

NEW JERSEY REGISTER



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NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

AGRICULTURE

DIVISION OF ANIMAL HEALTH

Notice of Hog Quarantine in Lakewood

On April 14, 1972, the State Board of Agriculture, pursuant to authority of N.J.S.A. 4:1-21.5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a notice of quarantine concerning the Township of Lakewood.

Full text of this emergency rule follows:

2:2-4.40 Notice of quarantine in Lakewood, New Jersey

(a) By order of the State Board of Agriculture and pursuant to N.J.S.A. 4:1-21.5 of the agricultural laws of New Jersey and in order to control the spread of hog cholera, an infectious and contagious disease of swine, the Township of Lakewood, Ocean County, is hereby quarantined.

(b) No feeder or breeder swine may be moved from said quarantined area. Slaughter hogs may be moved directly to a Federal or State licensed slaughter establishment, but must be accompanied by an official health certificate authorizing such swine movement from the quarantined area.

(c) This quarantine is effective April 14, 1972, and until further notice.

An order adopting this rule was filed April 17, 1972, as R.1972 d.72 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Proposed Rules Concerning Purchase Of Milk from New Jersey Dairy Farms For Use in Filling School Milk Contracts

Phillip Alampi, Secretary of Agriculture, pursuant to authority of N.J.S.A. 18A:18-5.1 as amended by Chapter 284, P.L. 1971, proposes to adopt, subject to approval by the State Board of Agriculture, rules concerning the purchase of milk from New Jersey dairy farmers for use in filling milk contracts to school boards in the State of New Jersey.

Such rules will be included in Chapter 55 of Title 2 in the New Jersey Administrative Code.

Full text of the proposed rules follows:

CHAPTER 55.

SCHOOL MILK PURCHASE REGULATIONS SUBCHAPTER 1. DEFINITIONS

2:55-1.1 Definitions

"Secretary" means Secretary of Agriculture of the State of New Jersey.

"Board" means Board of Education of any school district in the State of New Jersey.

"Vendor" means any licensed milk dealer, subdealer, or producer dealer who sells or offers to sell fresh milk to any "Board" as herein defined.

"Agreement" means the agreement required by Section 18A:18-5, N.J.S.A.

"Year" means the contract or school year during which fresh milk is offered to be sold or sold to a "Board" as herein defined.

"New Jersey Association of Producers" means an association of milk producers qualified to do business in the State of New Jersey and whose membership includes milk producers (dairy farmers) living in the State of New Jersey.

"Fresh milk" means all milk sold to "Boards" which is intended for direct consumption and shall include whole milk, skim milk, low fat milk, buttermilk, flavored milk, cream, and mixtures of milk and cream, all of which products are considered in the trade as "fluid milk."

SUBCHAPTER 2. REPORTS

2:55-2.1 Reports by Boards

(a) Each Board, which has not previously filed such, shall file with the Secretary within 15 days after the effective date of this regulation a copy of the agreement which was executed by the vendor for the current year. Such copy may be a carbon copy, a photocopy or a certified copy of the original on file in the office of the Board.

(b) For all contracts entered into from and after the effective date of this regulation, each Board shall file a copy of the agreement with the Secretary before the effective date of the contract or within 15 days after the agreement is signed, whichever occurs first.

2:55-2.2 Reports by Vendors

(a) Each vendor shall file with the Secretary within 15 days after the effective date of this regulation a list of all schools being served during the current year and a list of the Boards with whom he has entered into contract for the supply of fresh milk.

NEW JERSEY REGISTER

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(b) For all contracts entered into from and after the effective date of this regulation all vendors shall notify the Secretary of such contract before the effective date of the contract or within 15 days after the contract is awarded, whichever occurs first.

(c) All vendors shall file verified monthly reports of purchases of milk from New Jersey producers or associations of producers and sales of milk to schools. Such reports shall be filed to reach the Office of the Secretary on or before the 10th day of the month following the month for which the report is prepared. Such reports shall be on forms prescribed and furnished by the Secretary.

2:55-2.3 Reports by associations

(a) Associations of producers, other than vendors, shall determine the amount of milk received from New Jersey producers and shall report sales of such milk to vendors each month.

(b) Such report shall be in addition to any other reports required to be filed by the Milk Control Act of the State of New Jersey.

SUBCHAPTER 3. ALLOCATION OF MILK FROM NEW JERSEY PRODUCERS

2:55-3.1 Computations

(a) In determining whether a vendor has complied with the requirement to purchase milk from New Jersey producers or associations of producers, the following computations shall be made for each month during the year.

1. Compute the total milk sold to all Boards subject to the provisions of 18A:18-5.1, by each vendor.

2. Combine into one total all milk sold by each dealer (vendor) and his subdealers (vendors) to Boards during the month.

3. Compute the total milk purchased from New Jersey producers during the month by adding:

i. The total milk received directly from such producers,
ii. New Jersey-produced milk received from associations of producers, and
iii. New Jersey-produced milk received from other dealers.

4. Subtract the pounds of fresh milk sold to all Boards from the pounds of milk purchased from New Jersey producers. (Any plus amount represents the maximum amount that could be transferred to other vendors during the month for use in meeting the requirements of the Act for the purchase of New Jersey milk, but any such amount may not be credited against transfers to other dealers in subsequent months).

2:55-3.2 Allocation to associations

(a) Any milk received by an association of producers during the month may not be credited against transfers or diversions of milk to other dealers or vendors during subsequent months and an association of producers may not substitute milk produced in another state for New Jersey produced milk assigned to a specific dealer.

(b) This provision shall not, however, prevent a dealer receiving such milk from transferring it to a vendor pursuant to N.J.A.C. 2:55-3.1(a)4.

SUBCHAPTER 4. PROOF OF UNAVAILABILITY OF MILK

2:55-4.1 Burden of proof

(a) The burden of proving that milk was not available from New Jersey producers in filling a school contract may be met in either of the following ways:

1. By demonstrating that the total sales of milk to New

Jersey school boards by all vendors was in excess of the total milk produced by New Jersey producers, or

2. By advising the Secretary in writing on a month-by-month basis that such milk was not available from any source and detailing the efforts made throughout the month to acquire such milk.

2:55-4.2 Responsibility of Secretary

(a) Upon receipt of a report pursuant to N.J.A.C. 2:55-4.1 (a)2. the Secretary shall verify that such milk was not available and determine that an equivalent amount cannot be obtained during subsequent months in the contract period and shall notify the vendor of his finding.

(b) A finding by the Secretary that the milk was available shall void the offer of proof by the vendor.

(c) The requirement to pay reasonable handling charges above the Class I price shall not be considered by the Secretary in determining unavailability of milk.

SUBCHAPTER 5. EFFECT OF DEALER'S FAILURE TO ACQUIRE NEW JERSEY-PRODUCED MILK

2:55-5.1 Scope

The failure of a dealer (vendor) to acquire enough New Jersey-produced milk to fulfill all contracts held by the dealer and his subdealers (vendors) shall make both the dealer and the subdealers subject to the sanctions included in Chapter 284, P.L. 1971.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before May 26, 1972, to:

Director
Division of Dairy Industry
New Jersey Department of Agriculture
Post Office Box 1999
Trenton, New Jersey 08625
Telephone: (609) 292-5646

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

Phillip Alampi
Secretary
Department of Agriculture

(a)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Proposed Revisions On Notice of Intent To Change Sources of Milk Supply

W. W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq., proposes to revise N.J.A.C. 2:53-1.4 (Statement of indebtedness; settlement). The purpose of the revisions is to remove the requirement that duplicate copies of Form H-2B be mailed to the store's current supplier of milk.

Full text of the proposed revisions follows:

2:53-1.4 Statement of indebtedness; settlement

(a) If any money is due and owing from a licensed store, the licensed dealer, subdealer or producer-dealer receiving a Form H-2A giving notice of intent to change must complete Form H-2B showing the amount of such indebtedness within ten days after receipt of Form H-2A, sending the original copy to the Division of Dairy Industry by registered or certified mail.

(b) If Form H-2B is not filed with the Division of Dairy Industry, it will be assumed that no indebtedness exists between applying store and the present source of supply.

(c) If Form H-2B is filed, the licensed store must settle his indebtedness to the satisfaction of the Division of Dairy Industry before he may engage a new or additional source of supply.

Interested persons may present statements or arguments in writing, orally in person or by telephone relevant to the proposed action on or before May 26, 1972, to:

Director
Division of Dairy Industry
New Jersey Department of Agriculture
Post Office Box 1999
Trenton, New Jersey 08625
Telephone: (609) 292-5646

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

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

(a)

AGRICULTURE

DIVISION OF DAIRY INDUSTRY

Adoption of Recodification of Joint Federal-State Order No. 4

On April 14, 1972, W. W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-25 and the Memorandum of Agreement between the United States Department of Agriculture and the New Jersey Department of Agriculture, and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the recodification of the "Order Regulating the Handling of Milk in the Middle Atlantic Marketing Area" which appeared on pages 6478-6491 of the Federal Register, Volume 37, No. 62, on Thursday, March 30, 1972, as the same relates to the marketing of milk within the State of New Jersey, provided that insofar as such order applies to the State of New Jersey whenever the word "Secretary" appears therein, it shall be deemed to include the "Director", Division of Dairy Industry, Department of Agriculture of the State of New Jersey, and that wherever the word "Act" appears therein it shall be deemed to include the Milk Control Law of the State of New Jersey, as amended (N.J.S.A. 4:12A-1 et seq.).

The adoption of said order, by reference, as a joint and concurrent order of the United States Department of Agriculture and the Division of Dairy Industry of the New Jersey Department of Agriculture, pursuant to the aforesaid Memorandum of Agreement, shall in no way limit the application of milk control laws of the State of New Jersey to any transaction over which the State of New Jersey has joint and concurrent jurisdiction with the United States Department of Agriculture.

This adoption will be reflected by reference in N.J.A.C. 2:54-1.2 et seq.

An order adopting this order was filed April 18, 1972, as R.1972 d.74 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Revisions In Powers and Duties Of the Chief Examiner and Secretary

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 proposes to revise N.J.A.C. 4:1-3.8 (Powers and duties of the Chief Examiner and Secretary).

Text of the proposed revisions reads as follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

4:1-3.8 Powers and duties of the Chief Examiner and Secretary

The Chief Examiner and Secretary, as required by law, shall act as secretary to the Commission, attend all regular and special meetings, record minutes of its official proceedings and other official acts, and certify to the same when required. In addition, and under the direction and supervision of the President, he shall:

(a) Be the administrative officer of the department and direct and supervise the work of all persons employed by the department, with authority to delegate his duties within the Civil Service Department or where necessary, direct individual state departments to perform certain functions, as specified in this Chapter, so these departments may act as his agents, subject to monitoring and control by the Department of Civil Service [This authority will include power to assign to state agencies on a one year trial basis, ending July 1, 1972, duties related to classification programs, compensation programs, administrative procedures, and promotional examinations in state service. At that time the Commission will review this assignment to determine whether it should be made permanent];

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(c)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Revisions On Administration Of Compensation Plan

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to revise N.J.A.C. 4:1-7.3 (Administration of compensation plan).

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

4:1-7.3 Administration of compensation plan

(a) In the State service:

1. Employees shall begin at the minimum rate of the pay range assigned to their classification unless the competitive rate for hiring in that position or class has been determined by the Salary Adjustment Committee to be at a higher rate in the range. The Salary Adjustment Committee shall consist of the President of the Civil Service Commission, the State Treasurer, the Director, Division of Budget and Accounting and the Legislative Budget and Finance Director.

2. The Civil Service Commission shall establish regulations for normal increments. These shall be regular periodic increases within the salary range, subject to available appropriations based on a period of service and performance rating.

3. Any employee who is in a class in which the range has been revised or who is transferred, demoted, downgraded or promoted or a former employee who is reemployed in a position may be paid at the rate provided by regulations by the Civil Service Commission.

4. No employee shall be paid above the maximum of the range for his class, except under certain circumstances because of reclassification, range reassignment or as determined by the Salary Adjustment Committee.

(b) In local service the administration of the compensation plan shall be in accordance with the provisions of that plan as established by the local jurisdiction.

The Department of Civil Service shall enforce the requirement of consistent and equitable administration of such compensation plans, and, except [as qualified] under certain circumstances because of reclassification and approved by the Commission, no employee shall be paid below the minimum or above the maximum of the range for his class.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(a)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Rule On Referral Of Classification Function (State Service)

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to adopt a new rule concerning referral of classification function (State Service) scheduled to be reflected in N.J.A.C. 4:1-6.8.

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

4:1-6.8 Referral of classification function (State service)

When the Chief Examiner and Secretary directs state departments to perform any of his functions related to

classification described in this Subchapter, each department shall act as his agent in carrying out those functions to the extent described in pertinent regulations. The content of these regulations shall include:

(a) Directions concerning classification of new positions under existing titles and reclassification of existing positions to existing titles;

(b) Restriction of referred classification functions to titles specified by the Chief Examiner and Secretary;

(c) Provisions for post audit procedures to correct agency mistakes, or in the event of improper agency action, to revoke the privilege to function as agent for the Chief Examiner and Secretary; and

(d) Procedures for filing appeals from matters related to classification.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(b)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Rules On Referral of Promotional Examination and Promotional Application Functions (State Service)

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to adopt a new rule N.J.A.C. 4:1-8.21 (Referral of promotional examination and promotional application functions (State service)).

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

4:1-8.21 Referral of promotional examination and promotional application functions (State service)

When the Chief Examiner and Secretary directs state departments to perform any of his functions related to promotional examinations and applications as described in this Subchapter, each department shall act as his agent in carrying out those functions to the extent described in pertinent regulations. The content of these regulations shall include:

(a) Restriction of referral of functions concerning applications and examinations to promotional situations in State service;

(b) Testing or rating of all eligible applicants and limiting the application of Section 8.5 (Promotion upon waiver of competitive examination) of this Chapter;

(c) Prohibition of provisional appointments except in emergency situations;

(d) Restriction of processing of examinations by state departments to situations where the number of applications accepted for examination is not more than ten over the number of presently existing vacancies to be filled at the time;

(e) Provisions for post audit procedures to correct agency mistakes, or in the event of improper agency action, to revoke the privilege to function as agent for the Chief Examiner and Secretary; and

(f) Procedures for filing appeals from matters related to examinations.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(a)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Revisions On Preservation Of Examination Records

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to revise N.J.A.C. 4:1-9.11 (Preservation of examination records).

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

4:1-9.11 Preservation of examination records

The following records pertaining to every examination shall be preserved during the life of the resulting employment list:

- (a) A copy of the public announcement;
- (b) A description of each test or measure of fitness employed in the examination together with the standards used in rating them, the date each test was held, and the weight assigned thereto, the minimum scores required, if any;
- (c) The resulting employment list; [and a list of applicants who failed; and]
- (d) A list of applicants who failed;
- [(d)] (e) Applications including those of applicants who were examined and also those of applicants who were rejected for reasons other than noncitizenship or nonresidency;
- [(e)] (f) Applicants' test papers and, if feasible, other test materials, recordings, or transcriptions made in oral examinations and appraisal record sheets made by examiners in rating applicants in any tests or parts thereof;
- [(f)] (g) Such other records or information as may be pertinent.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

The Civil Service Commission, upon its own motion or at

the instance of any interested party, may thereafter adopt this rule substantially as proposed without further notice.

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(b)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Revision On Duration of Eligible Lists

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to revise N.J.A.C. 4:1-11.4 (Duration of eligible lists).

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

4:1-11.4 Duration of eligible lists

(a) Employment lists shall be promulgated, as provided by law, for periods of not less than six months for the State service and one year for local government services nor for more than three years in either case.

(b) Unless the Commission, by regulation or other directive, specifies the period for which any employment list or lists shall be promulgated, within said statutory limitations:

1. Employment lists resulting from open competitive examinations shall be promulgated for [two] **three** years; and
2. Employment lists resulting from promotion examinations shall be promulgated for **three** years

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(c)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Rule On Referral Of Promotional Examination Scoring Function (State Service)

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to adopt a new rule scheduled to be cited as N.J.A.C. 4:1-9.13 (Referral of promotional examination scoring function (State service)).

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

4:1-9.13 Referral of promotional examination scoring function (State service)

When the Chief Examiner and Secretary directs state departments to perform any of his functions related to scoring of promotional examinations as described in this Subchapter, each department shall act as his agent in carrying out those functions to the extent described in pertinent regulations. The content of these regulations shall include:

- (a) Selection of a rating board for scoring;
- (b) Preparation of scoring methods;
- (c) Records which must be maintained by the department;
- (d) Availability of records for public inspection; and
- (e) Procedures for filing appeals from matters related to scoring of examinations.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(a)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Rule On Referral of Promotional Eligible Tests Function (State Service)

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to adopt a new rule scheduled to be cited as 4:1-11.13 (Referral of promotional eligible lists function (State service)).

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

4:1-11.13 Referral of promotional eligible lists function (State service)

When the Chief Examiner and Secretary directs state departments to perform any of his functions related to promotional eligible lists as described in this Subchapter, each department shall act as his agent in carrying out those functions to the extent described in pertinent regulations. The content of these regulations shall include:

- (a) Directions for promulgation of resulting lists;
- (b) Provisions for posting in a prominent place within the organizational unit for a specified period of time;
- (c) Specification of information to be included in promotional eligible lists; and
- (d) Procedures for filing appeals from matters related to promotional eligible lists.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may

present or mail statements on or before May 25, 1972, to:
Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(b)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Rule On Referral of Promotional Certification and Appointment Functions (State Service)

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to adopt a new rule scheduled to be cited as N.J.A.C. 4:1-12.19 (Referral of promotional certification and appointment functions (State service)).

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

4:1-12.19 Referral of promotional certification and appointment functions (State service)

When the Chief Examiner and Secretary directs state departments to perform any of his functions related to certifications and appointments as described in this Subchapter, each department shall act as his agent in carrying out those functions to the extent described in pertinent regulations. The content of these regulations shall include:

- (a) Promotional examination certification procedures to be followed;
- (b) Promotional appointment procedures to be followed; and
- (c) Procedures for filing appeals from matters related to certification and appointment.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House
Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(c)

CIVIL SERVICE

CIVIL SERVICE COMMISSION

Proposed Revisions On Inspection Of Public Examination Records

The Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1, proposes to revise N.J.A.C. 4:1-9.12 (Inspection of public examination records).

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

4:1-9.12 Inspection of public examination records

All records pertaining to an examination listed in subsections (a), (b) and (c) of Section 9.11 (Preservation of examination records) of this Chapter shall be open to public inspection. Those records listed in subsections (d), (e), [and] (f) and (g) of said Section 9.11 of this Chapter may be held open to such limited inspection and examination by such persons and under such circumstances as the President may determine to be in the best public interest.

Interested persons may present statements or comments relevant to the proposed action at a public hearing to be held on Thursday, May 25, 1972, at 1:00 P.M. in the Assembly Chamber, State House, Trenton, New Jersey, or may present or mail statements on or before May 25, 1972, to:

Civil Service Commission
State House

Trenton, New Jersey 08625

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

James A. Alloway
President, Civil Service Commission
Department of Civil Service

(a)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Revisions to Plumbing Code In Standard Building Code

On March 29, 1972, Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 13:1B-7, 52:27C-54 and 52:27D-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the Plumbing Code, Part E, of the Standard Building Code, substantially as proposed in the Notice published March 9, 1972, at 4 N.J.R. 43(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

These revisions will be included in Subtitle B of Chapter 5 of the New Jersey Administrative Code. They have been approved by the Department of Health, pursuant to N.J.S.A. 26:3-69.1, for adoption by reference by local boards of health.

A summary of the adopted revisions follows:

1. Amendment to Section E-100, Definitions, Page 1 of the Plumbing Code

Add the following new definition:

"Acid and Corrosive Resistant Waste System. That portion of a plumbing system which receives the discharge of processed, research or manufacturing acid, bases, organics, salts or other corrosive wastes."

2. Amendment to Section 2.14, Industrial Waste, Page 11
Add a new Section designated 2.14.2 as follows:

"All fixtures, drains, vents, appurtenances and devices used to receive, convey or discharge acid and other highly corrosive wastes shall be constructed of corrosive resistant materials conforming with the Standards and Specifications as given in Section E-300, Table 3.4.

3. Amendments to Section 3.4-A, Standards for Plumbing Materials, Page 14

(a) Under Materials and Standards add:
Polyethylene (PE) Plastic Pipe and Fittings for Corrosive Waste Systems A.S.T.M. D-2104, D-2239, and D-2447
Other — NSF-14.

(b) Under Materials and Standards add:
Polypropylene (PP) Plastic Pipe and Fittings for Corrosive Waste Systems A.S.T.M. D-2146 Other—NSF-14.

(c) Under Materials and Standards add:
Borosilicate Glass Pipe and Fittings for Corrosive Waste Systems F.S. DD-G-541b Other — MIL-P-22561A

(d) Under Materials and Standards add:
Corrosion Resistant High Silicon Cast Iron A.S.T.M. A518-64

(e) Under Materials and Standards add:
Corrugated Aluminum Storm Drainage Pipe A.S.T.M. B-209 F.S. WW-P-00402B

4. Amendment to Section E-400, Joints and Connections, Page 19

Add a new Section designated 4.2.14:

"Borosilicate glass pipe joints shall be made with compression type couplings and fittings in accordance with the manufacturers recommendations."

5. Amendment to Section E-500, Traps, Interceptors and Clean-Outs, Page 21

Add: "except in the case of acid and corrosive waste systems" to the Second Sentence of Section 5.2.1.

6. Amendments to Section E-600, Hangers and Supports, Pages 23 and 24

(a) Insert "PE, PP" following ABS in Section 6.1.3.

(b) Add a new Section designated 6.2.3:

"Borosilicate glass pipe shall be assembled and supported in accordance with the manufacturers recommendations, provided that suspended horizontal piping shall be supported at intervals of not more than five feet."

(c) Insert "PE, PP" following ABS in Section 6.2.2.

(d) Insert "PE, PP" following ABS in Section 6.3.1.

(e) Insert "PE, PP" following ABS in Section 6.4.1.

7. Amendments to Section E-900, Soil and Waste Pipe, Page 39

(a) Add a new sentence to Section 9.1.1:

"Soil and waste piping for Acid or Corrosive waste drainage systems within a building shall be PE or PP plastic pipe, corrosion resistant high silicon cast iron pipe or borosilicate glass pipe conforming with the Standards and Specifications as given in Section E-300, Table 3.4A.

(b) Insert "PE, PP" following ABS and "corrosion resistant high silicon cast iron pipe or Type II Borosilicate glass pipe" following PVC plastic pipe in Section 9.1.2.

(c) Insert "PE, PP" following ABS and "corrosion resistant high silicon cast iron pipe or Borosilicate glass pipe" following PVC plastic pipe in Section 9.1.3(a).

(d) Insert a new Sentence: "PE and PP plastic pipe and fittings to be used in acid and corrosive waste systems shall bear the symbol of the National Sanitation Foundation CORROSIVE WASTE (nsf-CW)" in Section 9.1.5 following DRAIN WASTE VENT.

(e) Insert "PE, PP" following ABS and "or Borosilicate glass pipe" following PVC plastic pipe in the fourth sentence of Section 9.2.3.

(f) Insert "PE, PP" following ABS and "corrosion resistant High Silicon Cast Iron or Borosilicate glass" following PVC plastic in Section 9.3.1(b).

8. Amendments to Section E-1000, Storm Drains, Page 43

(a) Insert "Corrugated Aluminum Storm Drainage Pipe" following asbestos cement pipe in Section 10.1.5.

(b) Insert "Corrosion Resistant High Silicone Cast Iron" following steel pipe, "PE, PP" following ABS, and "Corrugated Aluminum Storm Drainage Pipe" following PVC plastic pipe in Section 10.2.4. Also add a new sentence at the

end of Section 10.2.4 as follows: "Corrugated Aluminum pipe in contact with concrete shall be suitably coated."

9. Amendment to Section E-1100, Vents and Venting, Page 45

(a) Insert "PE, PP" following ABS and "Corrosion Resistant High Silicon Cast Iron Pipe or Borosilicate Glass Pipe" following PVC plastic pipe in the first sentence of Section 11.1.1, and "PE, PP" following ABS in the second sentence of Section 11.1.1.

(b) Insert a new Sentence: "PE and PP plastic pipe and fittings to be used in acid and corrosive waste systems shall bear the symbol of the National Sanitation Foundation CORROSIVE WASTE (nsf-CW)" following DRAIN WASTE VENT in Section 11.1.1.

An order adopting these revisions was filed and effective March 29, 1972, as R.1972 d.62A.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Rules on Safety Glazing Materials

On March 29, 1972, Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 51:12-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on safety glazing materials, substantially as proposed in the Notice published March 9, 1972, but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Community Affairs.

Full text of the rules follows:

CHAPTER 19. SAFETY GLAZING MATERIALS

SUBCHAPTER 1. GENERAL PROVISIONS

5:19-1.1 Authority

These rules and regulations have been proposed and adopted pursuant to the authority delegated to the Department of Community Affairs by N.J.S.A. 51:12-1.

5:19-1.2 Scope

The provisions of the following rules and regulations apply to the sale, fabrication, assemblage, glazing and installation of safety glazing materials for use in residential, commercial and public buildings.

5:19-1.3 Activities prohibited

Except as hereinafter provided in Section 6(c), it is unlawful for any person within the State to knowingly sell, fabricate, assemble, glaze, install, consent or cause to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location.

5:19-1.4 Effective date

(a) N.J.S.A. 51:12-1, and the rules and regulations adopted thereunder, shall take effect on March 29, 1972.

(b) On or after the effective date of these rules and regulations, orders or contracts for glazing materials or installation thereof dated prior to the effective date of N.J.S.A. 51:12-1 and these rules and regulations to the contrary notwithstanding, no glazing material other than safety glazing material may be installed in any hazardous location subject to said act, and the rules and regulations adopted pursuant thereto.

5:19-1.5 Definitions

Unless otherwise expressly stated, the following terms shall be defined as follows.

"Safety glazing material" means any glazing material, such as tempered glass, laminated glass, wire glass or rigid plastic, which meets or exceeds the test requirements of the United States of America Standards Institute code number Z-97.1-1971, or such other standard which may hereafter be adopted by the Commissioner of Community Affairs, pursuant to the "Administrative Procedure Act", c. 410, P.L. 1968, after notice and hearing.

"Hazardous locations" means those installations, glazed or to be glazed, in residential, commercial and public buildings, subject to this act, known as sliding glass doors, framed or unframed glass doors and adjacent fixed glazed panels which may be mistaken for means of ingress or egress, storm doors, shower doors, and tub enclosures, whether or not the glazing in such doors, panels or enclosures is transparent, and in any other area wherein the use of other than safety glazing materials would constitute a hazard as the Commissioner of Community Affairs may determine, pursuant to the "Administrative Procedure Act", c. 410, P.L. 1968, after notice and hearing.

"Residential, commercial and public buildings" is defined to include any structure or manufactured device for use or occupancy by one or more persons, whether on a temporary or a permanent basis, which includes or is hereafter altered or reconstructed to include any hazardous location, as defined by the Commissioner of Community Affairs, whether or not said structure or manufactured device is permanently attached to any interest in real property.

"Within the State of New Jersey" means that no wholesale or retail seller, fabricator, assembler, glazer, installer, receiver or ultimate consumer of glazing material, whether or not he resides or is employed within the State of New Jersey, shall sell, fabricate, assemble, glaze, install, consent or cause to be installed glazing material other than safety glazing material in any residential, commercial or public building which is situated in the State of New Jersey.

"Install" or "installed" includes the replacement of individual lights of glazing material subject to this act which are, or may be replaced or repaired due to breakage or ordinary wear and tear.

5:19-1.6 Exceptions

(a) These rules and regulations shall be subject to the following exceptions:

1. This Act shall not apply to buildings and structures which are subject to the "Hotel and Multiple Dwelling Health and Safety Law", c. 76, P.L. 1967; the "Worker Health and Safety Act", c. 154, P.L. 1965; or Title 18 — Education, of the New Jersey Statutes, and which are subject to the rules and regulations promulgated thereunder establishing standards for safety glazing materials.

2. No liability under this Act shall be created as to workmen who are employed by a contractor, subcontractor or other employees responsible for compliance with c. 369, P.L. 1971 and the rules and regulations adopted pursuant thereto.

3. The terms "install" or "installed" shall not be deemed to mean or refer to the seasonal changing of storm doors or windows on existing buildings subject to c. 369, P.L. 1971 and the rules and regulations adopted pursuant thereto.

4. These rules and regulations shall not supersede any municipal ordinance presently adopted, or parts thereof relating to the subject matter of c. 369, P.L. 1971, and these rules and regulations adopted in connection therewith which are more stringent than the requirements adopted herein, except that the enforcement and the penalty pro-

visions of these rules and regulations shall apply in any case. No municipality may hereafter adopt an ordinance which does not meet or exceed the requirements of c. 369, P.L. 1971 and the rules and regulations adopted thereunder.

5:19-1.7 Standards

(a) Standards of glazing materials in the specific locations set out below shall meet the following requirements:

Specific Hazardous Locations	Size of Glazed Area	Requirements
Glazing in exit and entrance doors	All sizes	Pass test requirements of ANSI Z97.1—1971.
Glazing in fixed glazed panels which may be mistaken for means of egress or ingress (1) and (3)	All sizes	Pass test requirements of ANSI Z97.1—1971.
Glazing in patio type sliding doors (both fixed and sliding panels)	All sizes	Pass test requirements of ANSI Z97.1—1971.
Glazing in storm doors (except operating vents only on jalousie type doors)	All sizes (2) and (3)	Unless otherwise provided, pass test requirements of ANSI Z97.1—1971.
Glazing in all unframed doors (swinging)	All sizes	Be fully-tempered glass and pass test requirements of ANSI Z97.1—1971.
Glazing in shower doors and tub enclosures	All sizes	Pass test requirements of ANSI Z97.1—1971.

(b) Any fixed glazed panel which extends to or within 48 inches on either side of any means of ingress or egress, and/or which extends to within 36 inches of either the interior floor or the exterior ground shall be presumed to be a fixed glazed panel which may be mistaken for a means of egress or ingress, unless protected on both the interior and exterior of said panel by a grille, pushbar, window box, shrubbery or other permanently installed protective device at least 36 inches high, constructed and attached in such a manner so as to limit or prevent human impact from being delivered to the glass surface.

(c) Any individual glazed panel which does not extend to or within 42 inches of the base of the storm door must pass the test requirements of ANSI Z97.1—1971 if not protected by a protective grille or pushbar constructed and attached on at least the interior side of the individual glazed panel in such a manner so as to limit or prevent human impact from being delivered to the panel surface. This exception shall expire automatically on January 1, 1973, unless extended by the Commissioner of Community Affairs after notice and hearing pursuant to the "Administrative Procedure Act", c. 410, P.L. 1968.

(d) Building owners and tenants shall maintain all grilles, pushbars, window boxes, shrubbery or other protective devices in a safe condition at all times.

5:19-1.8 Labeling

(a) Each light of safety glazing material manufactured, distributed, imported, or sold for use in hazardous locations or installed in such location within the State shall be permanently labeled by such means as etching, sandblasting,

firing ceramic material or other permanent means of labeling on the safety glazing material.

(b) The label shall be visible after installation and shall identify the labeler, whether manufacturer, fabricator or installer, and the nominal thickness and the type of safety glazing material and whether said material meets or exceeds the test requirements of the United States Standards Institute Code Z97.1—1971 and such further requirements as may be adopted by the Department of Community Affairs.

(c) Such safety glazing labeling shall not be used on any other glazing material other than safety glazing materials.

5:19-1.9 Posting

(a) All transparent glass doors or adjacent fixed glass panels subject to this Act and all doors or adjacent fixed glass panels which may reasonably be mistaken for a means of egress or ingress shall be posted, painted or otherwise marked in such a manner as to alert any person attempting to pass through the doorway that such door is opened or closed, or that such adjacent fixed glass panel, is, in fact, not a door.

(b) The installer of the glazing material shall be responsible for posting where required.

(c) It shall be the responsibility of the owner, or the tenant if not owner-occupied, to maintain and preserve said posting.

5:19-1.10 Penalties

Any person who shall violate any provision of P.L. 1971, c. 369, or any rule or regulation adopted in connection therewith shall be subject to a penalty of not more than \$200 for the first offense and not more than \$2,000 for each subsequent offense.

5:19-1.11 Enforcement

(a) N.J.S.A. 51:12-1 and the rules and regulations adopted pursuant thereto shall be enforced in the following manner:

1. Proceedings to collect and enforce any penalties shall be by summary proceedings pursuant to the "State Penalty Enforcement Law", N.J.S.A. 2A:58-1 et seq. Said action may be brought in Superior Court, County Court, County District Court or the Municipal Court in which jurisdiction the alleged violation of P.L. 1971, c. 369, or the rules and regulations adopted thereunder, occurred.

2. The health, labor, police and all other administrative agencies of the municipality, county or state in which authority is vested to approve plans for and inspect buildings and structures shall cooperate with each other in the enforcement of the requirements of these rules and regulations. They shall each and every one notify the proper enforcing official of any violation of these rules and regulations.

3. Each local building inspector, and/or any municipal officer charged with or responsible for the enforcement of building codes shall have prime responsibility of enforcing the provisions of P.L. 1971 c. 369, and these rules and regulations in the normal course of their business as the local building inspector, and/or as a municipal officer charged with or responsible for the enforcement of building codes.

4. Any municipality, local building department, local municipal official, state agency or other officers charged with the administration of P.L. 1971, c. 369, and the rules and regulations adopted pursuant thereto, may petition the Commissioner of Community Affairs for an interpretation, amendment, modification, repeal, test or use of material in accordance with any powers created by said law.

5. The enforcing official or his authorized representative, when in the discharge of his official duties upon presenta-

tion of his credentials, shall have authority to enter any building or structure or upon any premises in the area of his jurisdiction to investigate and examine into conditions with respect to compliance thereof with these rules and regulations and to enforce the provisions of these rules and regulations.

6. The enforcing official shall serve a written notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, use or occupancy of a building or structure or appurtenances or equipment thereof in violation of the adopted rules and regulations and such notice shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

7. Upon written notice from the enforcing official that work on or in any building or structure is being prosecuted contrary to the provisions of these rules and regulations or in an unsafe or dangerous manner, according to his information or belief, such work shall be immediately stopped. The stop-work order shall be in writing and shall be served either upon the owner of the property involved, or the owner's agent, or the person doing the work. The notice shall state the conditions that must be complied with in order for the stop-work order to be cancelled and the work to be resumed. A copy of the notice directing attention to the stop-work order in a readily legible manner shall be conspicuously posted on the premises.

8. Any person who after service of a valid stop-work order shall continue or cause to have continued any work in or about the building, except such work as he is directed to perform by the enforcing official to remove a violation or unsafe condition, shall be subject to the penalty provisions of these rules and regulations. Such refusal to obey said stop-work order shall be deemed to be a separate and subsequent violation of these rules and regulations from the offense for which said stop-work order was issued.

9. The imposition of the penalties herein prescribed shall not preclude the appropriate legal officer from instituting legal action to prevent lawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or use of a building or structure in or about any premises, as provided by statute, law or ordinance.

An order adopting these rules was filed and effective March 29, 1972, as R.1972 d.63.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

COMMUNITY AFFAIRS

DIVISION OF HOUSING AND URBAN RENEWAL

Editorial Corrections in Regulations For Construction and Maintenance Of Hotels and Multiple Dwellings

On March 29, 1972, Lawrence F. Kramer, Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 55:13A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted editorial corrections to the regulations for the construction and maintenance of hotels and multiple dwellings.

A summary of these corrections follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

5:10-19.4(b)7. Balconies, landings, porches or steps having more than a three-foot drop to the adjoining level shall be provided with a rail, wall or equivalent protection of at least 36 inches height, maintained in good repair and capable of supporting the weight of any person leaning against it. The area from the protective barrier to the floor shall be so designed as to prevent an object equivalent to a sphere six inches in diameter from passing through to the adjoining level.

5:10-19.4(1)4. From October 1 of each year to the next succeeding May 1, every unit of dwelling space and every habitable room therein shall be maintained at least at 68 degrees Fahrenheit. [whenever] Whenever the outside temperature falls below 40 degrees, [The] the minimum required temperature must be maintained in all habitable rooms without the necessity of heating adjoining rooms more than five degrees higher than said minimum required temperature. Design of the heating system shall conform to Section 9.5 of this Chapter.

Appendix B in Subchapter 19, Chapter 10, Title 5
Electrical Illumination
Daylighting, Recommended Practices for IES-1962
Electrical Code, National [NAPA No. 70-1965]
NFPA No. 70-1965

Note: Remainder of this listing remains as is.

An order adopting these corrections was filed April 4, 1972, as R.1972 d.66A (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

EDUCATION

STATE BOARD OF EDUCATION

Proposed Revisions to Rules On Substandard Certification In Designated Fields of Shortage

The State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq., proposes to revise its rules concerning substandard certification in designated fields of shortage by deleting in its entirety the current N.J.A.C. 6:11-6.64 (Provisional certificates—all teaching fields) and replacing it with a new N.J.A.C. 6:11-6.64 (Substandard certification in designated fields of shortage); as well as deleting in its entirety the current N.J.A.C. 6:11-6.65 (Fields of teacher shortage emergency and provisional certificates) and replace it therein as the new N.J.A.C. 6:11-6.65 with the current N.J.A.C. 6:11-6.66 (Certification in cases of unforeseen shortage).

Full text of the proposed, revised rules reads as follows:

6:11-6.64 Substandard certification in designated fields of shortage

The State Board of Examiners is authorized to recommend to the State Board of Education the fields in which substandard certification is needed for a particular school year.

6:11-6.65 Certification in cases of unforeseen shortage

If unforeseen shortages of teachers occur in certain areas and it is not possible to employ persons who meet the established requirements for teachers certificates, the

Commissioner of Education, may, on the recommendation of the county superintendent of schools, issue substandard certificates in individual cases when, in his judgment, the shortage creates a situation in which classes may have to be discontinued unless such certificates are issued.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 24, 1972, to:

Clyde E. Leib
Office of the Commissioner
State Department of Education
225 West State Street
Trenton, New Jersey 08625

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

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

(a)

EDUCATION

STATE BOARD OF EDUCATION

Emergency Exit Drills from School Buses

On April 14, 1972, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:39-21 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a rule concerning emergency exit drills from school buses, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 43(c).

Such rule may be cited as N.J.A.C. 6:21-11.4.

An order adopting this rule was filed and effective April 17, 1972, as R.1972 d.69.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

EDUCATION

STATE BOARD OF EDUCATION

Waiver of Requirement of In-Service Supervised Teaching and Seminar Program

On April 14, 1972, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rule concerning waiver of requirement of in-service supervised teaching and seminar program, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 43(d).

Such revised rules may be cited as N.J.A.C. 6:11-6.63(d).

An order adopting these revisions was filed and effective April 17, 1972, as R.1972 d.70.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

EDUCATION

STATE BOARD OF EDUCATION

Revised Rules On County Substitute Certificates

On April 14, 1972, Carl L. Marburger, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-34 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the rules concerning county substitute certificates, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 44(a).

Such revised rules may be cited as N.J.A.C. 6:11-4.4 et seq.

An order adopting these revisions was filed and effective April 17, 1972, as R.1972 d.71.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

ENVIRONMENTAL PROTECTION

THE COMMISSIONER

Wetlands Order Adopted And Effective

On April 13, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:9A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the Wetlands Order, substantially as proposed in the Notice published December 9, 1971, at 3 N.J.R. 255(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

These rules may be cited as N.J.A.C. 7:10-1.1 et seq.

Full text of the Wetlands Order follows:

TITLE 7. ENVIRONMENTAL PROTECTION CHAPTER 10. WETLANDS ORDER SUBCHAPTER 1. AREA AFFECTED

7:10-1.1 Scope

(a) The Commissioner of Environmental Protection, to promote public safety, health and welfare, protect public and private property, wildlife and marine fisheries, and preserve, protect and enhance the natural environment, hereby adopts the following Order which shall be applicable only to those areas shown below (seaward of) the "Upper (Inland) Wetlands Boundary" line on the following Wetlands Maps:

1. Ocean County (filed in the Office of the County Recording Officer-Toms River)—

252-2076, 252-2088, 252-2094, 252-2100, 245-2094, 245-2100, 259-2070, 259-2076, 259-2082, 259-2088, 259-2094, 266-2070, 266-2076, 266-2082, 266-2088, 273-2076, 273-2088.

2. Salem County (filed in the Office of the County Recording Officer-Salem)—

287-1764, 287-1770, 294-1764, 294-1770.

SUBCHAPTER 2. DEFINITIONS

7:10-2.1 Definitions

For the purpose of this Order, unless the context clearly indicates otherwise, the following terms shall be defined as follows:

"Act" means the Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.).

"Coastal Wetlands or Wetlands" means as defined in the Act.

"Commissioner" means the Commissioner of Environmental Protection.

"Department" means the State Department of Environmental Protection.

"Filling" means the depositing of sand, gravel, earth or other materials, of any composition whatsoever.

"Excavation" means the removal or recovery by any means whatsoever, including dredging, of minerals, mineral substances and/or organic substances from the water, the land surface, or beneath the land surface, whether exposed or submerged.

"Person" shall include corporations, companies, associations, societies, firms, partnerships and joint stock companies as well as individuals and governmental agencies.

"Governmental Agencies" means the Government of the United States, the State of New Jersey, or any other states, their political subdivisions, agencies, or instrumentalities thereof, and interstate agencies.

"Persistent Pesticides" means pesticides whose residues and metabolic products persist in the environment over extended periods of time, including but not limited to DDT, Aldrin, Dieldrin, Chlordane, Endrin, Lindane, BHC, Heptachlor, and lead or mercury compounds.

"Pesticide" means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses except viruses on or in living man or other animals; also, any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.

"Prohibited Activity" means any activity upon or use of Wetlands which shall not be permitted under any circumstances.

"Regulated Activity" means any activity upon or use of Wetlands which requires a permit from the Commissioner.

"Structure" means any assembly of materials above or below the surface of land or water, including but not limited to houses, buildings, industrial plants, bulkheads, jetties, wharves, piers, docks, landings, dams, waterway obstructions, pipelines, causeways, and roads, but excluding duck blinds.

"Wetlands Map" means any map prepared by the Department and filed pursuant to the provisions of the Act.

SUBCHAPTER 3. REGULATED ACTIVITIES (TYPE A)

7:10-3.1 Necessity of permit

No person shall hereafter engage in a regulated activity (Type A) until he has received a permit issued by the Commissioner.

7:10-3.2 Type A permits

(a) Type A permits (Abbreviated Procedure) are required for:

1. The cultivation and harvesting of naturally occurring agricultural or horticultural products. This provision shall not apply to the continuance of production of commercial salt hay or other agricultural crops on lands utilized for these purposes on the effective date of this Order.

2. The excavation of a small boat mooring slip.

3. The maintenance or repair of bridges, roads, highways, railroad beds, or the facilities of any utility or municipality. This provision shall not apply to emergency repairs necessitated by a natural disaster or a sudden and unexpected mechanical, electrical or structural failure. Written notification of such repairs shall be provided the Commissioner within seven days of their initiation.

4. The construction of catwalks, piers, docks, landings, footbridges and observation decks, provided that such

structures shall be built on pilings and the width of the structure shall not exceed twice the clearance between the structure proper and the surface of the Wetlands.

7:10-3.3 Application procedure

(a) To obtain a Type A permit, a person shall apply in writing to the Commissioner on forms provided for that purpose.

(b) The application shall contain the following:

1. The name and address of the applicant.

2. A written explanation of the proposed activity and its need.

3. A copy of applicant's notification to the local governing body of the municipality in which the property is located which describes the proposed activity and informs the local governing body that an application for a Type A permit is being made to the Department under the provisions of the Act.

4. Two (2) copies of a detailed plan of the proposed activity which shall include:

i. A map showing the location and boundaries of the area of the proposed activity and the specific location of all proposed structures, filling, and excavation.

ii. A detailed description of all proposed structures, filling, and excavation.

iii. A detailed description of measures to be taken during and after the completion of the proposed activity to reduce detrimental off-site effects.

iv. Evidence of applicant's receipt of all required riparian grants and permits for the conduct of the proposed activity, where necessary.

5. A list of names and addresses of the owners of record of adjacent lands and known claimants of rights in or adjacent to the Wetland of whom the applicant has notice.

7:10-3.4 Review procedure

(a) The Commissioner shall review the application. He shall issue a Type A permit only if he finds that the proposed activity:

1. Is a Type A activity and the application is complete.

2. Requires water access or is water oriented as a central purpose of the basic function of the activity.

3. Has no prudent or feasible alternative on a non-Wetland site.

4. Will result in minimum feasible alteration or impairment of natural tidal circulation.

5. Will result in minimum feasible alteration or impairment of the natural contour or the natural vegetation of the Wetlands.

7:10-3.5 Method of conduct

The Commissioner may impose such conditions on the method of conduct of the Type A activity as he deems appropriate to promote the public safety, health, and welfare, to protect public and private property, wildlife and marine fisheries, and to preserve, protect, and enhance the natural environment.

7:10-3.6 Posting of permit

(a) No person shall engage in a Type A activity until he has received a permit and has posted a copy of this permit prominently at the worksite.

(b) Permits shall bear a date of expiration not less than one year from the date of issue.

(c) The permit may be revoked for any violation of the Act, this Order, or any condition in the permit.

7:10-3.7 Notification

(a) The Commissioner shall notify the applicant within 45 days following receipt of the application as to the granting or denial of a Type A permit.

(b) The reasons for granting or denying the permit shall be stated.

(c) In the event that an application is denied, the appli-

cant may within 14 days of receipt of such denial request that the Commissioner afford him an opportunity for a hearing to reconsider the application.

(d) The date for the hearing shall be set not later than 75 days after the receipt of the applicant's request.

7:10-3.8 Denial of application; future submittal

The denial of an application shall in no way adversely affect the future submittal of a new application.

SUBCHAPTER 4. REGULATED ACTIVITIES (TYPE B)

7:10-4.1 Necessity of permit

No person shall hereafter engage in a regulated activity (Type B) until he has received a permit issued by the Commissioner.

7:10-4.2 Type B permit

(a) Type B permits (Full Procedure) are required for:

1. The installation of utilities.
2. Excavation for boat channels and mooring basins.
3. The construction of impoundments.
4. The construction of sea walls.
5. The diversion or appropriate use of water.
6. The use of pesticides except those applied directly to the skin or clothing of an individual for the purpose of repelling insects.
7. Driving or causing to pass over or upon Wetlands any mechanical conveyance which may alter or impair the natural contour of the Wetlands or the natural vegetation.
8. The construction of any structure, filling or excavation except as otherwise provided in this Order.

7. Driving or causing to pass over or upon Wetlands any mechanical conveyance which may alter or impair the natural contour of the Wetlands or the natural vegetation.

8. The construction of any structure, filling or excavation except as otherwise provided in this Order.

7:10-4.3 Application procedure

(a) To obtain a Type B permit, a person shall apply in writing to the Commissioner on forms provided for that purpose.

(b) The application shall be submitted in duplicate and shall contain the following:

1. The name and address of the applicant.
2. A written explanation of the proposed activity and its need, including a future activities plan.
3. A list of names and addresses of the owners of record of adjacent land and known claimants of rights in or adjacent to the Wetland of whom the applicant has notice. In the event the property to be affected by the proposed activity is bordered by other property owned or controlled by the applicant, he shall supply the names and addresses of the next adjacent landowners.
4. A copy of applicant's notification to the local governing body of the municipality in which the property is located which describes the proposed activity and informs the local governing body that an application for a Type B permit is being made to the Department under the provisions of the Act.
5. A map showing the location and boundaries of the area of the proposed activity and the specific location of all proposed structures, filling and excavation.
6. A detailed plan of the proposed activity, drawn to an appropriate and uniform scale, indicating the area(s) of existing and proposed fill and excavation, if any; existing and proposed finished elevations; all existing and proposed structures, sewage collection and treatment facilities, utility installations, roadways, parking areas, and other related facilities, and the type of equipment to be used, and the means of equipment access to the activity site.
7. Evidence of ownership of the property on which the proposed activity will be conducted, and, if the applicant is not the owner, written permission from the owner to conduct the activity.
8. Evidence of applicant's receipt of all required riparian grants and permits for the conduct of the proposed activity, where necessary.

9. An environmental impact statement as specified hereafter.

7:10-4.4 Environmental impact statement

(a) The environmental impact statement shall describe and analyze all possible direct and indirect effects of the proposed activity on the site itself as well as on adjacent and noncontiguous areas with particular reference to the effect of the project on the public safety, health, and welfare, the protection of public and private property, the public trust in submerged lands and wildlife, the protection of wildlife and marine fisheries, the protection, preservation, and enhancement of the natural environment, and the preservation of the ecological balance of Wetlands.

(b) It shall relate the ecological and physical characteristics of the proposed activity site to the local and regional functioning of microscopic marine life, vegetation, birds, mammals, tidal circulation, hydrology, meteorology, geology, soils, land use, recreation, and history, and, in addition, it shall describe and analyze:

1. The reasons that structures cannot be located on lands other than Wetlands.

2. Temporary and permanent physical changes which would be caused by the proposed activity and the impact of these changes on the activity area and immediate environs.

3. Alternatives to the proposed action which would reduce or avoid environmental damage.

4. All measures to be taken during and after the completion of the proposed activity to reduce detrimental on-site and off-site effects.

5. Adverse environmental impact which cannot be avoided.

7:10-4.5 Application examination

(a) Within 30 days following receipt of an application, the Commissioner shall notify the applicant in writing regarding its completeness.

(b) The Commissioner may declare the application to be complete for filing or may notify the applicant of specific deficiencies.

(c) The Commissioner, within 15 days following the receipt of additional information to correct deficiencies, shall notify the applicant of the completeness of the amended application.

(d) The application shall not be considered to be filed until it has been declared complete by the Commissioner.

7:10-4.6 Hearings

(a) The Commissioner, or a member of the Department designated by him, shall hold a hearing to afford interested parties standing and the opportunity to present, orally or in writing, both their position concerning the application and any data they may have developed in reference to the environmental effects of the proposed activity.

(b) The Commissioner, within 30 days of declaring the application complete for filing, shall set a date for the hearing. The date for the hearing shall be set not later than 75 days after the application is declared complete for filing.

(c) A notice of the proposed activity and an announcement of the date, place, and time of the hearing on the application shall be caused by the Commissioner to be published in a newspaper of general circulation in the county in which the land is located.

(d) The Commissioner shall notify in writing all adjoining landowners, local governing bodies, and local conservation commissions, if any, of the municipalities in which the proposed activity area is located of the date and subject of the hearing.

(e) Interested persons may examine the filed application during normal working hours in the Division of Marine Services office in Trenton.

(f) The Commissioner, within 15 days after the hearing, may require an applicant to submit any additional information necessary for the complete review of the application.

7:10-4.7 Review procedure

(a) The Commissioner shall review the filed application and all information presented at the hearing. He shall issue a Type B permit only if he finds that the proposed activity:

1. Requires water access or is water-oriented as a central purpose of the basic function of the activity.
2. Has no prudent or feasible alternative on a non-Wetland site.
3. Will result in minimum feasible alteration or impairment of natural tidal circulation.
4. Will result in minimum feasible alteration or impairment of the natural contour or the natural vegetation of the Wetlands.

7:10-4.8 Considerations

(a) While conducting the review required by Section 4.7, the Commissioner shall consider:

1. The degree to which the proposed activity serves the public need and interest and the free public access to beaches and navigable waters.
2. The degree to which marine and/or land traffic generated by the proposed activity will give rise to traffic flow and safety problems.
3. The degree to which any aspect of food chain or plant, animal, fish, or human life processes are affected adversely within or beyond the activity area.
4. The degree to which filling and excavation activities can be minimized.
5. The degree to which excavation and filling creates stagnant water conditions, fish entrapments, and deposit sumps.
6. The degree to which the proposed activity controls erosion.
7. The degree to which the proposed activity provides facilities for the proper handling of litter, trash, refuse, and sanitary and industrial wastes.
8. The degree to which the proposed activity alters natural water flow or water temperature.
9. The degree to which irreplaceable land types will be destroyed.
10. The degree to which the natural, scenic, and aesthetic values at the proposed activity site can be retained.
11. The degree to which the proposed activity ecologically enhances the estuarine environment.
12. The degree of danger arising from hurricanes, floods, or other determinable and periodically recurring natural hazards.

7:10-4.9 Findings

If the Commissioner finds that the proposed activity would violate or tend to violate the purposes and intent of the Act and this Order, he may deny the application, or he may approve the application and impose such conditions as are necessary to promote the public safety, health and welfare, to protect public and private property, wildlife and marine fisheries, and to preserve, protect and enhance the natural environment.

7:10-4.10 Posting of permits

(a) No person shall engage in a Type B activity until he has received a permit and has posted a copy of the permit prominently at the worksite.

(b) Permits shall bear a date of expiration not less than one year from the date of issue.

(c) The permit may be revoked for any violation of the Act, this Order, or any condition in the permit.

7:10-4.11 Notification of decision

(a) The Commissioner shall notify the applicant within 90 days after the hearing as to the granting or denial of a Type B permit.

(b) The reasons for granting or denying the permit shall be stated.

(c) In the event the Commissioner requires additional information as provided for in 7:10-4.6(e), he shall notify the applicant of his decision within 90 days following the receipt of the information.

7:10-4.12 Conveyances by applicant; continuation

In the event of rental, lease, sale or other conveyances by an applicant to whom a permit is issued, such permit, with any conditions, shall be continued in force and shall apply to the new tenant, lessee, owner, or assignee so long as there is no change in the use of the land set forth in the original application.

7:10-4.13 Denial of application; future submittal

The denial of an application shall in no way adversely affect the future submittal of a new application.

SUBCHAPTER 5. PROHIBITED ACTIVITIES

7:10-5.1 General provision

No person shall engage in or cause other persons to engage in prohibited activities.

7:10-5.2 Types of prohibited activities

(a) The following activities shall be prohibited:

1. Placing, depositing, or dumping any solid waste, garbage, refuse, trash, rubbish, or debris.
2. Dumping or discharging treated or untreated domestic sewage or industrial wastes, either solid or liquid.
3. Applying any pesticide on areas containing significant stands of high vigor *Spartina alterniflora* (Saltmarsh cordgrass), *Zizania aquatica* (Wildrice), *Typha* sp. (Cattail), and *Scirpus americanus* (Common threesquare) as shown, generally, on Wetlands Maps.
4. The storage or disposal of pesticides.
5. Applying persistent pesticides.

SUBCHAPTER 6. OTHER STATE STATUTES, RULES AND REGULATIONS

7:10-6.1 Effect of other statutes, rules and regulations

The powers, duties, and functions vested in the Department under the provisions of the Act or Order shall not be construed to limit in any manner the powers, duties, and functions vested therein under any other provisions of law.

SUBCHAPTER 7. LOCAL ORDINANCES

7:10-7.1 Local ordinances

Local ordinances imposing standards more restrictive than those contained herein shall not be superseded.

SUBCHAPTER 8. EXCEPTIONS

7:10-8.1 Exceptions

In the event of a declared public health emergency, pesticide applications in Wetlands necessary to protect public health and welfare may be authorized by the State Commissioner of Health, and this Order shall not apply.

SUBCHAPTER 9. ACTIVITIES IN PROCESS

7:10-9.1 Activities in process

(a) On the effective date of the Order, any person who has commenced an activity for which a permit is required may complete such activity without applying for a permit, except as otherwise provided in this Section.

(b) On the effective date of the Order, any person who has commenced a Type B activity which requires filling or excavation, must apply for and obtain a Type B permit before commencing or continuing such filling or excavation.

An order adopting the Wetlands Order was filed and effective April 13, 1972, as R.1972 d.68.

Albert E. Bonacci

Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF ENVIRONMENTAL QUALITY

BUREAU OF RADIATION PROTECTION

Radiation Protection Fee Schedule

On April 20, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J. S.A. 26:2D-9 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules establishing the radiation protection fee schedule, substantially as proposed in the Notice published March 9, 1972, at 4 N.J.R. 45(a).

Such rules will be included in Chapter 41 of Title 7 of the New Jersey Administrative Code.

Full text of these rules follows:

REGULATIONS ESTABLISHING THE RADIATION PROTECTION FEE SCHEDULE

Section 1. Application Process

(a) Any person having within his possession, custody or control any item enumerated in Section 2, 3 or 4 hereof shall apply for and obtain a license or registration, as the case may be, as herein provided. Application for such license or registration shall be made within 30 days after the adoption of these regulations, or within 30 days after taking possession, custody or control thereof, whichever is later.

(b) Any license or registration issued pursuant to these regulations shall be valid for one year from the date of issuance. Fees for the initial application and license or registration shall accompany the original application. The fees for the annual renewal of an existing license or registration shall be submitted at least 30 days prior to the expiration date of such existing license or registration. In the event that the fees for renewal are received later than 60 days after the anniversary date, a new application fee must be paid. All checks shall be made payable to, "The Treasurer, State of New Jersey".

Section 2. Fee Schedule for the Use, Possession, Receipt, Storage and Transfer of Radioactive Material:

2.1 Fee Schedule:

Code	Category	Initial Application Fee	Annual License Fee
50	(A) Possession and use of radioactive materials other than those listed in subsections (B),(C),(D), and (E) hereof and not greater than 10,000 nor less than 0.1 Curies.	\$ 40	\$ 40
51	(B) Possession and use of radioactive materials of 10,000 Curies or more in sealed sources for irradiation of materials.	375	375
52	(C) Commercial distribution of radioactive material for processing, or manufacturing of items containing radio-active material, or quantities of radioactive materials.	500	500

53	(D) Possession and use of radioactive materials used for industrial radiography.	150	150
54	(E) Distributors of items containing radioactive materials, or quantities of radioactive materials to persons exempt from licensing requirements.	500	500

2.2 Before a license is issued, the applicant shall be required to demonstrate that he is properly qualified to use, possess, receive, store or transfer radioactive material.

2.3 Radioactive material users in New Jersey who are subject to U.S. Atomic Energy Commission jurisdiction shall be exempt from the fees provided by this Section.

Section 3. Fee Schedule for Certain Machine Sources

3.1 Fee Schedule:

Category	Machine Source	Initial Application Fee	Annual Registration Fee
01	Therapeutic Units capable of operation at no more than 60 kVp (Grenz-Ray and Dermatological)	\$ 10	\$ 25
02	Dental Units	10	25
03	Fixed Radiographic Diagnostic X-ray Units	25	25
04	Portable Radiographic Diagnostic X-ray Units	30	25
05	Medical Fluoroscopic Units (fixed or portable)	35	25
06	Mobile Diagnostic Units (motor vehicle mounted)	100	35
07	Medical Radiographic-Fluoroscopic Units (fixed or portable)	40	25
08	For each additional machine in the above categories at the same address	10	15
09	Therapeutic Units capable of operation at no more than 500 kVp	25 each	35 each
10	Therapeutic Units capable of operation at no more than 1 MeVp	50 each	45 each
11	Therapeutic Units including Accelerators capable of operation at no more than 6 MeV	100 each	50 each
12	Therapeutic Units capable of operation at no more than 25 MeV	250 each	100 each
13	Therapeutic Units delivering a Neutron Beam to 14 MeV	500 each	150 each
14	Industrial and Research Machine Sources (including Radiography)	35 each	35 each
15	X-ray Diffraction Units	25 each	25 each
16	X-ray Diffraction Units in same room	10 each	15 each
17	Industrial Accelerators other than Radiographic	100 each	25 each
18	Research Accelerators to 1 MeV	25 each	25 each
19	Research Accelerators to 100 MeV	100 each	50 each
20	Research Accelerators above 100 MeV	200 each	100 each
21	Commercial, Industrial and Institutional Microwave Ovens	15 each	25 each
22	Industrial Steady-State Lasers except CO2 Lasers	10 each	20 each
23	Industrial CO2 Lasers	15 each	20 each
24	Industrial Pulsed Lasers	20 each	25 each
25	Industrial Q Switched Lasers	25 each	35 each

3.2 The term "diagnostic units" as used herein means and shall include chiropractic and veterinary units.

3.3 The initial application fee shall not be charged for units registered pursuant to the Radiation Protection Code prior to the adoption of these regulations. However, the annual registration fee shall be applicable to all units.

3.4 The fee schedule shall not apply to machines possessed, stored or used by agencies of the United States Government, State of New Jersey, and county or local governments within New Jersey.

Section 4. Fee Schedule for Civilian Nuclear Reactors

4.1 Fee Schedule:

Thermal Capacity	Application Fee	Annual Registration Fee
To 500 kW(t)	\$ 25	\$ 25
To 1 MW(t)	50	50
To 5 MW(t)	75	75
To 10 MW(t)	100	100
To 25 MW(t)	150	150
To 100 MW(t)	250	250
To 500 MW(t)	500	500
To 1500 MW(t)	500	500
To 3000 MW(t)	500	500
To 5000 MW(t)	500	500
To 10,000 MW(t)	500	500
Over 10,000 MW(t)	500	500

4.2 In the event a pulsing reactor is proposed, the fee schedule above shall apply either to the maximum steady-state power or maximum time integrated power per pulse whichever is greater. Fees shall be determined by the time integrated power expressed in MW sec.

4.3 The fees listed above shall apply to civilian nuclear reactors of any type. The term nuclear reactors includes both fission and fusion reactors.

4.4 Training and research reactors owned or operated by non-profit educational institutions which do not derive income from their use shall be exempt from fees provided in this schedule. This facility shall be subject to an annual registration fee of \$10.

An order adopting these rules was filed and effective April 20, 1972, as R.1972 d.77.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELL FISHERIES

Proposed 1972-73 Game Code

The Fish and Game Council of the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-30 et seq., proposes to adopt a Game Code for the 1972-73 hunting season.

The proposed Code states when, under what circumstances, in what localities, by what means and in what amounts and numbers game birds, game animals and fur-bearing animals may be pursued, taken, killed or had in possession.

Such rules are scheduled to be included in Chapter 37 of Title 7 of the New Jersey Administrative Code.

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

Division of Fish, Game and Shellfisheries
Post Office Box 1809
Trenton, New Jersey 08625

Interested persons may present statements orally or in writing relevant to the proposed action at a public hearing to be held on Tuesday, June 13, 1972, at 8:00 P.M. in the Auditorium, first floor, State Health and Agriculture Building, John Fitch Plaza, Trenton, New Jersey.

Written statements or arguments may be submitted relevant to the proposed action on or before June 13, 1972, to the New Jersey Fish and Game Council, Division of Fish, Game and Shellfisheries at the above address.

The Fish and Game Council, upon its own motion or at the instance of any interested party may thereafter adopt the Game Code substantially as proposed without further notice.

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

(b)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELLFISHERIES

SHELLFISHERIES COUNCIL

Resolution On Transplanting Seed Clams

On April 10, 1972, the Shellfisheries Council, Atlantic Coast Section, in the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 50:1-5 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted a resolution concerning the transplanting of seed clams.

This resolution is scheduled to be included in Chapter 36 of Title 7 of the New Jersey Administrative Code.

Full text of the resolution follows:

RESOLUTION

Whereas by Resolution (#59) of August 17, 1959 the Shellfisheries Council, Atlantic Coast Section, did adopt regulations regarding the taking of clams measuring less than one and one-half inches in length, such Resolution being as follows:

"Whereas, Section 50:1-5 of the Revised Statutes provides that the Shellfisheries Council, subject to the approval of the Commissioner of Conservation and Economic Development, shall make such rules and regulations as may be necessary for the preservation and improvement of the shellfish industry in this State; and

Whereas, The Shellfisheries Council, Atlantic Coast Section, is confronted with the necessity of adopting a policy for the conservation of hard clams (Venus mercenaria), the supply of which is being further depleted by licenses and lessees who catch and take from the clam lands under the tidal waters of this State in the Atlantic Coast Section, clams which are too small for food purposes;

Therefore Be It Resolved by the Shellfisheries Council, Atlantic Coast Section, in regular session in Atlantic City, New Jersey on this 17th day of August 1959 that whenever any licensee or lessee of any of the leased lands is engaged in the catching of clams from any of the public clam lands or any of the leased lands in the Atlantic Coast Section and while so engaged catches small clams measuring less than one and one-half inches in length, all such clams measuring

less than the minimum size specified above shall be re-deposited immediately by and licensee or lessee on the lands from which such clams were caught; and

Be It Further Resolved that the possession by any person of any small clams, measuring less than minimum size which is permissible under this regulation, shall constitute prima facie evidence of the violation of this regulation; and

Be It Further Resolved that any person who shall be guilty of violating the provisions of this regulation shall be required to appear before the Shellfisheries Council, Atlantic Coast Section, to show cause why such person's license and/or lease should not be revoked for such period of time as the said Shellfisheries Council shall fix."; and

Whereas said Council now desires to amend and supplement said Resolution to open certain clam beds in specified areas in the tidal waters of Little Egg Harbor Bay for the taking of seed clams measuring one and one-half inches in length or less due to the fact that there is an enormous growth of seed clams in said specified areas which will be destroyed by certain adverse climatic and physical conditions, and it is anticipated that a tremendous loss of clams will take place if they are not transplanted elsewhere;

Now Therefore Be It Resolved by the Shellfisheries Council, Atlantic Coast Section, in regular session on this 27th day of March, 1972 that it amends and supplements its Resolution No. 59 of August 17, 1959 as follows:

Be It Further Resolved that seed clams measuring one and one-half inches or less in length may be removed for transplanting thereof from the area lying between Goose Bar Sedge and Hither Island encompassing three tenths (3/10) of a mile in diameter from latitude 39-32-46 and longitude 74-17-05.

Be It Further Resolved that the said seed clams measuring one and one-half inches in length or less shall be transplanted on leased grounds.

Be It Further Resolved that this amendment and supplement to the said Resolution No. 59 of August 17, 1959 shall take effect on April 10, 1972 and shall close and terminate on May 15, 1972, at which time the original terms and conditions of said Resolution No. 59 shall continue in full force and effect as though not amended and supplemented.

An order adopting this resolution was filed April 20, 1972, as R.1972 d.78 (Exempt, Emergency Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

ENVIRONMENTAL PROTECTION

DIVISION OF FISH, GAME AND SHELLFISHERIES

Opening of Certain Oyster Beds

On March 27, 1972, Richard J. Sullivan, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 24:2-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted an emergency Conservation Order concerning the opening of certain oyster beds in New Jersey.

This Conservation Order will be in Chapter 36 of Title 7 of the New Jersey Administrative Code.

CONSERVATION ORDER DATED

MARCH 27, 1972

OPENING OF CERTAIN OYSTER BEDS

Whereas, the Director of the Division of Fish, Game and Shellfisheries, in the Department of Environmental Protection, and the Maurice River Cove Section of The Shellfisheries Council of the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection have recommended that the oyster beds in the tidal waters of the Delaware River, Delaware Bay and their tributaries can be opened without harmful effect on the conservation thereof; and

Whereas, I have examined the recommendations, findings and conclusions heretofore referred to and find them to be correct and in the best interest of the conservation of the said seed oyster beds;

Now Therefore, pursuant to the powers vested in me by the statutes in such case made and provided,

It Is Hereby Ordered that all the natural seed oyster bed areas above what is commonly known as the Southwest Line shall be opened for the taking of seed oysters beginning 7 A.M. Eastern Daylight Time on Monday, May 15, 1972 for a period of four weeks (ending June 9, 1972). Physical tests of the oyster beds shall be made on Thursday, May 25, 1972 and again on Thursday, June 1, 1972. If these tests indicate that some areas should be closed because of possible harmful effects, those areas will be closed on the Friday immediately following the tests (May 26 or June 2) at the conclusion of the working day.

It Is Further Ordered that an advisory committee shall be appointed by the Commissioner of the Department of Environmental Protection to make these tests, and it shall be composed of two members of the Maurice River Cove Council, two members of the Oyster Research Laboratory, and the Director of the Division of Fish, Game and Shellfisheries or his designate.

It Is Further Ordered that the decision of the committee to close any area shall be made in accordance with a culling test as described in R.S. 50:2-7 - 50:2-8. If the culling test indicates a content of 30 per cent or less of oysters, the bed tested shall be closed in accordance with the aforementioned schedule.

The following existing sanctuaries are to be excluded from this Order and shall remain closed:

A protective strip at the Southwest Line, the mouth of the Cohansey River (Inside Tonger's line), Bennies Sanctuary and Bed, the Old Cohansey Sanctuary, Shell Rock Sanctuary, and New Bed Sanctuary (50 acres, as defined by Grids 50 and 51 now under survey and plotted by the Oyster Research Laboratory).

It is further ordered that there shall be a strict enforcement of R.S. 50:2-7 and R.S. 50:2-8, commonly known as the Rough Cull Law.

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

This Order shall take effect May 15, 1972.

An order adopting this Conservation Order was filed April 20, 1972, as R.1972 d.79 (Exempt, Emergency Rule) to become effective May 15, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

INSTITUTIONS AND AGENCIES

DIVISION OF PUBLIC WELFARE

Proposed Revisions On Application Process In Categorical Assistance Programs

Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 44:7-6 and 44:10-3, proposes to revise that portion of the Division of Public Welfare's Manual of Administration concerning the application process in categorical assistance programs. Such revisions are scheduled to be included in Subtitle L of Title 10 in the New Jersey Administrative Code.

The proposed revisions concern definitions, responsibilities, policy and procedure on prompt disposition, intake policy and procedure, inquiries about financial assistance, application policy and procedure, preliminary procedures by County Welfare Boards, registration, decisions, and applications for mentally incompetent persons.

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

Division of Public Welfare
129 East Hanover Street
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 24, 1972, to the Division of Public Welfare at the above address.

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

Robert L. Clifford
Commissioner
Department of Institutions and Agencies

(b)

INSTITUTIONS AND AGENCIES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Revisions to Physician Manual Of Health Services Program

On March 30, 1972, Robert L. Clifford, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to certain portions of the Physician Manual of New Jersey Health Services Program, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 46(d).

These revisions will be included in Chapter 54 of Title 10 of the New Jersey Administrative Code.

An order adopting these revisions was filed March 30, 1972, as R.1972 d.65 to become effective April 1, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

INSTITUTIONS AND AGENCIES

STATE PAROLE BOARD

Revision in Rule on Notice of Decision

On March 29, 1972, Nicholas D. Heil, Chairman of the State Parole Board in the Department of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4-123.1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions in the rule concerning notice of decision, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 48(c).

This revised rule may be cited as N.J.A.C. 10:70-6.5 (Notice of decision).

An order adopting these revisions was filed and effective March 29, 1972, as R.1972 d.64.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(d)

INSURANCE

THE COMMISSIONER

Proposed Rule On Return Of Unearned Insurance Premiums

Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1 and 17:1C-6(e), proposes to adopt a rule concerning the return of unearned insurance premiums.

Full text of the proposed rule follows:

11:2-2.1 Return of unearned premiums

(a) N.J.S.A. 17:16D-14(a) requires that whenever a financial insurance contract is cancelled, the insurer on notice of such financing shall return whatever gross unearned premiums are due under the insurance contract to the premium finance company for the account of the insured or insureds.

(b) Upon the effective date of this regulation, such unearned premiums shall be remitted by insurers to finance companies not later than 60 days after the effective date of cancellation.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 24, 1972, to:

W. Morgan Shumake
Deputy Commissioner
Department of Insurance
201 East State Street
Trenton, New Jersey 08625

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

Richard C. McDonough
Commissioner
Department of Insurance

(a)

INSURANCE

THE COMMISSIONER

Rules on Educational Prerequisites For Licenses in Property and Casualty Insurance Field

On April 17, 1972, Richard C. McDonough, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1C-6(e) and 17B:22-10(d) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules on educational prerequisites for admission to the qualifying examination for an agent's, broker's or solicitor's license in the property and casualty insurance field, substantially as proposed in the Notice published March 9, 1972 at 4 N.J.R. 49(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

This rule supersedes the current N.J.A.C. 11:2-1.1 and may be cited as the same.

11:2-1.1 Educational prerequisites for examinations for licenses in the property and casualty insurance field

(a) Pursuant to the provisions of Chapter 69 of the Public Laws of 1958, as amended, empowering the Commissioner of Insurance by regulation to establish a program of studies which must be successfully completed as a prerequisite to admission to the qualifying examination for an agent's, broker's or solicitor's license in the property and casualty insurance field, the following courses of study are established:

PROPERTY AND CASUALTY INSURANCE

Part	Classroom Instruction	Hours of
I	— Introduction, Duties of Licensee and Insurance Laws	12
II	— Property Insurance	20
III	— Crime Protection	6
IV	— Fidelity and Surety	6
V	— Marine Insurance	10
VI	— Public Liability and Laws of Negligence	12
VII	— Automobile Insurance	17
VIII	— Workmen's Compensation and Employer's Liability	4
IX	— Miscellaneous Coverages	6
X	— Multiple Peril Policies	10
XI	— Health Insurance	12
XII	— Review and Examination	6
TOTAL HOURS		121

BAIL BONDS

Part	Classroom Instruction	Hours of
I	— Introduction and Responsibilities of Agents	5
II	— Laws Pertaining to the Licensing of Agents, Brokers and Solicitors	3
III	— Surety Bonds—General Principles	5
IV	— Review and Examination	3
TOTAL HOURS		16

AUTOMOBILE PHYSICAL DAMAGE INSURANCE

Part	Classroom Instruction	Hours of
I	— General Information	9
II	— Automobile Physical Damage Insurance	19
III	— Review and Examination	2
TOTAL HOURS		30

CREDIT INSURANCE

Part	Classroom Instruction	Hours of
I	— Introduction and Responsibilities of Agents	5
II	— Laws Pertaining to the Licensing of Agents, Brokers and Solicitors	6
III	— Principles of Credit Insurance	10
IV	— Review and Examination	3
TOTAL HOURS		24

MORTGAGE GUARANTY INSURANCE

Part	Classroom Instruction	Hours of
I	— Introduction and Responsibilities of Agents	5
II	— Laws Pertaining to the Licensing of Agents, Brokers and Solicitors	6
III	— Principles of Mortgage Guaranty Insurance	10
IV	— Review and Examination	3
TOTAL HOURS		24

(b) Details of curricula including hours of study, text books and training materials shall be submitted to the Commissioner or his duly authorized representative for approval, modification or rejection.

(c) Modification will be permitted only upon good cause shown, and at the discretion of the Commissioner.

(d) Courses completed in a duly recognized college or university which are equivalent to the program of studies established by the Commissioner may be considered in lieu of prescribed courses given in schools approved by the Department. If the evaluation of such a course as described by the college or university discloses that it substantially conforms to the established minimum course outline, or if the applicant furnishes evidence of having obtained a designation as a Chartered Property and Casualty Underwriter, or if, subject to the approval of the Commissioner, the applicant has, during the ten-year period immediately preceding the date of application, attained a minimum of five years of broad and responsible experience in the field of insurance applied for, it will constitute compliance with the educational requirement under Chapter 69, Laws of 1958.

(e) An applicant granted a waiver of the educational requirement on the basis of experience or by reason of having previously held a salaried company employee license issued pursuant to N.J.S.A. 17:22-6.10 will be permitted to take the examination twice, after which, if unsuccessful, such applicant will be required to satisfactorily complete a course of instruction approved by the Department.

(f) A partial waiver of the educational requirement pertaining to health insurance will be granted an applicant for a full property and casualty insurance license who presently is entitled to hold a license with health insurance authority.

(g) This regulation will become effective May 1, 1972, and will supersede the current N.J.A.C. 11:2-1.1 (formerly Regulation I-1958L1 as amended).

An order adopting this rule was filed April 17, 1972, as R.1972 d.73, to become effective May 1, 1972.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Revisions On Permits For Overdimensional or Overweight Vehicles

Raphael J. Marini, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-8, 39:3-84 and 39:4-26, proposes to repeal the current rules on overdimensional vehicle movement and movement of overdimensional private utility and house-type trailers and semi-trailers and to adopt in place thereof new regulations providing for the issuance of special permits for the operation of vehicles or combinations of vehicles whose dimensions or weight, inclusive of load, exceed the limits set forth in Title 39 of the New Jersey Statutes.

Such proposed rules concern the requirements for a special permit, valid period of such permits, fees, application for permits, limitations, escort vehicle requirements, warning signs and signals, headlamps and multiple permit regulations.

Copies of the full text of the proposed rules are available upon written request from:

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

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 31, 1972, to the Division of Motor Vehicles at the above address.

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

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

(b)

LAW AND PUBLIC SAFETY

DIVISION OF MOTOR VEHICLES

Proposed Rules on Random Inspections

Raphael J. Marini, Director of the Division of Motor Vehicles, pursuant to the authority of N.J.S.A. 39:8-1 and 39:8-2, proposes to promulgate a Regulation governing the inspection of vehicles and equipment on a random spot-check basis, the full text of which follows:

SUBCHAPTER 29. RANDOM INSPECTIONS

13:20-29.1 Mobile inspection unit creation

There is hereby created in the Bureau of Vehicle Inspection, of the Division of Motor Vehicles, a Mobile Inspection Unit which is authorized to set up and conduct random roadside inspections of vehicles registered in New Jersey, for the purpose of fostering highway safety.

13:20-29.2 Procedures

(a) Vehicles inspected, pursuant to the authority of Section 1 of this Regulation, which are found to be in safe operating condition will be allowed to proceed and no additional marking will be placed upon the vehicle.

(b) Vehicles inspected, pursuant to the authority of Section 1 of this Regulation, and found to be defective, in one or more ways, shall be marked with the same type of inspection sticker that they would receive had they been processed through a permanent inspection station maintained by this Division. These vehicles will be required to have the necessary repairs made and to return to any State-operated inspection station within the period of time indicated on the inspection sticker.

13:20-29.3 Penalty

Vehicles found to be defective and so marked which continue to operate beyond the period provided for on the inspection sticker, shall be subject to the penalties now provided in Title 39 of the Statutes of New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 31, 1972, to:

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

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

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

(c)

LAW AND PUBLIC SAFETY

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Revisions on Conduct of Licensees And Use of Licensed Premises

On April 3, 1972, Robert E. Bower, Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 33:1-39 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted the revisions concerning the conduct of licensees and use of licensed premises, as proposed in the Notice published March 9, 1972, at 4 N.J.R. 50(a).

Such revisions will be contained in N.J.A.C. 13:2-2.15 (Narcotic and illegal activities; prohibited patrons).

An order adopting these revisions was filed and effective April 6, 1972, as R.1972 d.67.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

LAW AND PUBLIC SAFETY

DIVISION ON CIVIL RIGHTS

Rules Governing Employment Advertising

On April 14, 1972, James H. Blair, Director of the Division on Civil Rights in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 10:5-8(g) and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted rules governing employment advertising, substantially as proposed in the Notice published March 9, 1972, at 4 N.J.R. 50(b), but with subsequent substantive changes not detrimental to the public, in the opinion of the Division on Civil Rights.

The rules may be cited as N.J.A.C. 13:11-1.1 et seq.

Full text of the adopted rules follows:

CHAPTER 11. EMPLOYMENT ADVERTISING

13:11-1.1 Employment Advertising Generally

(a) It shall be a violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq., and more particularly, N.J.S.A. 10:5-12(a), (b), (c), and (e), for any employer, union, or employment agency, or any newspaper or other publication published or circulated within this State to print, publish or circulate any advertisement relating to employment, employment opportunities, job openings, union membership, apprentice programs, job training programs or any of the terms, conditions or privileges thereof, which expresses, overtly or subtly, directly or indirectly, any limitation, specification, preference or discrimination based on race, creed, color, national origin, ancestry, age, marital status or sex, or any intent to make such limitation, unless based on a bona fide occupational qualification.

(b) The use of language including but not limited to "black," "Negro," "colored," "white," "restricted," "inter-racial," "segregated," "Christian," "Jewish," "men," "women," "girl," "boy," "gal," "guy," "married," "single," or any other word, term, phrase or expression which tends to influence, persuade or dissuade, encourage or discourage, attract or repel any person or persons because of race, creed, color, national origin, ancestry, age, marital status, or sex, shall be considered discriminatory advertising in violation of the Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

13:11-1.2 Exception for advertising ordered by Director

Nothing contained in this Chapter shall be deemed to prohibit the Director from including in any of his Orders against any respondent employer, union or employment agency a provision requiring said respondent to include in any advertisement regarding any employment opportunity the term "Equal Opportunity" or any substantially similar term.

13:11-1.3 Maintenance of segregated columns

It shall be a violation of the Law Against Discrimination for any employer, union or employment agency or any newspaper or other publication published or circulated within this State to publish, print or circulate or cause to be published, printed or circulated any advertisement relating to employment, employment opportunities, job openings, union membership, apprentice programs, job training programs or any of the terms, conditions or privileges thereof, under an employment advertisement column which is segregated on the bases of sex, marital status,

race, creed, color, national origin, ancestry or age or under any column heading which expresses overtly or subtly, directly or indirectly, any preference, specification or limitation.

13:11-1.4 Preferences expressed in body of advertisement appearing under joint "Men and Women" columns

(a) It shall be a violation of the Law Against Discrimination for any employer, union or employment agency, or any newspaper or other publication published or circulated within this State to publish, print or circulate or cause to be published, printed or circulated any advertisement relating to employment, employment opportunities, job openings, union membership, apprentice programs, job training programs, or any of the terms, conditions or privileges thereof, the language of which advertisement expresses any limitation, specification, discrimination or preference as to sex, marital status, race, creed, color, national origin, ancestry or age of any intent to make such preference, specification or discrimination unless sex, marital status, race, creed, color, national origin, ancestry or age is a bona fide occupational qualification for the particular job advertised.

(b) Whenever a "help wanted" advertisement is to contain any job title or job description which is not clearly neutral in terms of sex and the job advertised is not one for which sex is a "bona fide occupational qualification" as defined in this Rule, then the advertisement should instead utilize a neutral job title whenever practicable. If the use of a neutral job title is not practicable, then the advertisement may contain the non-neutral job title provided, however, that the advertisement also includes:

1. the job title which is the sex counterpart of the non-neutral job title or

2. the designation "M/W." Newspapers which print employment advertisements are encouraged to voluntarily print a box on their employment advertising page indicating that the abbreviation "M/W" when used means "men or women".

Examples of Prohibited Terms

Examples of Prohibited Terms	Examples of Permissible Substitutes
"Salesman"	"Salesperson" or "Salesman/woman" or "Salesman M/W"
"Waiter"	"Waiter/waitress" or "Waiter M/W"
"Gal Friday"	"General Office Work" or "Gal/guy Friday" or "Gal Friday M/W"
"Hostess"	"Hostess/host" or "Hostess M/W"
"Pressman"	"Press operator" or "Pressman/woman" or "Pressman M/W"

The fact that a term does not appear in the above partial list does not mean that such a term is acceptable.

13:11-1.5 Bona fide occupational qualification exception; application

(a) For the purposes of this Rule, the "bona fide occupational qualification" exception shall include only those vocational qualifications which are reasonably necessary to the normal operation of the particular business, enterprise, or apprentice or other training program.

(b) The exception shall be interpreted so that individuals will be considered for employment on the basis of their individual capacities and not on the basis of any characteristics generally attributable to their group.

(c) The employer, employment agency or union has the burden of establishing that race, creed, color, national

origin, ancestry, age, marital status or sex is a bona fide occupational qualification.

(d) The application of the exception is not warranted where based on, for example: assumptions of the comparative general employment characteristics of persons of a particular race, creed, color, national origin, ancestry, age, sex or marital status, such as their turnover rate; stereotyped characteristics of the aforementioned classes, such as their mechanical ability or aggressiveness; customer, client, co-worker or employment reference, or historical usage, tradition or custom; or the necessity of providing separate facilities of a personal nature, such as rest rooms or dressing rooms.

(e) In regard to sex, the application of the exception may be warranted where it is necessary for authenticity or genuineness, such as for an actor or actress, or where the job in question necessarily involves intimate personal contact with persons of the opposite sex.

13:11-1.6 Ruling by Division on bona fide occupational qualifications for particular jobs

(a) Any employer, union, employment agency, newspaper or other publication may make an inquiry of the Division on Civil Rights (at 1100 Raymond Boulevard, Newark 201 - 648-2700; or 436 East State Street, Trenton, 609 - 292-4605; or 530 Cooper Street, Camden, 609 - 964-0011; or 370 Broadway, Paterson, 201 - 345-1465) as to whether race, creed, color, national origin, ancestry, age, sex or marital status is a bona fide occupational qualification for a particular job which they intend to publish, print or circulate or cause to be published, printed or circulated.

(b) The Division shall promptly, and whenever possible no later than two hours after the inquiry is received, give opinions in response to such inquiries.

(c) An opinion rendered orally or in writing by the Division prior to the publication of any advertisement in response to such an inquiry shall be binding for the purpose of this Rule, except in those instances in which the inquiry has not fully and accurately disclosed the relevant facts regarding the particular job in question.

(d) The Division shall maintain records as to each inquiry made pursuant to this Section, to include the name, title and address of the caller, a summary of the job and job duties, the bases for the exception claimed and the time, date, identification number and disposition of the inquiry.

(e) A newspaper or other publication shall not be in violation of this Rule where it has accepted any specific advertisement in good faith and in reasonable reliance upon the representations of the person placing the advertisement that he has obtained from the Division an opinion that there is a bona fide occupational qualification for the specific job advertised together with the identification number of that opinion.

13:11-1.7 Violation

Failure to comply with this Chapter will constitute a violation of N.J.S.A. 10:5-12.

13:11-1.8 Effective date

(a) This Rule is adopted and effective on April 14, 1972.

(b) The obligation of those persons covered by this Rule to comply with its terms shall commence on May 29, 1972.

An order adopting these rules was filed April 20, 1972, as R.1972 d.76.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

TREASURY

DIVISION OF PURCHASE AND PROPERTY

Proposed Rules Regulating Use Of State Buildings and Grounds

James A. O'Connor, Director of the Division of Purchase and Property in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:20-7 and 52:27B-64, proposes to adopt rules regulating the use of State buildings and grounds in such a manner as to protect the rights of all citizens of New Jersey to exercise freedom of speech, to peaceably assemble, to petition their government for redress of grievances and to seek assistance from their government.

Such rules are scheduled for the new Chapter 15A of Title 17 of the New Jersey Administrative Code.

Full text of the proposed rules follows:

CHAPTER 15A. USE OF STATE BUILDINGS AND GROUNDS

SUBCHAPTER 1. GENERAL PROVISIONS

17:15A-1.1 Scope

"State regulated buildings and grounds" shall include all buildings, grounds, sidewalks, plazas, open areas and streets owned, leased, rented, controlled, used or occupied by the State of New Jersey which are subject to the jurisdiction and control of the Division of Purchase and Property in the Department of the Treasury.

17:15A-1.2 General public areas

Every person shall be allowed to distribute any written or printed materials, demonstrate, picket, make a speech, hold a vigil or other ceremony in any area of a State-regulated building which is open to the general public, subject to the following regulations.

17:15A-1.3 Permits; application to gather

Any group of ten or more persons intending to gather within State-regulated buildings and grounds for the purpose of demonstrating, picketing, marching, making speeches, holding vigils or ceremonies shall, at least 72 hours prior to the intended gathering, apply for a permit from the State Governmental Security Bureau, Room 106, State House, West State Street, Trenton.

17:15A-1.4 Issuance of permits for gathering

(a) The State Governmental Security Bureau shall issue such a permit not later than 24 hours prior to the time of the intended gathering unless it finds that the intended activity will:

1. Unreasonably interfere with the movement of traffic or persons within State-regulated buildings and grounds, or
2. Unreasonably interfere with the use of State-regulated buildings and grounds, or
3. Endanger the health and safety of either the applicants for the permit or any other persons.

17:15A-1.5 Permit for use of sound amplification equipment

Any person intending to use any sound amplification equipment within State-regulated buildings and grounds shall, at least 72 hours prior to the intended use of such equipment, apply for a permit from the State Governmental Security Bureau, Room 106, State House, West State Street, Trenton.

17:15A-1.6 Issuance of permits for use of sound amplification equipment

The State Governmental Security Bureau shall issue such a permit no later than 24 hours prior to the time of the intended use of such equipment unless it finds that the use of such equipment will unreasonably interfere with the use of State-regulated buildings and grounds.

17:15A-1.7 Application contingencies

(a) The State Governmental Security Bureau may issue permits in accordance with Sections 4 and 6 above, contingent upon the applicants providing their own marshals and/or remaining in certain areas, and/or not exceeding maximum occupancy levels of State-regulated buildings or parts thereof, and/or any other provision the Bureau may deem necessary for the safety of the applicants and/or other persons.

(b) Marshals shall be required to organize clean-up crews for removal of litter both during and after demonstrations.

17:15A-1.8 Distribution of written or printed material

Any person intending to distribute any written or printed material within State-regulated buildings and grounds shall first register his name and address, the intended time and place of distribution, and a sample of all literature to be distributed in such building with the office of the State Governmental Security Bureau, Room 106 of the State House, West State Street, Trenton.

17:15A-1.9 Remaining in buildings after business hours

No person, except State employees or persons having authorized business in such building, shall enter or remain in any State-regulated building for any purpose outside of the hours fixed for the normal business day.

17:15A-1.10 Disorderly or disruptive conduct

No person shall utter threatening or abusive language, or engage in any other disorderly or disruptive activity within any State-regulated buildings and grounds.

17:15A-1.11 Obstructing the use of areas

No person shall obstruct the use of entrances, exits, foyers, lobbies, corridors, offices, elevators, stairways, side-walks, streets and parking lots within State-regulated buildings and grounds, or in any way impede or disturb State employees in the performance of their duties within State-regulated buildings and grounds, or in any way impede or disturb the general public within State-regulated buildings and grounds.

17:15A-1.12 Damage to property

No person shall deface, destroy or cause damage to any building, furniture, fixture, accessory, tree, shrubbery, fountain or any State equipment or traffic and pedestrian and crowd-control device within State-regulated buildings and grounds.

17:15A-1.13 Signs and related items

(a) No person shall carry any type of sign, poster, banner, placard, or the like, within any State-regulated building.

(b) Such signs, posters, banners or placards intended for use in demonstrations outside State-regulated buildings shall be made solely of paper and/or cardboard and attached to the person and not supported by or framed by wood, metal or any other material of a firm nature.

(c) They shall not in any way be affixed to the premises or self-supporting, or leaned against any wall or partition.

(d) Nothing in these rules and regulations shall, however, prohibit the wearing of buttons and badges upon the clothing of any person.

17:15A-1.14 Mass Gathering Review Board authority

Nothing in these regulations shall be construed to limit the authority of the Mass Gathering Review Board in the New Jersey Department of Health, created pursuant to L. 971, c. 205, p. 970.

17:15A-1.15 Senate or General Assembly proceedings

Nothing in these regulations shall be construed to limit the authority of either the Senate or the General Assembly to control their own proceedings.

17:15A-1.16 Emergencies

Nothing in these regulations shall be construed to limit the authority of the State Governmental Security Bureau to take necessary action to protect the safety of building occupants in time of emergency.

17:15A-1.17 Penalties

Any one failing to comply with these regulations shall be subject to ejection from State-regulated buildings and grounds and/or prosecution for trespass under N.J.S.A. 2A:170-31 and/or other criminal proceedings under the applicable State statutes and municipal ordinances.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 24, 1972, to:

Norman E. Hardy
Deputy State Treasurer
Department of the Treasury
State House
Trenton, New Jersey 08625

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

Norman E. Hardy
Deputy State Treasurer
Department of the Treasury

(a)

TREASURY

STATE INVESTMENT COUNCIL

Revisions in Rules On FHA Hospital Mortgages

On March 10, 1972, the State Investment Council in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to its rules concerning FHA hospital mortgage insofar as limitations are concerned.

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

17:16-10.3 Limitations

(a) Any investment in any mortgage shall be not less than \$1 million nor more than [\$10 million.] **\$15 million.**

(b) The book value of mortgages purchased under Articles 15, 19, 20, 28 and 10 shall not exceed 20 per cent of the assets of any pension and annuity fund at any one time.

(c) The hospital must be located in the State of New Jersey and the mortgage must be serviced by the Division of Investment.

[(d) Prior to the purchase of any mortgage, the Director shall obtain a letter from FHA confirming that in the event the mortgage is in default 90 days FHA will purchase the mortgage at a price of 99 or better paid in cash.]

(d) [(e)] No mortgage shall be recommended for purchase to the pension funds unless approved by a majority of the members of a Mortgage Advisory Committee created within the Division of Investment to advise the Director with respect to mortgage applications. The Committee shall be composed of five members serving without compensation who reside in New Jersey and are experienced in the purchase of mortgages. The Committee will meet whenever sufficient material is available to warrant a meeting and three members of the Committee shall constitute a quorum. Whenever practical, an agenda will be mailed to each Committee member in advance of the meeting. A copy of the agenda and analysis sheets (describing the mortgage offerings in detail), as well as a copy of the minutes summarizing the action taken, will be mailed to all five members and will be attached to such recommendation as the Director may make to the pension funds.

An order adopting these revisions was filed and effective March 10, 1972, as R.1972 d.52 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(a)

TREASURY

STATE INVESTMENT COUNCIL

Revisions to Rules of State Investment Council

On April 19, 1972, the State Investment Council in the Department of the Treasury, pursuant to authority of N.J. S.A. 52:18A-89 and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted various revisions to several of its rules located in Chapter 16 of Title 17 of the New Jersey Administrative Code.

Such revisions concern definitions, amortization procedures, classification of funds, United States Treasury and government agency obligations, corporate obligations (legal for savings banks and other than legal for savings banks), finance companies' senior debt, Canadian obligations, New Jersey State and municipal obligations, public authority revenue obligations, commercial paper, certificates of deposit, bank debentures, common and preferred stocks convertible into common stock, common stocks and convertible securities, common treasury fund A, common pension fund A and common pension fund B.

Copies of the complete text of these revisions are available from:

State Investment Council
Department of the Treasury
State House
Trenton, New Jersey 08625

An order adopting these revisions was filed and effective April 19, 1972, as R.1972 d.75 (Exempt, Procedure Rule).

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(b)

HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION

Revisions to District Building Code

On March 29, 1972, the Hackensack Meadowlands Development Commission, pursuant to authority of N.J.S.A. 13:17-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted revisions to the District Building Code, as proposed in the Notice published February 10, 1972, at 4 N.J.R. 33(a).

These revisions will be located in Chapter 6 of Title 19 of the New Jersey Administrative Code.

An order adopting these revisions was filed and effective March 30, 1972, as R.1972 d.66.

Albert E. Bonacci
Director of Administrative Procedure
Department of State

(c)

NEW JERSEY TURNPIKE AUTHORITY

Proposed Speed Limit Revisions

The New Jersey Turnpike Authority, pursuant to authority of N.J.S.A. 27:23-29, proposes to amend a portion of its rule concerning speed limits.

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

19:19-1.2(b) Vehicles shall not be operated elsewhere on the New Jersey Turnpike at a speed in excess of 60 miles per hour **except at such locations as shall be designated for test purposes.**

Interested persons may present statements or arguments in writing relevant to the proposed action on or before May 24, 1972, to:

Mrs. Lillian M. Schwartz
Secretary, New Jersey Turnpike Authority
Post Office Box 1121
New Brunswick, New Jersey 08903

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

Mrs. Lillian M. Schwartz
Secretary
New Jersey Turnpike Authority

STATE NEWS OF PUBLIC INTEREST

ADOPT NEW SAFETY GLASS RULE TO CUT INJURIES IN FALLS

New Jersey is now the 17th state in the nation with a safety glass law designed to reduce the number of serious injuries occurring when persons fall against regular glass doors or panels.

The Department of Community Affairs has promulgated rules and regulations governing the new law, which became effective March 28, 1972.

The law requires that safety glass, in most instances, be installed in all glass doorways, sliding doors, storm doors and shower and bath tub enclosures. It applies to homeowners, manufacturers, distributors and importers in the glass industry.

The new law requires that all safety glass be labeled, and once installed, the label must be visible.

Community Affairs Commissioner Lawrence F. Kramer called on all residents to cooperate in implementing the new law. Kramer said that the Division of Housing and Urban Renewal in his Department will administer the law and that Division officials are available to answer questions.

Kramer pointed out that if a person plans to install a glass panel that could be mistaken for a doorway, then safety glass must be installed.

He noted that if a homeowner has to repair a glass door, sliding door, storm door or a shower enclosure, the new glass must be safety glass.

The official label must name the installer, the thickness of the glass and whether the glass meets or exceeds safety glass test requirements established in the Act.

The Act empowers each local building inspector or building code enforcement officer to enforce the new safety glass provisions. The local officials, for example, could refuse a certificate of occupancy if safety glass is not used in accordance with provisions of the Act.

The safety glass law is designed to promote safety and avoid accidents involving glass. The Federal Government estimates that up to 200,000 accidents from shattered glass doors will occur this year.

Violators of the law could be fined up to \$200 for the first offense and up to \$2,000 for each subsequent offense.

The act does not apply to hotels, motels and multiple dwellings—three units or more—or to public schools, which are already governed by similar safety glass standards in other State laws.

Kramer said the Department has sent all 567 municipalities in New Jersey details of the new rules.

McDONOUGH PROMISES IMPROVEMENTS IN ASSIGNED-RISK AUTO INSURANCE

Insurance Commissioner Richard C. McDonough last month promised a bold new approach to provide better automobile insurance coverage for Jersey drivers classified as assigned risks.

McDonough, at a regional meeting of Insurance Com-

missioners of all northeastern states in Newport, R.I. told his counterparts: "Although New Jersey improved its assigned risk law nine months ago, the changes thus far have not improved the service that the public really wants."

McDonough said he would ask officials of the New Jersey Automobile Insurance Plan to consider immediately new plans to improve the assigned risk service, because complaints from the public are increasing, not decreasing.

McDonough said he will discuss with the industry either a plan for a reinsurance facility or a planned pool of insurance companies to handle the assigned risk coverage for motorists in New Jersey.

"I know that alternatives to the present assigned risk plan have been under consideration for many years, but what disturbs me is that no effective action has been taken," he said.

"It is time for action. All the studies are in. The dialogue has been had. We can no longer drag our feet while the public looks to us for a remedy."

McDonough reported the complaints division of the insurance department in March had received 528 complaints, the first time they had gone over the 500 mark. Many of these dealt with cancellations and non-renewals, he noted.

"We continue to receive complaints that companies are failing to renew coverage, are not issuing policies on time and are failing to make adjustments in premiums.

"The unfavorable treatment of assigned risks is particularly noticeable in the large number of cancellations for non-payment of premium and companies' refusal to rescind such cancellations even if the premium is paid within the specified time."

McDonough reported that the new state assigned risk plan which went into effect last June had produced encouraging results. Department records show that 17,981 motorists who had been classified as assigned risks despite good driving records did not have to pay as high premiums as before.

THIRD OF AREA HEALTH COUNCILS SEEN IN OPERATION NEXT MONTH

The Comprehensive Health Planning Council for northern New Jersey, covering Bergen, Hudson, Passaic and Sussex Counties, may be in operation by June 1.

So said Martin S. Ulan, chairman of the State Health Planning Council, last month in urging Federal approval of the agency's application for \$152,390 to cover its first year of operation.

If the Federal government agrees to pay half of the above cost—the remainder to be made up in cash and/or services by local funds—this will be the third of four area-wide agencies to be formed in New Jersey under the auspices of the State Health Planning Council.

Each area agency is responsible for coordinating health planning within its region and making initial recommendations on certificate-of-need applications from health care facilities.

Joseph C. Kale, director of the State Comprehensive Health Planning Agency, which is advisory to the SHPC, expressed confidence that the northern agency will obtain sufficient local funding to proceed.

"We are encouraged by the fact that more than \$20,000 already has been committed locally without tapping some of the more traditional funding sources," Kale said. Included in this figure is \$4,000 in supporting services provided by Fairleigh Dickinson University.

The areawide agency proposes hiring by the end of the

first year an executive director, associate director, senior health planner, two health planners and clerical personnel.

The only other areawide agency yet to file for Federal funding is in Central Jersey, covering Hunterdon, Mercer, Middlesex, Monmouth, Ocean and Somerset counties, where an application is in process of preparation.

WILLIS NAMED TO ASS'T COMMISSIONER POST IN COMMUNITY AFFAIRS DEPT.

Sidney L. Willis—since 1968 the director of the Division of State and Regional Planning in the Department of Community Affairs—is slated to fill the new Assistant Commissioner post proposed by Gov. William T. Cahill in his recent special message on housing.

Community Affairs Commissioner Lawrence F. Kramer said he would appoint Willis as soon as the new position has been authorized by the Legislature. He said a revised reorganization plan for the Department incorporating the new Assistant Commissioner post has already been sent to the Governor for approval and transmittal to the Legislature.

Under the amended plan, Willis, as one of three Assistant Commissioners, assumes administrative and program responsibility for two existing divisions—Housing and Urban Renewal and State and Regional Planning.

In addition, he will coordinate for Commissioner Kramer the operation of the New Jersey Housing Finance Agency; the New Jersey Mortgage Finance Agency, which the Governor suggested should be transferred to Community Affairs from the Department of Banking; and the proposed State Community Development Corporation, which would be a semi-autonomous agency “in, but not of” the Community Affairs Department.

Willis also is to become the first chief administrative officer of the proposed State Planning Council, a new agency of department heads and citizens which will formulate and update a State Development Plan. The Council would receive staff support from the Division of State and Regional Planning.

Willis, 42, had served since February, 1968 as director of the Division of State and Regional Planning, which devises plans for the physical and human development of the State. From 1957 to 1961 he held various planning positions in the Department of Conservation and Economic Development, predecessor to the Department of Environmental Protection.

Willis recently served as a member and secretary of the Governor's Housing Task Force, many of whose recommendations formed the basis of the Governor's special housing message, “New Horizons in Housing,” delivered March 27.

Previously, he was from 1966 to 1968 director of the Jersey City Community Renewal Program and prior to that Director of Planning for that city.

Kramer said he selected Willis for the “critical new Assistant Commissioner position because of his extensive experience in the planning and housing fields on both the State and local levels.”

“Willis has an intimate knowledge of the causes and extent of the housing shortage in New Jersey, as well as the problems of municipalities. He has been deeply involved in the efforts to develop effective policies to alleviate them.

“He is ideally suited to bring together the many elements and resources needed to increase the quantity and quality of housing for the people of New Jersey.”

Willis holds a bachelor's degree in economics from Geneva College, Beaver Falls, Pa. and a master's degree in planning from the University of Chicago, where he studied

under Rexford Guy Tugwell, former Governor of Puerto Rico.

He has served as an instructor in local planning and urban renewal at Rutgers University Extension Division and Associate Professor at Livingston College, Department of Urban Planning. He was a research associate at Princeton University in 1969 and 1970.

He presently serves on the New Jersey Advisory Committee of the U.S. Commission on Civil Rights and was recently reappointed by Governor Cahill to a five-year term as the State member of the State Board of Professional Planners.

Willis, his wife Edna and their two sons live at 59 Longview Drive, Princeton.

MEADOWLANDS COMMISSIONER McDOWELL SWORN IN AS FIRST PERMANENT DIRECTOR

William D. McDowell, one of the seven original members of the Hackensack Meadowlands Development Commission, took office in March as that agency's first permanent executive director.

McDowell, 45, had been appointed to the \$37,000 post by unanimous vote of the other six Meadowlands commissioners, a vote in which he did not participate.

He had served as vice chairman of the Commission from March 1970 to April 1971 and he succeeds Clifford A. Goldman of Trenton, who was acting executive director from April 1968 until February 1972, when he resigned.

Before assuming the post, McDowell resigned as a Commissioner of the Meadowlands agency, leaving a vacancy that must be filled by Gov. William T. Cahill with the advice and consent of the State Senate. Under the Meadowlands Act, the successor must be a resident of one of the ten Bergen County municipalities within the meadowlands district and will serve the remaining four years of McDowell's five-year term, which expires March 10, 1976.

The new Meadowlands director, a former councilman and two-term mayor of North Arlington, also resigned as a member of the Bergen County Board of Freeholders before taking office. McDowell had been a freeholder since 1968.

Community Affairs Commissioner Lawrence F. Kramer, as chairman of the Meadowlands Commission, hailed McDowell's appointment, noting that “the Commission and the State of New Jersey are indeed fortunate in being able to secure a man with his experience, qualifications and expertise.”

Kramer said, “McDowell has long been a leader among those who have for many years sought to bring order and imagination to the planning, development and preservation of the meadowlands district.”

McDowell had been named as one of the seven original Meadowlands commissioners by Gov. Richard J. Hughes and took office April 4, 1969. He was reappointed to a five-year term by Governor Cahill on May 6, 1971.

His appointment as director also means that Governor Cahill will now have to designate another Meadowlands commissioner as one of three ex-officio members of the New Jersey Sports and Exposition Authority, a separate statutory body. McDowell had served in that capacity since May 19, 1971.

Born in Newark, McDowell attended local public schools and received a B.S. degree in business administration from Seton Hall University in 1949. He served with the U.S. Naval Air Force during World War II.

McDowell is a partner in the insurance firm of McDowell and McEvoy of Belleville. He and his wife, the former Jean Bodine, and their five children reside at 47 Park Avenue, North Arlington.

LOUDERBACK NAMED TO PUBLIC BROADCASTING AUTHORITY BOARD

A leading business and publishing executive has been appointed to the New Jersey Public Broadcasting Authority by Gov. William T. Cahill. F. Calvin Louderback of Jamesburg replaces John McDonald of Rutgers University, who did not seek reappointment.

Louderback is former director of publishing for New Jersey Business Magazine and now serves as assistant vice president of the New Jersey Manufacturers Association.

A graduate of the Wharton School at the University of Pennsylvania and of Temple University Law School, he has been publisher of the New Jersey Mirror in Mount Holly, and publisher of the Chamber of Commerce News in Philadelphia.

WESTCOTT RESIGNS AS CONTROL BOARD HEAD FOR INSTITUTIONS AND AGENCIES

Gov. William T. Cahill last month accepted the resignation of Lloyd B. Wescott as Chairman of the Board of Institutional Trustees of the Department of Institutions and Agencies.

The Governor said he accepted Westcott's resignation "with regret" and noted that Wescott had devoted almost 30 years to the Department of Institutions and Agencies, serving from 1943 to 1956 on the board of managers of the Reformatory for Women at Clinton and since 1956 as a member of the State Board of Control.

Wescott offered to support or assist the Governor in any future endeavors and said Cahill had made an excellent choice in selecting Robert L. Clifford as Commissioner of the Department of Institutions and Agencies. Wescott said that the change in the procedure to name the Commissioner played no part in his decision to resign.

Wescott is president of the board of trustees of Hunterdon Medical College, chairman of the board of Karen Horney Clinic, a member of the Special Committee on Provision of Health Services of the American Hospital Association and a member of the board of trustees of the New Jersey Welfare Council.

BROWN NAMED DIRECTOR OF URBAN RODENT CONTROL PROJECT

Dr. James R. Cowan, Commissioner of Health, announced the appointment of Charles Brown as State Director, Urban Rodent and Insect Control Project. Brown, a resident of Rahway, had served as assistant director the past two years.

Since the bulk of the project's \$2,000,000 annual budget comes from Federal sources, Brown's appointment also requires the approval of H.E.W. and the U.S. Public Health Service.

The Urban Rodent and Insect Control Project is a multifaceted community improvement program with principal operations in Newark, Jersey City, Hoboken, Paterson, Passaic, East Orange, Trenton, Camden and Asbury Park. In addition to pest control and extermination services, it is responsible for allocation of funds and resources, training, preventive education, technical assistance and program evaluation.

McKEOWN IS APPOINTED TO STATE EDUCATION POST

Daniel B. McKeown has been appointed an assistant director in the Department of Education's Division of Controversies and Disputes. He had been serving as director of grants procedures in the Office of Grants Management. As assistant director, McKeown fills a vacancy created

by the January promotion of Fred H. Combs Jr. to assistant commissioner in charge of the division.

McKeown was born in Wilkes Barre, Pa., and was graduated from Kings College in Wilkes Barre in 1960. He was a teacher and school administrator before joining the Department in 1968.

He holds a master's degree from Rutgers University and has taken graduate-level courses at Newark State College. He lives at 25 Woody Terrace, West Keansburg.

DeCAROLIS NAMED MANAGER OF HIGHWAY SAFETY OFFICE

Gov. William T. Cahill last month announced the appointment of Louis R. DeCarolis as manager of the New Jersey Office of Highway Safety.

DeCarolis, 30, who will report to Motor Vehicle Director Raymond J. Marini, will coordinate highway safety efforts throughout the State in accordance with the 16 standards of the National Highway Safety Act of 1966.

Since October 1971 he had served as Driver Education Consultant for the Office of Highway Safety. Earlier, he was a highway safety specialist with that office.

A 1964 graduate of New York University at Oswego, he received a bachelor's degree in industrial education. DeCarolis also holds a master's in traffic safety and police administration from Michigan State University and is completing final requirements for a Ph.D. in this field.

DeCarolis and his wife, the former Francesea Hruby, are residents of East Brunswick and have a two-year-old son.

WINNERS SHARE \$1,232 IN SECOND SUGGESTION LIST

The second group of winners this year in the State Employees' Suggestion Awards Program included 12 persons who split up \$1,232 in awards.

The Civil Service Department reported that the highest award so far this year was for \$652, which went to John M. Goulding, a supervisor of signs and traffic lines in the Department of Transportation.

His suggestion of using lighter sheet aluminum stock for signs will this year save the State ten times the amount of the award—the basis on which value of awards is figured. Goulding is a Lawrenceville resident.

Also from Transportation was Mrs. Margaret D. Griggs, a clinic nurse, of Yardville, who received an award of \$25.

Representing the Department of Health was Miss Anna H. McKallen, a senior vault clerk, of Princeton Junction, who received \$290 for suggesting a new procedure when searching for birth certificates.

Two suggestions in the Department of Insurance were Mrs. Ruth Cunningham, a principal clerk, of Trenton, who received \$50 for the suggestion that a check list be printed on the back of return envelopes dealing with license renewal applications, and Miss Jane Mary Pownall, a clerk stenographer, of Yardville, \$35.

From Labor and Industry was Miss Anne V. Bonner, an assistant supervisor, Division of Wage and Hours, of Orange, \$50 for suggesting the use of a form letter which would eliminate dictation and telephone follow-up.

Also from Labor and Industry were Mrs. Dolores Mickens, an employment security clerk, of Elizabeth, \$25; Mrs. Roberta B. Norman, a senior interviewer, of Asbury Park, \$25; Mrs. Emily L. Pfaff, a principal clerk stenographer, of Deptford, \$25; and Mrs. Dorothy Celinski, a clerk transcriber, of Trenton, \$15.

Representing Agriculture was Mrs. Anne T. Guagliardo, a clerk typist, of Mercerville, \$25.

Mrs. Kathryn C. Jackowitz, of Trenton, a clerk stenographer in the Department of Environmental Protection, received \$15.