982 d. 168	14 N.J.R. 580(b)
16:28-1.90	School zone on Route 166 in Dover Twp.	15 N.J.R. 520(a)	R. 1983 d. 231	15 N.J.R. 1036(b)
16:28-1.111	Speed limits for Route 87	13 N.J.R. 452(a)	R. 1981 d. 334	13 N.J.R. 613(a)
16:28A-1.1, 1.2, 1.4, 1.7	Parking on Routes US1, 1 and 9, 4, US9	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A-1.2	Parking on Routes 1 and 9	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.2	Parking on Route 1 and 9 in Newark	14 N.J.R. 1049(a)	R. 1982 d. 420	14 N.J.R. 1402(a)
16:28A-1.3, 1.5	Parking on Routes 3 and 5	14 N.J.R. 552(b)	R. 1982 d. 247	14 N.J.R. 919(e)
16:28A-1.4	Route 4 bus stops	14 N.J.R. 98(a)	R. 1982 d. 83	14 N.J.R. 347(b)
16:28A-1.4	Bus stops on Route 4 in Elmwood Park	14 N.J.R. 825(a)	R. 1982 d. 328	14 N.J.R. 1100(b)
16:28A-1.6	Restricted parking along Route 7	13 N.J.R. 522(a)	R. 1981 d. 383	13 N.J.R. 778(b)
16:28A-1.6	Restricted parking on Route 7	13 N.J.R. 745(a)	R. 1981 d. 483	13 N.J.R. 947(b)
16:28A-1.6	Parking on Route 7	14 N.J.R. 424(a)	R. 1982 d. 203	14 N.J.R. 710(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.7	Route US 9 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.7	US 9 parking	13 N.J.R. 239(b)	R. 1981 d. 195	13 N.J.R. 452(b)
16:28A-1.7	Parking on US 9	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.7	Restricted parking along Route US 9	13 N.J.R. 452(c)	R. 1981 d. 335	13 N.J.R. 613(b)
16:28A-1.7	Restricted parking on US 9	13 N.J.R. 745(b)	R. 1981 d. 487	13 N.J.R. 947(f)
16:28A-1.7	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R. 1982 d. 44	14 N.J.R. 236(a)
16:28A-1.7	Parking on US9	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.7	Parking on US 9 in Dover Twp, Ocean County	15 N.J.R. 686(a)	R. 1983 d. 279	15 N.J.R. 1181(c)
16:28A-1.8	Parking and bus stops on Route 10	14 N.J.R. 464(b)	R. 1982 d. 223	14 N.J.R. 838(a)
16:28A-1.9	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R. 1982 d. 45	14 N.J.R. 236(b)
16:28A-1.9	Readopted: Route 17 parking in Mahwah	14 N.J.R. 429(e)	R. 1982 d. 201	14 N.J.R. 710(b)
16:28A-1.9	Parking on Route 17 in Paramus	15 N.J.R. 520(b)	R. 1983 d. 228	15 N.J.R. 1036(c)
16:28A-1.9, 1.10, 1.11, 1.13, 1.15	Parking on Routes 17, 20, 21, US22, 23	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A-1.13	Parking on US22	14 N.J.R. 199(a)	R. 1982 d. 116	14 N.J.R. 391(b)
16:28A-1.13	Route US 22	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.13	Parking on US 22	14 N.J.R. 753(a)	R. 1982 d. 313	14 N.J.R. 1061(a)
16:28A-1.13	Parking on US 22	14 N.J.R. 1198(a)	R. 1982 d. 500	15 N.J.R. 94(d)
16:28A-1.14	Restricted parking along Route US 22 alternate	13 N.J.R. 453(b)	R. 1981 d. 336	13 N.J.R. 613(c)
16:28A-1.15	Route 23 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.15	Parking on Route 23	13 N.J.R. 241(a)	R. 1981 d. 192	13 N.J.R. 454(b)
16:28A-1.15	Restricted parking along Route 23	13 N.J.R. 454(a)	R. 1981 d. 337	13 N.J.R. 613(d)
16:28A-1.15	Parking on Route 23 (Temporary)	14 N.J.R. 1199(a)	R. 1982 d. 501	15 N.J.R. 95(a)
16:28A-1.15	Parking on Route 23 in Sussex County	Emergency	R. 1983 d. 96	15 N.J.R. 555(a)
16:28A-1.15	Readopted: Parking on Route 23 in Sussex County	15 N.J.R. 555(a)	R. 1983 d. 225	15 N.J.R. 1036(d)
16:28A-1.16	Restricted parking along Route 24	13 N.J.R. 455(a)	R. 1981 d. 338	13 N.J.R. 613(e)
16:28A-1.16	Route 24 parking	14 N.J.R. 553(a)	R. 1982 d. 248	14 N.J.R. 919(f)
16:28A-1.18	Restricted parking along Route 27	13 N.J.R. 373(c)	R. 1981 d. 312	13 N.J.R. 613(f)
16:28A-1.18	Route 27 bus stops in Edison	13 N.J.R. 934(a)	R. 1982 d. 46	14 N.J.R. 236(c)
16:28A-1.18	Parking on Route 27	14 N.J.R. 554(a)	R. 1982 d. 249	14 N.J.R. 920(a)
16:28A-1.18	Route 27 parking in South Brunswick	15 N.J.R. 317(a)	R. 1983 d. 150	15 N.J.R. 807(d)
16:28A-1.18, 1.19	Parking on Routes 27, 28	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A-1.19	Route 28 parking	13 N.J.R. 155(b)	R. 1981 d. 153	13 N.J.R. 373(d)
16:28A-1.19	Route 28 parking	13 N.J.R. 157(b)	R. 1981 d. 156	13 N.J.R. 373(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 242(a)	R. 1981 d. 193	13 N.J.R. 455(b)
16:28A-1.19	Parking on Route 28	13 N.J.R. 240(a)	R. 1981 d. 191	13 N.J.R. 453(a)
16:28A-1.19	Route 28 parking in Roselle Park	14 N.J.R. 138(a)	R. 1982 d. 111	14 N.J.R. 391(c)
16:28A-1.20, 1.21	Parking on Routes 29 and US 30	14 N.J.R. 554(b)	R. 1982 d. 250	14 N.J.R. 920(b)
16:28A-1.21	Parking on US30	14 N.J.R. 825(b)	R. 1982 d. 322	14 N.J.R. 1061(b)
16:28A-1.22	Parking on Route 31	14 N.J.R. 555(a)	R. 1982 d. 251	14 N.J.R. 920(c)
16:28A-1.23	Route 33 parking	13 N.J.R. 154(a)	R. 1981 d. 151	13 N.J.R. 373(a)
16:28A-1.23	Route 33 parking	13 N.J.R. 156(a)	R. 1981 d. 154	13 N.J.R. 374(a)
16:28A-1.23	Route 33 parking in Hopewell Township	13 N.J.R. 838(b)	R. 1982 d. 12	14 N.J.R. 161(a)
16:28A-1.23, 1.24, 1.25	Parking on Routes 33, 34, 35	14 N.J.R. 637(a)	R. 1982 d. 283	14 N.J.R. 982(a)
16:28A-1.23, 1.25	Restricted parking on Routes 33 and 35	13 N.J.R. 746(a)	R. 1981 d. 482	13 N.J.R. 947(c)
16:28A-1.25	Route 35 parking	13 N.J.R. 157(a)	R. 1981 d. 155	13 N.J.R. 374(b)
16:28A-1.25	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R. 1982 d. 60	14 N.J.R. 284(b)
16:28A-1.25	Parking on Route 35	14 N.J.R. 324(b)	R. 1982 d. 173	14 N.J.R. 580(c)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.25	Route 35 parking	14 N.J.R. 1198(a)	R.1982 d.500	15 N.J.R. 94(d)
16:28A-1.25	Route 35 parking	14 N.J.R. 1199(a)	R.1982 d.501	15 N.J.R. 95(a)
16:28A-1.25	Route 35 parking in Dover Township	15 N.J.R. 318(a)	R.1983 d.151	15 N.J.R. 808(a)
16:28A-1.25	Parking on Route 35 in Old Bridge	15 N.J.R. 792(a)	R.1983 d.297	15 N.J.R. 1256(c)
16:28A-1.26	Parking on Route 36	13 N.J.R. 453(a)	R.1981 d.191	13 N.J.R. 453(a)
16:28A-1.26, 1.27	Parking on Routes 36, 38	14 N.J.R. 702(b)	R.1982 d.312	14 N.J.R. 1061(c)
16:28A-1.27	Parking on Route 38	14 N.J.R. 424(a)	R.1982 d.203	14 N.J.R. 710(a)
16:28A-1.27	Parking on Route 38	14 N.J.R. 753(a)	R.1982 d.313	14 N.J.R. 1061(a)
16:28A-1.28	Restricted parking on US 40 and Route 70	13 N.J.R. 747(a)	R.1981 d.481	13 N.J.R. 947(e)
16:28A-1.28	Parking on Routes US9 and 40	13 N.J.R. 932(b)	R.1982 d.44	14 N.J.R. 236(a)
16:28A-1.28, 1.31, 1.32	Parking on Routes 40, 45, 46	14 N.J.R. 702(b)	R.1982 d.312	14 N.J.R. 1061(c)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 241(a)	R.1981 d.192	13 N.J.R. 454(b)
16:28A-1.32	Parking on Route US 46	13 N.J.R. 242(b)	R.1981 d.194	13 N.J.R. 455(c)
16:28A-1.32	Restricted parking along Route US 46	13 N.J.R. 522(b)	R.1981 d.384	13 N.J.R. 779(a)
16:28A-1.32	Restricted parking on US 46	13 N.J.R. 747(b)	R.1981 d.480	13 N.J.R. 948(a)
16:28A-1.32	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R.1982 d.47	14 N.J.R. 236(d)
16:28A-1.33	Parking on Route 47	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
16:28A-1.34	Parking on Route 49	14 N.J.R. 554(a)	R.1982 d.249	14 N.J.R. 920(a)
16:28A-1.34	Parking on Route 49 in Millville	14 N.J.R. 1283(a)	R.1983 d.1	15 N.J.R. 162(a)
16:28A-1.36, 1.37	Parking on Routes 57 and 70	13 N.J.R. 242(b)	R.1981 d.194	13 N.J.R. 455(c)
16:28A-1.36, 1.37	Parking on Routes 57, 70	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
16:28A-1.37	Restricted parking along Route 70	13 N.J.R. 456(a)	R.1981 d.339	13 N.J.R. 614(a)
16:28A-1.37	Route 70 parking	13 N.J.R. 747(a)	R.1981 d.481	13 N.J.R. 947(e)
16:28A-1.37	Parking on Route 70 in Lakehurst	15 N.J.R. 426(a)	R.1982 d.172	15 N.J.R. 929(a)
16:28A-1.38	Parking on Route 71 in Belmar	14 N.J.R. 325(a)	R.1982 d.174	14 N.J.R. 580(d)
16:28A-1.38	Parking on Route 71 in Spring Lake Heights	15 N.J.R. 686(a)	R.1983 d.279	15 N.J.R. 1181(c)
16:28-1.38, 1.40, 1.41, 1.42,	Parking on Routes 71, 73, 77, 79, 94, US 130	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
1.45, 1.46				
16:28A-1.41	Parking on Route 77	14 N.J.R. 324(b)	R.1982 d.173	14 N.J.R. 580(c)
16:28A-1.43	Restricted parking along Route 82	13 N.J.R. 522(b)	R.1981 d.384	13 N.J.R. 779(a)
16:28A-1.44	Route 88 parking	13 N.J.R. 155(b)	R.1981 d.153	13 N.J.R. 373(d)
16:28A-1.46	Parking on US 130	13 N.J.R. 746(a)	R.1981 d.482	13 N.J.R. 947(c)
16:28A-1.50	Bus stops on Routes 17 and 166	13 N.J.R. 933(a)	R.1982 d.45	14 N.J.R. 236(b)
16:28A-1.50, 1.51	Parking on Routes 166, 168	14 N.J.R. 702(b)	R.1982 d.312	14 N.J.R. 1061(c)
16:28A-1.51	Restricted parking along Route 168	13 N.J.R. 522(b)	R.1981 d.384	13 N.J.R. 779(a)
16:28A-1.52, 1.55, 1.57	Parking on Routes 173, US 202, US 206	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
16:28A-1.55	Parking on Routes US46 and 202 in Morris County	13 N.J.R. 935(a)	R.1982 d.47	14 N.J.R. 236(d)
16:28A-1.55	Restricted parking on State highways	13 N.J.R. 455(a)	R.1981 d.338	13 N.J.R. 613(e)
16:28A-1.55	Parking on US 202 in Morris Township	15 N.J.R. 131(a)	R.1983 d.111	15 N.J.R. 626(d)
16:28A-1.56, 1.63	Parking on US 202-206 and 202-31	14 N.J.R. 556(a)	R.1982 d.252	14 N.J.R. 920(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 155(b)	R.1981 d.153	13 N.J.R. 373(d)
16:28A-1.57	Route US 206 parking	13 N.J.R. 156(a)	R.1981 d.154	13 N.J.R. 374(a)
16:28A-1.57	Parking along US 206	13 N.J.R. 453(b)	R.1981 d.336	13 N.J.R. 613(c)
16:28A-1.57	US206 parking in Hamilton Township	14 N.J.R. 139(a)	R.1982 d.112	14 N.J.R. 391(d)
16:28A-1.60	Restricted parking on Route US 322-47	13 N.J.R. 523(a)	R.1981 d.382	13 N.J.R. 779(b)
16:28A-1.61	Bus stops on US9W in Fort Lee	14 N.J.R. 139(b)	R.1982 d.113	14 N.J.R. 391(e)
16:28A-1.61	Bustops and parking on US 9W	14 N.J.R. 465(a)	R.1982 d.224	14 N.J.R. 838(b)
16:28A-1.61	Parking on US 9W in Fort Lee	15 N.J.R. 521(a)	R.1983 d.227	15 N.J.R. 1036(e)
16:28A-1.64	Route 41 parking	13 N.J.R. 157(a)	R.1981 d.155	13 N.J.R. 374(b)
16:28A-1.64	Parking on Route 41	14 N.J.R. 425(a)	R.1982 d.202	14 N.J.R. 710(c)
16:28A-1.64	Parking on Route 41 in Cherry Hill	14 N.J.R. 1446(b)	R.1983 d.52	15 N.J.R. 342(a)
16:28A-1.65	Route 15 parking	13 N.J.R. 154(a)	R.1981 d.151	13 N.J.R. 373(a)
16:28A-1.65	Parking on Route 15	14 N.J.R. 466(a)	R.1982 d.226	14 N.J.R. 838(c)
16:28A-1.65	Route 15 Parking	14 N.J.R. 1198(a)	R.1982 d.500	15 N.J.R. 94(d)
16:28A-1.66	Parking on Route 18	13 N.J.R. 239(b)	R.1981 d.195	13 N.J.R. 452(b)
16:28A-1.67	Route 63 parking	13 N.J.R. 157(a)	R.1981 d.155	13 N.J.R. 374(b)
16:28A-1.67, 1.71	Parking on Routes 63, 67	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
16:28A-1.68	Route 93 parking	13 N.J.R. 155(b)	R.1981 d.153	13 N.J.R. 373(d)
16:28A-1.68	Parking on Route 93	14 N.J.R. 199(a)	R.1982 d.116	14 N.J.R. 391(b)
16:28A-1.68, 1.70	Parking on Routes 93, 439	14 N.J.R. 702(b)	R.1982 d.312	14 N.J.R. 1061(c)
16:28A-1.69	Parking on Route 124	13 N.J.R. 240(a)	R.1981 d.191	13 N.J.R. 453(a)
16:28A-1.70	Parking on Routes 35 and 439	14 N.J.R. 35(a)	R.1982 d.60	14 N.J.R. 284(b)
16:28A-1.70	Parking on Route 439 in Elizabeth	15 N.J.R. 521(b)	R.1983 d.226	15 N.J.R. 1037(a)
16:28A-1.71	Bus stops on Route 67 in Fort Lee	14 N.J.R. 139(b)	R.1982 d.113	14 N.J.R. 391(e)
16:28A-1.72, 1.73	Parking on Routes 31-57 and 32	14 N.J.R. 555(a)	R.1982 d.251	14 N.J.R. 920(c)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
16:28A-1.74-1.94	Parking on Routes 33-34, 35, 35-71, 37, US 40-50, 53, 59, I-80, 87, US 130, 33, 153, 159, 161, 182, 62, 208, 280, I-280, 287, I-295, US322, US322-45	14 N.J.R. 637(a)	R.1982 d.283	14 N.J.R. 982(a)
16:28A-1.81	Readopted: Parking on Route 87 in Atlantic City	15 N.J.R. 234(a)	R.1983 d.130	15 N.J.R. 694(a)
16:28A-1.95	Readopted: Parking on Rising Sun Square Road	14 N.J.R. 825(b)	R.1982 d.322	14 N.J.R. 1061(b)
16:29-1.3, 1.20, 1.24-1.28	No passing zone changes	14 N.J.R. 1283(b)	R.1983 d.2	15 N.J.R. 162(b)
16:30-2.5	Stop intersection on Route 71, Oceanport-Eatontown	15 N.J.R. 318(b)	R.1983 d.152	15 N.J.R. 808(b)
16:30-2.6	Readopted: Stop sign on Old Yorke Road	14 N.J.R. 990(a)	R.1982 d.414	14 N.J.R. 1402(b)
16:30-3.4	Readopted: US9 bus and HOV lane	14 N.J.R. 661(b)	R.1982 d.299	14 N.J.R. 982(c)
16:30-3.6	Readopt HOV lanes along Route 444	13 N.J.R. 456(b)	R.1981 d.323	14 N.J.R. 614(b)
16:30-3.6	Repealed: HOV lanes on Parkway	14 N.J.R. 662(a)	R.1982 d.294	14 N.J.R. 982(d)
16:30-3.7	Bus lane on US 22 in Westfield-Mountainside	15 N.J.R. 522(a)	R.1983 d.229	15 N.J.R. 1037(b)
16:30-9.1	Drawbridge use on Route 35 in Old Bridge-Sayerville	15 N.J.R. 132(a)	R.1983 d.106	15 N.J.R. 554(b)
16:31-1.1	U turns on US 206 in Bordentown	15 N.J.R. 426(b)	R.1983 d.173	15 N.J.R. 930(a)
16:31-1.1	Turns on US 206 in Somerset County	15 N.J.R. 522(b)	R.1983 d.230	15 N.J.R. 1037(c)
16:31-1.3	Turns on Route 46 in Dover, Morris County	15 N.J.R. 319(a)	R.1983 d.153	15 N.J.R. 808(c)
16:31-1.10	Turns along Route US 30	13 N.J.R. 457(a)	R.1981 d.340	13 N.J.R. 614(c)
16:31-1.16	No left turn along Route 79	13 N.J.R. 614(d)	R.1981 d.460	13 N.J.R. 895(b)
16:31-1.17	Left turns on Route 73, Winslow Twp.	14 N.J.R. 466(b)	R.1982 d.225	14 N.J.R. 838(d)
16:31-1.18	Turns on Route 31 in Hunterdon County	14 N.J.R. 826(a)	R.1982 d.327	14 N.J.R. 1100(c)
16:31-1.19	Turns on Route 33 in Mercer County	14 N.J.R. 973(a)	R.1982 d.394	14 N.J.R. 1220(c)
16:31-1.20	Left turns on Route 28 in Somerset County	14 N.J.R. 1447(a)	R.1983 d.53	15 N.J.R. 342(b)
16:31-1.21	Turns on Route 15 in Morris County	15 N.J.R. 319(a)	R.1983 d.153	15 N.J.R. 808(c)
16:31A-1.4, 1.13, 1.17, 1.19, 1.23	Prohibited rights on red: Routes 4, 18, 24, 28, 33	13 N.J.R. 935(b)	R.1982 d.48	14 N.J.R. 236(e)
16:31A-1.25, 1.35, 1.37, 1.65	Prohibited rights on red: Routes 35, 49, US46, and 206	13 N.J.R. 936(a)	R.1982 d.49	14 N.J.R. 237(a)
16:31A-1.67	Route I-280 right-on-red prohibition in Orange	13 N.J.R. 937(a)	R.1982 d.50	14 N.J.R. 237(b)
16:31A-1.77	Route 181 right-on-red prohibition in Sparta	13 N.J.R. 937(b)	R.1982 d.51	14 N.J.R. 237(c)
16:32	Designated routes for special categories of trucks	Emergency	R.1983 d.124	15 N.J.R. 643(a)
16:32	Readopted: Designated routes for special categories of trucks	15 N.J.R. 643(a)	R.1983 d.259	15 N.J.R. 1102(c)
16:32	Correction: Designated routes for special categories of trucks	15 N.J.R. 1102(c)	R.1983 d.259	15 N.J.R. 1182(a)
16:41-8.1, 8.4, 8.5, 8.6	Outdoor advertising	13 N.J.R. 615(a)	R.1981 d.497	14 N.J.R. 46(d)
16:41A-7.1	Outdoor Advertising Tax Act	13 N.J.R. 616(a)	R.1981 d.496	14 N.J.R. 47(a)
16:51	Recodified as 16:73	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:51-4	Repealed: Delegation of powers	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:53-1.1-1.3, 1.6-1.9, 1.11, 1.19, 1.21-1.30, 2	Autobus specifications	14 N.J.R. 1347(a)	R.1983 d.110	15 N.J.R. 694(b)
16:53-2	Autobus specifications	13 N.J.R. 834(a)	R.1982 d.30	14 N.J.R. 160(b)
16:53-3.1-3.39, 4, 5.1, 6, 7, 8, 9.1, 9.2	Autobus specifications	14 N.J.R. 1347(a)	R.1983 d.110	15 N.J.R. 694(b)
16:54	Licensing of aeronautical facilities	12 N.J.R. 289(a)	R.1981 d.141	13 N.J.R. 374(c)
16:54-1.3	"Commercial purposes" and balloon operations	14 N.J.R. 326(a)	R.1982 d.175	14 N.J.R. 580(e)
16:56-3	Repeal aircraft registry logs	13 N.J.R. 457(b)	R.1981 d.341	13 N.J.R. 616(b)
16:58-2	Repealed: Sport parachuting license rules	14 N.J.R. 1289(b)	R.1983 d.8	15 N.J.R. 162(c)
16:65-9	Corporate reorganization of contractors	13 N.J.R. 524(a)	R.1981 d.399	13 N.J.R. 779(c)
16:72	N.J. Transit procurement policies and procedures	13 N.J.R. 158(a)	R.1981 d.176	13 N.J.R. 374(d)
16:73	Reduced Fare Transportation Program	13 N.J.R. 881(a)	R.1982 d.40	14 N.J.R. 209(a)
16:75	NJ TRANSIT: bus allocation rules	15 N.J.R. 881(a)	R.1983 d.371	15 N.J.R. 1484(a)

**(Title 16, Transmittal 15 dated March 19, 1981)**

**TREASURY-GENERAL--TITLE 17**

17:1	Readopted: General Administration pension rules	15 N.J.R. 523(a)	R.1983 d.174	15 N.J.R. 930(b)
17:1-1.3, 1.8, 1.18, 1.19	Transfer between retirement systems; hearings	14 N.J.R. 1290(a)	R.1982 d.491	15 N.J.R. 95(b)
17:1-1.5	Pensions: Monthly transmittals and interest charges	15 N.J.R. 80(b)	R.1983 d.77	15 N.J.R. 448(b)
17:1-1.10	Pensions: Audit differences and minimum adjustments	14 N.J.R. 1200(a)	R.1982 d.470	15 N.J.R. 36(b)
17:1-1.14	Annual reports of salary changes	14 N.J.R. 200(a)	R.1982 d.358	14 N.J.R. 1163(c)
17:1-1.24	Pensioners' Group Health Insurance	14 N.J.R. 328(a)	R.1982 d.346	14 N.J.R. 1163(d)
17:1-2.3	Alternate Benefit Program: Salary agreements and deductions	14 N.J.R. 1149(a)	R.1982 d.438	14 N.J.R. 1464(a)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
17:1-2.22, 2.23	Alternate Benefit Program: Life and disability insurance	14 N.J.R. 1200(b)	R. 1982 d.483	15 N.J.R. 95(c)
17:1-2.36	Alternate Benefit Program: Transfers and interest	14 N.J.R. 1201(a)	R. 1982 d.480	15 N.J.R. 96(a)
17:1-4.6, 4.25	Transfers and hearings	14 N.J.R. 1290(a)	R. 1982 d.491	15 N.J.R. 95(b)
17:1-4.11	Pension purchases and final payments	14 N.J.R. 328(b)	R. 1982 d.347	14 N.J.R. 1163(e)
17:1-4.13, 4.34	Pensions: Service credit; purchases	14 N.J.R. 1201(b)	R. 1982 d.469	15 N.J.R. 36(c)
17:1-5.-7	Hearing request; Adjustment Program	14 N.J.R. 1290(a)	R. 1982 d.491	15 N.J.R. 95(b)
17:1-8.12	Social Security: Employer penalties for late filings	14 N.J.R. 1202(a)	R. 1982 d.471	15 N.J.R. 37(a)
17:1-8.12	Social Security: Late filing penalties	15 N.J.R. 319(b)	R. 1983 d.132	15 N.J.R. 696(a)
17:1-8.14	Social Security late transmittal fee	15 N.J.R. 687(a)	R. 1983 d.265	15 N.J.R. 1104(a)
17:1-12.1	Division of Pensions administrative priorities	14 N.J.R. 329(a)	R. 1982 d.350	14 N.J.R. 1164(a)
17:1-12.2	Loan information	14 N.J.R. 1201(b)	R. 1982 d.469	15 N.J.R. 36(c)
17:1-12.3	Retirement system loans	14 N.J.R. 1447(b)	R. 1983 d.39	15 N.J.R. 245(a)
17:1-12.4	Interfund transfers: court attendants appointed sheriff's officers	15 N.J.R. 525(a)	R. 1983 d.216	15 N.J.R. 1037(d)
17:1-12.5	Interfund transfers and accumulated interest	15 N.J.R. 526(a)	R. 1983 d.217	15 N.J.R. 1037(e)
17:1-12.6	Pension credit for extended maternity leave	15 N.J.R. 1012(b)	R. 1983 d.334	15 N.J.R. 1383(b)
17:2-2.3, 3.3 7.1, 7.2	PERS: Ineligibility; contributory insurance rates; interfund transfers	14 N.J.R. 1150(a)	R. 1983 d.7	15 N.J.R. 162(d)
17:2-3.3	PERS: Contributory insurance rate	14 N.J.R. 200(b)	R. 1982 d.343	14 N.J.R. 1164(b)
17:2-3.9	Repealed: PERS insurance liability for unenrolled members	15 N.J.R. 16(a)	R. 1983 d.76	15 N.J.R. 449(a)
17:2-3.12, -5	PERS: Beneficiary designation; purchases	14 N.J.R. 1151(a)	R. 1983 d.6	15 N.J.R. 163(a)
17:2-6.26	PERS: Critical disability claims	13 N.J.R. 748(a)	R. 1981 d.515	14 N.J.R. 105(a)
17:3	Readopted: Teachers' Pension and Annuity Fund rules	15 N.J.R. 526(b)	R. 1983 d.175	15 N.J.R. 930(c)
17:3-1.1	Teachers' Pension: Board meetings	14 N.J.R. 201(a)	R. 1982 d.344	14 N.J.R. 1164(c)
17:3-1.11, 3.12	Teachers' Pension and Annuity Fund	14 N.J.R. 1202(b)	R. 1983 d.78	15 N.J.R. 449(b)
17:3-5	Teachers' Pension: Purchase and eligible service	13 N.J.R. 618(b)	R. 1981 d.510	14 N.J.R. 105(b)
17:3-5.5, 6.2	Teachers' Pension	14 N.J.R. 1202(b)	R. 1983 d.78	15 N.J.R. 449(b)
17:3-6.4	Loan repayments to teachers' fund	13 N.J.R. 748(b)	R. 1982 d.14	14 N.J.R. 161(c)
17:3-6.15	Teachers' Pension: Compulsory retirement	13 N.J.R. 620(a)	R. 1981 d.509	14 N.J.R. 105(c)
17:3-7.1, 7.2	Teachers' Pension	14 N.J.R. 1202(b)	R. 1983 d.78	15 N.J.R. 449(b)
17:4-1.12	Police and Firemen's Retirement: Proof of age	14 N.J.R. 1204(a)	R. 1983 d.4	15 N.J.R. 163(b)
17:4-3.6	Police and Firemen's Retirement: Insurance liability	14 N.J.R. 1291(a)	R. 1983 d.47	15 N.J.R. 342(c)
17:4-5.1	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:4-5.3, 5.6	Police and Firemen's Retirement System changes	14 N.J.R. 1204(b)	R. 1983 d.3	15 N.J.R. 163(c)
17:4-5.5	Police and Firemen's Retirement: Reinstatement	15 N.J.R. 132(b)	R. 1983 d.127	15 N.J.R. 696(b)
17:4-6.2, 6.6	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:4-6.4	Police and Firemen's Retirement	14 N.J.R. 1204(b)	R. 1983 d.3	15 N.J.R. 163(c)
17:4-6.14	Insurance purchases and retirement	13 N.J.R. 310(b)	R. 1982 d.292	13 N.J.R. 525(c)
17:4-7.1, 7.2	Police and Firemen's Retirement	14 N.J.R. 1204(b)	R. 1983 d.3	15 N.J.R. 163(c)
17:5-1.9	State Police Retirement: Proof of age	14 N.J.R. 1205(a)	R. 1983 d.49	15 N.J.R. 342(d)
17:5-2.4	State Police Retirement System	14 N.J.R. 1448(a)	R. 1983 d.48	15 N.J.R. 342(e)
17:5-4.1, 4.2 4.3	State Police pension purchases and eligible service	13 N.J.R. 939(a)	R. 1982 d.66	14 N.J.R. 284(e)
17:5-5.15	State Police: Critical disability claims	13 N.J.R. 939(a)	R. 1982 d.67	14 N.J.R. 285(a)
17:5-6.1, 6.2	State Police Retirement: Interfund transfers	14 N.J.R. 1292(a)	R. 1983 d.46	15 N.J.R. 343(a)
17:6-1.9	Consolidated Police and Firemen's: Interest charge	14 N.J.R. 1293(a)	R. 1983 d.35	15 N.J.R. 163(d)
17:6-3.9	Consolidated police and firemen's disability	13 N.J.R. 749(b)	R. 1982 d.349	14 N.J.R. 1164(d)
17:7	Readopted: Prison Officers' Pension Fund rules	15 N.J.R. 527(a)	R. 1983 d.176	15 N.J.R. 930(d)
17:8-2.6, 3.3	Supplemental Trust: Suspended deductions; withdrawal or retirement	15 N.J.R. 81(a)	R. 1983 d.128	15 N.J.R. 697(a)
17:8-4	Supplemental Annuity: Voluntary employee contributions	14 N.J.R. 556(b)	R. 1982 d.348	14 N.J.R. 1164(e)
17:9	Readopted: Health Benefits Program rules	15 N.J.R. 529(a)	R. 1983 d.177	15 N.J.R. 930(e)
17:9	State Health Benefits Program	15 N.J.R. 792(b)	R. 1983 d.330	15 N.J.R. 1383(c)
17:9-1.4, 1.6	State Health Benefits Commission rules	14 N.J.R. 1293(b)	R. 1983 d.44	15 N.J.R. 343(b)
17:9-1.5	Health Benefits Program: employer termination of participation	15 N.J.R. 793(a)	R. 1983 d.332	15 N.J.R. 1383(d)
17:9-1.7	State Health Benefits Program: local governments	15 N.J.R. 884(a)	R. 1983 d.331	15 N.J.R. 1383(e)
17:9-2.1, 2.2, 2.3, 2.6, 2.7, 2.11	State Health Benefits Commission rules	14 N.J.R. 1293(b)	R. 1983 d.44	15 N.J.R. 343(b)
17:9-2.10	HMO options for employees who move	15 N.J.R. 81(b)	R. 1983 d.129	15 N.J.R. 697(b)
17:9-4.6	State Health Benefits Program: "Local, full time"	14 N.J.R. 1296(a)	R. 1983 d.43	15 N.J.R. 343(c)
17:9-5.3, 5.5, 5.6, 5.8, 5.10	State Health Benefits Commission rules	14 N.J.R. 1293(b)	R. 1983 d.44	15 N.J.R. 343(b)
17:9-5.11	Health coverage and 10-month employees	14 N.J.R. 36(a)	R. 1982 d.341	14 N.J.R. 1165(a)
17:9-6.1-6.6,	State Health Benefits Commission rules	14 N.J.R. 1293(b)	R. 1983 d.44	15 N.J.R. 343(b)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
7.1, 7.2, 7.4				
17:10	Readopted: Judicial Retirement System rules	15 N.J.R. 530(a)	R. 1983 d. 178	15 N.J.R. 931(a)
17:10-1.3, 1.4	Judicial Retirement System administration	14 N.J.R. 1296(b)	R. 1983 d. 212	15 N.J.R. 1038(a)
17:10-1.8	Judicial Retirement System: proof of age	14 N.J.R. 1298(a)	R. 1983 d. 214	15 N.J.R. 1038(b)
17:10-2.1	Judicial Retirement System administration	14 N.J.R. 1296(b)	R. 1983 d. 212	15 N.J.R. 1038(a)
17:10-3.1	Judicial Retirement: computation of benefits	14 N.J.R. 1299(a)	R. 1983 d. 213	15 N.J.R. 1038(c)
17:10-3.2	Judicial Retirement System: Maternity leave	14 N.J.R. 201(b)	R. 1982 d. 345	14 N.J.R. 1165(b)
17:10-3.6, 4.3, 4.4, 4.7, 4.8, 4.9, 5.1, 5.2, 5.3	Judicial Retirement System administration	14 N.J.R. 1296(b)	R. 1983 d. 212	15 N.J.R. 1038(a)
17:10-5.10	Judicial Retirement System: Disability	14 N.J.R. 140(a)	R. 1982 d. 342	14 N.J.R. 1165(c)
17:10-6.1	Judicial Retirement System administration	14 N.J.R. 1296(b)	R. 1983 d. 212	15 N.J.R. 1038(a)
17:12-5.1	Subscription fee for State contract information	14 N.J.R. 1085(b)	R. 1982 d. 481	15 N.J.R. 96(b)
17:16-5.1, 5.2	Readopted: State Investment Council, classification of funds	15 N.J.R. 531(a)	R. 1983 d. 233	15 N.J.R. 1038(d)
17:16-5.1-5.6	State Investment Council funds	14 N.J.R. 329(b)	R. 1982 d. 397	14 N.J.R. 1220(d)
17:16-17.2, 17.3	State Investment Council: Applicable funds; equity investments	15 N.J.R. 133(a)	R. 1983 d. 107	15 N.J.R. 627(a)
17:16-27.1, 27.2, 27.3	State Investment Council: Certificates of deposit	15 N.J.R. 794(a)	R. 1983 d. 281	15 N.J.R. 1182(b)
17:16-31.15	Cash Management Fund: Statement correction	14 N.J.R. 899(a)	R. 1982 d. 363	14 N.J.R. 1166(a)
17:16-37.1-37.4	State Investment Council: repurchase agreements	15 N.J.R. 795(a)	R. 1983 d. 282	15 N.J.R. 1182(c)
17:16-39.1-39.6	State Investment Council: bankers acceptances	15 N.J.R. 796(a)	R. 1983 d. 283	15 N.J.R. 1182(d)
17:16-43.1, 43.2	Mortgage-backed securities	14 N.J.R. 652(a)	R. 1982 d. 396	14 N.J.R. 1221(a)
17:16-44	State Employees Deferred Compensation Plan	14 N.J.R. 900(a)	R. 1982 d. 362	14 N.J.R. 1166(b)
17:20-10	Correction to Code: Lottery ticket rules			15 N.J.R. 166(a)

**(Title 17, Transmittal 17 dated June 21, 1982)**

**TREASURY-TAXATION-TITLE 18**

18:3-1.2, 2.1	New Jersey wines	13 N.J.R. 839(a)	R. 1982 d. 181	14 N.J.R. 664(a)
18:5-12.5	Penalty for smuggling unstamped cigarettes	14 N.J.R. 331(a)	R. 1982 d. 256	14 N.J.R. 920(e)
18:7-1.1	Corporation Business Tax changes	14 N.J.R. 1206(a)	R. 1983 d. 62	15 N.J.R. 343(d)
18:7-1.15	Investment company defined	13 N.J.R. 684(b)	R. 1982 d. 34	14 N.J.R. 209(b)
18:7-3	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:7-3.1, 3.3, 3.4	Corporation Business Tax changes	14 N.J.R. 1206(a)	R. 1983 d. 62	15 N.J.R. 343(d)
18:7-3.5	Corporation Business Tax and short table	14 N.J.R. 826(b)	R. 1982 d. 395	14 N.J.R. 1221(b)
18:7-3.5	Corporation Business Tax: short tax table	15 N.J.R. 320(a)	R. 1983 d. 219	15 N.J.R. 1038(e)
18:7-3.14	Correction: Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 1065(a)
18:7-4.1, 4.10, 5.2, 8.5	Corporation Business Tax changes	14 N.J.R. 1206(a)	R. 1983 d. 62	15 N.J.R. 343(d)
18:7-11.12	Emergency extension for filing corporate return	Emergency	R. 1981 d. 163	13 N.J.R. 377(a)
18:7-11.12, 13.6, 14.2	Installment payments for corporation tax	13 N.J.R. 688(a)	R. 1982 d. 6	14 N.J.R. 105(d)
18:9	Readopted: Business Personal Property Tax rules	15 N.J.R. 1081(a)	R. 1983 d. 345	15 N.J.R. 1487(a)
18:12-18:17	Readopted: Local Property Tax rules	15 N.J.R. 1082(a)	R. 1983 d. 355	15 N.J.R. 1487(b)
18:12-4	Local property tax: revaluation of real property	15 N.J.R. 322(a)	R. 1983 d. 221	15 N.J.R. 1039(a)
18:12-6A.8	Multiple dwelling exemptions and tax list designations (joint adoption, see 5:22-2.6)	14 N.J.R. 72(b)	R. 1982 d. 78	14 N.J.R. 278(b)
18:12-6A.8	Residential exemptions: improvements to multiple dwellings	15 N.J.R. 613(a)	R. 1983 d. 256	15 N.J.R. 1105(a)
18:12-7.12	Readopted: Homestead rebate filing extension	13 N.J.R. 948(b)	R. 1982 d. 41	14 N.J.R. 212(a)
18:12-7.12	Homestead Rebate: Extension of time to file	Emergency	R. 1982 d. 439	14 N.J.R. 1466(a)
18:12-9	Mobile homes tax moratorium (local property)	13 N.J.R. 162(b)	R. 1981 d. 207	13 N.J.R. 462(c)
18:12A-1.6	Appeals to county tax boards	14 N.J.R. 231(a)	R. 1982 d. 176	14 N.J.R. 580(f)
18:12A-1.12	Local property tax	13 N.J.R. 621(a)	R. 1981 d. 478	13 N.J.R. 948(c)
18:12A-1.20	County boards of taxation	13 N.J.R. 44(d)	R. 1981 d. 44	13 N.J.R. 165(a)
18:14-1.1, 2.2, 2.3, 2.4, 2.7, 2.8, 2.10, 3.4, 3.6, 3.9, 3.10	Local property tax senior citizens deduction	13 N.J.R. 462(d)	R. 1981 d. 426	13 N.J.R. 779(f)
18:14-3.9	Local property tax: senior citizens' deduction	15 N.J.R. 885(a)	R. 1983 D. 366	15 N.J.R. 1487(c)
18:18-3.6	Distributors and gas jobbers bond ceiling	14 N.J.R. 202(a)	R. 1982 d. 140	14 N.J.R. 430(a)
18:19-1.1, 2.1, 2.2, 2.6, 2.10, 3.1, 3.3	Gallon and liter pricing of motor fuels	13 N.J.R. 855(a)	R. 1982 d. 77	14 N.J.R. 285(c)
18:19-2.2	Retail gasoline prices display	14 N.J.R. 331(b)	R. 1982 d. 257	14 N.J.R. 921(a)
18:19-2.7	Cash discounts: Motor fuel sales	14 N.J.R. 705(a)	R. 1982 d. 369	14 N.J.R. 1166(c)
18:19-2.7	Motor fuels sales: electronic pumps	15 N.J.R. 614(a)	R. 1983 d. 257	15 N.J.R. 1105(b)
18:24	Readopted: Sales and Use Tax rules	15 N.J.R. 1086(a)	R. 1983 d. 357	15 N.J.R. 1487(d)

N.J.A.C. CITATION		PROPOSAL NOTICE (N.J.R. CITATION)	DOCUMENT CITATION	ADOPTION NOTICE (N.J.R. CITATION)
18:24-2.3	Sales and Use Tax Act	13 N.J.R. 163(a)	R. 1981 d.209	13 N.J.R. 465(a)
18:24-2.15	Sales tax recordkeeping standards	13 N.J.R. 751(a)	R. 1982 d.36	14 N.J.R. 212(b)
18:24-5.7	Capital improvement installations and sales tax	14 N.J.R. 140(b)	R. 1982 d.141	14 N.J.R. 430(b)
18:24-7.19	Sales and Use Tax Act	13 N.J.R. 163(b)	R. 1981 d.206	13 N.J.R. 465(b)
18:24-7.19	Sales tax moratorium on mobile homes	15 N.J.R. 1088(a)	R. 1983 d.367	15 N.J.R. 1488(a)
18:24-11.3	Sales Tax increase: transitional provisions	15 N.J.R. 324(a)	R. 1983 d.220	15 N.J.R. 1039(b)
18:24-12.4	Sales Tax exemptions	13 N.J.R. 111(a)	R. 1981 d.210	13 N.J.R. 465(c)
18:24-24.2	Underground gas tanks as real property	13 N.J.R. 883(b)	R. 1982 d.85	14 N.J.R. 348(a)
18:24-27.1, 27.2	Sales and Use Tax Act	13 N.J.R. 164(a)	R. 1981 d.208	13 N.J.R. 465(d)
18:24-28	Taxation of purchase or use of race horses	13 N.J.R. 622(a)	R. 1981 d.436	13 N.J.R. 847(c)
18:24-29	Sales tax exemption: household soaps and paper products	15 N.J.R. 797(a)	R. 1983 d.324	15 N.J.R. 1384(a)
18:26	Readopted: Transfer Inheritance and Estate Tax rules	15 N.J.R. 1088(b)	R. 1983 d.356	15 N.J.R. 1488(b)
18:26-2.11	Transfer Inheritance Tax: distribution by agreement	15 N.J.R. 798(a)	R. 1983 d.323	15 N.J.R. 1384(b)
18:26-2.12, 5.9, 5.17, 5.19, 6.16, 6.17, 8.6, 8.12	Transfer Inheritance Tax	13 N.J.R. 623(a)	R. 1981 d.477	13 N.J.R. 948(d)
18:26-8.7	Pre-audit payment of inheritance tax	14 N.J.R. 1153(a)	R. 1982 d.445	14 N.J.R. 1464(b)
18:35-1.2	Readopted: Gross Income Tax and Debt Setoff rules	15 N.J.R. 1091(a)	R. 1983 d.353	15 N.J.R. 1488(c)
18:35-1.15	Exclusions from taxable gross income	14 N.J.R. 271(a)	R. 1982 d.164	14 N.J.R. 581(a)
18:35-1.16	All-savers interest exclusion	14 N.J.R. 332(a)	R. 1982 d.258	14 N.J.R. 921(b)
18:35-2	Debt liability and tax refunds and rebates	13 N.J.R. 940(a)	R. 1982 d.161	14 N.J.R. 474(b)
18:35-2.3, 2.4, 2.5, 2.7	Gross income tax refunds and debt setoff	14 N.J.R. 705(b)	R. 1982 d.479	15 N.J.R. 37(b)

**(Title 18, Transmittal 16 dated January 14, 1981)**

**TITLE 19 SUBTITLES A-L—OTHER AGENCIES (Except Casino Control Commission)**

5:90	Repealed: Urban Loan Authority rules	14 N.J.R. 558(a)	R. 1982 d.288	14 N.J.R. 983(a)
19:1-1.6	Debarment and suspension from contracting	14 N.J.R. 1050(a)	R. 1982 d.413	14 N.J.R. 1310(b)
19:1-5	Home improvement loan program	13 N.J.R. 312(b)	R. 1981 d.268	13 N.J.R. 529(c)
19:3-1.1, 1.2, 1.4	Subdivision and zoning fees	15 N.J.R. 428(a)	R. 1983 d.254	15 N.J.R. 1039(c)
19:4-3.2	Meadowlands zoning exemptions	14 N.J.R. 231(b)	R. 1982 d.163	14 N.J.R. 581(b)
19:4-4.142	Variances and appeals	13 N.J.R. 529(d)	R. 1981 d.446	13 N.J.R. 847(d)
19:4-5.17	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d.1	14 N.J.R. 162(b)
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19:4-6.26	Meadowlands variances	13 N.J.R. 694(a)	R. 1982 d.1	14 N.J.R. 162(b)
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