

# NEW JERSEY REGISTER



*The State's Official Rules Publication*

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**J. Edward Crabel, Secretary of State**

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(Includes rules adopted through Oct. 18)

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# NOTICES OF RULE-MAKING ACTIVITIES OF STATE AGENCIES

(a)

## AGRICULTURE

### DIVISION OF DAIRY INDUSTRY

#### Revise Minimum Milk Prices

On October 5, 1976, Woodson W. Moffett Jr., Director of the Division of Dairy Industry in the Department of Agriculture, pursuant to authority of N.J.S.A. 4:12A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions concerning minimum milk prices which delete in its entirety the current text of N.J.A.C. 2:49-1.1(b) and adopt new text in place thereof.

Full text of the adopted rule follows:

2:49-1.1(b) Effective November 1, 1976, minimum milk prices under Order 69-1 will be \$0.39 per quart, \$0.73 per half-gallon and \$1.40 per gallon. This amendment shall be effective from and after November 1, 1976.

An order adopting these revisions was filed on October 7, 1976, as R.1976 d.311 to become effective on November 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## BANKING

### DIVISION OF BANKING

#### Proposed Revisions to Rule On Terms of Organization

The Department of Banking, pursuant to authority of N.J.S.A. 17:9A-25 et seq., proposes to revise a portion of its rule on terms of organization of small business investment companies.

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

3:11-3.1(a)2. A bank shall in no event hold shares of stock in any such company in an amount aggregating more than [two] five per cent of the aggregate of the unimpaired capital stock and the surplus of the bank

## NEW JERSEY REGISTER

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

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## RULES UPDATED FOR 4 MORE TITLES IN CODE

Fourth mailing this year of updated rules in the New Jersey Administrative Code was made last month by the Division of Administrative Procedure.

The 564 pages of new or amended rules—which have the same legal effect as laws passed by the State Legislature—are those of four Departments of the State Government—Title 6—Education, Title 11—Insurance, Title 14—Public Utilities and Title 18—the Treasury Department's taxation rules.

The update covers all rules adopted through August 13, 1976. So far this year, rules have been updated for 13 of the 19 Departmental Titles in the Administrative Code, with the remainder in production.

If Administrative Code subscribers do not receive this mailing, please inform the Division (address and phone listed below) so we may follow up.

The interim index for the Code in this issue has been adjusted to reflect distribution of these rules, as well as all other State rules adopted through last month since the various current effective dates for each Title noted in the index.

For information on ordering the Administrative Code, see subscription form in the center pages.

Rules proposed and/or adopted in the interim between Code updatings are printed monthly in this New Jersey Register, which like the Code is published on a subscription basis by the Division of Administrative Procedure.

or hold 50 per cent or more of any class of equity securities issued by that investment company having actual or potential voting rights;

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Roger F. Wagner  
Acting Commissioner  
Department of Banking  
36 West State St.  
Trenton, N. J. 08625

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

Clifford F. Blaze  
Deputy Commissioner  
Department of Banking

(a)

## BANKING

### THE COMMISSIONER

#### Revisions Concerning Priority

On September 30, 1976, Roger F. Wagner, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new text for N.J.A.C. 3:1-2.14 concerning priority, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 411(b).

Take notice that the prior text of N.J.A.C. 3:1-2.14 is deleted in its entirety and replaced with this new text.

An order adopting these revisions was filed and became effective on October 1, 1976, as R.1976 d.305.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## BANKING

### DIVISION OF ADMINISTRATION

#### Rule on Mini Branches and Space Limitations

On October 7, 1976, Roger F. Wagner, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 17:1-8.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited at N.J.A.C. 3:1-2.11, concerning mini-branches and space limitations, substantially as proposed in the Notice published August 5, 1976, at 8 N.J.R. 370(b), with only inconsequential structural or language changes, in the opinion of the Department of Banking.

Full text of the adopted rule follows:

3:1-2.11 Mini-branches; space limitation

(a) For the purposes of N.J.S.A. 17:9A-1 (16), a bank shall be deemed to occupy the sum of the enclosed areas which it has leased or purchased in conjunction with an application to establish a mini-branch, subject to the exceptions in subsection (c) of this Section.

(b) Occupied space shall include all enclosed customer, teller, work, storage, platform and employee lounge areas.

(c) Occupied space shall not include outside facilities such as drive-up or walk-up windows, apparatus or space; common entrance ways or areas which are shared with one or more other business entities; or rest room facilities.

(d) Applications for mini-branches which occupy in excess of 500 square feet will be denied. The applicant for a mini-branch shall have the burden of establishing that 500 or less square feet will be occupied.

An order adopting this rule was filed and became effective on October 8, 1976, as R.1976 d.312.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## BANKING

### THE COMMISSIONER

#### Rules on Standby Letters of Credit

On September 30, 1976, Roger F. Wagner, Acting Commissioner of Banking, pursuant to authority of N.J.S.A. 17:9A-25.2 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 3:11-9.1 et seq., concerning standby letters of credit, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 411(a).

An order adopting these rules was filed and became effective on October 1, 1976, as R.1976 d.306.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## CIVIL SERVICE

### CIVIL SERVICE COMMISSION

#### Revisions to Civil Service Personnel Manuals Concerning Veteran's Reemployment Rights

On October 8, 1976, the Civil Service Commission, pursuant to authority of N.J.S.A. 11:5-1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subpart 17-3.103, Veteran's Reemployment Rights, in both Civil Service Personnel Manuals (State Jurisdiction and Local Jurisdictions).

Full text of the revised rules follows:

Subpart 17-3.103 Veteran's reemployment rights

17-3.103a Subject

This subpart is issued to advise appointing authorities of the reemployment rights of persons honorably discharged from the armed forces as established by Federal Public Law 93-508, Chapter 43. This law became effective December 3, 1974.

17-3.103b Application

Provisions which are set forth herein shall apply to any person in the employ of the State or any political subdivision thereof.

Nothing in Chapter 43 of Federal Public Law 93-508 shall excuse noncompliance with any statute or ordinance establishing greater or additional rights or protections than the rights or protections established pursuant to Chapter 43.

17-3.103c Reemployment rights of inducted persons; benefits protected

1. Any person inducted into the armed forces for training and service and who leaves a position (other than a

temporary position) in order to perform such training and service, and

a. Receives a certificate of satisfactory completion of military service, and

b. Makes application for reemployment within 90 days after being relieved from training and service or from hospitalization continuing after discharge for a period of not more than one year

shall if qualified to perform the duties of such position, be restored to such position, or to a position of like seniority, status and pay.

2. If, due to disability sustained during military service, the person is no longer qualified to perform the duties of such position, but is qualified to perform the duties of any other position, the person must be offered the other position if the person so requests and provided like seniority, status and pay or the nearest approximation thereof consistent with the circumstances in such person's case.

3. The only exception to the above requirement is if the employer's circumstances have so changed as to make it impossible or unreasonable to reemploy the person as specified.

4. Any person reemployed in accordance with Number 1, this section, shall be considered as having been on furlough or leave of absence during the period of training and service.

5. Persons so reemployed shall be restored without loss of seniority and shall be entitled to participate in insurance or other benefits offered pursuant to established rules and practices relating to employees on furlough or leave of absence in effect with the employer at the time such person was inducted.

6. Persons so reemployed shall not be discharged from such position without cause within one year after reemployment.

7. Congress has declared any person reemployed should be reemployed in such manner as to give such person status in employment as the person would have enjoyed if the person had continued in such employment continuously from the time of entering the armed forces until the time of reemployment.

8. Such persons shall not be denied retention in employment or any promotion or other incident or advantage of employment because of any obligation as a member of a reserve component.

17-3.103d Rights of persons who enlist or are called to active duty

1. Any person who enlists in the armed forces (other than a reserve component) shall be entitled to all reemployment rights and benefits specified in section 17-3.103c upon release from service under honorable conditions if:

a. Total armed forces service performed between June 24, 1948 and August 1, 1961 does not exceed four years, and

b. Total of any service, additional or otherwise, performed after August 1, 1961 does not exceed five years, and

c. Service in excess of four years after August 1, 1961 is at the request and for the convenience of the Federal Government

d. Plus, in each case, any period of additional service imposed pursuant to law.

2. Any person who enters upon active duty (other than for purposes of determining physical fitness and other than for training), whether or not voluntarily, in response to an order or call to active duty shall be entitled to all reemployment rights and benefits specified in section 17-3.103c upon release from active duty under honorable conditions if:

a. Total active duty performed between June 24, 1948 and August 1, 1961 did not exceed four years, and

b. Total of any such active duty, additional or otherwise, performed after August 1, 1961 does not exceed four years,

c. Plus, in each case, any additional period in which the person was unable to obtain orders relieving them from active duty.

17-3.103e Rights of members of a reserve component

1. Any member of a reserve component of the armed forces who voluntarily or involuntarily enters active duty (other than for purposes of determining physical fitness and other than for training) or whose active duty is voluntarily or involuntarily extended during a period when the President is authorized to order units to active duty shall have service limitations governing eligibility for reemployment rights under Number 2 of section 17-3.103d extended by such member's period of active duty. Extensions are not to exceed the period which the President is authorized to order.

2. With reference to a member who voluntarily enters duty, provisions of this section shall apply only when the member's voluntary active duty or whose voluntary extension is at the request and for the convenience of the Federal Government.

3. Any member of a reserve component of the armed forces who is ordered to an initial period of active duty for training of not less than three consecutive months shall, upon application for reemployment within 31 days after:

a. Release from active duty after satisfactory service, or

b. Discharge from hospitalization incident to such active duty or one year after member's scheduled release from training, whichever is earlier, shall be entitled to all reemployment rights and benefits specified in 17-3.103c, except that:

a. Any person employed shall not be discharged from such position without cause within six months after reemployment, and

b. No reemployment rights granted shall entitle any person to retention, preference or displacement rights over any veteran with a superior claim.

17-3.103f Reemployment rights of persons performing active duty for training or inactive duty training

1. Any employee not covered by the preceding sections who holds a position in State Government or any political subdivision thereof shall, upon request, be granted a leave of absence by the employer for the period required to perform active duty for training or inactive duty training in the armed forces.

2. Upon release from period of active duty for training or inactive duty training, or upon discharge from hospitalization incident to that training, such employee shall be permitted to return to such employee's position with seniority, status, pay and vacation as the employee would have had if he/she had not been absent for such purposes.

3. Such employee shall report to work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from place of training to place of employment following release, or within a reasonable time thereafter if delayed return is due to factors beyond the employee's control.

4. Failure to report for work at the regularly scheduled working period shall make the employee subject to conduct rules of the employer pertaining to explanations and discipline regarding absence from scheduled work.

5. If employee is hospitalized, incident to active duty for training or inactive duty training, the employee shall be required to report for work at the beginning of the next regularly scheduled work period after expiration of necessary travel time from place of hospitalization discharge to the place of employment, or within reasonable time thereafter if return is delayed due to factors beyond the employee's control, or within one year after release from active duty for training or inactive duty training, whichever is earlier.

6. If an employee covered by this section is not qualified to perform duties of position by reason of disability sustained during duty, but is qualified to perform duties of any other position, such employee shall be offered employment and, if person so requests, be employed in such position as will provide like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances in the employee's case.

17-3.103g Rights of persons being inducted into, entering or determining physical fitness to enter the armed forces

1. Any employee not covered by the preceding section who holds a position in State Government or any political subdivision thereof shall be considered as having been on leave of absence during the period required to report for the purpose of being inducted into, entering or determining, by a preinduction or other examination, physical fitness to enter the armed forces.

2. Upon such employee's rejection, upon completion of preinduction or other examination or upon discharge from hospitalization incident to such rejection or examination, such employee shall be permitted to return to their position in accordance with the provisions of section 17-3.103f.

17-3.103h Prior rights for reemployment

In any case where two or more persons are entitled to be restored to or employed in a position under the provisions of Chapter 43 and who left the same position in order to enter the armed forces, the person who left first shall have prior right to be restored thereto, without prejudice to the reemployment rights of the other person or persons to be reemployed.

An order adopting these revisions was filed on October 18, 1976, as R.1976 d.330 regarding the Local Jurisdictions Manual and R.1976 d.331 regarding the State Service Manual. Take notice that these revisions are not subject to codification and will not appear in Title 4 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## COMMUNITY AFFAIRS

### DIVISION OF STATE AND REGIONAL PLANNING

#### Revisions on Federal Aid Project Notification and Review System

On October 7, 1976, Robert C. Holmes, Assistant Commissioner of Community Affairs, pursuant to authority of N.J.S.A. 54:27D-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted

revisions to N.J.A.C. 5:42-1.1 et seq. concerning the Federal aid project notification and review system, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 413(c).

An order adopting these revisions was filed and became effective on October 13, 1976, as R.1976 d.320.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## COMMUNITY AFFAIRS

### THE COMMISSIONER

#### Notice of Change in Public Hearing Date

Take notice that Patricia Q. Sheehan, Commissioner of Community Affairs, had tentatively scheduled a public hearing on Part IV of the Uniform Construction Code regulations (certification and training) for November 10, 1976. This date has been postponed, and a new hearing date will be announced in the December edition of the New Jersey Register.

This Notice is published as a matter of public information.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## EDUCATION

### BOARD OF EDUCATION

#### Proposed Rules on Debarment, Suspension And Disqualification of Person(s) Concerning Contract Administration

The Board of Education, pursuant to authority of Executive Order No. 34, 1976, and N.J.S.A. 18A:18-8 et seq., proposes to adopt new rules concerning the debarment, suspension and disqualification of person(s) concerning contract administration.

Full text of the proposed rules follows:  
SUBCHAPTER 7. DEBARMENT, SUSPENSION AND DISQUALIFICATION OF PERSON(S) CONCERNING CONTRACT ADMINISTRATION

#### 6:20-7.1 Definitions

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

"Debarment" means exclusion from contracting with boards of education for public work and Department of Education contracting on the basis of a lack of responsibility evidenced by an offense, failure or inadequacy of performance, for a reasonable period of time commensurate with the seriousness of the offense, failure or inadequacy of performance.

"Suspension" means exclusion from contracting with boards of education for public work and from Department of Education contracting for a temporary period

of time, pending the completion of an investigation or legal proceedings.

"Disqualification" means a debarment or a suspension which denies or revokes or fails to renew a classification to bid or otherwise engage in contracting with boards of education or which denies or revokes a qualification to bid or otherwise engage in contracting with the Department of Education pursuant to statute or rules and regulations.

"Board of education" means and includes the board of education of any local school district, consolidated school district, regional school district, county vocational school and any other board of education or other similar body other than the State Board of Education, established and operating under the provisions of Title 18A of the New Jersey Statutes and having authority to engage contractors for the performance of public works for the board.

"Department" means the Department of Education in the executive branch of government in the State of New Jersey.

"Person" means any natural person, company, firm, association, corporation, or other entity.

"Affiliates" mean persons having a relationship such that any one of them directly or indirectly controls or has the power to control another.

"Board of education contracting" means any arrangement giving rise to an obligation to supply any thing to or perform any service for boards of education, other than by virtue of contracts of employment, or to supply any thing to or perform any service for a private person where the board of education provides substantial financial assistance and retains the right to approve or disapprove the nature or quality of the goods or service or the persons who may supply or perform the same.

"Department of Education contracting" means any arrangement giving rise to an obligation to supply any thing to, or perform any service for, the Department of Education, other than by virtue of State employment, or to supply any thing to or perform any service for a private person where the Department of Education provides substantial financial assistance and retains the right to approve or disapprove the nature or quality of the goods or services or the persons who may supply or perform the same.

"Qualification" means the procedure whereby all prospective bidders for public work with boards of education are classified by the Department of Education, pursuant to N.J.S.A. 18A:18-8 et seq., as to the character and amount of public work on which they shall be qualified to submit bids.

#### 6:20-7.2 Causes for debarment of person(s)

(a) In the public interest, the Department may debar a person for any of the following causes:

1. Commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, or subcontract thereunder, or in the performance of such contract or subcontract;

2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, perjury, false swearing, receiving stolen property, obstruction of justice, or any other offense indicating a lack of business integrity or honesty;

3. Violation of the Federal or State Antitrust Statutes, or of the Federal Anti-Kickback Act (18 U.S.C. 874, 40 U.S.C. 276 b, c);

4. Violations of any of the laws governing the con-

duct of elections of the Federal government, State of New Jersey or of its political subdivisions.

5. Violation of the "Law Against Discrimination" (P.L. 1945, c. 169, C.10:5-1 et seq. as supplemented by P.L. 1975, c. 127), or of the act banning discrimination in public works employment (C.10:2-1 et seq.) or of the act prohibiting discrimination by industries engaged in defense work in the employment of persons therein (C.114, L.1942, C.10:1-10 et seq.);

6. Violations of any laws governing hours of labor, minimum wage standards, prevailing wage standards, discrimination in wages or child labor;

7. Violations of any laws governing the conduct of occupations or professions or regulated industries;

8. Violations of any other laws which may bear upon a lack of responsibility or moral integrity;

9. Willful failure to perform in accordance with contract specifications or within contractual time limits;

10. A record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that such failure or unsatisfactory performance has occurred within a reasonable time preceding the determination to debar and was caused by acts within the control of the person debarred;

11. Making a false, deceptive or fraudulent statement in the questionnaire required by the Department, pursuant to N.J.S.A. 18A:18-10;

12. Violation of contractual or statutory provisions regulating contingent fees;

13. Any other cause affecting responsibility as a contractor of such serious and compelling nature as may be determined by the Department to warrant debarment, including such conduct as may be prescribed by the laws or contracts enumerated in this paragraph even if such conduct has not been or may not be prosecuted as violations of such laws or contracts;

14. Debarment by some other department or agency in the executive branch.

#### 6:20-7.3 Conditions affecting the debarment of person(s)

(a) The following conditions shall apply concerning debarment by the Department:

1. Debarment shall only be by order of the Commissioner of Education, except as otherwise provided by law.

2. The existence of any of the causes set forth in N.J.A.C. 6:20-7.2 shall not necessarily require that a person be debarred. In each instance, the decision to debar shall be made within the discretion of the Commissioner and State Board of Education, unless otherwise required by law, and shall be rendered in the best interests of the State.

3. All mitigating factors shall be considered in determining the seriousness of the offense, failure or inadequacy of performance and in deciding whether debarment is warranted.

4. The existence of a cause set forth in N.J.A.C. 6:20-7.2(a)1. through 8. shall be established upon the rendering of a final judgment or conviction, including a guilty plea or a plea of nolo contendere, by a court of competent jurisdiction or by an administrative agency empowered to render such judgment. In the event an appeal taken from such judgment or conviction results in reversal thereof, the debarment shall be removed upon the request of the debarred person unless other cause for debarment exists.

5. The existence of a cause set forth in N.J.A.C. 6:20-7.2(a)9. through 13. shall be established by evidence which the Department determines to be clear and convincing in nature.

6. Debarment for the cause set forth in N.J.A.C. 6:20-7.2(a)14. shall be proper, provided that one of the causes set forth in N.J.A.C. 6:20-7.2(a)1. through 13. was the basis for debarment by the original debarring agency. Such debarment may be based entirely on the record of facts obtained by the original debarring agency, or upon a combination of such facts and additional facts.

6:20-7.4 Procedures, period of debarment, scope of debarment

(a) The procedures, the period of debarment and the scope of debarment to be followed by the Department are explained below:

1. The Department seeking to debar a person or his/her affiliates shall furnish such party with a written notice stating that debarment is being considered, setting forth the reasons for the proposed debarment, and indicating that such party will be afforded an opportunity for a hearing if he/she so requests it within a stated period of time. All such hearings shall be conducted in accordance with the provisions of the Administrative Procedure Act and the applicable Sections of N.J.A.C. 6:24-1 et seq., and shall be before a hearing examiner appointed by the Commissioner of Education. Where another Department or agency has imposed debarment upon a party, the Department may also impose a similar debarment without affording an opportunity for a hearing, provided that the Department furnishes notice of the proposed similar debarment to that party, and affords that party an opportunity to present information in his/her behalf to explain why the proposed similar debarment should not be imposed in whole or in part.

2. Debarment shall be for a reasonable, definitely stated period of time which as a general rule shall not exceed five years. Debarment for an additional period shall be permitted provided that notice thereof is furnished and the party is afforded an opportunity to present information in his/her behalf to explain why the additional period of debarment should not be imposed.

3. Except as otherwise provided by law, a debarment may be removed or the period thereof may be reduced in the discretion of the Commissioner upon the submission of a good faith application under oath, supported by documentary evidence, setting forth substantial and appropriate grounds for the granting of relief, such as newly-discovered material evidence, reversal of a conviction or judgment, actual change of ownership, management or control, or the elimination of the causes for which the debarment was imposed.

4. A debarment may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The offense, failure or inadequacy of performance of an individual may be imputed to a person with whom he/she is affiliated, where such conduct was accomplished within the course of his/her official duty or was affected by him/her with the knowledge or approval of such person.

6:20-7.5 Causes for suspension of person(s)

In the public interest, the Department shall suspend a person for any cause specified in N.J.A.C. 6:20-7.2 (Debarments) or upon adequate evidence that such cause exists.

6:20-7.6 Conditions for suspension of person(s)

(a) The following conditions concerning suspensions by the Department shall be adhered to:

1. Suspensions shall only be imposed by the Commissioner of Education with approval of the Attorney General, except as otherwise provided by law.

2. The existence of any cause for suspension shall not require that a suspension be imposed, and a decision to suspend shall be made at the discretion of the Commissioner of Education and of the Attorney General, and shall be rendered in the best interest of the State.

3. Suspension shall not be based upon unsupported accusation, but upon adequate evidence that cause exists.

4. In assessing whether adequate evidence exists, consideration shall be given to the amount of credible evidence which is available, to the existence or absence of corroboration as to important allegations, and to inferences which may be drawn properly from the existence or absence of affirmative facts.

5. Reasonable suspicion of the existence of a cause described in N.J.A.C. 6:20-7.2(a)1. through 8. may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment or by evidence that such violations of civil or criminal law did in fact occur.

6. A suspension invoked by another agency for any of the causes described in N.J.A.C. 6:20-7.2(a)1. through 13. may be the basis for the imposition of a concurrent suspension by the Department, which may impose such suspension without the approval of the Attorney General.

6:20-7.7 Procedures, period of suspension, scope of suspension

(a) The following provisions regarding procedures, period of suspension and scope of suspension shall be adhered to by the Department:

1. The Department may suspend a person or his affiliates, provided that within ten days after the effective date of the suspension, the Department provides such party with a written notice:

i. Stating that a suspension has been imposed and its effective date;

ii. Setting forth the reasons for the suspension to the extent that the Attorney General determines that such reasons may be properly disclosed;

iii. Stating that the suspension is for a temporary period pending the completion of an investigation and such legal proceedings as may ensue; and

iv. Indicating that, if such legal proceedings are not commenced or the suspension removed within 60 days of the date of such notice, the party will be given either a statement of the reasons for the suspension and an opportunity for a hearing if he/she so requests, or a statement declining to give such reasons and setting forth the Department's position regarding the continuation of the suspension. Where a suspension by another agency has been the basis for suspension by the Department, the latter shall note that fact as a reason for its suspension.

2. A suspension shall not continue beyond 18 months from its effective date, unless civil or criminal action regarding the alleged violation shall have been initiated within that period, or unless debarment action has been commenced. Whenever prosecution or debarment action has been initiated, the suspension may continue until the legal proceedings are completed.

3. A suspension may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The offense, failure or inadequacy of performance of an individual may be imputed to a person with whom he/she is affiliated, where such conduct was accomplished within the course of his/her official duty or was effectuated by him/her with the knowledge or approval of such person.

**6:20-7.8 Disqualification of person(s)**

In the public interest, the Department may revoke or fail to renew the qualification of individuals to bid on public work with boards of education for any cause specified in N.J.A.C. 6:20-7.2 (Debarments) or upon adequate evidence that such cause exists.

**6:20-7.9 Conditions for disqualification of person(s)**

(a) The following conditions concerning the disqualification of persons by the Department shall be adhered to:

1. Disqualification shall only be imposed by the Commissioner of Education, except as otherwise provided by law.

2. The existence of any cause for disqualification shall not require that a person be disqualified, and a decision to disqualify shall be made at the discretion of the Commissioner of Education and shall be rendered in the best interests of the State.

3. Disqualification shall not be based upon unsupported accusation, but upon adequate evidence that cause exists or upon evidence adequate to create a reasonable suspicion that cause exists.

4. In assessing whether adequate evidence exists, consideration shall be given to the amount of credible evidence which is available, to the existence or absence of corroboration as to important allegations, and to inference which may be drawn properly from the existence or absence of affirmative facts.

5. Reasonable suspicion of the existence of a cause described in N.J.A.C. 6:20-7.2(a)1. through 7. may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment, or by evidence that such violations of civil or criminal law did in fact occur.

6. A disqualification invoked by another agency for any of the causes described in N.J.A.C. 6:20-7.2(a)1. through 13. may be the basis for the imposition of a concurrent disqualification by the Department which may impose such disqualification without the approval of the Attorney General.

**6:20-7.10 Procedures, period of disqualification, scope of disqualification**

(a) The procedures, the period of disqualification and the scope of disqualification to be followed by the Department are explained below:

1. The Department may disqualify a person or his/her affiliates, provided that within ten days after the effective date of the disqualification the Department provides such party with a written notice:

i. Stating that he/she has been disqualified and the effective date of such action;

ii. Setting forth the reasons for the disqualification; and

iii. Indicating that such party will be accorded an opportunity for a hearing if he/she so requests within a stated period of time. All such hearings shall be conducted in accordance with the provisions of the Administrative Procedure Act and the applicable provisions of N.J.A.C. 6:24-1.1 et seq. and shall be before a hearing examiner appointed by the Commissioner of Education. Where another Department or agency has disqualified a party, the Department may also disqualify such party without according an opportunity for a hearing, provided that the Department furnishes notice of the proposed similar disqualification to that party, and accords that party an opportunity to present information in his/her behalf to explain why he/she should not be disqualified.

2. Disqualification shall be for a reasonable, definitely stated period of time which as a general rule shall not

exceed five years. Disqualification for an additional period shall be permitted provided that notice thereof is furnished and the party is accorded an opportunity to present information in his/her behalf to explain why the additional period of disqualification should not be imposed.

3. Except as otherwise provided by law, a disqualification may be removed or the period thereof may be reduced in the discretion of the Department upon the submission of a good faith application under oath, supported by documentary evidence, setting forth substantial and appropriate grounds for the granting of relief, such as newly-discovered material evidence, reversal of a conviction or judgment, actual change of ownership, management or control, or the elimination of the causes for which the disqualification was imposed.

4. Disqualification may include all known affiliates of a person provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The offense, failure or inadequacy of performance of an individual may be imputed to a person with whom he/she is affiliated where such conduct was accomplished within the course of his/her official duty or was effected by him/her with the knowledge or approval of such person.

**6:20-7.11 Extent of debarment, suspension or disqualification**

All orders of debarment, suspension or disqualification rendered pursuant to this Subchapter shall extend to all Department of Education contracting and to all local board contracting and to all contracting and subcontracting within the control or jurisdiction of the Department or boards of education. When it is determined essential to the public interest by the Commissioner of Education and upon filing of a finding thereof with the Attorney General, an exception from total exclusion may be made with respect to a particular contract.

**6:20-7.12 Prior notice**

Insofar as practicable, prior notice of any proposed debarment or suspension shall be given to the Attorney General and the Treasurer.

**6:20-7.13 List of debarred, suspended or disqualified persons**

The Department shall supply to the State Treasurer a list of all persons having been debarred, suspended or disqualified in accordance with the procedures prescribed herein. Such list shall be available at all times for public inspection.

**6:20-7.14 Discretion**

Nothing contained herein shall be construed to limit the authority of the Department of Education or boards of education to refrain from contracting within the discretion allowed by law.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Lorraine L. Colavita  
Executive Assistant  
Department of Education  
225 West State St.  
Trenton, N. J. 08625

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

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

(a)

## EDUCATION

### BOARD OF EDUCATION

#### Proposed Repeal of Portion of Rule on Regular Certificate

The Board of Education, pursuant to authority of N.J. S.A. 18A:6-38, proposes to delete N.J.A.C. 6:11-4.1(b) concerning regular certificates.

The initial Notice of Proposal was published in the October 7, 1976, issue at 8 N.J.R. 457(a) and this Notice is republished herein.

Full text of the proposed deletion follows (deletions indicated in brackets [thus]):

#### 6:11-4.1 Regular certificates

[(a)] Certificates with lifetime validity are issued to candidates who meet New Jersey standards for regular certification.

[(b)] The holder of a regular teacher's certificate with three years of appropriate teaching experience may serve as teaching principal or teaching supervisor, within the scope of the certificate, in charge of not more than 12 teachers. The holder of a regular teacher's certificate who has not had three years of teaching experience may not be assigned to supervisory or administrative duties.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Lorraine L. Colavita  
Executive Assistant for Administrative  
Practice and Procedure  
Department of Education  
225 West State St.  
Trenton, N.J. 08625

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

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

(b)

## EDUCATION

### BOARD OF EDUCATION

#### Revisions for Controversies and Disputes

On October 6, 1976, Fred G. Burke, Commissioner of Education and Secretary of the State Board of Education, pursuant to authority of N.J.S.A. 18A:6-9, 18A:6-10 et seq., 18A:29-14 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revised rules concerning controversies and disputes, substantially as proposed in the Notice published March 4, 1976, at 8 N.J.R. 101(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Education.

The revised rules replace, in their entirety, the current text of Chapter 24, Appeals, in Title 6 of the New Jersey

Administrative Code. The new Chapter 24 therein will be renamed as Controversies and Disputes.

An order adopting these revised rules was filed and became effective on October 6, 1976, as R.1976 d.308.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Revisions to Rules On 90-Day Construction Permits

David J. Bardin, Commissioner of the Department of Environmental Protection, pursuant to the provisions of N.J.S.A. 13:1D-29 et seq., proposes to adopt regulations implementing the provisions of that statute. Regulations on this subject were first published without prior notice at 7 N.J.R. 551(a) with a statement that they would be revised in light of comments received by March 2, 1976.

A preliminary review of the comments resulted in an emergency change in the fee schedule for stream encroachment permits, which was published at 8 N.J.R. 180(a). The present proposal is being made after a final review of all comments submitted to the Department.

The rules contain a new and simplified stream encroachment fee schedule; the recognition that projects eligible for Federal funding pursuant to P.L. 92-500 do not fall within the 90-day review and fee provisions; and a specific exclusion pursuant to N.J.S.A. 13:1D-29(b) of an electric generating facility and petroleum processing or storage facilities with a storage capacity of over 50,000 barrels. They also eliminate certain language concerning hearing procedures for wetlands permits. These procedures had been incorporated in the revised wetlands rules and regulations, adopted on September 2, 1976 at 8 N.J.R. 460(b).

The rules, known within the Department of Environmental Protection as Docket No. DEP 024-76-10, will be cited as N.J.A.C. 7:1C-1.1 et seq., if adopted.

Copies of the full text of 21 pages of the proposed revisions may be obtained from:

Sidney Ytkin  
Director of Administration  
Department of Environmental Protection  
P.O. Box 1390  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 15, 1976, to the Department of Environmental Protection at the above address.

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

THE COMMISSIONER

## AGRICULTURE

### DIVISION OF RURAL RESOURCES

#### Joint Proposal Concerning Farmland Preservation Demonstration Project

The Departments of Environmental Protection and Agriculture, pursuant to authority of N.J.S.A. 4:1B-1 et seq., jointly propose to adopt new rules concerning the farmland demonstration project.

The proposed rules, known within the Department of Environmental Protection as Docket No. DEP 022-76-10, will, if adopted, be cited as both N.J.A.C. 7:1D-1.1 et seq. and 2:85-1.1 et seq.

Full text of the proposed rules, using only the Department of Environmental Protection's citations but also intended to include the Department of Agriculture's citations (that is, N.J.A.C. 2:85-1.1 et seq.), follows:

#### CHAPTER 1D. FARMLAND PRESERVATION DEMONSTRATION PROJECT

##### SUBCHAPTER 1. GENERAL PROVISIONS

###### 7:1D-1.1 Purpose

These rules and regulations are to implement the Agricultural Preserve Demonstration Program Act, P.L. 1976, Chapter 50, N.J.S.A. 4:1B-1 to 4:1B-15 (hereafter referred to as the Act) to secure timely decisions by the Departments of Agriculture and Environmental Protection for effective operation of a farmland preservation demonstration project as defined therein, to assure adequate public notice of procedures thereunder and to continue effective administration of the law.

###### 7:1D-1.2 Definition; location

The location of the demonstration project is in the Townships of Medford, Lumberton, Southampton and Pemberton, all in the County of Burlington. These four townships have been selected on the basis of investigations conducted by the Department of Agriculture, Division of Rural Resources into probable easement costs and ability of agriculture to be sustained on an economic basis.

###### 7:1D-1.3 Field office

The Department of Agriculture will open a field office within the project area or as near to it as possible, in order to conduct an information program for residents, farmland owners and the citizens of the State. The field office will also be available for public meetings and discussions on the concept of farmland preservation.

###### 7:1D-1.4 Appraisals

The Departments of Agriculture and Environmental Protection shall use generally accepted standards for appraisals in accordance with provisions of the Act. The specific standards and procedures shall be contained in an appraisal manual, prepared by both Departments and available for public inspection.

###### 7:1D-1.5 Type of land to be protected

The intent of the Act is to preserve prime farmland; and therefore, no more than 35 per cent in any single

offer shall be on woodland, except in the case of cranberry bogs where the percentage of woodland included may be exceeded to the extent that the Department of Agriculture determines woodland as necessary for the cranberry production. No more than 20 per cent of the total lands to be protected via purchase of development easements may be woodland. No offer which represents less than 80 per cent of the total farm acreage of the particular parcel will be accepted.

###### 7:1D-1.6 Restrictions on use

(a) Lands protected under the development easement process must be essentially prime farmland (that is, classes 1, 2, 3, and special areas used for cranberry and blueberry production); and such lands may not be developed except as provided for below. Such lands may not be used for any purpose other than activities common to agricultural production, which is defined as the production for commercial purpose of crops, horticultural livestock and livestock products. Such lands shall not be used for processing (except washing, cleaning, and packaging of raw agricultural products produced on the land) or retail merchandising of such crops, livestock or livestock products, or for the manufacture, assemblage, distribution or wholesale or retail merchandising of farmland related equipment and supplies. The following exceptions from this limitation are allowed:

1. Such processing or retail merchandising activities which are generally a continuation of preexisting activities conducted in structures used for such activities at the time of conveyance. The owner is entitled to provide normal maintenance and repair of these structures or to replace all or part of such structures destroyed or damaged by fire, storm or other casualty. Retail merchandising can be conducted if it is conducted from a non-permanent or insubstantial roadside stand.

2. Owners of farmland covered by development easements may use, maintain and improve the existing buildings and said lands for personal and family residential and recreation use subject to the following conditions:

i. No new residential units or buildings or recreation buildings or improvements to existing buildings for purpose other than agricultural production shall be allowed except for such new residential structure or structures or improvements or converted residential structures as will provide housing for agricultural labor, or such new residential unit or structures or converted residential unit or structures as will serve as a farm house or a household which will derive its primary source of income from agricultural production. Such exceptions are subject to the joint approval by the Administrator, Green Acres Program, Department of Environmental Protection, and the Director, Division of Rural Resources, Department of Agriculture;

ii. No part of said lands can be used or developed or existing buildings improved to provide commercial gain or profit from new uses other than agricultural production as defined in Section 6 of this Subchapter;

iii. The land and its buildings which are protected by the development easement process may be sold collectively or individually for continued agricultural production and related uses as defined in Section 6 of this Subchapter. However, no subdivision of the land shall be permitted without the joint approval of the administrator, Green Acres Program, Department of Environmental Protection and the Director, Division of Rural Resources, Department of Agriculture;

iv. The owner of farmland may use such lands to derive income from the following recreational activities which utilize the land in its existing state, so long as

such activities do not interfere with the actual use of the land for agricultural production: hunting, fishing, hiking, camping, nature studies, horseback riding, bicycling, swimming, boating and cross country skiing, or other activities approved by the administrator of Green Acres acting on behalf of the Department of Environmental Protection.

#### 7:1D-1.7 Notice

(a) The administrator of the Green Acres Program, Department of Environmental Protection, shall notify any mortgage holder of intent to acquire 20 days prior to execution of any deed restriction.

(b) The administrator of the Green Acres Program, Department of Environmental Protection, shall obtain a title search, survey of property and release of mortgage prior to purchase of a development easement.

(c) The administrator of the Green Acres Program, Department of Environmental Protection, shall provide appropriate county and municipal officials copies of maps which identify the lands from which development easements are purchased and copies of the development easement deeds.

(d) The administrator of the Green Acres Program, Department of Environmental Protection, shall record the development easement deeds in the County Clerk's office or Registrar of Deeds office wherein the lands are located.

(e) Any applicant (or his agent) for a building permit to construct, expand or reconstruct any facility and any applicant (or his agent) for a major or minor subdivision on lands protected by a development easement shall provide notice of such application or request within 14 days of the building permit application date to the administrator of the Green Acres Program, Department of Environmental Protection, Post Office Box 1390, Trenton, New Jersey 08625.

#### 7:1D-1.8 Restrictions and conditions

The administrator of the Green Acres Program, Department of Environmental Protection, shall enter all restrictions and conditions relative to the transfer of development easements into the development easement deed. Violation of any restriction or condition of the development easement deed is subject to sanction as prescribed in Section 9 of this Subchapter.

#### 7:1D-1.9 Enforcement

(a) In the event the owners, their agents, servants or employees violate any of the covenants and restrictions set forth in the development easement deed, then and in that event, the Department of Environmental Protection, or any citizen of the State of New Jersey, acting by and through the Department of Environmental Protection, may immediately seek all remedies available to it under the law, including but not limited to injunctive relief, rescission of contract, breach of contract and damages.

(b) Duly authorized agents of the Departments of Agriculture and Environmental Protection may enter onto any farmlands covered by a development easement, after proper notice, in order to inspect such farmlands and structures related thereto to assure compliance with the covenants and restrictions contained in the said development easement.

#### 7:1D-1.10 Taxation

The administrator of the Green Acres Program, Department of Environmental Protection, shall advise the local tax assessor of the sale of development easements to the State. Assessment of lands from which the development easements have been purchased are subject to the appropriate provisions of N.J.S.A. 54:4-1 et seq.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 1, 1976, to:

John P. Van Zandt  
Program Coordinator  
Agricultural Demonstration Project  
P.O. Box 1888  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

Phillip Alampi  
Secretary of Agriculture  
Department of Agriculture

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Rules on Stream Encroachment Applications in Central Passaic Basin

David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:1-26, proposes to adopt new rules, known within the Department of Environmental Protection as Docket No. DEP 023-76-10, concerning stream encroachment applications in the Central Passaic Basin.

Full text of the proposed rules follows:

#### SUBCHAPTER 7. STREAM ENCROACHMENT APPLICATIONS IN THE CENTRAL PASSAIC BASIN

##### 7:21-7.1 Purpose

These regulations establish the interim policy to be followed by personnel of the Department of Environmental Protection in reviewing applications for stream encroachment permits (N.J.S.A. 58:1-26) in the Central Passaic Basin, pending further State and Federal flood protection programs.

##### 7:21-7.2 Scope

(a) These regulations shall apply to all applications for stream encroachment permits in the area known as the Central Passaic Basin, described as follows:

1. Central Passaic River: Extending from Little Falls at Beatties Dam upstream to Route 202 in Bernards and Harding Townships;
2. Pompton River: Entire river;
3. Ramapo River: Extending from its confluence with the Pompton River upstream to Pompton Lakes Dam;
4. Pequannock and Wanaque Rivers: Extending from their confluence with the Pompton River upstream to Paterson-Hamburg Turnpike;
5. Dead River: Extending from its confluence with the Passaic River upstream to Liberty Corner Road in Bernards Township;
6. Harrison Brook: Extending from its confluence with the Dead River upstream to Lake Road in Bernards Township;

7. Rockaway River: Extending from its confluence with the Passaic River upstream to the Jersey City reservoir (Boonton Reservoir);

8. Whippany River: Extending from its confluence with the Passaic River upstream to Route 10;

9. Black Brook: Entire stream;

10. Beaver Dam Brook: Including east and west ditches from Pompton River to Jacksonville Road in Lincoln Park.

#### 7:21-7.3 Definitions

As used in these regulations, the following terms shall have the following meanings unless the context clearly indicates otherwise:

"Fill" means sand, gravel, earth or other select materials or equal quality placed or deposited so as to form an embankment or raise the elevation of the land surface.

"Stream encroachment permit" means a permit for regulated activity pursuant to N.J.S.A. 58:1-26.

#### 7:21-7.4 General standard for review

(a) Each application for a stream encroachment permit shall be reviewed individually.

(b) A stream encroachment permit will not be granted when the regulated activity involves a net increase in the volume of fill within the delineated area of the municipality. A stream encroachment permit may be granted where the fill material is proposed to be borrowed from a site approved by the Department within the municipality's delineated area.

#### 7:21-7.5 Guidelines for any variance from general standard

(a) Notwithstanding the provision of Section 4 of this Subchapter, the Department may, in its discretion, issue a stream encroachment permit where it finds that the particular project, if constructed, would not be detrimental to the public interest. In making this determination the Department may consider relevant factors including, but not limited to, the following:

1. Public benefits to be derived from the project;
2. Volume and depth of fill below delineated flood hazard elevation;
3. Distance from channel;
4. Extent to which alternative designs and forms of construction could be substituted;
5. Extent to which alternative uses other than proposed could be substituted;
6. Adequacy of on-site retention as related to rate and velocity of run-off;
7. Size of project in relation to the part of the property within the flood hazard area under consideration;
8. Offsetting dedication of land as open space for flood control purposes;
9. Extent of surrounding development;
10. Degree of obstruction to passage of flood waters;
11. Adequacy of soil erosion and sediment control plans in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey".

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 1, 1976, to:

Betty Wilson  
Assistant Commissioner  
Department of Environmental Protection  
P.O. Box 1390  
Trenton, N.J. 08625

The Department of Environmental Protection, upon its own motion or at the instance of any interested party,

may thereafter adopt these rules substantially as proposed without further notice.

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Revisions Concerning Delineated Floodways in Raritan Basin

David J. Bardin, Commissioner of the Department of Environmental Protection, pursuant to the authority of N.J.S.A. 58:16A-50 et seq., as amended, and N.J.S.A. 13:1D-1 et seq., proposes to revise N.J.A.C. 7:13-1.11, Delineated floodways.

Full text of the proposed revision follows:

Adoption Date	Stream	Limits	Type
7:13-1.11(e)37.	Holland Brook:	Mouth to Route #523:	1;
7:13-1.11(e)38.	Holland Brook	Mouth to private bridge	1.
10/20/75	Tributary A:	2,780 feet upstream:	

The proposed amendments were originally set forth in the New Jersey Register of March 4, 1976, at 8 N.J.R. 107(b), as Docket No. DEP 001-76-02, and erroneously cited the floodways as being within the Delaware Basin. The correction of this error is deemed to be a substantive change from the original proposal, and for this reason the Department is repropounding the amendments as set forth herein.

Copies of data pertinent to these amendments may be inspected at the Office of the Division of Water Resources, 1474 Prospect Street, Trenton, New Jersey.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Rocco D. Ricci, Deputy Commissioner  
Division of Water Resources  
P.O. Box 2809  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Proposed Revisions Concerning Preservation of Sea Clam Resources

David J. Bardin, Commissioner of the Department of Environmental Protection, pursuant to the authority of

P.L. 1975, c.398 and N.J.S.A. 50:1-5, 50:2-6.1 et seq., 13:1B-42, 13:1D-4 and 13:1D-9, proposes to adopt and to place into effect December 1, 1976, regulations concerning the preservation of the sea clam resource in New Jersey.

Such regulations are known within the Department as Docket No. DEP 025-76-10.

The regulations are proposed with consideration of the need to retain and protect an adequate density of sea clams in New Jersey waters to foster the resource; to sustain New Jersey's predominantly small vessel sea clam fleet; and to preserve the industry dependent on the harvest of these clams. The proposed rules will replace the current text of N.J.A.C. 7:25-12.1.

The proposal represents a change from existing policy in that licensed vessels will be limited to a harvest of 100 bushels per day; all clams must be landed in shell; clamming will be limited to Monday through Friday between sunrise and 4:00 P.M.; clamming for fish bait will be limited to waters condemned for the taking of edible clams, and a fee of five cents per bushel for all clams landed will be charged to help defray resource monitoring, administration and law enforcement costs.

In addition, the Department may deny the license application for, or suspend the license of, any person who violates these regulations, until said person appears personally or by counsel before the Commissioner or his designee to show cause why the denial or suspension should not be continued. The denial or suspension shall take effect upon three days notice to the applicant or licensee.

Copies of the four pages of regulations may be obtained from:

Division of Fish, Game and Shellfisheries  
Department of Environmental Protection  
P.O. Box 1809  
Trenton, New Jersey 08625

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 26, 1976, to:

Russell A. Cookingham  
Director, Division of Fish, Game  
and Shellfisheries  
Department of Environmental Protection  
P.O. Box 1809  
Trenton, N.J. 08625

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

David J. Bardin  
Commissioner  
Department of Environmental Protection

(a)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Revisions to Rules on Sanitary Landfills

On September 27, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1E-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted

revisions to N.J.A.C. 7:26-2.5(y), 7:26-3.4(h) and 7:26-2.13 concerning sanitary landfills substantially, as proposed in the Notice published August 5, 1976, at 8 N.J.R. 374(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

Such revisions are known within the Department of Environmental Protection as Docket No. DEP 020-76-07.

The substantive changes involve a change to N.J.A.C. 7:26-2.5(y) regarding the requirement to submit an annual topographic survey by landfills disposing of 70,000 cubic yards per year, which has been changed to exempt those disposing of less than 175,000 cubic yards, with those 40 facilities still required to comply and dispose of approximately 70 per cent of the waste landfilled in New Jersey. Also, in N.J.A.C. 7:26-2.13, the 26 categories of waste have been consolidated into 15 and some language has been reworded for clarification purposes.

An order adopting these revisions was filed on September 29, 1976, as R.1976 d.303 to become effective on November 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### FISH AND GAME COUNCIL

#### Amendment to Game Code on Use of Shotguns

On October 1, 1976, Al L. Toth, Chairman of the Fish and Game Council in the Division of Fish, Game and Shellfisheries in the Department of Environmental Protection, pursuant to authority of N.J.S.A. 13:1B-34 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an amendment to the Game Code (known within the Department of Environmental Protection as Docket No. DEP 009-76-04) concerning the use of shotguns, substantially as proposed in the Notice published August 5, 1976, at 8 N.J.R. 378(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

Full text of the adopted text follows:

7:25-5.27 Limitation on use of shotgun shells containing lead pellets

(a) No person shall use in hunting waterfowl and coot or any snipe, rail or gallinules after the season for hunting waterfowl commences any 12-gauge shotgun shells loaded with any material other than steel shot in the following designated steel shot area of New Jersey:

1. The designated steel shot area is that portion of Atlantic County east of the Garden State Parkway.

2. Only 12 gauge shotgun shells containing steel shot not larger than #1 size will be permitted to be used for hunting waterfowl in the designated steel shot area. This shall not preclude a person from using 16, 20, 28 gauge or .410 shot shells containing lead shot not larger than #2 size in this area while hunting for waterfowl.

(b) Any person found in the designated steel shot area hunting for, pursuing, taking or attempting to take waterfowl, coot or any snipe, rail or gallinule after the waterfowl season commences with 12-gauge shotgun shells con-

taining lead shot or pellets in his possession shall be subject to the penalties provided therefore in this title.

(c) The authority for the adoption of the foregoing section is found in N.J.S.A. 13:1B-30 and 23:4-12 et seq.

An order adopting this amendment was filed and became effective on October 1, 1976, as R.1976 d.307.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## ENVIRONMENTAL PROTECTION

### DIVISION OF FISH, GAME AND SHELLFISHERIES

#### FISH AND GAME COUNCIL

##### 1977 Fish Code

On September 14, 1976, Al L. Toth, Chairman of the Fish and Game Council in 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. and in accordance with applicable provisions of the Administrative Procedure Act, adopted the 1977 Fish Code, substantially as proposed in the Notice published August 5, 1976, at 8 N.J.R. 379(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

The Code is known within the Department of Environmental Protection as Docket No. DEP 017-76-07 and was formerly cited as N.J.A.C. 7:25-6.1 et seq. This Code replaces the text of R.1975 d.301 (See: 7 N.J.R. 359(c), 7 N.J.R. 499(d)).

An order adopting the 1977 Fish Code was filed on October 12, 1976, as R.1976 d.316 to become effective on January 1, 1977. Take notice that this is a temporary rule, is not subject to codification and will not appear in Title 7 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Amendment on Delineated Floodways in Raritan Basin

On October 7, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 58:16A-50 and in accordance with applicable provisions of the Administrative Procedure Act, adopted an amendment, known within the Department of Environmental Protection as Docket No. DEP 015-76-06, on delineated floodways in the Raritan Basin, as proposed in the Notice published July 8, 1976, at 8 N.J.R. 327(b).

Such amendment may be cited as N.J.A.C. 7:13-1.11(d)9.

An order adopting this amendment was filed and became effective on October 13, 1976, as R.1976 d.317.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Rules on Debarment, Suspension And Disqualification from Department Contracting

On October 6, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 7:1-5.1 et seq. and known within the Department of Environmental Protection as Docket No. DEP 016-76-07, concerning the debarment, suspension and disqualification from Department contracting, as proposed in the Notice published August 5, 1976, at 8 N.J.R. 375(b).

An order adopting these rules was filed and became effective on October 13, 1976, as R.1976 d.318.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## ENVIRONMENTAL PROTECTION

### THE COMMISSIONER

#### Revised Rules on Fees Regarding Bureau of Solid Waste Management

On October 18, 1976, David J. Bardin, Commissioner of Environmental Protection, pursuant to authority of N.J.S.A. 13:1E-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to Subchapter 4 of Chapter 26 in Title 7 of the New Jersey Administrative Code concerning fees of the Bureau of Solid Waste Management, substantially as proposed in the Notice published August 5, 1976, at 8 N.J.R. 374(d), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Environmental Protection.

Such revisions are known within the Department of Environmental Protection as Docket No. DEP 020-76-07.

An order adopting these revisions was filed on October 18, 1976, as R.1976 d.327 to become effective on November 1, 1976.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions on 1977 Hospital Rate Review Program Guidelines

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 26:2H-1 et seq. and with the

approval of the Health Care Administration Board, proposes to revise various Sections of the guidelines concerning the 1977 hospital rate review program.

Take notice that the proposed revisions supplement R.1975 d.239 (which was incorrectly codified as N.J.A.C. 8:31-14.1 et seq. but which are correctly cited as N.J.A.C. 8:31A-1.1 et seq.) and are temporary rules and thus will not appear in Title 8 of the New Jersey Administrative Code. The citations below are based on the prior citations.

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

14.3(e) "Proposed administrative rate" is the payment rate developed by applying these rate review guidelines to the elements of cost contained in a hospital's budget submission [...] or the payment rate developed by increasing the 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate) by one half of the economic factor provided for in these guidelines.

14.3(f) "Administrative payment rate" is the payment rate developed following a detailed review with the analyst of those costs that had been questioned as apparently unreasonable [...] or the payment rate developed by increasing the 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate) or 1976 actual costs, whichever is lower, by the full economic factor and adjusted for volume variance and accepted legal and management changes provided for in these guidelines.

#### 14.4 Time tables

(a) At the request of the Commissioner, hospitals shall furnish to the Department of Health such reports and information as the Department may require to establish reasonable rates for payment by payors for health care services provided by a hospital, excluding confidential communications from patients. The information shall be used to establish 1977 inpatient per diem rates according to the following schedule:

Activity	Date
Form B submitted .....	August 1, 1976
Budgets submitted .....	October 31, 1976
Date to establish screens .....	December 15, 1976
Date to submit 1976 actual costs on SHARE forms .....	April 30, 1977

[Data from budgets that are received by October 31, 1976, which data must be in suitable condition for entry into the data base by December 1, will be used to calculate unit costs. These unit costs are the basis for establishing the reasonableness screens. Data from budgets received by the Department after October 31 will not be entered into the data base and will not be used for establishing data base and therefore will not be used for establishing the screens. Hospitals not submitting their budgets by October 31 will not have their proposed administrative rate set until all administrative rates are issued for hospitals submitting budgets on time.]

1. Hospitals shall submit their budgets in a condition suitable for entry into the data base no later than October 31, 1976. Once a budget submitted by a hospital has been found suitable for entry into the data base by the Department, it shall be so entered and no further substitutions of data shall be accepted. Data from these budgets will be used to calculate the unit costs which

form the basis for establishing the reasonableness screens.

i. As an incentive for hospitals submitting their budget in a condition suitable for entry into the data base no later than October 31, 1976, each such hospital will receive one half of the 1977 economic factor applied to their 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate) on January 1, 1977. For each of these hospitals, the Department shall issue the proposed administrative rate by February 28, 1977. Should the Department not mail that proposed administrative rate by the above deadline, the hospital shall have the full 1977 economic factor applied to their 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate).

ii. For those hospitals which comply with the October 31, 1976 deadline a mutually agreed upon date, no more than 60 working days from the issuance of the proposed administrative rate, shall be set for the detailed review of the budget submission to be performed by the Department of Health analyst and the hospital representatives. At least ten working days prior to the date so established the hospital must submit written documentation of all items to be discussed. Should the hospital fail to provide the documentation or fail to appear on the date so established, no detailed review will be performed and the proposed administrative rate will then be issued as the administrative payment rate.

iii. At the detailed review, the analyst shall indicate which disputed items are not supported by sufficient documentation to permit a resolution and the hospital shall be provided ten working days in which to submit such documentation. Following receipt by the Department of any documentation so provided, the Department shall neither request nor require further documentation and shall issue an administrative payment rate within 30 working days. The analyst may give consideration only to documentation submitted pursuant to the deadline set forth immediately above in arriving at the administrative payment rate. Should the hospital pursue an appeal of the A.P.R. provided for below, no documentation other than that provided for above may be submitted to the hearing examiner unless the hospital can demonstrate the existence of a compelling reason for the failure to provide such documentation within the deadline set forth above.

iv. Should the Department fail to mail the administrative payment rate within the time provided above, all unresolved disputed issues raised by the hospital during the detailed review shall be resolved in favor of the hospital. Hospitals shall be notified of the administrative payment rate so developed no later than five working days following the deadline.

v. In all cases in which an administrative payment rate is issued following a detailed review, the hospital shall have five working days after notification in which to verify the accuracy of the calculation on the rate schedules and to notify the Department of any corrections to be made after which time the administrative payment rate shall be issued pursuant to Section 5, paragraph (o).

vi. Appeals by hospitals proceeding under Part A, their payors and the Division of Rate Counsel, Department of the Public Advocate (under N.J.S.A. 52:27 E-18) may be taken subsequent to the determination of the administrative payment rate. The appeal will be heard before a hearing examiner appointed by the Commis-

sioner of Health and will follow Department of Health "Rules of Practice and Procedure", N.J.A.C. 8-3:3.1 et seq.

vii. Any hospital which subsequent to the October 31, 1976 deadline certifies that the budget submitted in compliance with the deadline is either inaccurate and/or inadequate may be treated as a late submission and therefore may elect to set aside the proposed administrative rate issued pursuant to Section 5 of these guidelines and to proceed as if under Part B below.

2. Hospitals which fail to submit their budgets in a condition suitable for entry into the data base by October 31, 1976, shall be issued a proposed administrative rate at the same time as hospitals complying with the deadline mentioned above. The proposed administrative rate issued to any hospital so failing shall be equal to the 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate) increased by one half of the economic factor provided in these guidelines. No detailed analyst's review shall be performed.

i. The proposed administrative rate so calculated shall remain in effect until 1976 actual costs are received pursuant to these guidelines after which time a 1977 administrative payment rate shall be issued equal to 1976 approved payment rate (proposed administrative rate/administrative payment rate/final administrative rate) or 1976 actual costs, whichever is lower, increased by the full economic factor and adjusted for volume variance and accepted legal and management changes provided for in these guidelines.

ii. Appeals by hospitals proceeding under Part B, their payors and the Division of Rate Counsel, Department of the Public Advocate (under N.J.S.A. 52:27 E-18) may be taken subsequent to the determination of the administrative payment rate. The appeal will be heard before a hearing examiner appointed by the Commissioner of Health and will follow the Department of Health "Rules of Practice and Procedure" N.J.A.C. 8-3:3.1 et seq.

iii. The actual cost to be submitted on SHARE forms by April 30, 1977, may be unaudited and it is not required that the Medicare and Blue Cross step-downs be completed.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

John B. Reiss  
Assistant Commissioner  
Health Planning and Resource Development  
Department of Health  
P.O. Box 1450  
Trenton, N.J. 08625

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Proposed Deletion of Rules Concerning Administrative Functions, Practices and Procedures Under Controlled Substances Act

Dr. Joanne E. Finley, Commissioner of Health, pursuant to authority of N.J.S.A. 24:21-9, proposes to delete in its entirety all of the current text in Subchapter 9, Administrative functions, practices and procedures, of Chapter 65 in Title 8 of the New Jersey Administrative Code.

The text proposed to be deleted concerns the scope of administrative inspections, definitions, authority to make inspections, exclusions from inspection, entry, notice of inspection, warrants, probable cause, research, proceedings, filings, records, hearings, seizure of property, advertisement, forfeiture and petitions involving the provisions of the Controlled Substances Act.

Copies of the full text of nine pages proposed to be deleted may be obtained from or made available for review by contacting:

Donald J. Foley, Chief  
Drug, Device and Cosmetic Program  
1911 Princeton Avenue  
Trenton, New Jersey 08648  
Telephone: (609) 392-1180 Extension 66

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(b)

## HEALTH

### THE COMMISSIONER

#### Proposed Revisions Concerning Licensure of Persons for Certain Public Health Positions

Dr. Joanne E. Finley, Commissioner of Health, with the approval of the Public Health Council and pursuant to authority of N.J.S.A. 26:1A-38 through 26:1A-44, proposes to revise the rules concerning licensure of persons for certain public health positions by deleting in its entirety the current text of Chapter 7 in Title 8 of the New Jersey Administrative Code and adopting new text in place thereof.

The proposed new rules concern positions requiring a license, submission of evidence of qualifications, examination and initial license fee, determination of qualified candidates, appeal procedure, examinations, record-keeping requirements of the board and qualifications of candidates for licensure.

Copies of the 23 pages of full text of the proposed new rules may be obtained from or made available for review by contacting:

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

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976 to the Department of Health at the above address.

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

Dr. Joanne E. Finley  
Commissioner  
Department of Health

(a)

## HEALTH

### THE COMMISSIONER

#### Emergency Rules on Swine Influenza Immunization Program

On October 8, 1976, David E. Wagner, Acting Commissioner of Health, pursuant to authority of N.J.S.A. 26:4-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency rules concerning the swine influenza immunization program.

Full text of the adopted rules follows:

#### SUBCHAPTER 5. NEW JERSEY INFLUENZA IMMUNIZATION PROGRAM

##### 8:57-5.1 Statement of objectives

The objective of the New Jersey swine influenza immunization program (the "program") is to establish an integrated comprehensive immunization delivery system capable of making influenza immunization available to every person for whom it is not contraindicated as soon as possible. The purpose is to render as many persons in New Jersey population as possible immune to New Jersey/76 ("swine influenza") so as to reduce to a minimum the mortality and serious morbidity which might otherwise occur should there be widespread transmission of swine influenza during the next influenza season. The program will necessarily utilize all existing health care delivery systems, requiring close cooperation among all public and private deliverers.

##### 8:57-5.2 Service of participants in the program

(a) All persons who are participating in the planning or staffing of any immunization clinic ("program participants") sponsored by the State Department of Health (the "department") to carry out the program whether in the capacity of a volunteer or in a salaried position, shall serve subject to the following conditions and limitations:

1. Program participants shall be engaged to perform services only after approval by the Commissioner of the Department (the "Commissioner") or her designee.

2. Program participants may be dismissed by the Commissioner, or his designee, at any time and without cause, at which time their status as program participants terminates.

3. Program participants shall perform such duties as the Commissioner or her designee shall assign them and shall cease to perform any function they are currently performing at the direction of the Commissioner or her designee.

4. Program participants shall act in the performance of only those duties assigned to them and only in accordance with the technical guidelines issued by the Commissioner and posted in all clinics where the vaccine is administered during the program.

5. No vaccine shall be administered without a licensed physician being present as a program participant.

6. No program participant shall perform and function with respect to the program unless and until he has read these regulations and the technical guidelines relating to the function or functions he is to perform, and has indicated by signing the appropriate form (attached) that he has read and understands these regulations and technical guidelines.

#### REGISTRATION SHEET

I have read the regulations and technical guidelines relating to the function or functions I will perform as a participant in the swine flu program. I understand that I am authorized to perform only those functions to which I am assigned during the time I am assigned to such function or functions and only according to the technical guidelines relating thereto.

Name	Function	In date/time	Out date/time
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

An order adopting these rules were filed and became effective on October 8, 1976, as R.1976 d.315 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HEALTH

### HEALTH CARE FACILITIES FINANCING AUTHORITY

#### Amendment to Authority's Bylaws Concerning Debarment of Contractors

Take notice that, the Health Care Facilities Financing Authority in the Department of Health, pursuant to authority of N.J.S.A. 26:21-1 et seq., adopted amendments to its bylaws concerning the debarment, suspension and disqualification of contractors and subcontractors from Authority projects.

Such amendments conform to the standards and re-

quirements of Executive Order No. 34 regarding definitions; general provisions; causes for debarment; conditions of debarment, procedure, period and scope of debarment; conditions, procedure, period and scope of suspension; notice and other related items.

This Notice is published as a matter of public information only, is not subject to codification and will not appear in Title 8 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## HIGHER EDUCATION

### BOARD OF HIGHER EDUCATION

#### Emergency Revisions in Effective Dates For State Colleges' Guidelines

On October 12, 1976, Ralph A. Dungan, Chancellor of Higher Education and Secretary to the State Board of Higher Education, pursuant to authority of N.J.S.A. 18A:60-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to the rules concerning the effective dates of the guidelines for State colleges, under Chapter 163 of the Laws of 1973.

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

9:6-1.2(g) This Section shall take effect on [October 1, 1976] **April 1, 1977.**

9:6-1.3(g) This Section shall take effect [October 1, 1976] **April 1, 1977.**

An order adopting these revisions was filed and became effective on October 14, 1976, as R.1976 d.321 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## HIGHER EDUCATION

### BOARD OF HIGHER EDUCATION

#### Revisions on Appeals to the Board of Higher Education

On October 12, 1976, Ralph A. Dungan, Chancellor of Higher Education and Secretary to the State Board of Higher Education, pursuant to authority of N.J.S.A. 18A:-6.27 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 9:2-7.1 et seq. concerning appeals to the Board of Higher Education, as proposed in the Notice published July 8, 1976, at 8 N.J.R. 331(b).

An order adopting these revisions was filed and became effective on October 14, 1976, as R.1976 d.322.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## HIGHER EDUCATION

### EDUCATIONAL FACILITIES AUTHORITY

#### Rules on Debarment, Suspension And Disqualification of Contractors

On July 13, 1976, the Educational Facilities Authority in the Department of Higher Education, pursuant to authority of Executive Order No. 34 and in accordance with applicable provisions of the Administrative Procedure Act, adopted procedural rules, to be cited as N.J.A.C. 9:13-2.1 et seq., concerning rules on the debarment, suspension and disqualification of persons participating in contracts and subcontracts with the Authority or with projects subject to the Authority's approval.

These rules conform to the standards and requirements of Executive Order No. 34 and concern general provisions; definitions; causes for debarment; conditions, procedure, period and scope of suspension; notice; and other related items.

Copies of the nine pages of full text of these adopted rules may be obtained from or made available for review by contacting the Educational Facilities Authority, Suite 2A, 120 Sanhican Drive, Trenton, New Jersey 08618.

An order adopting these rules was filed and became effective on October 19, 1976, as R.1976 d.332 (Exempt, Procedure Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Proposed Revisions to Pharmacy Manual Concerning Federally Required Information for Prescriptions

Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4D-1 et seq., proposes to revise N.J.A.C. 10:51-1.4 and 10:51-1.5 in the Pharmacy Manual concerning Federally-required information for prescription services records.

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

10:51-1.4 Auditing

(a) Properly identified representatives of the division may inspect the written prescriptions and may audit all records pertaining to prescriptions provided to covered persons; and, where deemed necessary, for purpose of complying with Federal regulations to determine a provider's "usual and customary charge to the public", the representatives may inspect private sector prescriptions for the following information only:

1. Drug name;
2. Quantity dispensed;
3. Price;
4. Prescription number (for reference purposes only).

(b) Information pertaining to patient name and prescriber will remain confidential within the limits of the law.

#### 10:51-1.5 Drug policies

(a) The choice of prescription drugs remains at the discretion of the prescriber; but, payment will not be made for certain drugs under specific conditions. (See Sections on "Pharmaceutical Services Not Eligible for Payment" and "Pharmaceutical Services Requiring Prior Authorization.")

(b) When prescribing a trade name multi-source drug product for which a maximum allowable cost (MAC) limitation has been established by the Pharmaceutical Reimbursement Board, Department of Health, Education and Welfare, limitation shall not apply in any case where a physician certified in his own handwriting that in his medical judgment a specific brand is medically necessary for a particular patient. In this instance the physician must write "Brand necessary" or "Dispense as written" in his own handwriting, on each written or telephone prescription (See subsection (e) of this Section).

[b] (c) When prescribing a trade-name multi-source drug product listed in Section I of the New Jersey Medicaid Formulary for which a designated chemically equivalent name in corresponding dosage form and strength is listed in Section II of the Formulary, the prescriber must indicate either "Formulary alternate permitted" or "Dispense as written" (may be abbreviated "FAP" or "DAW") on each written or telephoned prescription (See subsection (e) of this Section):

1. For patients in long term care facilities, either statement or its abbreviation must appear on the patient's chart and be transposed onto the written prescription.

2. When the prescriber indicates "Formulary alternate permitted" or "FAP", the pharmacy provider shall dispense an alternate product listed for the designated chemically equivalent name, and will be reimbursed based on the average wholesale price for that product. When the prescriber indicates "Dispense as written" or "DAW", the pharmacy provider shall follow those instructions and will be reimbursed accordingly.

3. When the drug product is prescribed by its nonproprietary or generic name, the pharmacy provider shall dispense the least expensive product of equal therapeutic effectiveness available (See subsection (b) of this Section).

[(c)] (d) The quantity of medication prescribed should provide a sufficient amount of medication necessary for the duration of the illness or an amount sufficient to cover the interval between visits, but may not exceed a 60-day supply. Any drug used continuously (that is, daily, three times daily, every other day, and so forth), for 14 days or more is considered to be a sustaining drug or maintenance medication and should be prescribed in sufficient quantities to treat the patient for up to 60 days. In long term medical care facilities (that is, skilled nursing facilities, infirmary section of home for the aged, or public medical institution), if the quantity of sustaining drug or medication is not indicated in writing by the prescriber, the pharmacy provider must dispense a minimum of 100 tablets or capsules, a pint or a 30-day supply, whichever is less:

1. Exceptions include:

i. Oral contraceptives may be prescribed up to a supply for three ovulatory cycles;

ii. Legend vitamin and vitamin/mineral combinations may be prescribed and dispensed in quantities up to a 100-day supply;

iii. Hypodermic syringes and/or needles may be prescribed and dispensed in quantities up to a 100-day supply.

[(d)] (e) Dosage and directions for use must be indi-

cated on all original prescriptions. Prescriptions written and dispensed with nonspecific directions, such as "PRN", "as directed", or "ad lib", and so forth are not eligible for payment:

1. Prescriptions written for topical preparations, aerosol inhalers and nitroglycerin are exceptions to this regulation since the dosage cannot be related to number of days supply of medication. In such situations, the pharmacist must enter the letters "N/A" (not applicable) in the "DAYS SUPPLY" space on the prescription claim form (MC-6).

2. For all oral medication and injectables, the number of days the medication should last, based on the prescriber's directions for use, must be entered in the "DAYS SUPPLY" space on the prescription claim form (MC-6).

[(e)] (f) Telephone orders from the prescriber for original prescriptions, in accordance with all applicable Federal and State laws and regulations, will be permitted:

1. The prescriber must indicate either "Formulary alternate permitted" or "Dispense as written" for each prescription transmitted and the pharmacist shall transpose this information onto the written prescription.

2. When a physician chooses to certify "Brand necessary" or "Dispense as written" on a MAC listed drug product, he must submit a written prescription order to the pharmacist, containing the certification within seven days of the date of the telephone order. The prescription must be retained by the pharmacist as the original prescription. Failure to comply will result in the claim for that prescription to be reduced to the MAC reimbursement level.

[(f)] (g) Changes or additions to the original prescription, when approved by the practitioner, must be clearly indicated and initialed by the dispensing pharmacist. After the prescription claim form is submitted for payment, no changes on the original prescription can be made (that is, dosage, quantities, number of refills, and so forth).

[(g)] (h) When medication is prescribed by its nonproprietary or generic name, the pharmacy provider shall dispense the least-expensive product of equal therapeutic effectiveness available.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976 to:

Administrative Practice Officer  
Division of Medical Assistance  
and Health Services  
P.O. Box 2486  
Trenton, New Jersey 08625

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

Ann Klein  
Commissioner  
Department of Institutions and Agencies

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF PUBLIC WELFARE

#### Revisions to Ruling 11

On October 4, 1976, Ann Klein, Commissioner of Institutions and Agencies, pursuant to authority of N.J.S.A. 30:4B-2 and in accordance with applicable provisions of

the Administrative Procedure Act, adopted revisions to the rules concerning Ruling 11 regarding classification and compensation plans and time and leave regulations, substantially as proposed in the Notice published July 8, 1976, at 8 N.J.R. 332(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Institutions and Agencies.

Such revisions will be included throughout Chapter 109 in Title 10 of the New Jersey Administrative Code.

An order adopting these revisions was filed on October 6, 1976, as R.1976 d.310.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSTITUTIONS AND AGENCIES

### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

#### Rule on Reimbursement of Medicaid-Approved General Hospitals

On September 28, 1976, Ann Klein, Commisisoner of Institutions and Agencies, pursuant to authority of N.J. S.A. 30:4D-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 10:49-1.29, concerning reimbursement of Medicaid-approved general hospitals, as proposed in the Notice published June 10, 1976, at 8 N.J.R. 283(a).

An order adopting this rule was filed and became effective on October 8, 1976, as R.1976 d.314.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## INSURANCE

### THE COMMISSIONER

#### Proposed Reconsideration of Rules On Service and Placement Fees

James J. Sheeran, Commisisoner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e) and 17:22-6.18, on October 5, 1976 suspended the adoption of N.J.A.C. 11:1-7.1 through 11:1-7.6.

These rules were filed and became effective on August 23, 1976, as R.1976 d.266, and the full text of the adopted rules appeared in the September 9, 1976, issue of the New Jersey Register at 8 N.J.R. 422(b). These rules concerning service and placement fees charged by brokers will be reconsidered.

Interested persons may present statements or arguments in writing relevant to the proposed adoption on or before November 24, 1976, to:

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

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

James J. Sheeran  
Commissioner  
Department of Insurance

(c)

## INSURANCE

### THE COMMISSIONER

#### Notice of Exportables List Hearing

Take notice that, on December 3, 1976, at 10:00 A.M. at 201 East State Street, Trenton, New Jersey, the Commissioner of Insurance, James Sheeran, will hold his annual hearing to determine classes insurance for which no reasonable or adequate market exists among authorized insurers.

In addition to consideration of the 38 classes of coverage declared eligible for export on June 1, 1976, the following list changes will be considered:

Deletion of personal articles floaters, short-term auto, hospital malpractice, kidnapping and products liability.  
Addition of vacant buildings fire, extended coverage and vandalism.

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

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(d)

## INSURANCE

### REAL ESTATE COMMISSION

#### Rules on Documents Involved In Sale of Interstate Properties

On August 27, 1976, W. P. Comerford, Acting Secretary-Director of the Real Estate Commission in the Department of Insurance, pursuant to authority of N.J.S.A. 45:15-6, 45:15-10, 45:15-17 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 11:5-1.25(a)7. through 9., concerning documents involved in the sale of interstate properties, as proposed in the Notice published August 5, 1976, at 8 N.J.R. 387(b).

An order adopting these rules was filed and became effective on August 31, 1976, as R.1976 d.275.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(e)

## INSURANCE

### THE COMMISSIONER

#### Rule on Consent to Nonrenewal Of Private Passenger Automobile Coverage

On October 14, 1976, James J. Sheeran, Commissioner

of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 39:6A-3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 11:3-8.1(g), concerning consent to nonrenewal of private passenger automobile coverage, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 421(a).

An order adopting this rule was filed and became effective on October 18, 1976, as R.1976 d.328.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## INSURANCE

### THE COMMISSIONER

#### Rules on Life Insurance Solicitation

On October 14, 1976, James J. Sheeran, Commissioner of Insurance, pursuant to authority of N.J.S.A. 17:1-8.1, 17:1C-6(e), 17B:30-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 11:4-11.1 et seq., concerning life insurance, substantially as proposed in the Notice published July 8, 1976, at 8 N.J.R. 336(a), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Insurance.

A summary of the substantive changes (indicated in boldface thus) follows:

11:4-11.5(a) The insurer shall provide, to all prospective purchasers, a buyer's guide and a policy summary at least seven days prior to accepting the applicant's initial premium or premium deposit, unless the policy for which application is made contains an unconditional refund provision of at least ten days or unless the policy summary contains such an unconditional refund offer, in which event the buyer's guide and policy summary must be delivered with the policy or prior to delivery of the policy.

(Section 5, NAIC model regulation with boldface words added).

11:4-11.5(d) In the case of policies whose equivalent level death benefit is less than \$2,000, the provision of a policy summary and a buyer's guide will be optional for the insurer.

(Subsection added to Section 5, NAIC model regulation).

11:4-11.8 Effective date

With respect to the buyer's guide, this rule shall apply to all solicitations of life insurance which commence on or after February 1, 1977; with respect to the policy summary, this rule shall apply to all solicitations of life insurance entailing level premiums and level death benefits which commence on or after July 1, 1977; otherwise, this rule shall apply to all solicitations of life insurance which commence on or after January 1, 1978.

(Section 8, NAIC model regulation with New Jersey effective dates modified by boldface sections).

An order adopting these rules was filed and became effective on October 18, 1976, as R.1976 d.329 (except as otherwise provided in the rules regarding specific effective dates).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LABOR AND INDUSTRY

### DIVISION OF WORKPLACE STANDARDS

#### WAGE AND HOUR BUREAU

##### Listing of Prevailing Wage Rates For Construction Workers on Public Works Projects

On September 21, 1976, William J. Clark, Assistant Commissioner, Labor Relations and Workplace Standards, in the Department of Labor and Industry, pursuant to authority of N.J.S.A. 34:11-56.25 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, filed a listing of the prevailing wage rates for construction workers on public works projects.

The listing includes the classifications, hourly prevailing wage rates, benefits and overtime data for construction workers on public works projects for the entire State, as well as each of the 21 counties in the State.

Copies of the full text of 305 pages in the listing may be obtained from or made available for review by contacting:

Public Contracts Section  
Wage and Hour Bureau  
Department of Labor and Industry  
John Fitch Plaza  
Trenton, New Jersey 08625

An order adopting this listing was filed on September 23, 1976, as R.1976 d.301 (Exempt, Procedure Rule). Take notice that this listing is not subject to codification and will not appear in Title 12 of the New Jersey Administrative Code.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF ARCHITECTS

##### Proposed Revisions Concerning Licensing

The Board of Architects in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:3-3, proposes to revise N.J.A.C. 13:27-3.4 concerning certification of persons holding certificate from another state.

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

13:27-3.4 Certification of person holding certificate from another state

(a) Any person certified to practice architecture in another state, territory or possession of the United States, and applying for registration to practice architecture in this State may be granted a certificate under the following conditions:

(Continued on page 34)

# The New Jersey Administrative Code



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# INTERIM INDEX FOR NEW JERSEY ADMINISTRATIVE CODE

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

The index is current, covering all rules adopted through October 19. It is adjusted the month following that in

which a mailing of update pages has been completed.

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

## RULES NOT YET PRINTED IN CODE

<u>N.J.A.C. Citation</u>		<u>Document Citation</u>	<u>Adoption Notice (N.J.R. Citation)</u>
<b>AGRICULTURE — TITLE 2</b>			
2:1-3.11	Fees for copies of State Board meeting information	R.1976 d.143	8 N.J.P. 268(b)
2:2-2.3(a)2.	Revisions on vaccination of female bovine animals	R.1975 d.233	7 N.J.R. 399(a)
2:3-2.3	Revisions on negative reaction of cattle and goats to t.b. tests	R.1976 d.98	8 N.J.R. 215(a)
2:5-1.15	Hog cholera quarantine; swine movement in New Jersey	R.1976 d.61	8 N.J.R. 162(a)
2:5-1.15	Stop order on swine, entire State	R.1976 d.243	8 N.J.R. 410(a)
2:5-1.15	Lift of swine stop order and impose quarantine in certain counties	R.1976 d.253	8 N.J.R. 410(b)
2:5-1.15	Revise swine quarantine	R.1976 d.268	8 N.J.R. 410(c)
2:5-1.15	Lift hog cholera quarantine and mark Section "Reserved"	R.1976 d.285	8 N.J.R. 451(c)
2:5-1.15(d)	Lift swine movement stop order; impose for certain counties	R.1976 d.82	8 N.J.R. 162(b)
2:5-1.15(e)	Amend Salem County hog cholera quarantine	R.1976 d.101	8 N.J.R. 215(b)
2:5-1.15(f)	Revisions on quarantine for movement of swine	R.1976 d.110	8 N.J.R. 215(c)
2:5-1.15(g)	Release hog cholera quarantine for Camden and Gloucester Counties	R.1976 d.132	8 N.J.R. 268(a)
2:5-1.16	Swine embargo from certain other states	R.1976 d.219	8 N.J.R. 370(a)
2:16-14.1 et seq.	Rules on certified orchids	R.1976 d.273	8 N.J.R. 451(b)
2:17-16.1	Tomato transplants moved into New Jersey	R.1976 d.30	8 N.J.R. 95(c)
2:20-3.2	Red Pine quarantine in parts of Bergen and Passaic Counties	R.1976 d.16	8 N.J.R. 54(c)
2:34-1.1	Breeder award levels	R.1976 d.202	8 N.J.R. 369(a)
2:49-1.1 et seq.	Revised rules on minimum prices for milk	R.1975 d.232	7 N.J.R. 399(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.272	7 N.J.R. 454(a)
2:49-1.1(b)	Revised minimum milk price	R.1976 d.311	8 N.J.R. 498(a)
2:49-1.1(b)	Revised minimum milk price	R.1975 d.303	7 N.J.R. 494(c)
2:49-1.1(b)	Revise minimum milk prices	R.1975 d.340	7 N.J.R. 539(b)
2:49-1.1(b)	Revised minimum milk prices	R.1975 d.361	8 N.J.R. 5(b)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.9	8 N.J.R. 54(b)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.45	8 N.J.R. 96(a)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.85	8 N.J.R. 162(c)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.114	8 N.J.R. 215(d)
2:49-1.1(b)	Revise minimum milk prices	R.1976 d.183	8 N.J.R. 318(a)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.272	8 N.J.R. 451(a)
2:49-1.1(b)	Revised minimum milk prices	R.1976 d.287	8 N.J.R. 451(d)
2:54-3.7	Handling of milk in New York-New Jersey milk marketing area	R.1976 d.90	8 N.J.R. 163(a)
2:54-3.7	Revisions on milk handling in New Jersey	R.1976 d.217	8 N.J.R. 369(d)
2:68-1.7	Feed ingredients and feed terms	R.1976 d.205	8 N.J.R. 369(b)
2:69-1.11	Revised commercial values for primary plant nutrients	R.1976 d.203	8 N.J.R. 368(a)
2:70-1.7	Inspection fee; agricultural liming materials	R.1976 d.206	8 N.J.R. 369(c)
2:71-1.23 et seq.	Revisions on shell eggs	R.1975 d.358	8 N.J.R. 3(a)
2:71-5.5	Revisions on potato labeling	R.1975 d.381	8 N.J.R. 54(a)
2:73-2.5(f)	Revisions on use of Seal of Quality	R.1975 d.356	8 N.J.R. 2(b)
2:73-2.7	Revised license fees	R.1975 d.356	8 N.J.R. 2(b)
2:90-1.1 et seq.	Rules of State Soil Conservation Committee	R.1975 d.360	8 N.J.R. 3(b)
2:90-1.12	Municipal ordinances for soil erosion and sedimentation control	R.1975 d.366	8 N.J.R. 5(a)

(Rules in print in the Administrative Code for Title 2 include all adoptions to August 1, 1975—Transmittal Sheet #8.)

## BANKING — TITLE 3

3:1-1.1	Revised interest rates	R.1976 d.240	8 N.J.R. 412(a)
3:1-2.1 et seq.	Adopt procedural rules	R.1976 d.83	8 N.J.R. 164(a)
3:1-2.11	Mini-branches; space limitation	R.1976 d.312	8 N.J.R. 499(b)
3:1-2.14	Revisions on priority	R.1976 d.305	8 N.J.R. 499(a)
3:1-2.23	Shared limited facility branch offices; notice; fee	R.1976 d.244	8 N.J.R. 413(a)
3:1-2.27	Officially recognized data sources	R.1975 d.155	7 N.J.R. 292(a)
3:1-7.1 et seq.	Miscellaneous fees	R.1975 d.120	7 N.J.R. 247(c)
3:1-8.1	Required information for loan applications	R.1975 d.146	7 N.J.R. 291(b)

3:6-7.1	Repeal rule on bank offices protection	R.1976 d.146	8 N.J.R. 268(d)
3:7-4.1 et seq.	Rules on notice of maturity on long-term time deposits	R.1975 d.165	7 N.J.R. 292(b)
3:7-5.1 et seq.	Rules on statements of interest	R.1975 d.185	7 N.J.R. 293(c)
3:8-3.1	Revisions in required reserve	R.1975 d.325	7 N.J.R. 539(c)
3:8-3.1(a)3.	Revisions on required reserves	R.1976 d.15	8 N.J.R. 55(a)
3:11-2.1	Revisions on exclusion from liabilities of controlling corporation	R.1975 d.226	7 N.J.R. 400(b)
3:11-9.1 et seq.	Rules on standby letters of credit	R.1976 d.306	8 N.J.R. 499(c)
3:17-6.1 et seq.	Revisions to small loan law regulations	R.1975 d.147	7 N.J.R. 291(c)
3:19-1.6	License number	R.1975 d.148	7 N.J.R. 291(d)
3:27-5.3	Revisions on excludable loans	R.1975 d.249	7 N.J.R. 400(c)
3:27-6.1	Variable interest rate mortgage loans	R.1976 d.279	8 N.J.R. 453(a)
3:30-1.3	Notice of maturity of fixed-term savings accounts	R.1975 d.169	7 N.J.R. 293(a)
3:30-1.3	Revised effective date of savings account rule	R.1975 d.265	7 N.J.R. 454(b)
3:32-1.1 et seq.	Conversion of mutual association to capital stock association	R.1975 d.352	8 N.J.R. 9(c)
3:40-1.1 et seq.	Rules of State Cemetery Board	R.1975 d.184	7 N.J.R. 293(b)

(Rules in print in the Administrative Code for Title 3 include all adoptions to May 1, 1975—Transmittal Sheet #7.)

#### CIVIL SERVICE — TITLE 4

4:1-8.6	Revisions on promotional examinations	R.1976 d.51	8 N.J.R. 101(a)
4:1-8.8	Qualifications of applicants for open competitive examinations	R.1976 d.52	8 N.J.R. 101(b)
4:1-8.21	Make-up examinations	R.1976 d.53	8 N.J.R. 101(c)
4:1-9.6	Tie scores on examinations	R.1973 d.52	8 N.J.R. 101(b)
4:1-9.13	Additions to eligible lists	R.1976 d.53	8 N.J.R. 101(c)
4:1-10.2(c)	Revisions on appointments based on noncompetitive examinations	R.1976 d.53	8 N.J.R. 101(c)
4:1-17.11	Amount of vacation leave	R.1976 d.52	8 N.J.R. 101(b)
4:1-17.24(k)	Unused sick leave payments to nonclassified employees	R.1975 d.218	7 N.J.R. 401(b)

(Rules in print in the Administrative Code for Title 4 include all adoptions to Sept. 15, 1975—Transmittal Sheet #8.)

#### COMMUNITY AFFAIRS — TITLE 5

5:10-1.1 et seq.	Revisions on construction and maintenance of hotels	R.1976 d.160	8 N.J.R. 272(a)
5:17-1.3 et seq.	Revisions on retirement community full disclosure requirements	R.1976 d.126	8 N.J.R. 270(b)
5:21-3.3 et seq.	Revisions in Uniform Standards Code of Mobile Homes	R.1975 d.166	7 N.J.R. 305(a)
5:22-1.1 et seq.	Rules on tax abatement on added assessments	R.1975 d.327	7 N.J.R. 540(b)
5:22-1.1	Revised definitions on tax abatement on added assessments	R.1976 d.64	8 N.J.R. 171(b)
5:30-1.8	Emergency resolutions exceeding three per cent limitation	R.1975 d.168	7 N.J.R. 306(a)
5:30-1.9	Implementation of Housing and Community/Development Act	R.1975 d.287	7 N.J.R. 497(b)
5:30-1.10	Contracts; expenditures	R.1975 d.322	7 N.J.R. 540(a)
5:30-1.11	Rule on realized revenue	R.1976 d.91	8 N.J.R. 216(c)
5:30-1.11	Revisions on realized revenue	R.1976 d.130	8 N.J.R. 271(a)
5:42-1.1 et seq.	Revisions on Federal aid project notification and review system	R.1976 d.320	8 N.J.R. 501(a)
5:71-1.1 et seq.	Rules on county offices on aging	R.1975 d.192	7 N.J.R. 355(a)
5:80-2.1	Equity syndication, agency-financed limited-dividend housing projects	R.1975 d.258	7 N.J.R. 459(a)

(Rules in print in the Administrative Code for Title 5 include all adoptions to May 15, 1975—Transmittal Sheet #6.)

#### EDUCATION — TITLE 6

6:3-3.1 et seq.	Rules on withdrawal from limited purpose regional school districts	R.1976 d.286	8 N.J.R. 458(a)
6:11-8.9	Amendments on teaching English as a second language	R.1976 d.288	8 N.J.R. 459(a)
6:11-8.9	Amendments on bilingual bicultural education	R.1976 d.289	8 N.J.R. 459(b)
6:11-12.24	Teacher-coordinator of cooperative vocational-technical program	R.1976 d.294	8 N.J.R. 459(c)
6:24-1.1 et seq.	Revised rules on controversies and disputes	R.1976 d.308	8 N.J.R. 505(b)

(Rules in print in the Administrative Code for Title 6 include all adoptions to Aug. 13, 1976—Transmittal Sheet #8.)

#### ENVIRONMENTAL PROTECTION — TITLE 7

7:1-5.1 et seq.	Debarment, suspension and disqualification from Department contracting	R.1976 d.318	8 N.J.R. 510(c)
7:1-6.1 et seq.	Procedural rules; Bureau of Solid Waste Management	R.1976 d.296	8 N.J.R. 460(d)
7:1C-1.1 et seq.	Rules on 90-day construction permits	R.1975 d.347	7 N.J.R. 548(a)
7:1C-1.5(a)4.	Revisions on stream encroachment	R.1976 d.76	8 N.J.R. 180(a)
7:2-2.13	Revised charges at State parks	R.1975 d.75	7 N.J.R. 151(b)
7:2-14.1 et seq.	Revised rules on Round Valley and Spruce Run Reservoirs	R.1975 d.134	7 N.J.R. 261(c)
7:2-15.1 et seq.	Delete entire current text and mark Subchapter as Reserved	R.1975 d.134	7 N.J.R. 261(c)
7:2-16.1 et seq.	Revised rules on Island Beach State Park	R.1976 d.111	8 N.J.R. 222(b)
7:6-1.1 et seq.	Revised rules on power vessels	R.1976 d.32	8 N.J.R. 107(d)
7:7A-1.1 et seq.	Revised rules on Wetlands procedures	R.1976 d.283	8 N.J.R. 460(b)
7:7A-1.1(a)14.	Extend wetland order to portions of Salem County	R.1974 d.188	6 N.J.R. 306(a)

7:7A-1.1(a)15.	Extend wetlands order to parts of Cumberland County	R.1975 d.32	7 N.J.R. 103(a)
7:7A-1.1(a)16.	Extend wetlands order to parts of Atlantic County	R.1975 d.216	7 N.J.R. 413(b)
7:7D-1.1 et seq.	Appeals procedures: Coastal Area Review Board	R.1975 d.345	7 N.J.R. 551(a)
7:7D-1.5 et seq.	Revisions on CARB appeals procedures	R.1976 d.60	8 N.J.R. 178(a)
7:9-4.1 et seq.	Revise surface water quality standards	R.1974 d.310	6 N.J.R. 470(c)
7:9-4.2	Revised rules on construction and practice where rules do not govern	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.3	Delete current text and mark this Section as Reserved	R.1975 d.132	7 N.J.R. 261(a)
7:9-4.8(d)6iv.	Delete text on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-4.9	New rules on tidal portions of Morses Creek	R.1975 d.200	7 N.J.R. 360(c)
7:9-5.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-6.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-7.1 et seq.	Current text deleted in its entirety	R.1974 d.310	6 N.J.R. 470(c)
7:9-8.38 et seq.	Transfer treatment rules formerly cited 7:9-7.29 - .34	R.1974 d.310	6 N.J.R. 470(c)
7:9-13.1 et seq.	Rules on sewerage connection bans	R.1975 d.302	7 N.J.R. 499(e)
7:9-13.4(a)7.	Amendment on sewerage connection bans	R.1976 d.251	8 N.J.R. 417(a)
7:11-2.1 et seq.	Revised general rate schedule for Delaware and Raritan Canal water	R.1974 d.362	7 N.J.R. 49(a)
7:11-3.1 et seq.	Revised rules on use of water from Delaware and Raritan canal	R.1974 d.363	7 N.J.R. 50(a)
7:12-1.1 et seq.	Revisions on shellfish-growing water classification	R.1976 d.54	8 N.J.R. 108(a)
7:12-1.1	Revised rules on shellfish beds	R.1975 d.116	7 N.J.R. 260(a)
7:12-1.2(a)39.	Condemn shellfish beds in portion of Atlantic Ocean	R.1974 d.336	7 N.J.R. 6(b)
7:12-1.2(a)40.	Condemnation of certain shellfish beds	R.1975 d.51	7 N.J.R. 152(a)
7:12-1.2(a)39.	Revised condemnations of shellfish beds in Atlantic Ocean	R.1975 d.18	7 N.J.R. 102(a)
7:12-1.3	Opening of certain shellfish beds	R.1975 d.27	7 N.J.R. 102(c)
7:12-1.3(a)5.ii.	Revisions condemning certain shellfish beds	R.1975 d.341	7 N.J.R. 547(b)
7:13-1.1 et seq.	Land use rules applicable to all delineated floodways	R.1975 d.105	7 N.J.R. 206(b)
7:13-1.11(c)21	Main stem of Delaware River delineated	R.1975 d.376	8 N.J.R. 15(a)
7:13-1.11(c)	Delineated floodways in Delaware Basin	R.1976 d.230	8 N.J.R. 379(c)
7:13-1.11(d)	Delineated floodways in the Raritan Basin	R.1976 d.229	8 N.J.R. 379(b)
7:13-1.11(d)9.	Amendment on delineated floodways in Raritan Basin	R.1976 d.317	8 N.J.R. 510(b)
7:15-1.1 et seq.	Guidelines under N.J. Industrial Pollution Control Financing Law	R.1974 d.268	6 N.J.R. 394(b)
7:20-6.1	Criteria for floodway and flood hazard area delineation	R.1975 d.104	7 N.J.R. 207(a)
7:20-6.2	Standard method of computing flood discharges	R.1976 d.233	8 N.J.R. 379(d)
7:25-2.1 et seq.	Revisions for public shooting and fishing grounds	R.1975 d.292	7 N.J.R. 499(c)
7:25-2.14	Field trial activities	R.1975 d.291	7 N.J.R. 499(b)
7:25-2.15	Revisions on controlled hunting	R.1975 d.281	7 N.J.R. 464(b)
7:25-2.18	Repeal rule on controlled hunting on wildlife management areas	R.1976 d.271	8 N.J.R. 417(b)
7:25-5.1 et seq.	1975-76 Game Code	R.1975 d.178	7 N.J.R. 310(c)
7:25-5.1 et seq.	Adopt 1976-1977 Game Code	R.1976 d.187	8 N.J.R. 328(a)
7:25-5.26	Special pheasant and quail stamp required	R.1975 d.277	7 N.J.R. 464(a)
7:25-5.27	Limitation on use of shotgun shells containing lead pellets	R.1976 d.307	8 N.J.R. 509(b)
7:25-5.27	Use of conibear traps	R.1975 d.290	7 N.J.R. 499(a)
7:25-6.1 et seq.	1975 Fish Code	R.1974 d.253	6 N.J.R. 394(a)
7:25-6.1 et seq.	1976 Fish Code	R.1975 d.301	7 N.J.R. 499(d)
7:25-7.10	Oyster seed beds for 1975 season	R.1975 d.74	7 N.J.R. 151(a)
7:25-7.11	Rules on mussels	R.1975 d.133	7 N.J.R. 261(b)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:25-12.1	Revisions on preservation of sea clam resource	R.1976 d.65	8 N.J.R. 179(a)
7:25-9.3	Hard Clams	R.1975 d.367	8 N.J.R. 14(b)
7:25-9.4	Designation of scallop season	R.1975 d.365	8 N.J.R. 14(a)
7:25-11.1	List of endangered species	R.1974 d.348	7 N.J.R. 6(c)
7:25-11.1	List of endangered species	R.1975 d.164	7 N.J.R. 311(a)
7:25-12.1	Size limitations on sea clams	R.1975 d.384	8 N.J.R. 63(a)
7:26-2.5 et seq.	Revisions in rules of Bureau of Solid Waste Management	R.1974 d.234	6 N.J.R. 343(c)
7:26-2.5	Amend effective date of rule	R.1975 d.190	7 N.J.R. 360(b)
7:26-2.5 et seq.	Revision on sanitary landfills	R.1976 d.303	8 N.J.R. 509(a)
7:26-2.6(d)4.	Revised effective date for solid waste facilities	R.1975 d.66	7 N.J.R. 149(b)
7:26-2.6(d)4	Revised effective date of solid waste rule	R.1975 d.271	7 N.J.R. 463(b)
7:26-4.1 et seq.	Revised fee schedule	R.1975 d.136	7 N.J.R. 259(a)
7:26-4.1 et seq.	Revised fees of the Bureau of Solid Waste Management	R.1976 d.327	8 N.J.R. 510(d)
7:27-2.1 et seq.	Revised rules on control of open burning	R.1975 d.326	7 N.J.R. 547(c)
7:27-8.1 et seq.	Revisions concerning air pollution control rules on permits	R.1976 d.96	8 N.J.R. 221(c)
7:27-9.5	Temporary variances	R.1976 d.81	8 N.J.R. 181(a)
7:27-9.5(c)	Amend rules on temporary variances	R.1976 d.100	8 N.J.H. 277(a)
7:27-15.4(b)	Postponement of Phase II of auto emission inspection standards	R.1975 d.22	7 N.J.R. 102(b)
7:27-15.4(b)	Revisions on control of air pollution from light-duty motor vehicles	R.1976 d.12	8 N.J.R. 62(c)
7:27-16.1 et seq.	Volatile organic substances	R.1975 d.377	8 N.J.R. 15(b)
7:27B-1.1 et seq.	Sampling and analytical procedures	R.1974 d.360	7 N.J.R. 48(a)
7:27B-1.1 et seq.	Emissions from particles from manufacturing processes	R.1975 d.136	7 N.J.R. 261(d)
7:27B-1.1 et seq.	Revised rules on sampling and analytical procedures	R.1976 d.121	8 N.J.R. 223(a)
7:27B-2.1 et seq.	Procedures for visual determination of emissions from sources	R.1975 d.76	7 N.J.R. 144(a)
7:27B-2.1 et seq.	Revised rules on visual determination of opacity on emissions	R.1976 d.121	8 N.J.R. 223(a)

7:27B-3.1 et seq.	Emissions of solid particle from combustion of fuel	R.1975 d.135	7 N.J.R. 261(d)
7:30-1.9	Delete text and mark Section Reserved	R.1976 d.295	8 N.J.R. 460(c)
7:30-3.1 et seq.	Rules on Certification of pesticide application	R.1976 d.295	8 N.J.R. 460(c)
7:35-1.1 et seq.	Rules on tax exemption on real property of nonprofit corporations	R.1975 d.179	7 N.J.R. 310(b)

(Rules in print in the Administrative Code for Title 7 include all adoptions to June 30, 1974—Transmittal Sheet #6.)

## HEALTH — TITLE 8

8:2-1.1	Revisions on birth certificates	R.1975 d.194	7 N.J.R. 362(c)
8:7-1.4	Board of Examiners licensure of persons for public health positions	R.1976 d.1	8 N.J.R. 65(a)
8:8-1.2 et seq.	Revisions for processing, storage and distribution of blood	R.1974 d.334	7 N.J.R. 7(a)
8:13-1.1 et seq.	Sanitation, handling, shipping and shucking of shellfish	R.1974 d.185	6 N.J.R. 310(b)
8:21-1.24	Labeling of feminine deodorant sprays	R.1976 d.19	8 N.J.R. 65(b)
8:21-1.25	Cosmetic product warning statements	R.1976 d.50	8 N.J.R. 118(b)
8:21-1.26	Drugs in dispensers pressurized by gaseous propellants	R.1976 d.123	8 N.J.R. 227(b)
8:21-2.38	Bacteriological standards for potentially hazardous foods	R.1974 d.204	6 N.J.R. 311(a)
8:21-4.1 et seq.	Delete text of Subchapter 4	R.1975 d.320	7 N.J.R. 503(b)
8:21-4.44	Amend rule on expiration dates for fluid milk products	R.1974 d.361	7 N.J.R. 56(b)
8:21-5.1 et seq.	Revise acidified milk and fluid milk products rules	R.1975 d.320	7 N.J.R. 503(b)
8:21-7.1 et seq.	Revisions on frozen desserts	R.1976 d.231	8 N.J.R. 382(c)
8:21-9.3(a)	Delete exemption for wholesale handling of raw shellfish	R.1974 d.184	6 N.J.R. 310(a)
8:21-9.5	Revised wholesale licensing fees	R.1975 d.299	7 N.J.R. 501(a)
8:21-10.11	Acidified milk and acidified milk products	R.1975 d.320	7 N.J.R. 503(b)
8:25-3.2	Revisions on physical examinations	R.1976 d.232	8 N.J.R. 382(d)
8:25-5.2	Revisions on swimming procedures	R.1976 d.232	8 N.J.R. 382(d)
8:25-5.4	Revisions on watercraft and waterskiing	R.1976 d.232	8 N.J.R. 382(d)
8:30-8.1	Amendments on patient activities in nursing homes	R.1976 d.260	8 N.J.R. 417(d)
8:30-12.1	Revisions on buildings	R.1976 d.270	8 N.J.R. 418(d)
8:30-12.2(a)	Revisions on fire protection and safety	R.1976 d.269	8 N.J.R. 418(c)
8:31-5.1 et seq.	Delete entire Subchapter 5	R.1975 d.315	7 N.J.R. 503(a)
8:31-10.1	Licensing of drug-related facilities	R.1974 d.193	6 N.J.R. 310(c)
8:31-11.1	Voluntary discontinuance of regular service in any health care facility	R.1974 d.195	6 N.J.R. 310(e)
8:31-12.1	Long-term care facilities	R.1975 d.368	8 N.J.R. 16(a)
8:31-12.1(a)	Revise effective date on long-range plan requirements	R.1976 d.221	8 N.J.R. 381(c)
8:31A-1.1	Standard hospital accounting and rate evaluation system (SHARE)	R.1975 d.239	7 N.J.R. 415(b), 8 N.J.R. 380(b)
8:31A-1.1	Revisions to forms and definitions concerning SHARE	R.1976 d.197	8 N.J.R. 331(a), 8 N.J.R. 380(b)
8:31A-10.1	Rules for experimental medical reporting systems	R.1975 d.245	7 N.J.R. 416(a), 8 N.J.R. 380(b)
8:31A-10.2	1977 hospital rate review rules	R.1975 d.312	7 N.J.R. 501(b), 8 N.J.R. 380(b)
8:31A-10.2	Revision on 1977 hospital rate setting	R.1976 d.198	8 N.J.R. 330(d), 8 N.J.R. 380(b)
8:31-21.1 et seq.	Guidelines for submission of certificate of need applications	R.1975 d.315	7 N.J.R. 503(a)
8:31-22.1 et seq.	Doctors' office owned and/or sponsored by health care facilities	R.1976 d.20	8 N.J.R. 65(c)
8:31-23.1 et seq.	Parking garages owned and/or sponsored by health care facilities	R.1976 d.25	8 N.J.R. 66(e)
8:31-24.1 et seq.	Design and construction of interns, residents and nurses housing	R.1976 d.21	8 N.J.R. 66(a)
8:31-25.1	Performance of medical services by mobile intensive care paramedics	R.1976 d.220	8 N.J.R. 381(b)
8:32-1.1 et seq.	1974-75 State Plan for hospitals and related health care services	R.1974 d.196	6 N.J.R. 310(f)
8:32-1.1 et seq.	1975 State Plan for hospitals and related health care services	R.1975 d.183	7 N.J.R. 314(a)
8:32-1.18	Definition of rehabilitation services	R.1975 d.77	7 N.J.R. 164(f)
8:32-3.1	Procedures for adjustment of State Plan for hospitals	R.1974 d.260	6 N.J.R. 397(b)
8:32-3.1	Revisions for adjustment of State Plan	R.1974 d.318	6 N.J.R. 472(d)
8:33-1.11	Continuation of mixing skilled nursing facilities levels A and B	R.1974 d.315	6 N.J.R. 472(a)
8:33-1.11	Revised policy on skilled nursing and intermediate care beds	R.1974 d.317	6 N.J.R. 472(c)
8:33-1.11(b)	Revisions on extension of program of multiple levels of care	R.1975 d.61	7 N.J.R. 164(e)
8:33-1.12	Processing of certificate of need applications	R.1974 d.269	6 N.J.R. 397(d)
8:33-1.13	Scheduling and completing hearings for certificate of need applicants	R.1974 d.194	6 N.J.R. 310(d)
8:34-1.2	Define responsible administrative positions	R.1975 d.313	7 N.J.R. 502(a)
8:34-1.18(a)3	Delete part of rule on refusal of licenses	R.1975 d.193	7 N.J.R. 362(b)
8:35-1.1 et seq.	Revised criteria on mixed obstetric and gynecologic floors	R.1975 d.60	7 N.J.R. 164(c)
8:35-1.2 et seq.	Revisions to criteria for mixed obstetric and gynecologic floors	R.1976 d.196	8 N.J.R. 330(f)
8:36-1.1	Revised definitions	R.1976 d.195	8 N.J.R. 330(c)
8:36-1.18	Revision on physical environment and building	R.1976 d.195	8 N.J.R. 330(c)
8:37-6.10	Revisions on ancillary services in intermediate care facilities	R.1976 d.262	8 N.J.R. 418(b)
8:38-1.1 et seq.	Rules concerning HMOs	R.1974 d.320	6 N.J.R. 473(a)
8:38-1.1 et seq.	Revisions concerning health maintenance organizations	R.1976 d.162	8 N.J.R. 281(b)
8:40-4.1 et seq.	Interim regulations for abortion facilities with temporary license	R.1974 d.215	6 N.J.R. 345(c)

8:40-5.1	Reporting abortions performed in hospitals	R.1974 d.316	6 N.J.R. 472(b)
8:42-1.1 et seq.	Standards for licensure of home health agencies	R.1976 d.164	8 N.J.R. 282(a)
8:42-2.1 et seq.	Standards for licensure of residential and inpatient drug facilities	R.1976 d.163	8 N.J.R. 281(c)
8:43-1.1	Amend definitions	R.1976 d.261	8 N.J.R. 418(a)
8:43-1.1 et seq.	Boarding home for sheltered care	R.1974 d.319	6 N.J.R. 472(e)
8:43A-1.1 et seq.	Standards for licensure of ambulatory care facilities	R.1976 d.165	8 N.J.R. 282(b)
8:43B-1.1 et seq.	Interim rules on construction and licensure of various health facilities	R.1975 d.256	7 N.J.R. 416(b)
8:43B-3.1(d)	Amend building standards	R.1976 d.23	8 N.J.R. 66(c)
8:43B-10.2	Revisions to manual of standards for hospital facilities	R.1976 d.22	8 N.J.R. 66(b)
8:43B-13.3(d)	Delete rule on long-term care units in general acute hospitals	R.1976 d.24	8 N.J.R. 66(d)
8:43D-1.1 et seq.	Bylaws of Health Care Administration Board	R.1975 d.372	8 N.J.R. 16(b)
8:43D-1.4(a)4.	Amend bylaw on abstention and quorum vote	R.1976 d.89	8 N.J.R. 183(b)
8:43-2.6(c)	Amend rule on building occupancy	R.1976 d.261	8 N.J.R. 418(a)
8:45-1.1 et seq.	Licensure of clinical laboratories	R.1976 d.201	8 N.J.R. 381(a)
8:45-2.1	Laboratory charges for testing of water	R.1976 d.192	8 N.J.R. 329(c)
8:45-2.2	Laboratory charges for syphilis and rubella testing	R.1976 d.193	8 N.J.R. 330(a)
8:49-5.10(b)	Training of homemaker-home health aides	R.1976 d.122	8 N.J.R. 227(a)
8:51-1.1 et seq.	Recognized public health activities and standards	R.1976 d.226	8 N.J.R. 382(a)
8:57-4.1 et seq.	Immunization of pupils in school	R.1975 d.121	7 N.J.R. 264(a)
8:57-5.1 et seq.	Adopt swine influenza immunization rules	R.1976 d.315	8 N.J.R. 513(a)
8:64-3.1	Definition of soap	R.1975 d.103	7 N.J.R. 211(b)
8:65-2.4(c)	Revisions concerning other security controls for nonpractitioners	R.1974 d.261	6 N.J.R. 397(c)
8:65-6.8(a)4.	Amendment on persons entitled to fill order forms	R.1975 d.56	7 N.J.R. 164(a)
8:65-7.3(c)	Amendment on persons entitled to issue prescriptions	R.1975 d.58	7 N.J.R. 164(b)
8:65-7.6	Revisions on persons entitled to fill prescriptions	R.1975 d.55	7 N.J.R. 155(a)
8:65-7.8(e)	Amend rule on requirements of schedule II prescriptions	R.1975 d.349	7 N.J.R. 556(a)
8:65-10.1 et seq.	Revised schedules of controlled dangerous substances	R.1975 d.209	7 N.J.R. 363(a)
8:65-11.1 et seq.	Narcotic treatment program	R.1975 d.59	7 N.J.R. 164(c)

(Rules in print in the Administrative Code for Title 8 include all adoptions to June 30, 1974—Transmittal Sheet #5.)

#### HIGHER EDUCATION — TITLE 9

9:1-1.1 et seq.	Revised rules and standards for institutions of higher education	R.1976 d.139	8 N.J.R. 282(d)
9:2-2.27	Revise salary rate for adjunct faculty at State colleges	R.1975 d.257	7 N.J.R. 464(c)
9:2-7.1 et seq.	Revisions on appeals to Board of Higher Education	R.1976 d.322	8 N.J.R. 514(b)
9:6-1.1 et seq.	Rules implementing L.1973, c.163	R.1976 d.131	8 N.J.R. 282(c)
9:6-1.2 et seq.	Revise effective dates	R.1976 d.321	8 N.J.R. 514(a)
9:9-1.9	Delete rule on married students	R.1976 d.108	8 N.J.R. 228(b)
9:9-1.11(a)4.	Revisions on applicants	R.1976 d.210	8 N.J.R. 382(f)
9:9-1.31	Revisions on late charges	R.1976 d.17	8 N.J.R. 62(f)
9:9-1.33(d)	Revised procedure for filing claims	R.1976 d.17	8 N.J.R. 66(f)
9:9-4.1 et seq.	Policy governing direct public loans	R.1975 d.217	7 N.J.R. 416(c)
9:9-5.1 et seq.	Policy governing graduate insured loans	R.1975 d.217	7 N.J.R. 416(c)
9:9-6.1 et seq.	Loan refinancing, Student Loan Marketing Association	R.1976 d.209	8 N.J.R. 382(d)
3:13-2.1 et seq.	Rules on debarment, suspension and disqualification of contractors	R.1976 d.332	8 N.J.R. 514(c)

(Rules in print in the Administrative Code for Title 9 include all adoptions to May 15, 1975—Transmittal Sheet #6.)

#### INSTITUTIONS AND AGENCIES — TITLE 10

10:37-6.3	Revised definition of transitional services	R.1976 d.133	8 N.J.R. 286(b)
10:37-7.3	Revisions on system of per capita allocation	R.1976 d.133	8 N.J.R. 286(b)
10:49-1.8	Revisions to Medicaid manuals on out-of-State medical care	R.1976 d.151	8 N.J.R. 287(c)
10:49-1.28	Rescind rule on Medicaid payments to hospitals	R.1976 d.204	8 N.J.R. 385(a)
10:49-1.29	Reimbursement of Medicaid-approved general hospitals	R.1976 d.314	8 N.J.R. 516(a)
10:49-1.32	Medicaid childhood immunization policy	R.1976 d.189	8 N.J.R. 335(b)
10:49-5.3	Revisions on opportunity for fair hearing	R.1976 d.136	8 N.J.R. 286(c)
10:49-8.1 et seq.	Rules on demonstration projects	R.1976 d.234	8 N.J.R. 386(a)
10:51-1.10	Revisions on basis of payment for legend drugs	R.1976 d.278	8 N.J.R. 481(a)
10:51-1.17 et seq.	Revisions to several manuals concerning methadone	R.1976 d.215	8 N.J.R. 385(b)
10:51-2.6	Reimbursement for pharmacies	R.1976 d.259	8 N.J.R. 420(c)
10:54-1.1 et seq.	Revisions to physicians manual	R.1976 d.218	8 N.J.R. 385(d)
10:60-1.3(e)	Medical supplies	R.1976 d.182	8 N.J.R. 335(a)
10:60-1.5	Nonreimbursable home health services	R.1976 d.182	8 N.J.R. 335(a)
10:60-2.1 et seq.	Revise health services authorization and billing procedures	R.1976 d.277	8 N.J.R. 469(a)
10:63-3.1 et seq.	Revised 1976 costs study and instructions for long term care	R.1976 d.113	8 N.J.R. 232(d)
10:69-1.1 et seq.	Rescind rules on reimbursement to pharmaceutical consultants	R.1976 d.216	8 N.J.R. 385(c)
10:69A-1.1 et seq.	Pharmaceutical Assistance to the Aged Manual	R.1976 d.102	8 N.J.R. 232(b)
10:81-6.12(d)	Revisions on report of hearing officer and official record	R.1976 d.263	8 N.J.R. 420(d)
10:81-6.17	Emergency fair hearings	R.1976 d.144	8 N.J.R. 287(b)
10:81-7.18	Revisions on lost or stolen assistance checks	R.1976 d.138	8 N.J.R. 287(a)

10:81-7.46(b)2.	Amendment on offenses to be reported to Federal authorities	R.1976 d.137	8 N.J.R. 286(d)
10:94-1.1 et seq.	Adopt new Medicaid only manual	R.1976 d.157	8 N.J.R. 287(d)
10:97-1.1 et seq.	Amend State plan for vocational rehabilitation of blind	R.1976 d.128	8 N.J.R. 286(a)
10:98-1.1 et seq.	Revised State Plan for Vocational Rehabilitation of blind persons	R.1976 d.106	8 N.J.R. 232(c)
10:109 Appendix I	Revisions on Ruling 11, Part I, classification and compensation plan	R.1976 d.66	8 N.J.R. 195(c)
10:109-1.1 et seq.	Revisions to Ruling 11	R.1976 d.310	8 N.J.R. 515(a)
10:120-1.1 et seq.	Revisions on administrative hearings in contested cases	R.1976 d.99	8 N.J.R. 232(a)
10:120-2.1	Purchase of services; hard-to-place children	R.1976 d.31	8 N.J.R. 123(a)
10:127-1.1 et seq.	Manual of standards for residential child care facilities	R.1976 d.77	8 N.J.R. 195(e)

(Rules in print in the Administrative Code for Title 10 include all adoptions to April 1, 1976—Transmittal Sheet #6.)

### INSURANCE — TITLE 11

11:1-5.2	New Jersey Special Joint Underwriting Association	R.1974 d.259	6 N.J.R. 407(a)
11:1-5.2(e)	Establishing means of providing coverage and eligibility for protection	R.1974 d.274	6 N.J.R. 436(b)
11:1-6.1	Property-Liability Insurance Guaranty Association charge	R.1975 d.319	7 N.J.R. 507(d)
11:1-7.1 et seq.	Service and placement fees	R.1976 d.266	8 N.J.R. 422(b)
11:1-8.1 et seq.	Property-casualty agents	R.1976 d.267	8 N.J.R. 423(a)
11:2-1.3(f)	Ticket-selling insurance agents' education requirements	R.1974 d.327	7 N.J.R. 10(a)
11:2-1.4	Property-casualty license fees for disabled veterans	R.1975 d.344	7 N.J.R. 569(a)
11:2-12.1 et seq.	Mass marketing of property and liability insurance	R.1974 d.271	6 N.J.R. 408(a)
11:2-13.1 et seq.	Group coverage discontinuance and replacement	R.1974 d.274	6 N.J.R. 409(a)
11:2-16.1	Guaranteed arrest bond certificates of automobile club undertaking	R.1974 d.282	6 N.J.R. 437(a)
11:3-8.1(g)	Rule on consent to nonrenewal of private passenger automobile coverage	R.1976 d.328	8 N.J.R. 516(e)
11:4-8.1 et seq.	Rules on charitable annuities	R.1974 d.258	6 N.J.R. 399(c)
11:4-11.1 et seq.	Rules on life insurance solicitations	R.1976 d.329	8 N.J.R. 517(a)
11:5-1.2	Amendment concerning salesmen applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.3	Amendment concerning broker applications	R.1974 d.307	6 N.J.R. 478(e)
11:5-1.10(b)	Payment of commissions to terminated salesmen	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.15(e)	Area advertising	R.1976 d.276	8 N.J.R. 482(a)
11:5-1.10(b)	Revisions on salesmen's commissions	R.1976 d.254	8 N.J.R. 422(a)
11:5-1.23(e)	Transmittal of offers	R.1975 d.260	7 N.J.R. 469(c)
11:5-1.25(a)	Revisions on sales of interstate properties	R.1976 d.275	8 N.J.R. 516(d)

(Rules in print in the Administrative Code for Title 11 include all adoptions to Aug. 13, 1976—Transmittal Sheet #7.)

### LABOR AND INDUSTRY — TITLE 12

12:3-1.1 et seq.	Debarment, suspension and disqualification; State contracts	R.1976 d.211	8 N.J.R. 399(b)
12:15-1.3	Revised maximum weekly benefit rates	R.1974 d.236	6 N.J.R. 352(b)
12:15-1.3	Revised maximum weekly benefits	R.1975 d.250	7 N.J.R. 432(b)
12:15-1.3	Revised maximum weekly benefit rates	R.1976 d.257	8 N.J.R. 424(c)
12:15-1.4	Taxable wage base; unemployment compensation	R.1975 d.251	7 N.J.R. 432(c)
12:15-1.4	Revised 1977 taxable wage base under unemployment compensation	R.1976 d.258	8 N.J.R. 424(b)
12:17-2.1(g)	Revisions on registration for work and benefit claims	R.1975 d.72	7 N.J.R. 169(b)
12:17-9.1 et seq.	Procedures for wage benefit conflicts	R.1975 d.142	7 N.J.R. 335(a)
12:18-3.1(f) and (g)	Revisions of fees under State Plan for temporary disability benefits	R.1974 d.284	6 N.J.R. 437(b)
12:90-3.1 et seq.	Revisions on boiler construction and inspection	R.1976 d.79	8 N.J.R. 197(c)
12:100-1.1 et seq.	Withdraw State Plan for occupational safety and health	R.1975 d.101	7 N.J.R. 231(a)
12:122-1.1 et seq.	Repeal rules on local exhaust systems	R.1974 d.136	6 N.J.R. 267(a)
12:146-1.1 et seq.	Repeal rules on machinery with rolls	R.1974 d.138	6 N.J.R. 267(c)
12:171-1.1 et seq.	Repeal rules on short-rise material handling lifts	R.1974 d.137	6 N.J.R. 267(b)
12:175-1.1 et seq.	Emergency rules on ski lifts	R.1975 d.371	8 N.J.R. 42(a)
12:195-1.1 et seq.	Rules on carnival-amusement rides	R.1975 d.189	7 N.J.R. 370(c)
12:235-1.1 et seq.	Revised rules of the Division of Workmen's Compensation	R.1975 d.43	7 N.J.R. 169(a)

(Rules in print in the Administrative Code for Title 12 include all adoptions to June 30, 1974—Transmittal Sheet #5.)

### LAW AND PUBLIC SAFETY — TITLE 13

13:1-3.4(a)4	Amendment on firearms instruction	R.1976 d.35	8 N.J.R. 137(a)
13:1-4.1(a)3	Revisions on police officer certification—basic training	R.1975 d.370	8 N.J.R. 48(a)
13:1B-1.1 et seq.	Revised rules implementing the Emergency Services Act of 1972	R.1976 d.109	8 N.J.R. 251(b)
13:2-1.16	Advertising notice of application for State license	R.1976 d.72	8 N.J.R. 203(c)
13:2-2.14	Advertising notice of application for municipal license	R.1976 d.72	8 N.J.R. 203(c)
13:2-13.3 et seq.	Revisions on licensees	R.1975 d.237	7 N.J.R. 436(b)
13:2-24.2(a)	Revisions on minimum standards of fill	R.1976 d.252	8 N.J.R. 439(c)
13:2-31.3 et seq.	Revisions to retail and wholesale prices and extension of credit	R.1975 d.238	7 N.J.R. 436(c)
13:2-34.8	Revisions on wholesale prices	R.1975 d.263	7 N.J.R. 482(c)
13:2-34.14(d)	Amendment on wholesale prices of alcoholic beverages and returns	R.1975 d.353	8 N.J.R. 47(c)
13:2-34.14(d)1.	Ratify emergency rule on wholesale prices of alcoholic beverages	R.1976 d.71	8 N.J.R. 203(b)

13:4-8.3(a)	Delete text on interrogatory default procedure	R.1975 d.346	7 N.J.R. 571(b)
13:18-1.8 et seq.	Revisions on over-dimensional or overweight vehicle permits	R.1976 d.297	8 N.J.R. 483(b)
13:18-8.1	Rule on overhang standards	R.1975 d.285	7 N.J.R. 483(a)
13:18-9.1	Security deposits for uninsured motorists	R.1976 d.75	8 N.J.R. 204(a)
13:20-7.1	Revisions on automobile inspection adjustments	R.1975 d.335	7 N.J.R. 571(a)
13:20-28.6	Revisions on new car decals	R.1975 d.174	7 N.J.R. 343(b)
13:20-28.8	Revisions on new car evidence of compliance	R.1975 d.174	7 N.J.R. 343(b)
13:20-32.1 et seq.	Rules on licensing of motor vehicle reinspection centers	R.1975 d.333	7 N.J.R. 570(c)
13:20-33.1 et seq.	Standards and procedures used by licensed reinspection centers	R.1975 d.334	7 N.J.R. 570(d)
13:20-34.1 et seq.	Rules on identifying marks	R.1976 d.302	8 N.J.R. 532(a)
13:21-15.4	Revisions for rejection, suspension or revocation of motor vehicle dealer license	R.1976 d.4	8 N.J.R. 83(b)
13:21-18.1 et seq.	Rules on snowmobile registration	R.1975 d.289	7 N.J.R. 508(b)
13:27-3.13	Board of architects revised fee schedule	R.1975 d.171	7 N.J.R. 342(a)
13:27-3.13	Revised fees for architects	R.1975 d.171	7 N.J.R. 342(a)
13:29-1.2	Public school accountant's license	R.1976 d.87	8 N.J.R. 204(b)
13:29-2.1 et seq.	Revisions on registered municipal accountants	R.1976 d.87	8 N.J.R. 204(b)
13:30-8.1	Fee schedules	R.1975 d.259	7 N.J.R. 482(b)
13:30-8.1	Revised fee schedules for dentists	R.1976 d.11	8 N.J.R. 84(a)
13:34-1.2	Examination review procedure	R.1976 d.309	8 N.J.R. 532(b)
13:35-3.2	Endorsement; Federation Licensing Examination	R.1975 d.48	8 N.J.R. 137(b)
13:35-3.6	Board of Medical Examiners fee schedule	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.6	Revised fees for medical examiners	R.1975 d.172	7 N.J.R. 343(a)
13:35-3.7	Endorsement; first two parts of National Board of Medical Examiners or Osteopathic Examiners and third part of FLEX Examination; third part of FLEX and first two parts of National Boards of Medical Examiners and Osteopathic Examiners	R.1976 d.48	8 N.J.R. 137(b)
13:35-7.1	Rule on major surgery	R.1976 d.255	8 N.J.R. 439(d)
13:35-8.1 et seq.	Rules on hearing aid dispensers	R.1976 d.238	8 N.J.R. 439(a)
13:36-3.6	Examination review procedure	R.1975 d.309	7 N.J.R. 509(a)
13:38-3.11	Revisions on written examinations for optometry licenses	R.1976 d.105	8 N.J.R. 251(a)
13:39-4.2 et seq.	Revisions on pharmacist preceptors and internships	R.1976 d.298	8 N.J.R. 483(c)
13:40-3.1(g)	Enumeration of prohibited acts	R.1976 d.228	8 N.J.R. 402(a)
13:42-1.1	Examination review procedure	R.1975 d.310	7 N.J.R. 510(a)
13:44-4.1	Revised fees for veterinarians	R.1975 d.173	7 N.J.R. 342(b)
13:44-4.1	Veterinary medical examiners fee schedule	R.1975 d.173	7 N.J.R. 342(b)
13:45A-12.1 et seq.	Rules on sale of animals	R.1975 d.351	7 N.J.R. 571(c)
13:45A-13.1 et seq.	Rules on delegating investigative authority to county and municipal offices of consumer protection	R.1976 d.245	8 N.J.R. 439(b)
13:45A-14.1 et seq.	Unit pricing of consumer commodities in retail establishments	R.1976 d.265	8 N.J.R. 439(e)
13:70-1.26 et seq.	Revisions to thoroughbred racing rules	R.1976 d.125	8 N.J.R. 308(a)
13:70-3.48 et seq.	Amended rules on penalties	R.1976 d.292	8 N.J.R. 483(a)
13:71-1.25 et seq.	Revisions to harness racing rules	R.1976 d.125	8 N.J.R. 308(a)
13:71-2.3 et seq.	Amended rules on penalties	R.1976 d.292	8 N.J.R. 483(a)

(Rules in print in the Administrative Code for Title 13 include all adoptions to June 15, 1975—Transmittal Sheet #7.)

#### PUBLIC UTILITIES — TITLE 14

14:1-10.11	Rule on hearing procedures	R.1974 d.313	6 N.J.R. 487(b)
14:3-3.1 et seq.	Revision on home insulation program	R.1975 d.305	7 N.J.R. 510(b)

(Rules in print in the Administrative Code for Title 14 include all adoptions to Aug. 13, 1976—Transmittal Sheet #6.)

#### STATE — TITLE 15

15:10-1.1 et seq.	Voter registration by mail	R.1974 d.270	6 N.J.R. 412(b)
15:10-1.1 et seq.	Revisions on voter registration by mail	R.1975 d.114	7 N.J.R. 278(a)
15:10-2.1 et seq.	Rules on voter declaration of political party	R.1976 d.119	8 N.J.R. 253(a)

(Rules in print in the Administrative Code for Title 15 include all adoptions to June 30, 1974—Transmittal Sheet #7.)

#### TRANSPORTATION — TITLE 16

16:3-1.1 et seq.	Uniform patent policy	R.1975 d.160	7 N.J.R. 345(b)
16:26-3.1 et seq.	Revisions on highway safety lighting	R.1975 d.288	7 N.J.R. 521(b)
16:27-1.6	Limitations on use of Parkway	R.1975 d.342	7 N.J.R. 577(b)
16:28-1.10	Revised speed limits on parts of U.S. 46	R.1975 d.95	7 N.J.R. 237(b)
16:28-1.10	Revisions to speed limits on parts of Route U.S. 46	R.1976 d.176	8 N.J.R. 352(a)
16:28-1.14	Revised rules on rates of speed on Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.16	Revised rates of speed on parts of Route 35	R.1976 d.140	8 N.J.R. 312(a)

16:28-1.18	Amend speed limits on portions of Route 34	R.1976 d.293	8 N.J.R. 489(b)
16:28-1.19	Revised rates of speed on parts of Route 5	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.24	Revised speeds on parts of Route U.S. 206	R.1976 d.324	8 N.J.R. 536(b)
16:28-1.25 et seq.	Revise rules on rates of speed along certain State highways	R.1974 d.197	6 N.J.R. 325(a)
16:28-1.26	Revised speed limits on parts of Route U.S. 206	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.35	Revised speed limits on portions of Route 18	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.36	Revised speed limits on parts of Route 24	R.1975 d.17	7 N.J.R. 118(a)
16:28-1.44	Revised speed limits on parts of Route 27	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.50	Revised rates of speed on parts of Route 7	R.1976 d.280	8 N.J.R. 488(b)
16:28-1.51	Revised speed limits on parts of Route 55	R.1975 d.167	7 N.J.R. 346(a)
16:28-1.51	Revised speed limits for parts of Route 55	R.1975 d.254	7 N.J.R. 439(b)
16:28-1.61	Rates of speed on parts of Route 22 Freeway	R.1975 d.241	7 N.J.R. 439(a)
16:28-1.63	Revise rates of speed on Route U.S. 22	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.67	Revisions to rates of speed on parts of U.S. 202	R.1974 d.325	7 N.J.R. 32(b)
16:28-1.68	Revised rates of speed on parts of Route 17	R.1975 d.153	7 N.J.R. 344(d)
16:28-1.70 et seq.	Revise speed rates on certain State highways	R.1976 d.379	8 N.J.R. 85(b)
16:28-1.72	Revised speeds on parts of Route U.S. 206	R.1976 d.324	8 N.J.R. 536(b)
16:28-1.76	Revised speed limits on parts of Route 15	R.1974 d.354	7 N.J.R. 73(c)
16:28-1.76	Revised speeds on parts of Route U.S. 206	R.1976 d.324	8 N.J.R. 536(b)
16:28-1.77	Revised rates of speed on parts of Route 29	R.1975 d.144	7 N.J.R. 344(c)
16:28-1.90	Revised rates of speed on parts of Route 166	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.96	Revise rates of speed on Route N.J. 45	R.1974 d.326	7 N.J.R. 32(c)
16:28-1.100	Revised speed limits on Route 439	R.1975 d.50	7 N.J.R. 178(c)
16:28-1.102	Revised speed limits on parts of Route 4	R.1976 d.177	8 N.J.R. 352(b)
16:28-1.106	Revised speed limits on parts of Route 31	R.1976 d.43	8 N.J.R. 139(e)
16:28-1.107	Revised speed limits on parts of Route 48	R.1975 d.294	7 N.J.R. 521(c)
16:28-1.111	Speed limits on Route 179 in Hunterdon County	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.114	Revised rates of speed on parts of Route 440	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.120	Revised rates of speed on parts of Route 38	R.1976 d.140	8 N.J.R. 312(a)
16:28-1.121	Revised speed limits on parts of Route 93	R.1976 d.57	8 N.J.R. 207(c)
16:28-1.122	Revisions to rates of speeds on U.S. 1, 9 and 46	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.128	Revise speed limits on parts of Route 88	R.1975 d.329	7 N.J.R. 576(c)
16:28-1.148	Revised speed limits on Route I-295	R.1975 d.24	7 N.J.R. 118(c)
16:28-1.157	Rates of speeds on Route 173	R.1974 d.291	6 N.J.R. 493(a)
16:28-1.158	Speed limits on Route 87 in Atlantic City	R.1974 d.249	6 N.J.R. 414(a)
16:28-1.159	Rates of speed on parts of Route 33	R.1975 d.17	7 N.J.R. 118(b)
16:28-1.160	Speed limits on portions of Route I-78	R.1974 d.340	7 N.J.R. 32(d)
16:28-1.162	Speed limits on Route 33 Freeway	R.1975 d.274	7 N.J.R. 488(a)
16:28-1.163	Speed limits on parts of Route U.S. 9	R.1976 d.281	8 N.J.R. 488(c)
16:28-1.164	Revised rates of speed on parts of Route 444	R.1976 d.280	8 N.J.R. 488(b)
16:28-1.165	Rates of speed on parts of Route 23	R.1976 d.324	8 N.J.R. 536(b)
16:28-2.1	Weight limit along Route 152 in Egg Harbor Township	R.1975 d.63	7 N.J.R. 178(d)
16:28-3.18	Restricted parking on parts of Route 47	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.77	Rules on restricted parking along certain State highways	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.20 et seq.	Restricted parking on Routes 70, 73, U.S. 22 and U.S. 130	R.1974 d.216	6 N.J.R. 359(b)
16:28-3.24	Route number U.S. 40	R.1974 d.226	6 N.J.R. 359(d)
16:28-3.25	Route number 47	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.26	No parking; Route 35	R.1974 d.292	6 N.J.R. 493(b)
16:28-3.27	No parking; Route 27	R.1974 d.359	7 N.J.R. 74(a)
16:28-3.28	Restricted parking rules on various State highways		
through 16:28-3.41		R.1975 d.16	7 N.J.R. 117(a)
16:28-3.42	Restricted parking along certain State highways		
through 16:28-3.50		R.1975 d.49	7 N.J.R. 178(b)
16:28-3.51	Rules on restricted parking on various State highways		
through 16:28-3.62		R.1975 d.143	7 N.J.R. 344(b)
16:28-3.63	Rules on restricted parking on various State highways		
through 16:28-3.67		R.1975 d.154	7 N.J.R. 345(a)
16:28-3.65	Revised restricted parking on parts of Route 47	R.1976 d.282	8 N.J.R.
16:28-3.68	Rules on restricted parking on various State highways		
through 16:28-3.71		R.1975 d.202	7 N.J.R. 387(c)
16:28-3.72	Rules on restricted parking on certain State highways		
through 16:28-3.76			
16:28-3.77	Rules on restricted parking along certain State highways	R.1975 d.269	7 N.J.R. 487(c)
through 16:28-3.83			
16:28-3.81	Restricted parking on parts of Route 31	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.84	Revised rules on no-parking zones along various State highways	R.1975 d.295	7 N.J.R. 522(a)
through 16:28-3.89			
16:28-3.85	Revised no parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 0000
16:28-3.90	No-parking zones on portions of Route 31	R.1975 d.338	7 N.J.R. 577(a)
16:28-3.91	Restricted parking on parts of Route 79	R.1976 d.141	8 N.J.R. 312(b)

16:28-3.91 through 16:28-3.93	Restricted parking on parts of Routes 70, 79 and U.S. 206	R.1975 d.378	8 N.J.R. 85(a)
16:28-3.94 through 16:28-3.100	Restricted parking along portions of various State highways	R.1976 d.42	8 N.J.R. 139(d)
16:28-3.101	No parking zones on parts of Route 38	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.102	No parking zones on parts of Route U.S. 9	R.1976 d.56	8 N.J.R. 207(b)
16:28-3.103	No parking zones on parts of Route 49	R.1976 d.80	8 N.J.R. 207(d)
16:28-3.104	Restricted parking on parts of Route 49	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.105	Restricted parking on parts of Route 10	R.1976 d.141	8 N.J.R. 312(b)
16:28-3.106	No parking zones on parts of Route 27	R.1976 d.180	8 N.J.R. 352(e)
16:28-3.107	No parking zones on parts of Route 3	R.1976 d.180	8 N.J.R. 352(e)
16:28-3.108	No parking zones on parts of Route 28	I.1976 d.181	8 N.J.R. 352(f)
16:28-3.109	No parking zones on parts of Route 27	R.1976 d.181	8 N.J.R. 352(f)
16:28-3.110	No parking zones on parts of Routes U.S. 202-206	R.1976 d.181	8 N.J.R. 352(f)
16:28-3.111 through 16:28-3.113	Rules establishing no parking zones along Routes 94 and U.S. 206	R.1976 d.170	8 N.J.R. 339(c)
16:28-3.114	Restricted parking on parts of Route 20	R.1976 d.248	8 N.J.R. 443(a)
16:28-3.115 through 16:28-3.118	Restricted parking on portions of various State highways	R.1976 d.282	8 N.J.R. 489(a)
16:28-3.119 through 16:28-3.121	Restricted parking on parts of Route U.S. 9, N.J. 45 and 44	R.1976 d.323	8 N.J.R. 536(a)
16:28-3.122	Restricted parking on parts of Route 20	R.1976 d.274	8 N.J.R. 488(a)
16:28-4.1 et seq.	One-way street regulations	R.1974 d.225	6 N.J.R. 359(c)
16:28-4.3	One-way traffic along Route 79	R.1974 d.293	6 N.J.R. 493(c)
16:28-4.4	One-way traffic on parts of Route U.S. 202	R.1975 d.255	7 N.J.R. 439(c)
16:28-4.5	One-way traffic along parts of Route 29 in Lambertville	R.1976 d.118	8 N.J.R. 258(a)
16:28-5.1	Designation of stop intersections	R.1974 d.250	6 N.J.R. 414(b)
16:28-5.2	Stop intersections on parts of Route 440	R.1976 d.44	8 N.J.R. 140(a)
16:28-6.1	No left turn rules on parts of Route U.S. 206	R.1974 d.324	7 N.J.R. 32(a)
16:28-6.1	Revisions on left turns on Route U.S. 206 in Bedminster Township	R.1975 d.48	7 N.J.R. 178(a)
16:28-6.2 through 16:28-6.3	Restricted left turns on portions of Route 24	R.1975 d.337	7 N.J.R. 576(d)
16:28-6.4	No-left turns along parts of Route 35	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.5	No-left turns along parts of Route U.S. 40	R.1976 d.41	8 N.J.R. 139(c)
16:28-6.6 through 16:28-6.9	No left turns on portions of Routes 88, 23, 31 and 47	R.1976 d.142	8 N.J.R. 312(c)
16:28-6.7	No left turns on parts of Route 23	R.1976 d.325	8 N.J.R. 537(a)
16:28-6.10	Left turns on parts of Routes U.S. 1 and 9	R.1976 d.178	8 N.J.R. 352(c)
16:28-6.11	Left turns on parts of Route U.S. 30	R.1976 d.179	8 N.J.R. 352(d)
16:28-6.12	No left turns on parts of Route 21	R.1976 d.249	8 N.J.R. 443(b)
16:28-6.13	No left turns on parts of Route 88	R.1976 d.325	8 N.J.R. 537(a)
16:28-7.1	Lane usage on Route 35	R.1975 d.375	8 N.J.R. 50(b)
16:28-7.2	Left turns on parts of Route 168	R.1976 d.326	8 N.J.R. 537(b)
16:28-8.1	Yield intersection on Route 71	R.1976 d.39	8 N.J.R. 139(a)
16:28-9.1	Emergency stopping only on parts of Route 55	R.1976 d.40	8 N.J.R. 139(b)
16:28-10.1	Rules on through streets	R.1976 d.55	8 N.J.R. 207(a)
16:41-1.1 et seq.	Revised fees for highway access permits	R.1975 d.13	7 N.J.R. 73(b)
16:41-2.3 et seq.	Revised fee schedules	R.1975 d.207	7 N.J.R. 387(d)
16:50-2.6	Rule on emergency hearings	R.1975 d.199	7 N.J.R. 387(b)
16:51-4.1 et seq.	Delegation of powers for seniors half-fare bus program	R.1975 d.113	7 N.J.R. 280(b)
16:52-1.1 et seq.	Federal grant program to provide transportation services	R.1976 d.117	8 N.J.R. 259(a)
16:54-6.1 et seq.	Take-off or landing by balloons	R.1974 d.308	6 N.J.R. 494(a)
16:54-6.1 et seq.	Revised rules on ballooning	R.1975 d.131	7 N.J.R. 281(a)
16:65-2.1 et seq.	Revisions on distribution of standard specifications	R.1975 d.195	7 N.J.R. 387(a)
16:65-8.1 et seq.	Debarment, suspension and disqualification; State contracts	R.1976 d.207	8 N.J.R. 404(b)

(Rules in print in the Administrative Code for Title 16 include all adoptions to June 30, 1974—Transmittal Sheet #6.)

## TREASURY-GENERAL — TITLE 17

17:1-1.8 et seq.	Revisions on general administration	R.1975 d.235	7 N.J.R. 446(a)
17:1-1.15	Revisions on endorsements	R.1975 d.385	8 N.J.R. 88(a)
17:1-1.15(b)	Revisions on endorsements	R.1976 d.95	8 N.J.R. 262(a)
17:1-1.15(e)	Compliance with endorsement requirements	R.1974 d.219	6 N.J.R. 360(a)
17:1-1.17	Revisions on administrative expenses and their proration	R.1975 d.30	7 N.J.R. 122(a)
17:1-2.20	Base or contractual salary	R.1976 d.36	8 N.J.R. 140(d)
17:1-7.2	Revisions on employer payments and delinquencies	R.1976 d.212	8 N.J.R. 407(b)
17:2-1.4(b)3.	Revisions on election of public employment member-trustee	R.1976 d.213	8 N.J.R. 407(c)
17:2-1.13 et seq.	Revisions on Public Employees' Retirement System	R.1974 d.230	6 N.J.R. 361(a)
17:3-1.4 et seq.	Revise rules of teachers' pension and annuity fund	R.1975 d.140	7 N.J.R. 349(a)
17:4-1.4 et seq.	Revisions to rules of Police and Firemen's Retirement System	R.1975 d.191	7 N.J.R. 393(a)

17:4-7.1	Revisions on interfund transfers; other state systems	R.1976 d.214	8 N.J.R. 407(d)
17:4-7.2	Revisions on interfund transfers; eligibility	R.1976 d.214	8 N.J.R. 407(d)
17:5-2.2	Revisions on survivor benefits	R.1976 d.104	8 N.J.R. 262(c)
17:5-4.1	Revision on previous State service or former membership	R.1976 d.104	8 N.J.R. 262(c)
17:5-5.15	Revisions on medical examinations	R.1976 d.104	8 N.J.R. 262(c)
17:5-6.1	Revisions on interfund transfers and other State systems	R.1976 d.104	8 N.J.R. 262(c)
17:6-3.3	Revisions on survivor benefits	R.1976 d.103	8 N.J.R. 262(b)
17:6-3.9	Revisions on medical examinations	R.1976 d.103	8 N.J.R. 262(b)
17:7-1.9 et seq.	Revise parts of Prison Officers' Pension Fund rules	R.1975 d.213	7 N.J.R. 442(a)
17:8-1.1	Revise foreword to rules of supplemental annuity collective trust	R.1974 d.231	6 N.J.R. 361(b)
17:9-1.5	Revisions on voluntary termination of employer; notice	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.3	Revisions on annual enrollment period	R.1974 d.228	6 N.J.R. 360(c)
17:9-2.3	Revisions on annual enrollment period	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.9	Revisions on transferees	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.10	HMO election; same employer	R.1976 d.124	8 N.J.R. 263(a)
17:9-2.15	Major medical; separate plans	R.1975 d.68	7 N.J.R. 181(a)
17:9-3.1 et seq.	Revisions to State Health Benefits Program	R.1976 d.313	8 N.J.R. 539(a)
17:9-4.2	Revised definition of State; full time	R.1975 d.68	7 N.J.R. 181(a)
17:9-5.4	Revisions on local employer payment of dependent charges	R.1974 d.229	6 N.J.R. 360(d)
17:9-5.5	Revisions concerning local employer resolution	R.1975 d.65	7 N.J.R. 180(c)
17:9-5.6	Health maintenance organization premiums	R.1974 d.228	6 N.J.R. 360(c)
17:9-5.10	Retractive premiums; payment due	R.1975 d.159	7 N.J.R. 349(b)
17:9-6.3	Amend retired coverage limitations	R.1975 d.159	7 N.J.R. 349(b)
17:10-1.10 et seq.	Revisions to rules on Judicial Retirement System	R.1976 d.304	8 N.J.R. 538(c)
17:10-3.1	Revised computation of benefits	R.1974 d.335	7 N.J.R. 34(a)
17:10-5.7	Revised employer disability application; employee notice	R.1974 d.335	7 N.J.R. 34(a)
17:13-8.1 et seq.	Rules on contract administration	R.1976 d.239	8 N.J.R. 445(a)
17:16-5.3(a)5.	Revision to static group	R.1976 d.115	8 N.J.R. 262(d)
17:16-5.4	Revised demand group	R.1975 d.11	7 N.J.R. 76(b)
17:16-5.5	Revised temporary reserve group	R.1975 d.362	8 N.J.R. 51(a)
17:16-5.5	Revised temporary reserve group	R.1975 d.278	7 N.J.R. 490(a)
17:16-5.5	Revisions on temporary reserve group; classification of funds	R.1976 d.290	8 N.J.R. 492(b)
17:16-5.5(a)14.	Delete from temporary reserve group housing development	R.1974 d.192	6 N.J.R. 328(c)
17:16-5.5	Revised temporary reserve group	R.1976 d.29	8 N.J.R. 140(c)
17:16-5.6(a)3.	Revisions to trust group	R.1976 d.115	8 N.J.R. 262(d)
17:16-6.1(a)8.	Add Federal Financing Bank to approved list	R.1974 d.323	6 N.J.R. 496(a)
17:16-6.1	Revised rules on U.S. Treasury and government agency obligations	R.1975 d.97	7 N.J.R. 241(a)
17:16-7.1	Amendments on permissible investments; corporate obligations	R.1976 d.152	8 N.J.R. 313(a)
17:16-7.3	Delete from revolving housing development grant fund	R.1974 d.191	6 N.J.R. 328(b)
17:16-7.4(a)	Revisions on legal papers; corporate obligations legal for banks	R.1976 d.291	8 N.J.R. 493(a)
17:16-8.1	Revisions on corporate securities industrial obligations	R.1976 d.156	8 N.J.R. 314(c)
17:16-8.1(a)5.	Amendment on corporate securities - industrial obligations	R.1976 d.116	8 N.J.R. 232(e)
17:16-8.1(a)6.	Amend permissible investment rules concerning corporate securities	R.1974 d.321	6 N.J.R. 495(b)
17:16-9.1(a)5.	Revision concerning finance companies—senior debt	R.1974 d.322	6 N.J.R. 495(c)
17:16-9.1(a)6.	Amendment on finance companies senior debt	R.1976 d.153	8 N.J.R. 313(b)
17:16-11.1	Revisions on applicable funds	R.1975 d.363	8 N.J.R. 51(b)
17:16-13.5	Revisions on legal papers; commercial paper	R.1974 d.218	6 N.J.R. 361(c)
17:16-13.5	Revisions on legal papers	R.1975 d.236	7 N.J.R. 442(b)
17:16-21.1(a)6.	Amendments on bank debentures; pension and annuity group	R.1976 d.154	8 N.J.R. 314(a)
17:16-23.3(c)	Amendments on Canadian obligations limitations	R.1976 d.155	8 N.J.R. 314(b)
17:16-27.4	Revisions on legal papers; certificates of deposit	R.1976 d.208	8 N.J.R. 407(a)
17:16-29.1	Revised definition for FHA mortgages	R.1975 d.364	8 N.J.R. 51(c)
17:16-36.7 et seq.	Revisions concerning Common Pension Fund B	R.1974 d.265	6 N.J.R. 416(b)
17:16-37.1(a)6.	Addition of Federal Financing Bank to approved list	R.1974 d.264	6 N.J.R. 416(a)
17:16-38.1 et seq.	Common Pension Fund C	R.1974 d.266	6 N.J.R. 416(c)
17:16-39.1 et seq.	Rules on bankers' acceptances	R.1974 d.263	6 N.J.R. 415(b)
17:16-39.1 et seq.	Collateralized notes and mortgages	R.1975 d.67	7 N.J.R. 180(d)
17:18-1.1 et seq.	Revised rules on tax appeals administration	R.1976 d.145	8 N.J.R. 312(e)
17:19A-1.1 et seq.	Revised rules on facilities for the physically handicapped	R.1976 d.284	8 N.J.R. 492(a)
17:19A-1.3 et seq.	Revisions of facilities for physically handicapped in public buildings	R.1976 d.313	8 N.J.R. 539(a)
17:19A-1.3 et seq.	Revisions of building facilities for physically handicapped	R.1976 d.319	8 N.J.R. 539(b)
17:20-5.10	Revise agent's compensation rule	R.1974 d.329	7 N.J.R. 33(b)
17:21-1.4(b)	Revisions on special lotteries	R.1974 d.224	6 N.J.R. 360(b)
17:21-2.3 et seq.	Revised rules concerning weekly lottery	R.1974 d.329	7 N.J.R. 33(b)
17:21-6.1	Delete rules on daily lottery	R.1975 d.374	8 N.J.R. 52(a)
through 17:21-6.6			
17:21-6.9	Final drawings for daily lottery	R.1975 d.374	8 N.J.R. 52(a)
17:21-11.1 et seq.	1776 Instant Lottery rules	R.1975 d.318	7 N.J.R. 525(a)
17:21-11.5 et seq.	Revised rules on 1776 Instant Lottery	R.1975 d.330	7 N.J.R. 578(b)

(Rules in print in the Administrative Code for Title 17 include all adoptions to June 30, 1974—Transmittal Sheet #6.)

## TREASURY-TAXATION — TITLE 18

18:2-2.1 et seq.	Rules on imposition of penalties and interest	R.1975 d.284	7 N.J.R. 490(b)
18:16-2.2(b) et seq.	Revisions of realty transfer fee law rules	R.1975 d.286	7 N.J.R. 490(c)
18:26	Revised list of district supervisors and investigators	R.1975 d.270	7 N.J.R. 489(b)
Appendix A			
18:26-8.7	Revisions on preaudit payment of inheritance tax	R.1975 d.348	7 N.J.R. 578(c)
(Rules in print in the Administrative Code for Title 18 include all adoptions to Aug. 13, 1976—Transmittal Sheet #7.)			

## OTHER AGENCIES — TITLE 19

19:1-1.1 et seq.	Revisions pertaining to making loans to mortgage lenders	R.1974 d.233	6 N.J.R. 370(b)
19:1-1.1 et seq.	Revised rules of Mortgage Finance Agency	R.1975 d.311	7 N.J.R. 528(a)
19:1-1.3	Revised definition of Mortgage Finance Agency collateral	R.1974 d.251	6 N.J.R. 418(b)
19:1-1.4 et seq.	Revisions on requests for loans and allocation and award of loans	R.1975 d.324	7 N.J.R. 579(c)
19:3A-2.1	Required land use and control meadows; flood insurance	R.1974 d.213	6 N.J.R. 369(b)
19:3A-2.2	Securing coverage under National Flood Insurance Program	R.1974 d.212	6 N.J.R. 361(d)
19:4-6.25	Revisions on Hackensack Meadowland appeals	R.1975 d.355	8 N.J.R. 52(c)
19:7-1.1(a)1.	Revisions on permitted sites and sanitary landfills	R.1974 d.214	6 N.J.R. 369(a)
19:8-1.1	Garden State Arts Center defined	R.1975 d.145	7 N.J.R. 350(d)
19:8-1.1 et seq.	Revision on motorcycles on Parkway	R.1975 d.332	7 N.J.R. 579(b)
19:8-1.1	Revised definitions	R.1976 d.167	8 N.J.R. 359(b)
19:8-1.13	Traffic control on Garden State Parkway	R.1975 d.222	7 N.J.R. 447(b)
19:8-2.11	Rules on Garden State Arts Center	R.1975 d.145	7 N.J.R. 350(d)
19:8-2.12	Emergency service on Parkway	R.1975 d.331	7 N.J.R. 579(a)
19:8-3.1(b)	Revised toll schedule for new Union County interchange	R.1974 d.290	6 N.J.R. 496(c)
19:8-3.1(c)	Rule on automatic toll collection machines on Parkway	R.1976 d.127	8 N.J.R. 315(b)
19:8-5.1 et seq.	Central purchasing	R.1976 d.92	8 N.J.R. 315(a)
19:8-7.1 et seq.	Rules on inspection and obtaining of highway authority records	R.1976 d.168	8 N.J.R. 359(c)
19:8-6.1 et seq.	Sales of surplus personal property	R.1976 d.92	8 N.J.R. 315(a)
19:9-1.1	Revised Turnpike definitions	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9	Revised limitations on use of Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.9(a)26.	Delete rule 19:9-1.9 (a) 26.	R.1975 d.41	7 N.J.R. 185(a)
19:9-1.18	Noise limits on Turnpike	R.1974 d.227	6 N.J.R. 370(c)
19:9-1.18(e) and (f)	Revised citations for noise limit rules	R.1975 d.25	7 N.J.R. 122(d)
19:9-3.1	Schedule of towing charges for Turnpike	R.1975 d.221	7 N.J.R. 447(c)
19:11-1.6	Revisions in number of copies to be filed	R.1974 d.347	7 N.J.R. 36(a)
19:11-1.13	Revisions concerning intervention	R.1974 d.346	7 N.J.R. 35(d)
19:11-2.7	Rule on election eligibility lists	R.1974 d.344	7 N.J.R. 35(b)
19:12-1.1	Revisions in filing of notice of impasse	R.1974 d.347	7 N.J.R. 36(a)
19:12-1.1 et seq.	Negotiations and impasse procedures	R.1975 d.10	7 N.J.R. 78(a)
19:12-2.1	Revisions in invocation of fact-finding	R.1974 d.347	7 N.J.R. 36(a)
19:12-3.1	Revisions concerning arbitration	R.1974 d.345	7 N.J.R. 35(c)
19:13-1.1 et seq.	Scope of negotiations proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.1 et seq.	Unfair practice proceedings	R.1975 d.10	7 N.J.R. 78(a)
19:14A-1.1 et seq.	Hearings	R.1975 d.10	7 N.J.R. 78(a)
19:14-1.5 et seq.	Revisions concerning processing of unfair practice cases	R.1975 d.89	7 N.J.R. 243(a)
19:14-9.1 et seq.	Interim relief	R.1975 d.90	7 N.J.R. 242(a)
19:25-1.1 et seq.	Initial rules of Election Law Enforcement Commission	R.1974 d.267	6 N.J.R. 418(a)
19:25-7.8	Revision on use of funds by political committees	R.1975 d.359	8 N.J.R. 52(b)
19:25-12.2	Revisions on political testimonial affairs	R.1975 d.359	8 N.J.R. 52(b)
19:30-1.1 et seq.	Administrative rules of Economic Development Authority	R.1974 d.332	7 N.J.R. 34(c)
19:30-2.1	Revised application fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Delete text on fees	R.1975 d.26	7 N.J.R. 122(c)
19:30-2.2	Loan and bond guarantee fees	R.1976 d.171	8 N.J.R. 359(a)
19:35-1.1	Rules on FM noncommercial radio stations	R.1975 d.118	7 N.J.R. 285(a)

(Rules in print in the Administrative Code for Title 19 include all adoptions to June 30, 1974—Transmittal Sheet #6.)

(Continued from page 21)

1. That the applicant is not under investigation as a result of an alleged violation of law; or having been found guilty of violation, has satisfied the penalty imposed;

2. That the qualifications required in such other state, territory or possession were substantially equal to those required in this State either at the time of such certification or as required under current law and regulation, whichever more benefits the applicant;

3. In those cases in which the applicant shall have been granted certification in such other state, territory or possession following a period of preregistration experience less than that required for registration in this State, the Board in its discretion may accept in lieu of such deficiency equal periods of experience gained by the applicant in his own office or in the offices of registered and practicing architects while the applicant held a current, valid certificate of license as an architect in such other state, territory or possession;

4. In those cases where the applicant shall have been granted certification in such other state, territory or possession on education and experience qualifications substantially equal to the requirements in this State, together with an oral examination or interview whether accompanied or not by exhibits, rather than with a written examination substantially equal to that required in this State, then, at the discretion of the Board, or at least five years of responsible experience in the field of architecture, while holding a valid license as an architect. In determining whether certification shall be granted, the Board may require exhibits or examination as described in paragraph 7 of this subsection;

5. In those cases where the applicant's certification in such other state, territory or possession has been based, fundamentally, upon a certificate issued originally by competent authority in a foreign country where qualifications to practice as an architect have been held by the licensing authority in such other state to be substantially equal to its own requirements of education, experience and written examination, then, at the discretion of the Board, such applicant may be certified upon evidence satisfactory to the Board of at least five years of responsible experience in the field of architecture since having been originally certified as an Architect, providing, however, that at least one year of said experience shall have been accomplished in a state, territory or possession of the United States. In determining whether certification shall be granted, the Board may require exhibits or examination as described in paragraph 7 of this subsection.

[4.] 6. That the applicant shall reside in the state in which he is registered, unless he resides in New Jersey while holding a valid certificate in good standing, issued by another state;

[5.] 7. That the applicant has provided satisfactory evidence of competency as the Board in its discretion may require:

i. Such evidence may consist of but not be limited to exhibits of three major projects illustrated in plans and specifications and photographs; and may include oral examinations;

ii. The Board may assign the applicant to such examination as it deems necessary.

[6.] 8. In this Section, the word "state" is defined as meaning a state, territory or possession of the United States of America and does not mean another country.

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

Herman C. Litwack, Secretary-Director  
Board of Architects  
Division of Consumer Affairs  
1100 Raymond Boulevard  
Newark, New Jersey 07102

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

Herman C. Litwack  
Secretary-Director  
Board of Architects  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

### BOARD OF BEAUTY CULTURE CONTROL

#### Proposed Revisions to Various Rules

Richard G. Griswold, Executive Secretary of the Board of Beauty Culture Control in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:4A-13, proposes to revise certain rules of the Board of Beauty Culture Control concerning the beauty culture industry and beauty culture schools.

The proposed revisions concern various Sections in Chapter 28 of Title 13 in the New Jersey Administrative Code regarding minimum floor space of beauty shops, equipment; domestic use of premises; failure to renew licenses; temporary permits, examination, fees; temporary permits for demonstrations; waste disposal; toilet facilities; shampoo basins; clothing; prohibited materials; dry sterilization cabinets, wet sterilizer; sterilization solutions; practicing techniques; manager-operator, absence from salon; school advertisements, signs; size of schools; student registration cards; enrollment of interested parties; classes commence; day and night training; school schedules; school records; equipment; student standards and requirements; schools submit application; teachers' qualification, restrictions; employment of licensed teachers; postgraduate courses; demonstrator's license, advanced training; and clinical work prerequisites and limitations.

Copies of the full text of 24 pages of the proposed revisions may be obtained from or made available for review by contacting:

Richard G. Griswold  
Executive Secretary  
Board of Beauty Culture Control  
1100 Raymond Boulevard  
Room 311  
Newark, New Jersey 07102

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 30, 1976, to the Board of Beauty Culture Control at the above address.

The Board of Beauty Culture Control, upon its own mo-

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

Richard G. Griswold  
Executive Secretary—  
Board of Beauty Culture Control  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF NURSING

##### Proposed Rule on Waivered Practical Nurses Licensure by Examination

Richard E. David, Executive Director of the Board of Nursing in the Division of Consumer Affairs of the Department of Law and Safety, pursuant to authority of N.J.S.A. 45:11-24(d), proposes to adopt a new rule relating to the licensing of practical nurses by examination previously licensed by waiver.

Full text of the proposed rule follows:

13:37-9.6 Waiver; practical nurse; license by examination.

(a) A practical nurse licensed in this State by waiver pursuant to N.J.S.A. 45:11-27(b)(3) shall be permitted to apply for a license to practice practical nursing by examination and shall be granted said license provided that the applicant:

1. Can fulfill the requirements demanded in N.J.S.A. 45:11-27(a)(1) and (2);
2. Has satisfactory experience in practical nursing for a period of not less than five years within the past ten years;
3. Successfully completes a review course in practical nursing, such as participation in an inservice educational program, tutoring, a general review course, seminars and/or conferences.
4. Successfully completes the State Board test pool examination for practical nurses.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 26, 1976 to:

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

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

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

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### OFFICE OF WEIGHTS AND MEASURES

##### Proposed Rule on Retention of Public or Certified Weighing Records

William J. Wolfe, Superintendent of Weights and Measures in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 51:1-54 and 51:1-75, proposes to adopt a new rule establishing the period of time public weighmasters shall retain records of all public weighings as required under N.J.S.A. 51:1-79.

Full text of the proposed rule follows:

#### SUBCHAPTER 2: GENERAL PROVISIONS

##### 13:47E-2.1 Retention of public or certified weighing records

All public weighmasters required to keep and preserve accurate records of all public or certified weighings, pursuant to N.J.S.A. 51:1-79, shall not be required to keep or maintain these records for more than six years from the date of their issuance.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 1, 1976, to:

James R. Bird  
Deputy Superintendent  
Office of Weights and Measures  
187 West Hanover Street  
Trenton, N.J. 08625

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

William J. Wolfe  
Superintendent  
Office of Weights and Measures  
Department of Law and Public Safety

(c)

## LAW AND PUBLIC SAFETY

### RACING COMMISSION

##### Proposed Revisions Concerning Thoroughbred and Harness Racing Licenses

John J. Reilly, Executive Director of the Racing Commission in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 5:5-22 et seq., proposes to adopt revisions to certain rules concerning licenses regarding thoroughbred and harness racing.

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

**13:70-4.1 Person required to have licenses**

(a) The following persons shall be required to take out a license from the Racing Commission and the annual fee shall be as follows:

1. Assistant trainer: [\$10.00] \$15.00;
2. Authorized agent: [\$10.00] \$15.00;
3. Identification license: \$5.00;
4. Jockey: [\$10.00] \$15.00;
5. Jockey Agent: [\$10.00] \$15.00;
6. Jockey Apprentice: [\$10.00] \$15.00;
7. Owner: [\$15.00] \$25.00;
8. Pari-mutuel Employee: \$5.00;
9. Plater: [\$5.00] \$10.00;
10. Stable Employee [\$2.00] \$4.00;
11. Trainer: [\$10.00] \$15.00;
12. Valet: [\$5.00] \$10.00;
13. Vendor: [\$10.00] \$15.00.

**13:71-7.1 Person required to have licenses**

(a) The following persons shall be required to take out a license from the Racing Commission, and the annual fee shall be as follows:

1. Driver/trainer: [\$4.00] \$10.00;
2. Owner: [\$4.00] \$10.00;
3. Pari-mutuel employee: \$5.00;
4. Stable employee: [\$2.00] \$4.00;
5. Stable name: [\$10.00] \$25.00;
6. Plater [\$5.00] \$10.00;
7. Vendor: [\$10.00] \$15.00;
8. Partnership: [\$2.00] \$5.00;
9. Identification license: \$5.00.

**13:71-7.13 Registered stable; member**

[No person may be a member of more than one registered stable.]

A person may be registered in more than one stable name. No person, however, will be permitted to enter more than one horse, in which he has an interest, in any one race without said horse being coupled as an entry.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to the

Racing Commission  
404 Abbington Drive  
Twin Rivers Town Center  
East Windsor, N.J. 08520

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

John J. Reilly, Executive Director  
Racing Commission  
Department of Law and Public Safety

(a)

## LAW AND PUBLIC SAFETY

### DIVISION OF MOTOR VEHICLES

#### Rules on Particular Identifying Mark or Marks

On September 16, 1976, John A. Waddington, Director of the Division of Motor Vehicles in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 39:3-33.3 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 13:20-34.1 et seq., concerning identifying marks, substantially as proposed in the Notice pub-

lished August 5, 1976, at 8 N.J.R. 400(b), but with subsequent, substantive changes not detrimental to the public, in the opinion of the Department of Law and Public Safety.

A summary of the substantive changes follows:

(1) Proposed N.J.A.C. 13:20-34.3 has been amended to exclude a variety of registration numbers previously overlooked. These pertain to State, county and municipally-owned vehicles, and vehicles owned by the Department of Transportation, New Jersey Expressway Authority, New Jersey Highway Authority and the New Jersey Turnpike Authority. Such additions form new paragraphs "20" and "21" in the above section of the rule. Previous paragraph "20" is now paragraph "22";

(2) Proposed N.J.A.C. 13:20-34.2, paragraph (a) 13 has been deleted as superfluous because of a change made in the original proposed regulation prior to its initial publication;

(3) As in (2) above proposed N.J.A.C. 13:20-34.7(b) has been deleted as superfluous;

(4) In proposed N.J.A.C. 13:20-34.7(a) the third from the last word, "other", has been deleted for purposes of consistency.

An order adopting these rules was filed and became effective on September 24, 1976, as R.1976 d.302.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## LAW AND PUBLIC SAFETY

### DIVISION OF CONSUMER AFFAIRS

#### BOARD OF MARRIAGE AND COUNSELOR EXAMINERS

##### Rule on Examination Review Procedure

On September 15, 1976, Dr. John S. Zane, Chairman of the Board of Marriage Counselor Examiners in the Division of Consumer Affairs in the Department of Law and Public Safety, pursuant to authority of N.J.S.A. 45:8B-13 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 13:34-1.2, concerning examination review procedures, as proposed in the Notice published March 4, 1976, at 8 N.J.R. 136(c).

An order adopting this rule was filed and became effective on October 6, 1976, as R.1976 d.309.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## PUBLIC UTILITIES

### BOARD OF PUBLIC UTILITY COMMISSIONERS

#### Proposed Rules on Oil Distribution Utilities

The Board of Public Utility Commissioners, pursuant to authority of N.J.S.A. 48:2-12, proposes to adopt new rules concerning oil distribution utilities.

Full text of the proposed new rules follows:

## SUBCHAPTER 1. PLANT

### 14:6A-1.1 Plant construction

The construction and installation of plant facilities must be in accordance with this Section or Chapter 3 of this Title and in addition must be in accordance with applicable provisions of the standards established by the U.S. Department of Transportation (49 CFR 195), New Jersey Department of Labor and Industry (N.J.A.C. 12:133-1.1 et seq.), American National Standard Institute (ANSI-B 31.4), American Petroleum Institute (API 5L), National Board of Fire Underwriters (NBFU-31), National Fire Protection Association (NFPA-31), in effect at the time of construction. When and if any controversy arises as to necessity for adopting specifications calling for construction of a higher standard, the matter may be referred to the Board for determination.

### 14:6A-1.2 Inspection of property

(a) Each oil distribution utility shall inspect its system periodically to assure no leaks are present and to maintain adequate safety and service.

(b) Each oil distribution utility shall maintain permanent written records of any unsafe conditions discovered during inspections and the steps taken to correct the hazards.

## SUBCHAPTER 2. SERVICE

### 14:6A-2.1 Adequacy of service

Each oil distribution utility shall deliver home heating oil which conforms to the New Jersey Department of Environmental Protection standards.

### 14:6A-2.2 Pressure and volume of oil distribution service

Each oil distribution utility shall provide oil distribution service at adequate pressure and volume to insure sufficient fuel to the customer's oil burner.

### 14:6A-2.3 Heating value

(a) In January of each year all oil distribution utilities shall report to the Board the heating value of the oil delivered during the previous year. The heating value shall not fall below the lower limit set by the American Society for testing and materials for the type oil being delivered, either No. 1 or No. 2.

(b) If the heating value for the year falls below the above standards, customer bills for that year shall be adjusted the percentage by which the heating value was below the standard.

## SUBCHAPTER 3. METERS

### 14:6A-3.1 Approved oil meters

All oil meters shall comply with regulations of the New Jersey Department of Law and Public Safety, Division of Consumer Affairs, Office of Weights and Measures.

### 14:6A-3.2 Testing of oil meters

Each oil distribution utility shall provide itself with equipment necessary for testing meters, such equipment shall be in accordance with the standards established by the U.S. Department of Commerce, National Bureau of Standards Handbook 44 "Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices". No equipment shall be used in testing meters unless it shall have been examined, calibrated and sealed by the appropriate State, county or municipal agency having jurisdiction over weights and measures. Appropriate evidence of such examination, calibration and sealing shall be affixed to the equipment.

### 14:6A-3.3 Periodic testing of oil meters

Unless it has been otherwise authorized by the Board,

no oil distribution utility shall allow an oil meter to remain in service for a period longer than six years without checking it for accuracy and readjusting it if found to be incorrect beyond the limits established by N.J.A.C. 14:6A-3.4.

### 14:6A-3.4 Determination of oil meter accuracy

An oil meter shall be considered correct if when tested at the maximum discharge rate, it shows an error which is not greater than two per cent. Whenever a meter is found to be registering fast, the customer shall be reimbursed in accordance with N.J.A.C. 14:3-4.7, Adjustment of charges.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before December 15, 1976, to:

Board of Public Utility Commissioners  
Department of Public Utilities  
101 Commerce St.  
Newark, N.J. 07102

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

Joseph W. Ferraro Sr.  
Director, Division of Engineering  
Department of Public Utilities

(a)

## PUBLIC UTILITIES

### OFFICE OF CABLE TELEVISION

#### Notice of Change in Hearing Date On Proposed Amendments on Tariff Filings

Take notice that, in the Notice of Proposed Amendments on Tariff Filings that appeared October 7, 1976, at 8 N.J.R. 484(a), the date of the hearing on the proposed action was indicated to be November 16, 1976. Such hearing will be held on November 17, 1976, at 10:00 A.M. in the Office of Cable Television, Room 205, 101 Commerce Street, Newark, New Jersey.

This Notice is published as a matter of public information.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Revisions in Speed Zones On Portions of Routes 41 and 175

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98, proposes to adopt revisions concerning speed zones along portions of Route 41 in Gloucester, Camden and Burlington Counties, and on Route 175 in Mercer County. Such revised rules, if adopted, will replace the current text of N.J.A.C. 16:28-1.33 and 16:28-1.66.

Full text of the proposed new rules follows:  
16:28-1.33 Route 41 in Gloucester, Camden and Burlington Counties

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 41 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat for both directions of traffic:

- |  |                |
|--|----------------|
| 1. Deptford Township:  | Mileposts      |
| i. Zone 1: 50 mph between Route 47 and County House Road:  | 0.0 to 1.55;   |
| ii. Zone 2: 45 mph between County House Road and Clements Bridge Road (Rt. 544):                       | 1.55 to 3.9;   |
| iii. Zone 3: 35 mph between Clements Bridge Road and to the Camden County line at Big Timber Creek:    | 3.9 to 4.1.    |
| 2. Runnemede Borough:  |                |
| i. 35 mph between the Gloucester County line at Big Timber Creek and Read Avenue:                      | 4.1 to 4.7;    |
| ii. Zone 4: 30 mph between Read Avenue and Route 168:  | 4.7 to 4.95;   |
| iii. Mileage under county jurisdiction:  | 4.95 to 10.6.  |
| 3. Cherry Hill Township:   |                |
| i. Zone 5: 35 mph between the Routes 41 and 70 traffic circle and Knollwood Drive:                     | 10.6 to 11.95; |
| ii. Zone 6: 45 mph between Knollwood Drive and the Burlington County line (Maple Shade Township line): | 11.95 to 13.1. |
| 4. Maple Shade Township:   |                |
| i. 45 mph within corporate limits:   | 13.1 to 14.13. |

16:28-1.66 Route 175 in Mercer County

(a) In accordance with the provisions of N.J.S.A. 39:4-98, the rate of speed designated for State Highway Route 175 described herein below shall be and hereby is established and adopted as the maximum legal rate of speed thereat:

- |   |              |
|---|--------------|
| 1. City of Trenton:   | Mileposts    |
| i. For one-way direction of traffic (northbound):   |              |
| (1) Zone 1: 35 mph within corporate limits:   | 0.0 to 0.25. |
| ii. For both directions of traffic (Ewing Township):  |              |
| (1) Zone 2: 45 mph between the City of Trenton line and West Upper Ferry Road:  | 0.25 to 1.8; |
| (2) Zone 3: 40 mph between West Upper Ferry Road and the Delaware Raritan Canal feeder:                               | 1.8 to 2.15; |
| (3) Zone 4: 50 mph between the Delaware Raritan Canal feeder and the northern most terminum of Route 175 at Route 29: | 2.15 to 2.9  |

Interested persons may present relevant statements or arguments in writing on or before November 24, 1976, to Michael Miller, Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Rule Restricting Left Turns On Parts of Route 35

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6, proposes to adopt a new rule concerning no left turns along portions of Route 35 in the Township of Matawan.

Full text of the proposed rule follows:

16:28-6.14 No left turns along Route 35 in the Township of Matawan, Monmouth County

(a) In accordance with the provisions of N.J.S.A. 39:4-183.6, turning movements of traffic on the certain parts of State Highway Route 35 described herein below are regulated as follows:

1. No left turns north on Route 35 to west on Riverdale Drive.

Interested persons may present relevant statements or arguments in writing on or before November 24, 1976, to Michael Miller, Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J., 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Proposed Rules on Restricted Parking Along Portions of Various State Highways

Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1, proposes to adopt new rules concerning restricted parking areas along portions of Routes 82, 28 and U.S. 9.

Full text of the proposed rules follows:

16:28-3.128 Route 82 in Union Township, Union County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 82 described herein below shall be and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

- i. Along the westbound side of Route 82:

(1) From the westerly curb line of Route 439 to a point 120 feet east of the prolongation of the easterly curb line of the easterly entrance to Newark State College;

(2) From the prolongation of the westerly curb line of the easterly entrance to Newark State College to a point 120 feet east of the prolongation of the easterly curb line of Green Lane;

(3) From the prolongation of the westerly curb line of Green Lane to the prolongation of the westerly curb line of Lehigh Avenue;

(4) From a point 85 feet west of the prolongation of the westerly curb line of Lehigh Avenue to the easterly curb line of Salem Road;

(5) From a point 150 feet west of the westerly curb line of Salem Road to the prolongation of the westerly curb line of Carteret Avenue;

(6) From the westerly curb line of Sterling Road to the easterly curb line of Lorraine Avenue;

(7) From the prolongation of the easterly curb line of Colonial Avenue to the easterly curb line of Norton Road;

(8) From the westerly curb line of Field Road to a point 120 feet east of the easterly curb line of the entrance to the Two Guys Shopping Center at the traffic signal;

(9) From the westerly curb line of the exit from the Two Guys Shopping Center at the traffic signal to the east end of the bridge over the west branch of the Elizabeth River;

(10) From a point 60 feet east of the abutment of the Route U.S. 22 overpass to the easterly curb line of Warren Avenue;

(11) From a point 65 feet east of the prolongation of Burke Parkway to a point 190 feet west of the prolongation of the easterly curb line of Burke Parkway;

(12) From a point 185 feet east of the easterly curb line of Stuyvesant Avenue to the easterly curb line of Stuyvesant Avenue;

(13) From the westerly curb line of Pine Avenue to a point 120 feet east of the prolongation of the easterly curb line of Johnson Place;

(14) From a point 210 feet east of the easterly curb line of Commerce Avenue to the easterly curb line of Lousons Road;

(15) From a point 105 feet west of the westerly curb line of Lousons Road to the easterly curb line of Burnet Avenue - Spruce Street;

(16) From a point 30 feet east of the easterly curb line of Nicholas Avenue to a point 70 feet west of the westerly curb line of Nicholas Avenue.

ii. Along the eastbound side of Route 82:

(1) From a point 105 feet east of the easterly curb line of Spruce Street - Burnet Avenue to the westerly curb line of Elmwood Avenue;

(2) From the easterly curb line of Commerce Avenue to a point 150 feet of the easterly curb line of Commerce Avenue;

(3) From a point 105 feet east of the easterly curb line of Caldwell Avenue to the westerly curb line of Stuyvesant Avenue;

(4) From a point 85 feet west of the westerly curb line of Stuyvesant Avenue to the westerly curb line of Stuyvesant Avenue;

(5) From a point 525 feet east of the easterly curb line of Stuyvesant Avenue to a point 570 feet east of the easterly curb line of Stuyvesant Avenue;

(6) From the prolongation of the westerly curb line of Warren Avenue to the westerly curb line of the jug-handle at the traffic signal to Two Guys Shopping Center;

(7) From a point 105 feet east of the easterly curb line of the jug-handle at the traffic signal to Two Guys Shopping Center to the prolongation of the westerly curb line of Kingswood Road;

(8) From the easterly curb line of Carteret Avenue to the westerly curb line of Salem Road;

(9) From a point 105 feet east of the easterly curb

line of Salem Road to a point 120 feet west of the westerly curb line of Lehigh Avenue;

(10) From the easterly curb line of Lehigh Avenue to the westerly curb line of Green Lane;

(11) From a point 105 feet east of the easterly curb line of Green Lane to a point 120 feet west of the westerly curb line of the easterly entrance to Newark State College;

(12) From the easterly curb line of the easterly entrance to Newark State College to the westerly curb line of Route 439.

2. No stopping or standing between the hours of 7:00 A.M. and 9:00 A.M.; 4:00 P.M. and 6:00 P.M.; Monday through Friday:

i. Along the westbound side of Route 82:

(1) From the prolongation of the westerly curb line of Carteret Avenue to the easterly curb line of Sterling Road;

(2) From the westerly curb line of Lorraine Avenue to the prolongation of the easterly curb line of Colonial Avenue;

(3) From the westerly curb line of Norton Road to a point 120 feet east of the easterly curb line of Azalea Road;

(4) From the westerly curb line of Azalea Road to the easterly curb line of Field Road;

(5) From the east end of the bridge over the west branch of the Elizabeth River to a point 60 feet east of the abutment of the Route U.S. 22 overpass;

(6) From the westerly curb line of Warren Avenue to a point 120 feet east of the easterly curb line of Coolidge Avenue;

(7) From the westerly curb line of Coolidge Avenue to the westerly curb line of Grandview Avenue;

(8) From a point 190 feet west of the prolongation of the easterly curb line of Burke Parkway to a point 185 feet east of the easterly curb line of Stuyvesant Avenue;

(9) From the prolongation of the easterly curb line of Johnson Place to the easterly curb line of Caldwell Avenue;

(10) From a point 105 feet west of the westerly curb line of Caldwell Avenue to the easterly curb line of Woolley Avenue;

(11) From a point 105 feet west of the westerly curb line of Woolley Avenue to a point 210 feet east of the easterly curb line of Commerce Avenue;

(12) From a point 105 feet west of the westerly curb line of Burnet Avenue - Spruce Street to the easterly curb line of Cregar Avenue;

(13) From a point 105 feet west of the westerly curb line of Cregar Avenue to the easterly curb line of Liberty Avenue;

(14) From a point 75 feet west of the westerly curb line of Liberty Avenue to a point 30 feet east of the easterly curb line of Nicholas Avenue;

(15) From a point 70 feet west of the westerly curb line of Nicholas Avenue to a point 120 feet east of the easterly curb line of Larchmont Road;

(16) From the westerly curb line of Larchmont Road to the Union Township - Springfield Township corporate line.

ii. Along the eastbound side of Route 82:

(1) From the Springfield Township - Union Township corporate line to a point 120 feet west of the prolongation of the westerly curb line of Larchmont Road;

(2) From the prolongation of the easterly curb line of Larchmont Road to the westerly curb line of Braun Terrace;

(3) From a point 100 feet east of Braun Terrace to the westerly curb line of Liberty Avenue;

(4) From a point 105 feet east of the easterly curb line of Liberty Avenue to the westerly curb line of Spruce Street - Burnet Avenue;

(5) From a point 150 feet east of the prolongation of the easterly curb line of Commerce Avenue to a point 120 feet west of the prolongation of the westerly curb line of Woolley Avenue;

(6) From the prolongation of the westerly curb line of Woolley Avenue to the westerly curb line of Caldwell Avenue;

(7) From a point 315 feet east of the easterly curb line of Stuyvesant Avenue to a point 525 feet east of the easterly curb line of Stuyvesant Avenue;

(8) From a point 570 feet east of the easterly curb line of Stuyvesant Avenue to a point 645 feet east of the easterly curb line of Stuyvesant Avenue;

(9) From the easterly curb line of Burke Parkway to a point 120 feet west of the westerly curb line of Floyd Terrace;

(10) From the easterly curb line of Floyd Terrace to a point 120 feet west of the prolongation of the westerly curb line of Warren Avenue;

(11) From the prolongation of the westerly curb line of Kingswood Road to a point 300 feet east of the prolongation of the easterly curb line of Field Road;

(12) From a point 250 feet west of the prolongation of the westerly curb line of Cranbrook Road to a point 120 feet west of the westerly curb line of Colonial Avenue;

(13) From the easterly curb line of Colonial Avenue to the westerly curb line of Carteret Avenue.

3. No stopping or standing, Monday through Friday:

i. Along the westbound side of Route 82 from a point 150 feet west of the westerly curb line of Stuyvesant Avenue to the easterly curb line of Pine Avenue.

ii. Along the eastbound side of Route 82 from the easterly curb line of Union Terrace to a point 85 feet west of the westerly curb line of Stuyvesant Avenue.

16:28-3.129 Route 28 in the Town of Westfield, Union County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route 28 described herein below shall be and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing:

i. Along the north side of Route 28 (South Avenue) from a point 160 feet east of the easterly curb line of Crossway Place to a point 280 feet west of the westerly curb line of Crossway Place.

ii. Along the south side of Route 28 (South Avenue) from a point 100 feet east of the easterly curb line of North Scotch Plains Avenue to a point 130 feet west of the westerly curb line of North Scotch Plains Avenue.

16:28-3.130 Route U.S. 9 in Bass River Township, Burlington County

(a) In accordance with the provisions of N.J.S.A. 39:4-138.1, the certain parts of State Highway Route U.S. 9 described herein below shall be and hereby are, designated and established as "no parking" zones where stopping or standing is prohibited at all times except as provided in N.J.S.A. 39:4-139:

1. No stopping or standing along the northerly side (southbound) of Route U.S. 9 from a point 200 feet east of the easterly curb line of North Maple Avenue (County Road 563) to a point 200 feet west of the westerly curb line of North Maple Avenue (County Road 563).

Interested persons may present relevant statements or arguments in writing on or before November 24, 1976 to Michael Miller, Administrative Practice Officer, Department of Transportation, 1035 Parkway Avenue, Trenton, N.J. 08625.

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

Alan Sagner  
Commissioner  
Department of Transportation

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Rules on Restricted Parking Along Various State Highways

On October 14, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-138.1 and in accordance with applicable provisions of the Administrative Procedure Act, adopted new rules, to be cited as N.J.A.C. 16:28-3.119 through 16:28-3.121, concerning restricted parking along portions of Routes U.S. 9, N.J. 45 and 44, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 441(a).

An order adopting these rules was filed and became effective on October 15, 1976, as R.1976 d.323.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions in Rates of Speed Along Various State Highways

On October 14, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-98 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 16:28-1.24 and 16:28-1.72, 16:28-1.76 and a new rule cited as N.J.A.C. 16:28-1.165 concerning rates of speed on portions of Routes U.S. 206 and N.J. 23, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 441(b).

An order adopting these revised rules was filed and became effective on October 15, 1976, as R.1976 d.324.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TRANSPORTATION

### THE COMMISSIONER

#### Revisions on No Left Turns On Parts of Routes 23 and 88

On October 14, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revised rules, to be cited as N.J.A.C. 16:28-6.7 and 16:28-6.13, concerning no left turn regulations on portions of Routes 23 and 88 respectively, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 440(b).

An order adopting these revised rules was filed and became effective on October 15, 1976, as R.1976 d.325.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TRANSPORTATION

### THE COMMISSIONER

#### Rule on Center Lane and Left Turns On Parts of Route 168

On October 14, 1976, Alan Sagner, Commissioner of Transportation, pursuant to authority of N.J.S.A. 39:4-183.6 and in accordance with applicable provisions of the Administrative Procedure Act, adopted a new rule, to be cited as N.J.A.C. 16:28-7.2, concerning the center lane and left turns on portions of Route 168, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 440(a).

An order adopting this rule was filed and became effective on October 15, 1976, as R.1976 d.326.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(c)

## TREASURY

### DIVISION OF PENSIONS

#### PUBLIC EMPLOYEES' RETIREMENT SYSTEM

##### Proposed Revisions for Officers and Committees

The board of trustees of the Public Employees' Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:15A-17 et seq., proposes to revise a portion of its rules concerning officers and committees.

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

##### 17:2-1.3 Officers and committees

(a) The members of the board shall elect a chairman and vice chairman from its membership for the forthcoming year at its regular meeting held in July.

(b) The chairman of the board shall preside at all of its meetings, or in the absence of the chairman, [such presiding officer as the board shall determine.] the vice chairman shall assume the chairman's responsibilities.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Division of Pensions  
20 West Front Street  
Trenton, N.J. 08625

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

Clifford A. Goldman  
Deputy Treasurer  
Department of the Treasury

(d)

## TREASURY

### DIVISION OF PENSIONS

#### POLICE AND FIREMEN'S RETIREMENT SYSTEM

##### Proposed Revisions Concerning Definitions and Enrollment Dates

The Board of Trustees of the Police and Firemen's Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:16A-1 et seq., proposes to revise N.J.A.C. 17:4-2.1 and 17:4-2.6 concerning the definition of policeman and fireman and enrollment dates.

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

##### 17:4-2.1 Policeman and fireman defined

(a) "Policeman" or "fireman" for purposes of this Act, shall include the specific titles enumerated in N.J.S.A. 43:16A-1 et seq., or any title added to the statutory definition that is within a police or fire department or a covered State department.

(b) Any position other than those defined in subsection (a) of this Section are not eligible for enrollment.

(c) "Chancemen" are not eligible for membership and time so served cannot be recognized for creditable service in the system.

[(d) The Board may recognize other titles in an organized municipal police or fire department which are not defined as policeman or fireman if such a change of title represents a promotion and continuance of membership.]

##### 17:4-2.6 Enrollment date

(a) An employee who is permanently appointed from a Civil Service list shall be considered as beginning his service on the date of his regular appointment, and the compulsory enrollment date shall be fixed as the first of the month following the completion of the equivalent of a working test period of four months.

(b) An employee in the unclassified service shall be considered as beginning service on the date of his original appointment and the compulsory enrollment date shall be fixed as the first of the month following the completion of the equivalent of a working test period of four months.

[(b)] (c) The permanent appointment of an employee

appointed by a local employer not covered by Civil Service shall constitute the date the employee originally accepted employment in a regular budgeted position. The date of compulsory enrollment shall be the first of the month following the completion of the equivalent of a working test period of four months.

(d) An employee who does not meet the requirements for enrollment cited in subsections (a), (b) and (c) of this Section may be considered a temporary employee by his employer for as long as a one year period following the employee's date of hire, but if his employment continues into his second year, he will be required to enroll immediately; his compulsory enrollment date will be the first of the month following the end of the one year (12-month) period.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Police and Firemen's Retirement System  
Division of Pensions  
Department of the Treasury  
20 West Front Street  
Trenton, N.J. 08625

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

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(a)

## TREASURY

### DIVISION OF PENSIONS

#### SUPPLEMENTAL ANNUITY COLLECTIVE TRUST

##### Proposed Amendment Concerning Full Monthly Payments

The Council of the Supplemental Annuity Collective Trust in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:18A-107 et seq., proposes to amend N.J.A.C. 17:8-2.14 concerning full monthly payments.

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

17:8-2.14 Full monthly payments

No annuity shall be due to a retirement or beneficiary unless it constitutes a payment for an entire month. Payments of benefits to eligible survivors shall become effective on the first of the month of the retirant's death and shall terminate as of the month in which the survivor no longer qualifies for such benefits.

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

Supplemental Annuity Collective Trust  
Division of Pensions  
Department of the Treasury  
20 West Front Street  
Trenton, N.J. 08625

The Department of the Treasury, upon its own motion or at the instance of any interested party, may thereafter

adopt this amendment substantially as proposed without further notice.

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(b)

## TREASURY

### STATE HOUSE COMMISSION

#### JUDICIAL RETIREMENT SYSTEM

##### Proposed Revisions Concerning Effective Dates

The State House Commission in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:6A-1 et seq., proposes to revise N.J.A.C. 17:10-5.2 concerning effective dates regarding the Judicial Retirement System.

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

17:10-5.2 Effective date

[(a)] The date of a retirement application will be recognized if it is earlier than the actual date of receipt by the retirement system, if it is supported by the signature of the certifying agent. The earlier of the certified date [of] on the application, post mark or date of actual receipt by the retirement system will be recognized [for the purpose of satisfying the one-month statutory requirement]. If this date falls within a calendar month, the retirement will be effected on the first day of the month following [the one-month period subsequent to] the filing and commission approval.

[(b) All retirements are to be effective the first of the month after the application of the one-month filing requirement.]

Interested persons may present statements or arguments in writing relevant to the proposed action on or before November 24, 1976, to:

State House Commission  
Judicial Retirement System  
20 West Front St.  
Trenton, N.J. 08625

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

Clifford A. Goldman  
Deputy State Treasurer  
Department of the Treasury

(c)

## TREASURY

### DIVISION OF PENSIONS

#### Revisions Concerning Judicial Retirement System

On September 27, 1976, William J. Joseph, Secretary of the Judicial Retirement System in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 43:6A-1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:10-1.10, 17:10-3.4, 17:10-5.3, 17:10-5.10 and 17:10-6.1 concerning the Judicial Retirement System, as proposed in the Notice published February 5, 1976, at 8 N.J.R. 86(a).

An order adopting these revisions was filed and became effective on September 30, 1976, as R.1976 d.304.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(a)

## TREASURY

### DIVISION OF PENSIONS

#### HEALTH BENEFITS COMMISSION

##### Revisions to Various Program Rules

On October 5, 1976, William J. Joseph, Secretary of the State Health Benefits Commission in the Division of Pensions in the Department of the Treasury, pursuant to authority of N.J.S.A. 52:14-17.27 and in accordance with applicable provisions of the Administrative Procedure Act, adopted revisions to N.J.A.C. 17:9-3.1, 17:9-3.5, 17:9-3.10, 17:9-5.9 and 17:9-6.3 through 17:9-6.6 concerning the State Health Benefits Program, as proposed in the Notice published September 9, 1976, at 8 N.J.R. 443(c).

An order adopting these revisions was filed and became effective on October 8, 1976, as R.1976 d.313.

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

(b)

## TREASURY

### DIVISION OF BUILDING AND CONSTRUCTION

#### Revisions of Facilities for Physically Handicapped in Public Buildings

On October 8, 1976, S. Leonard DiDonato, Director of the Division of Building and Construction in the Department of the Treasury, pursuant to authority of Chapter 220, P.L. 1975 and in accordance with applicable provisions of the Administrative Procedure Act, adopted emergency revisions to the rules previously adopted concerning facilities for the physically handicapped in public buildings (See: R.1976 d.284 at 8 N.J.R. 492(a) in the October 7, 1976, issue of the New Jersey Register).

Full text of the portion of rules affected by these revisions follows:

##### 17:19A-1.3 Appeals

(a) In cases of practical difficulty, the appellate authorities may grant exceptions from the specific requirements and specifications required by this standard, or permit the use of other methods or materials, but only when it is clearly evident that equivalent facilitation and protection for the physically handicapped are thereby secured.

(b) Exceptions based on practical difficulty, unnecessary hardship or extreme differences shall apply to the specific requirement in question, and shall not extend to other requirements mandated by this standard.

(c) The administrative authorities responsible for the enforcement of this standard are:

1. The Department of the Treasury; Division of Building and Construction, with respect to all buildings constructed or remodeled by the State of New Jersey, owned by the State, and any of its Departments, Divisions, Bureaus, Boards, Councils, Authorities, or other agencies.

2. The established municipal appeal board appointed to hear such appeals. (Until such time as such an appeal board has been organized and recognized by the Division of Building and Construction, or January 7, 1978, if such procedure has not been implemented, such appeals are to be addressed as in paragraph 1 of this subsection).

3. Appeals addressed to the Treasury Department are to be documented with evidence of rejection at municipal level, description of "impractical difficulty" or "unnecessary hardship", as relates to specific requirements of the standard.

(d) Decisions of the administrative authorities pursuant or related to this standard may be appealed in writing as follows: . . . .

##### 17:19A-1.4 Effective dates

(a) The effective date of implementation and enforcement of the rules and regulations as amended (with the exception of those affecting appeal and residential occupancy) shall be January 1, 1977, to coincide with the adoption of the Uniform (BOCA) Building Code.

(b) The effective date of the implementation and enforcement of the rules for residential occupancy as amended shall be July 1, 1977.

(c) N.J.A.C. 17:19A-1.3, Appeals, is hereby suspended until January 1, 1978, or until such time prior to that date as the governing body of each municipality in this State has submitted appeal regulations for the approval of the Division of Building and Construction. During the interim period, all appeals shall be directed to Alfred W. Wensley, State architect, Division of Building and Construction, Department of the Treasury, P.O. Box 1243, Trenton, New Jersey 08625.

17:19A-5.6(b)4. The top of interior cab automatic control panels, floor call button panels and emergency intercommunication systems shall be no higher than four feet from the finished floor, and the bottom of such panels and systems shall be mounted no lower than two feet from the finished floor, and such panels and systems shall have numbers done in relief on buttons or face plate to facilitate their use by the visually impaired:\*

i. The button for bringing the elevator to the primary public entrance should be different in both form and color from other buttons;

ii. To facilitate its use by visually impaired people, all lettering and numbering should be no less than 3/4 inch high and done in relief.

5. The elevator and shaft doors shall provide a clear opening passageway of at least 32 inches in width, and shall be timed to remain open at least four seconds if call button is within four feet of elevator entrance, seven seconds if call button is within nine feet of elevator entrance, and ten seconds if call button is within 14 feet of elevator entrance. Time to be measured from time of notification that car is answering call (lantern and audible signal) until the doors start to close. Minimum time for doors to remain fully open shall not be less than three seconds.

6. All elevators shall be so adjusted/controlled that the floor of the elevators, when stopped, will conform to building floor levels within 1/2 inch tolerance.

7. A qualifying elevator shall be either operated by a trained operator during the normal operating hours of the building or it shall be of automatic type. If special key or part-time elevator attendant is required for operation of the elevator, an identified attendant call button shall be provided adjacent to the elevator.

8. Handrails shall be provided on all sides of the elevator cab where doors do not occur, with the top of such handrails mounted 32 inches above the floor.

\* If two control panels are provided, only one has to comply with mounting-height restrictions.

An order adopting these revisions was filed and became effective on October 13, 1976, as R.1976 d.319 (Exempt, Emergency Rule).

G. Duncan Fletcher  
Director of Administrative Procedure  
Department of State

## STATE NEWS OF PUBLIC INTEREST

Based on press releases from offices involved

### INSTITUTIONS AND AGENCIES

#### SPLIT INTO TWO DEPARTMENTS

A new State Department of Corrections, with Robert W. Mulcahy III as its first Commissioner, began operations November 1.

Mulcahy, a former mayor of Mendham Borough in Morris County, had served as a deputy commissioner of the Department of Institutions and Agencies since March, 1974. He was named by Governor Byrne last month as he signed Assembly bill 1912 into law.

The enabling legislation transferred to the new Department all powers over State and local correctional institutions and programs now exercised by I. and A., which simultaneously was renamed the Department of Human Services.

The law requires that the Corrections Commissioner inspect each institution without advance notice at least semiannually.

The State Parole Board is also transferred to the new Department, which will have an advisory council consisting of seven citizens appointed by the Governor, with the advice and consent of the Senate, plus seven ex-officio members.

The seven State advisors are the Governor, Attorney General, Administrative Director of the Courts and four Commissioners of Corrections, Education, Human Services and Labor and Industry.

**Editor's Note**—With reference to the New Jersey Administrative Code, all present rules for both Departments are currently contained in Title 10—Institutions and Agencies. The new Corrections Department has two sections of such rules—Subtitle F—Division of Correction and Parole, in the first volume of the Title, and Subtitle J—Parole Board, in the second volume.

#### DELAY START OF PUBLIC CONTRACTS LAW

Governor Brendan Byrne last month signed a bill delaying implementation of the new Local Public Contracts law (P.L. 1975, c. 353) for an additional six months.

"The general feeling in the Legislature is that the municipalities are not prepared to implement the bidding changes required by the new law," the Governor said.

"I hope this additional six months will give them enough time to resolve their problems and evolve the machinery necessary for the new procedures. I do not intend to sign any similar legislation six months from now," Byrne added.

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### EXPLANATORY TAX PAMPHLETS

#### MADE AVAILABLE TO PUBLIC

Two free publications explaining concisely the aspects of the tax package passed by the State Legislature this summer are newly available.

"What Tax Reform Means to You" is a leaflet which summarizes the various components of the program, including the income tax, the tenant credit, the new State school aid formula, the homestead rebate, revenue sharing to local governments and the "caps" limiting State and local spending.

A broader information pamphlet on the income tax, prepared by the Division of Taxation, answers the most frequently asked questions on the division's income tax "hotline" (609-394-1900).

Either or both publications are available on request by writing: Division of Taxation, Taxpayer Information Services, West State and Willow Streets, Trenton, N. J. 08625.